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CITY OF KERMAN PLANNING COMMISSION
AGENDA

REGULAR MEETING
DATE: Monday, January 26, 2015
TIME: 6:30 p.m.

Location: City Council Chambers 850 S. Madera Avenue, Kerman, Ca

Call to Order – Chairman, Robert D. Epperson
Roll Call – Secretary, Olivia Pimentel
Pledge of Allegiance
Approval of Agenda
1. Approval of Minutes
October 27, 2014
Request to Address Commission

This portion of the meeting is reserved for members of the public to address the Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. Speakers shall be limited to (3) three minutes. It is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Commission on items on the Agenda should notify the Chairman when that Agenda item is called, and the Chairman will recognize your discussion at that time. It should be noted that the Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Speakers are asked to please use the microphone, and provide their name and address.

2. Presentation(s)
   A. Swearing-in of Newly Appointed Planning Commissioners Charlie Jones and Mario Nunez

   On December 17, 2014 the City Council appointed Charlie Jones and Mario Nunez to the Planning Commission for a three-year term from January 1, 2015 through December 31, 2015. Olivia Pimentel, Deputy City Clerk, will administer the oath of office to Mr. Jones and Mr. Nunez.

3. Public Hearing(s) / Meeting(s) None Scheduled

4. Petitions, Resolutions None Scheduled
5. Administrative Reports

A. Request for Abandonment of Public Utility Easement at 14647 W. Kearney Boulevard (JJ)

The property owner located at 14647 W. Kearney Boulevard Council is requesting that the City of Kerman abandon a public utility easement on their property. The request was presented to the City Council on January 7. After considering the request, the Council directed staff to present the item to the Planning Commission for their input prior to the public hearing on the matter scheduled for February 4.

B. Proposed Union Pacific Railroad (UPRR)/California Avenue Bicycle and Pedestrian Route Master Plan and Construction of Curb Bulbouts for Increased Safety at Street Crossings

City Staff have developed a proposed Bicycle and Pedestrian Master Plan Route along the Union Pacific Railroad and California Avenue from Siskiyou Avenue to Goldenrod Avenue. The route will provide bicyclists and pedestrians enhanced access between City parks and facilities, schools, and other activity centers. The City has received Federal funding for the segments between Siskiyou and Park and Del Norte and First. In order to provide safe crossings for residents to access the route, curb bulbouts are proposed at the intersection of California and Manor and California and First. The curb bulbouts would be constructed as part of the City’s upcoming California Avenue Reconstruction Project. Staff is seeking input from the Planning Commission on the proposed bulbouts.

C. Zoning Ordinance Amendment related to Emergency Shelters, Transitional & Supportive Housing for the homeless

The City of Kerman is in the process of completing the 5th Cycle Housing Element update. The City of Kerman is participating in a Multi-Jurisdictional Housing Element Update (MJHE) with the County of Fresno and the cities of Clovis, Coalinga, Fowler, Huron, Kingsburg, Mendota, Parlier, San Joaquin, Reedley, and Selma. The consultant preparing the 5th cycle housing element update reviewed each jurisdictions housing element to determine compliance with State housing law relating to emergency shelters, transitional and supportive housing for the homeless as required by Senate Bill 2 (SB2). The consultant determined that Kerman's zoning ordinance is not in compliance with SB2 and a zoning ordinance amendment will be required. The State Department of Housing and Community Development (HCD) will not certify a housing element unless a jurisdiction is in compliance with SB2. The 5th cycle housing element update is due to HCD by December 31, 2015. Staff will make a PowerPoint presentation and seek input from the Planning Commission on the proposed zoning ordinance amendment.

Communications

A. Commissioners Comments

Adjournment

AGENDA POSTING CERTIFICATION

I, OLIVIA G. PIMENTEL, Planning Secretary for the City of Kerman, do hereby declare under penalty of perjury that I caused the above agenda to be posted at City of Kerman Planning & Development office at 850 So. Madera Avenue, and at Kerman Community/Teen Center, 15100 Kearney Plaza, and emailed to interested parties on January 21, 2015.
Olivia G. Pimentel
Secretary to the Planning Commission
Call to Order – Chairman, Robert D. Epperson called meeting to order at 6:35pm

Roll Call – Secretary, Olivia Pimentel

Commissioners Present: Epperson, Bandy, Nehring, Kehler, Wettlaufer, Harris

Commissioners Absent: Melgoza (unexcused)

Pledge of Allegiance - Performed

Approval of Agenda, C/Nehring made a motion to approve Agenda as presented, second C/Harris unanimously approved as presented

1. Approval of Minutes, September 22, 2014  C/Nehring made a motion to approve minutes as submitted, second C/Kehler. Unanimously approved as presented

Request to Address Commission – None offered

2. Presentation(s)

A. Presentation of Conceptual Plan for Seniors Housing Project

Davis Slajchert of Willow Partners, LLC gave a presentation to the Planning Commission in hopes of getting input and support to develop a 62-unit senior housing project on a 4.5 acre parcel located at the northeast corner of Siskiyou and Gateway Avenues. Mr. Slajchert presented a conceptual layout of the project before proceeding with a formal application at the recommendation of staff. The site is currently zoned Neighborhood Commercial (C-N) and will require a rezone in order to allow for residential development. A letter from Mr. Slajchert describing the proposed project and a conceptual site plan was presented.

The Commission heard the presentation, gave some preliminary input. The Commission’s comments on the project included; circulation egress/ingress entrance on Siskiyou recommending right in right out only. There was some question whether senior apartments would be suitable for this location. The site is along two major streets; highway (SR180) and Siskiyou Avenue and next to another apartment complex for multifamily (Hacienda Heights). The architectural design and layout were overall supported; however, the location for this type of use was not fully embraced by the Commission.

Mr. Slajert and Mr. Covington spoke in support of the proposed site, pointing out that this site has sat vacant for a very long time because there were simply no buyers or investors wanting to place a commercial use at this intersection because the majority of businesses are going to the east of Madera Avenue (CVS, Walmart, etc). Senior Housing would be the best fit for this site because it would be a gated senior community that would complement and be consistent with the existing housing in the neighborhood and enhance the western entryway into the city.

Staff and the Commission recommended that the proposed project be presented to the community for their input before submitting an actual application.
3. Public Hearing(s) / Meeting(s)

A. Conditional Use Permit No. 14-02, TBS Holding for a 1,000 square foot detached automated drive-thru car wash in connection with a proposed convenience store and fueling station located in Phase II of the Kerman Crossing Neighborhood Shopping Center (SEC Whitesbridge Road and Kline Street)

Staff recommends that the Planning Commission open the public hearing, take public testimony, close the public hearing and take the following action:

1. Adopt resolution No. 14-04 approving Conditional Use Permit No. 14-02 for an automated drive-thru car wash, subject to conditions of approval.

Staff gave a brief summary of the staff report. The subject property is a 4.36 acre undeveloped lot located on the SEC of Whitesbridge Road and Kline Street. The site was part of a larger two-phased neighborhood commercial retail center (Kerman Crossing Neighborhood Center, Site Plan Review 07-19) approved in 2008. A 10,200 s.f. medical building for a dialysis center is planned for construction later this year on the remaining pad. Development of phase II was deferred due to the economic recession. The project will include the following uses that were all permitted by right in the General Commercial zone district, except for the car wash and drive thru that were allowed by way of a conditional use permit, staff noted that several conditions would address any noise issues relating to the car wash:

Phase I:
- **Convenience Store**- 2,800 s.f., fuel island with 9 pumps and a 1,000s.f. carwash.
- **Retail/Office Building** – 13,500 s.f., with a pedestrian garden and seating area.
- **Restaurant** – 2,588 s.f. Jack in the Box Restaurant, 24 hour, drive-thru.

Phase II:
- **Retail Building** – 4,500 s.f.
- **Restaurant (Retail)** -5,365 s.f.

Opened Public Hearing at 6:40pm

Mr. Robert Martinez, Architect & Associates, representing the applicant TBS Holdings was present in the audience for any questions from the Commission or staff.

There were no public comments offered.

Commissioners had several questions including, C/Epperson, regarding the temporary storm drain basin after filled, staff addressed noting it had already been diverted to the southwest corner, etc.
C/Bandy, inquired about the car wash whether it was fully automated, Applicants, responded and explained that the car wash would be fully automated, no employees, outdoor seating, etc.

Closed Public Hearing at 6:45p.m.

C/Bandy made a motion to approve Resolution No. 14-04, For a Conditional Use Permit for an automated drive thru car wash in the Plaza Development, TBS Holdings, LLS. Known as Phase II of Site Plan Review 07-19, second C/Kehler. Unanimously approved with following votes;

Ayes: Epperson, Nehring, Bandy, Harris, Kehler, Wettlaufer
Nays: None
Abstain: None
Absent: Melgoza

4. Petitions, Resolutions

A. Residential Design Guidelines

On September 22, staff introduced draft residential design guidelines for single-family and multi-family residential project. Staff revised the guidelines to incorporate the Commission's comments. Staff is asking that
the Commission adopt a resolution recommending that the City Council adopt the Residential Design Guidelines.

Staff reviewed the draft residential design guidelines noting that the guidelines were cleaned up incorporating the comments from the planning commission on September 22, 2014. Staff explained that the proposed guidelines will help staff streamline and expedite development review process for new residential projects into the community in a manner that encourages quality design, variation of architecture, street connectivity, walkability and social interaction. The guidelines cover both single-family and multi-family projects. Staff added conditions of approval for Resolution 14-05, A Resolution of the Kerman Planning Commission recommending to the City Council Adoption of the Residential Design Guidelines.

C/Nehring made a motion to approve resolution 14-05, A Resolution of the Kerman Planning Commission recommending to the City Council Adoption of the Residential Design Guidelines, second C/ Harris, unanimously approved as presented by the following vote:

Ayes: Epperson, Nehring, Bandy, Harris, Kehler, Wettlaufer
Nays: None
Abstain: None
Absent: Melgoza

5. Administrative Reports
Staff offered two (2) verbal reports;
- regarding past Planning Commissioner Louie Souza
- Two (2) seats on the Planning Commission will expire on December 31, 2014 (Harris/Melgoza) Commissioners were encouraged to re-apply for the seats. A call for applications will be sent out.

Communications
A. Commissioners Comments
C/Nehring inquired if staff had received any response from AT & T Cell Tower, any designs, staff reported that nothing had been received; but that staff had discussed with county staff and they would contact them and get back to the City.

Meeting was Adjourned at 8pm

Minutes submitted by:

[Signature]
Planning Commission Secretary
To: Chairman and Commissioners
From: Jerry Jones, City Engineer
Subject: Request for Abandonment of Public Utility Easement at 14647 West Kearney Boulevard

RECOMMENDATION

Planning Commission provide a recommendation to Council in regards to the vacation of the public utility easement at 14647 West Kearney Boulevard.

EXECUTIVE SUMMARY

The City has received a request to abandon the public utility easement (PUE) at 14647 West Kearney Boulevard (APN 023-150-43S) from Mr. Arthur Valdivia. Mr. Valdivia intends to build a single family residence on the property and the proposed residence encroaches on the PUE.

OUTSTANDING ISSUES

The Council considered this request on January 7, 2015 and adopted a resolution initiating proceedings for the vacation of the PUE and set the date for the required public hearing for February 4, 2015. Council requested a recommendation from the Planning Commission prior to the public hearing. At the conclusion of the public hearing, Council will consider all evidence presented, including the Planning Commission’s recommendation, and decide whether the PUE will be vacated.

DISCUSSION

Mrs. Beatrice Valdivia owns the subject property at 14647 West Kearney Boulevard. The property is located at the southwest corner of Kearney Boulevard and G Street, with frontages on both streets. Mrs. Valdivia, and her son, Mr. Arthur Valdivia, have approached the City in regards to building a single family residence on the subject property to be used by Mr. Arthur Valdivia. The proposed residence is 1,700 square feet featuring 3 bedrooms and 2 bathrooms, with a 1,591 square foot garage to store classic cars owned by Arthur Valdivia.

The Valdivia’s submitted a plot plan (see Attachment A) for review and comment by staff. Upon review, staff noted that the proposed residence encroached upon the PUE along the frontage of the property. The property is an irregular shaped lot that was created by the dedication of some right-of-way by the Valdivia's to the City in the 1980's for the widening of Kearney and realignment of 'G' Street. The configuration of the lot makes the placement of the proposed residence, including garage, challenging without encroachment into the PUE. The PUE was dedicated as a standard requirement by the City in connection with the parcel map filed by Mr. and Mrs. Fidel Valdivia in June 2005.
Mr. Arthur Valdivia submitted a request (see Attachment B) to abandon the PUE along the frontage of the property to facilitate the approval and construction of the proposed residence. The City received the request on December 17, 2014. In accordance with the California Streets and Highways Code (SHC), Section 8320, the City may initiate proceedings for the abandonment of a PUE upon the request of an interested person, in this case Mr. Valdivia. The specific vacation procedure set forth in SHC Sections 8320-8325 requires the following steps:

1. After receipt of a request to vacate, Council may initiate proceedings for the vacation and set the date for the required public hearing.

2. If Council initiates proceedings, the City must publish a notice of the public hearing for two successive weeks prior to the public hearing and post the notice along the PUE at least two weeks prior to the hearing.

3. Council holds the public hearing and hears evidence from any interested parties.

4. If Council finds, after considering any evidence submitted at the hearing, that the PUE is unnecessary for present or prospective use, the Council may adopt a resolution vacating the PUE.

5. If vacated, the resolution shall be filed with the County Recorder.

**FISCAL IMPACT**

There is no fiscal impact to the City that will result from the abandonment of the PUE.

**PUBLIC HEARING**

The Notice of Public Hearing was published in the Kerman News on January 14, 2015 and January 21, 2015. In addition, the Notice was posted at a minimum of three locations along the PUE. The public hearing to consider the abandonment of the PUE is set for February 4, 2015.

Attachments:

A. Plot Plan
B. Request to Abandon PUE
Attachment 'B'

To: City of Kerman

From: Arthur Valdivia
461 S. Manor Drive
Kerman, CA 93630

I am hereby requesting that the abandonment easement be lifted for 14547 W. Kearney Blvd., which is located on the corner of Kearney and Crooked G Street. I intend to build a home at this address for myself and my family.

Thank you for your time.

Sincerely,

Arthur Valdivia
To: Chairman and Commissioners  
From: Jerry Jones, City Engineer  
Subject: Proposed Union Pacific Railroad (UPRR)/California Avenue Bicycle and Pedestrian Route Master Plan and Construction of Curb Bulbouts for Increased Safety at Street Crossings

RECOMMENDATION

Planning Commission provide input regarding the proposed UPRR/California Avenue Bicycle and Pedestrian Route Master Plan and provide a recommendation to the City Council regarding the construction of curb bulbouts as part of the California Avenue Reconstruction Project.

EXECUTIVE SUMMARY

City Staff have developed a proposed Bicycle and Pedestrian Master Plan Route along the Union Pacific Railroad and California Avenue from Siskiyou Avenue to Goldenrod Avenue. The route will provide bicyclists and pedestrians enhanced access between City parks and facilities, schools, and other activity centers. The City has received Federal funding for the segments between Siskiyou and Park and Del Norte and First. In order to provide safe crossings for residents to access the route, curb bulbouts are proposed at the intersection of California and Manor and California and First. The curb bulbouts would be constructed as part of the City's upcoming California Avenue Reconstruction Project.

OUTSTANDING ISSUES

None.

DISCUSSION

In conformance with General Plan policies promoting alternative modes of transportation, the City strives to plan for, and construct, facilities that promote bicycling and walking as alternative modes of transportation, and for recreation. For example, the City completed a project in 2012 that installed new bike lanes and refreshed existing bike lane striping throughout the City on Collector streets to provide improved bicycle access throughout the City. The project also included the construction of a new sidewalk along Kearney Boulevard from Vineland Avenue to the new Goldenrod Elementary School. Typical bicycle and pedestrian facilities include sidewalks, parkways, trails, and bike lanes.

In an effort to continue the promotion of bicycling and walking, we have prepared a proposed Bicycle and Pedestrian Route Master Plan for a route along the UPRR and California Avenue, from Siskiyou Avenue to Goldenrod Avenue. The plan will serve as a supporting document for the procurement of outside funding to complete the route. The route will provide a continuous connecting route between the City Center (Plaza Park and City Hall) and the future...
westside and eastside regional parks. Attachment ‘A’ shows the location of the proposed route and the type of facility planned along each route segment, including existing facilities. The proposed route will include three types of facilities, as follows:

1. **Meandering Trail**: Consists of a 10 foot wide asphalt or concrete meandering trail with trees and landscaping on both sides. This configuration would be used in areas with sufficient right-of-way to accommodate the meander and landscaping.

2. **Concrete Sidewalk**: Consists of a 10 foot wide concrete sidewalk with limited trees and/or landscaping. This configuration would be used on the south side of California, between First and Vineland, due to limited right-of-way. Efforts will be made to preserve existing trees, or plant new trees, where sufficient right of way is available to do so. In areas with limited right of way, climbing vines may be planted along existing fences in order to create a more aesthetically pleasing route.

3. **Concrete Sidewalk and Bike Lane**: Consists of a 4 or 5 foot concrete sidewalk and 6 foot bike lane within the street. This configuration exists on the south side of California, between Park and Del Norte.

The proposed route includes rest areas located strategically along the route. The rest areas will include a park bench, trash receptacle, lighting, and any other desired amenities. The rest areas will include landscape planting with shade trees and accent plantings.

The City has received Federal Congestion Mitigation and Air Quality (CMAQ) funding in the amount of $300,000 for the construction of a shared bicycle and pedestrian trail along the north side of the UPRR from Siskiyou Avenue to 1,300 feet east, and then north to California Avenue. Construction is scheduled to take place in FY 15/16. In addition, the City has allocated their FY 14/15 and 15/16 CMAQ Lifeline funds in the amount of $118,700 for the construction of the route segment from Del Norte to First.

The proposed master plan is considered to be the first phase in the development of a Citywide Bicycle and Pedestrian Route Master Plan. The Citywide Master Plan will provide a planning document for future bicycle and pedestrian facilities within the City's Sphere of Influence. The Citywide Master Plan will include sidewalks, parkways, trails, paseos, and other bicycle and pedestrian friendly facilities.

The City’s Recreation Commission was presented with the proposed master plan for review and comment at their meeting on October 23, 2013. The Recreation Commission was supportive of the proposed master plan and recommended that the City move forward with securing funding and completing projects to develop the route. The Planning Commission’s recommendations will be presented to City Council on February 4, 2015.

**Curb Bulbout Construction – California Avenue Reconstruction Project**

The City is currently in the design phase for the reconstruction of California Avenue from Del Norte Avenue to Madera Avenue. The project will replace the existing pavement to provide a smooth street surface, capable of supporting the typical vehicle loads on the street. In addition, the project will replace existing concrete curb and gutter, sidewalks, valley gutters, and driveways that are damaged or deficient. New curb ramps will be constructed at all intersections in compliance with Americans with Disabilities Act (ADA) regulations. This project is funded with Local transportation Funds and is scheduled for construction in summer 2015. This project will be constructed prior to the construction of the CMAQ-funded pedestrian and bicycle facilities from Del Norte to First.
If the Planning Commission and City Council are supportive of the proposed Bicycle and Pedestrian Route Master Plan, and provide direction to move forward with the construction of facilities associated with the route, it will be necessary to provide safe crossings at strategic locations along California Avenue to provide access to the route. Currently, there are no Stop-controlled intersections along California, between Del Norte and Madera. Crossings will have to be constructed at locations where vehicles are not normally required to stop. In order to provide safe crossings for bicyclists and pedestrians wishing to access the route on the south side of California, it is desirable to enhance the visibility of these crossings.

We recommend that two new crossings be installed; one at Manor Drive and one at First Street. These locations provide the greatest access to activity centers such as parks, schools, and City facilities. In order to enhance the visibility of the crossings, we recommend that curb bulbouts be constructed. The curb bulbouts would be similar to those installed along First Street at Stanislaus and San Joaquin Avenues. The bulbouts provide multiple benefits, including locating pedestrians waiting to cross in a location that provides visibility beyond parked vehicles, shortened distance in which pedestrians are within the street, and decreasing the width of the street which helps to slow vehicles.

Exhibits showing the proposed bulbouts at Manor and First Streets are provided as Attachment ‘B’ and ‘C’, respectively. If the bulbouts are to be constructed, we recommend that they be constructed as part of the California Avenue Reconstruction Project. If the bulbouts are constructed as part of a future project, it will be necessary to remove improvements installed as part of the current California Avenue Reconstruction Project, essentially throwing away public street assets paid for by the City.

**FISCAL IMPACT**

The estimated cost for the California Avenue Reconstruction Project is $779,000. The curb bulbouts will cost an additional $43,000. The curb bulbouts would be included in the bid for the project as additive alternates. This would allow the City flexibility to award either the base project only or the base project and one or both of the additive alternates. If the bids for the project are lower than expected, the City could move forward with the bulbouts and vice-versa.

**PUBLIC HEARING**

None required.

Attachments:

A. Proposed UPRR/California Avenue Bicycle and Pedestrian Route Master Plan
B. Bulbout Exhibit – California Avenue and Manor Drive
C. Bulbout Exhibit – California Avenue and First Street
Attachment 'B'
SB 2 Emergency Shelter & Transitional Housing Law Planning Commission Study Session

January 26, 2015
Housing Element Update

- 5th Cycle Housing Element Update in progress – Due 12/31/15
- City participating in Multi-Jurisdictional Housing Element Update
- City must comply with SB 2 before HCD will certify Housing Element
Senate Bill 2 Basics

- Housing Element policy to facilitate Shelters and Housings for homeless persons
- Identify number of homeless persons within city/jurisdiction
- Identify at least one zone district where Emergency Shelters allowed by right to meet local homeless need
- Transitional and supportive housing treated the same as other residential uses
Estimated Number of Homeless

- 2013 Point-In-Time Count is a biennial survey of homeless population
- Fresno County estimated it has 3,131 homeless persons
- 90% of unsheltered homeless in Fresno County are male
- Kerman’s estimated homeless population was 5 persons
Key Definitions (H&S Code)

- **Emergency Shelters**: Housing with minimal support services for no more than 6 months stay
- **Transitional Housing**: Rentals for at least 6 months, not intended for long term stay
- **Permanent Supportive Housing**: Housing with NO limits to length of stay for intended target population
Zoning Ordinance Amendment

- Identify at least one zone district where Emergency Shelters are allowed by right
- Establish development standards
- Establish Management & Operation standards
- Add Emergency Shelters, Transitional and Supportive Housing to definitions

Possible Zoning District(s):
- Service Commercial (C-S)
- Light Industrial (M-1)
SB2 Ordinance Framework

- **Occupancy**
  - Maximum of 30 beds

- **Waiting & Intake Area**
  - Minimum of ten (10) square feet per bed

- **Parking**
  - Parking One (1) vehicle parking space per five (5) beds

- **Length of Stay**
  - Client shall not exceed six months (180 days) within a one year period
  - Days of stay need not be consecutive

- **Hours of Operation**
  - Daily check-in and check-out time specified in Management and Operation Plan

- **Support Services**
  - Food Preparation Area
  - Laundry facilities
  - Restrooms and showers
  - Areas to secure belongings
  - Indoor and outdoor recreational area and/or open space
  - Private area for referral services or case management

- **Management & Operation Plan**
  - Include “Best Practices”
  - Security Plan/Transportation Plan
  - Staff training & ratio of staff to client
  - “Good Neighbor” Communication Plan
  - Client eligibility and intake process
  - Approval of Planning Manager and Chief of Police
Next Steps

- Feb. 23 - PC to Initiate Zoning Ordinance Amendment (ZOA) & set public hearing
- March 23 - PC public hearing to consider ZOA
- April 15 - Council public hearing for 1st reading of ZOA
- May 6 – Council conduct 2nd reading & adopt ZOA
Questions