

**CITY OF TULARE PLANNING COMMISSION**

**REGULAR MEETING MINUTES**

**Council Chambers  
491 North M Street**

**October 24, 2016**

**COMMISSIONERS PRESENT:** Rocha, Herrera, Davis, Miguel  
Miller, Killion

**TEENS ON BOARD PRESENT:** None

**STAFF PRESENT:** Rob Hunt, Community Development Director  
Traci Myers, Community Development Deputy  
Director  
David Hale, City Attorney  
Aaron Carpenter, Contract Assistant Planner  
Lucie Brown, Commission Clerk

**CALL TO ORDER:**

Chairman Killion called the regular meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE:**

Commissioner Davis led us in the flag salute.

**CITIZEN COMMENTS:**

None

## **COMMISSIONER COMMENTS:**

Commissioner Miller expressed concerns regarding speeding vehicles along Belmont Street, between Prosperity and Pleasant; the increase in prostitution along South K Street just south of the fairgrounds; and a group of homeless that have set up on the far south end of Blackstone Avenue, south of Paige down to Industrial Avenue.

Director Hunt stated that he would refer her concerns to the Police Department.

## **STAFF COMMUNICATIONS:**

None

## **CONSENT CALENDAR:**

### **Minutes of the October 10, 2016 meeting.**

It was motioned by Commissioner Rocha and seconded by Commissioner Herrera to approve the consent calendar.

Motion carried by unanimous vote.

## **PUBLIC HEARING:**

Chairman Killion recused himself citing conflict, handing gavel over to Vice Chair Miguel.

### **(1) General Plan Amendment No. 2015-14/ Zone Amendment No. 710/ Mitigated Negative Declaration:**

Traci Myers, Community Development Deputy Director, reviewed with the Commission a request by Monterey Dynasty, LLC to change the General Plan from Low Density Residential (3.1-7 units/acre) to Community Commercial on 4.74 acres at Cartmill and SR 99 and rezone 4.74 acres from R-1-7 (SFR, 7,000 sf lot minimum) to C-3 (Retail Commercial) at the southwest corner of Cartmill Avenue and SR 99. She asked that the Commission consider the following actions:

1. Recommend to City Council approval of a Mitigated Negative Declaration for General Plan Amendment No. 2015-01 and Zone Amendment No. 710. APN: 166-240-008
2. Recommend to City Council approval of General Plan Amendment No. 2015-01 to change the General Plan from Low Density Residential (3.1-7 units/acre) to Community Commercial on 4.74 acres at Cartmill Avenue and SR 99. APN: 166-240-008

3. Recommend to City Council approval of Zone Amendment No. 710 to rezone 4.74 acres at Cartmill Avenue and SR 99 from R-1-7 (SFR, 7,000 sf lot minimum) to C-3 (Retail Commercial). APN: 166-240-008

**Conditional Use Permit No. 2015-13:**

Construction of a 5-story/136 room hotel with restaurant/bar, convention center/hall, 75 ft. freeway sign, for an ABC Type 47 (on-sale general for restaurant) license on property located at the southwest corner of Cartmill Avenue and SR 99 with access along M Street. For Planning Commission consideration:

Adopt Resolution **5198**, adopting a mitigated negative declaration for General Plan Amendment No. 2015-13, Zone Amendment No. 710 and Conditional Use Permit No. 2015-13.

Adopt Resolution **5199**, approving Conditional Use Permit No. 2015-13.

Deputy Director Myers introduced Matt Ainley, 4 Creeks Engineering, who provided the Commission with a brief overview of the project.

Vice- Chairman Miguel opened the public hearing.

Evelyn Benson, 2491 Presidential Drive and Gene Terry, 2455 Presidential Drive, (representative of the residents of Presidential Estates) spoke in opposition of the project.

Ms. Benson provided the Commission with several concerns regarding this project. She noted the concern with the shared parking agreement between the church and the hotel, stating that she doesn't think there will be enough parking when both facilities hold special events. She also noted concerns with citizen crossing on M Street, and impacts to the City's current water system.

Mr. Terry provided the Commission Clerk with a signed petition from various residents in Presidential Estates in opposition of the project. He also provided several pictures depicting increase in traffic, no cross walks for citizens on "M" Street in front of Blain Park as well as views from several residents yard that would be impacted by a 5 story hotel.

Sharon Porter, 2459 N. Oaks- Space 120, spoke on behalf of the residents in the mobile home parks on Oaks stating that they are concerned with the increase in traffic, noise and impact to the water system.

There being no one else to speak in favor of or against the project the public hearing was closed.

Deputy Director Myers responded to several of the concerns and stated that the CEQA process requires a traffic analysis which showed no significant impact to the area and the City Engineer reviewed and had no comments. She addressed the concerns with the water system impact by stating that the Board of Public Utilities reviewed this project and it found this project would have no significant impact to the City's water system. She concluded by addressing the issue of

crossing on “M” Street and stated that the project is further down from the park and the issues of crosswalks are not subject to this project.

Commissioner Davis asked if the traffic study took into consideration all the traffic including the fire station to the north.

Deputy Director Myers stated that the traffic study takes into consideration all traffic in the project area.

Commissioner Miller stated that it is a nice project but feels it will do a disservice to the residents in the area who were promised that this parcel would be for single family residential development. She also noted her concerns for shared parking between the hotel and church as well as the fire ingress and egress. She concluded by stating that she feels this project is not a good fit for the proposed location.

Matt Ainley, Engineer, stated that the single family residential is not compatible with the Cartmill Interchange. The traffic that the hotel will generate will not be regular a.m./ p.m. traffic the customers of the hotel come and go at various hours, not during peak hours.

Commissioner Davis noted that he is concerned with the shared parking agreement between the church and the hotel.

Pastor Green, Living Christ Church, stated that no final decision has been made between his church and the hotel. He noted that he would like to have any proposed agreements to be reviewed by the Church’s attorney.

Commissioner Davis stated that he is concerned with the lack of an agreement and would like this ironed out before making any decision.

Commissioner Miguel stated although there may be other locations to build this hotel, he does not see a better use for the proposed property.

After further discussion, it was motioned by Commissioner Davis and seconded by Commissioner Miller to continue these items until the November 28, 2016 meeting to allow the parties time to try and workout a shared parking agreement or alternatives to the parking issues.

Director Hunt noted that the Commission is requesting shared parking agreement as well as fire secondary access.

City Attorney David Hale clarified that the motion is for General Plan Amendment No. 2015-01, Zone Amendment No. 710, Mitigated Negative Declaration as well as the Conditional Use Permit No. 2015-13.

## COMMISSIONERS

AYES: Davis, Miller, Herrera

ABSENT: Crase

NOES: Miguel, Rocha

ABSTAIN: Killion

Chairman Killion returned to his chair.

### GENERAL BUSINESS- NON PUBLIC HEARING ITEMS:

#### Design Review No. 1080:

Director Hunt reviewed with the Commission a request by Ken Mitchell, Valley Veterinary Supply, to construct an approximate 16,900 sq. ft. building that will contain a vet supply sales office and vet supply storage warehouse on property located at 2681 South “K” Street.

Commissioner Miguel stated that he sees no controversy with this project.

It was motioned by Commissioner Miguel and seconded by Commissioner Herrera to adopt Resolution 5200 approving Design Review No. 1080 based on the findings and subject to the conditions listed in the staff report.

## COMMISSIONERS

AYES: Davis, Miller, Herrera, Miguel  
Rocha, Killion

ABSENT: Crase

NOES: None

ABSTAIN: None

#### Design Review No. 1081:

Aaron Carpenter, Contract City Planner, reviewed with the Commission a request by Jasvir Singh to construct a 10,951 sq. ft. truck wash and repair facility with associated parking and landscaping on 4.24 acres on property located at the south east corner of “K” Street and Industrial Avenue.

Commissioner Miller asked if the ingress and egress was off of “K” Street.

Aaron Carpenter, stated that it is off both “K” Street and Industrial Avenue.

It was motioned by Commissioner Miguel and seconded by Commissioner Rocha to adopt Resolution 5201 approving Design Review No. 1081 based on the findings and subject to the conditions listed in the staff report.

**TEENS ON BOARD:**

None

**ITEMS OF BOARD INTEREST:**

Commissioner Miguel noted that he attended all the high school football games this past weekend and encouraged everyone to support our schools.

**AJOURNMENT:**

There being no other items to come before the Commission, the meeting was adjourned 8:23 p.m.

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JEFF KILLION, CHAIRMAN  
City of Tulare Planning Commission

ATTEST:

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ROB HUNT, SECRETARY  
City of Tulare Planning Commission