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OPENING CEREMONIES

Call to Order – Chairman, Robert D. Epperson
Roll Call – Secretary, Olivia Pimentel
Pledge of Allegiance

AGENDA APPROVAL/ADDITIONS/DELETIONS

1. PRESENTATIONS - None Offered
   A. Swear In Commissioner Robert Felker

REQUEST TO ADDRESS THE 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. APPROVAL OF MINUTES
   A. January 9, 2017

3. PUBLIC HEARING - None Offered
4. PETITIONS/RESOLUTIONS

A. Subject: Request for extension Gateway Villa Apartments

Recommendation: Commission by motion Approve Resolution extending Conditional Use Permit No. 16-02, Gateway Villas, a 61-Unit, Income Qualified Apartment Complex project on a vacant 4.38 acre parcel located the southeast of Whitesbridge (SR180) and Siskiyou Avenue.

5. ADMINISTRATIVE REPORTS - None Offered

COMMUNICATIONS - As Offered

ADJOURNMENT

In compliance with the American with Disabilities Act (ADA), if you need special assistance to participate at this meeting, please contact the City Clerk at (559) 846-9380. Notification of 48 hours prior to the meeting will enable the City Clerk to make reasonable arrangement to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically handicapped.

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 Friday March 10, 2017.

/s/ Olivia G. Pimentel
Secretary to the Planning Commission
OPENING CEREMONIES

Call to Order – Chairman, Robert D. Epperson, called meeting to order at 6:35p.m
Roll Call – Secretary, Olivia Pimentel
Commissioners Present: Epperson, Bandy, Jones, Espino, Nunez, Wettlaufer, Felker
Commissioners Absent: None
Pledge of Allegiance - Performed

AGENDA APPROVAL/ADDITIONS/DELETIONS - Unanimously approved as presented

1. PRESENTATIONS  None Offered

REQUEST TO ADDRESS THE COMMISSION - None offered

2. APPROVAL OF MINUTES

   A. December 12, 2016, C/Jones made a motion to approve minutes as presented, second C/Wettlaufer. Unanimously approved as presented.

3. PUBLIC HEARING

   A. Subject: Public Hearing: Tentative Parcel Map No. 16-01, Burnett Family Trust.

      Staff presented a brief review of staff report and provided details of an application for a Tentative Parcel Map received by Burnett Foods, Inc. Burnett Foods dba: Taco Bell, owns outlot no 3 in the Walmart Shopping Center, located on the southwest corner of Whitesbridge and Goldenrod Avenue. There are two (2) existing businesses located in outlot no 3 (Starbucks on proposed Parcel ‘A’ and Taco Bell on proposed Parcel ‘B’). The intent of the parcel map is to subdivide outlot no 3 of Parcel Map 09-02 and create two (2) parcels that would allow the sale of either parcel by the owner of record, Burnett Foods. Parcel ‘A’ contains 21,918 sq. ft. and Parcel ‘B’ contains 27,842 sq. ft.

      Open Public Hearing: 6:38p.m.

      Scott Bishop 16216 W. Natalie, Kerman, addressed the commission, he inquired regarding trash enclosures if adequate for the site. He also inquired about accessible parking. Staff noted that on the map, there were two trash enclosures provided for each business and the map showed two handicap parking spaces, one on each parcel as required.

      C/ Epperson was concerned with various issues not addressed in the conditions of approval for the tentative parcel map. For example, all applicable conditions from the original Walmart development (PM 09-02) should be carried over to the new parcel created.
C/Epperson noted that some of these might not be parcel map issues directly, but need to be dealt with at this time to ensure that the original commitments are passed on to any new owners of new parcels. Issues include:

1. Maintenance of common use areas such as pavement, signage, landscaping to ensure that one land owner does not impact another land owner by failure to meet joint responsibilities.
2. Limitation on signage to the original signage master plan. Creating new parcels as part of the overall shopping center should not confer additional parcel by parcel signage. Our guidelines allow one freestanding sign per parcel. The shopping center was designed to have a single such sign. The City needs to clarify that there is to be no added “signage clutter”.

C/Espino had questions regarding the easements created to access the parcels and the responsible parties to maintain such easements, this should have been addressed in the conditions of approval. He stated that conditions applied to the Approved Parcel Map (PM 09-02) for the Walmart shopping center should be carried over to the TPM 16-01, Burnett Foods.

Closed Public Hearing: 7:10p.m.

Staff was directed to amend the conditions of approval by deleting sections that did not pertain to this parcel map. Staff was also directed to contact the Civil Engineer and City Engineer to address questions relating to maintenance, easements, etc. and make the appropriate amendments to the conditions of approval prior to submitting to Council.

C/Jones made a motion to approve resolution, as amended, second C/Wettlaufer to recommend that City Council approve Tentative Parcel Map No. 16-01, Burnett Family Trust.

4. PETITIONS/RESOLUTIONS - None Offered

5. ADMINISTRATIVE REPORTS -

Staff gave a brief overview of ongoing planning and building activity such as:

- **BUILDING**: 46 Building Permits issued in December. Total SFD permits 2016 ninety-five (95), Total SFD permits 2015 twenty-eight (28) and Total SFD permits 2014 twelve (12). Staff expects another big year in 2017 for building, several subdivisions that have gone dormant for past ten years have contacted the City to start development including; (Bordeaux II/Tract 5636), and Tract 5832 approximately 106 Single Family Residential subdivision have contacted the City Engineer to move forward.

- **PLANNING**: General Plan Amendment and several other items for this Commission to begin working on in 2017. Local Property owner inquired about an annexation for a 20 acre site on the southwest quadrant of the City, not in the city limits, to develop a 99 lot subdivision.

**COMMUNICATIONS**

A. Informational: Staff provided the results of the Planning Commissioners Appointed by City Council on December 21, 2016 Robert Bandy, Katie Wettlaufer (3 year terms, 2017-2019) and Robert Felker (2 year term, 2017-2018), Mr. Felker will be officially sworn in next meeting.

Adjourned Meeting at 7:15 p.m.

/s/ Olivia G. Pimentel
Secretary to the Planning Commission
To: City of Kerman Planning Commission

From: Olivia Pimentel, Assistant Planner and David Brletic, Planning Consultant

Subject: Extension Request for Conditional Use Permit No. 16-02, Gateway Villas – 61 Unit, Income Qualified, Apartment Complex

Recommendation

Staff recommends the Planning Commission consider and approve extension request and take following action:

Adopt resolution extending the Conditional Use Permit No. 16-02, for Gateway Villas – 61 Unit, Income Qualified, Apartment Complex, on property located on the southeast corner of State Route 180/Whitesbridge Avenue and Siskiyou Avenue.

Executive Summary

In 2016, Gateway Villas submitted an application for a proposed sixty-one (61) unit, income qualified, apartment complex. The proposed project was approved by both the Planning Commission in May 2016 and City Council in June 2016 for a 4.38+ acre vacant parcel located at the southeast corner of State Route 180/Whitesbridge Avenue and Siskiyou Avenue.

Entitlements that were approved by both the Planning Commission and the City Council in 2016 were:
General Plan Amendment No. 16-02
Zone Change Amendment No. 16-01
Mitigated Negative Declaration 16-02
Conditional Use Permit No. 16-02

The applicant, Davis Slajchert of Willow Partners is requesting an extension to allow time to apply for the two upcoming tax credit rounds in 2017. The proposed sixty-one (61) unit income qualified apartment complex consists of one (1) manager's/office unit, thirty (30) two-bedroom/two bath units, and thirty (3) three-bedroom/two bath units. The sixty (60) rental units are two-story. The proposed project also includes a clubhouse, children's playground, pool, lanai, barbeque area, and laundry room.
In order for the proposed project to be economically feasible, the applicant is applying for state and federal tax credits to include in financing of the project. Acquisition of state and federal tax credits is necessary to facilitate restriction of the proposed units to income qualified tenants. The applicant diligently pursued awarding of tax credits since the approval date; however, was not successful for the 2016 round; this is a very competitive process. This same developer has been successful in several other projects in Kerman, for example, Kearney Palms I, II, & III and the Hacienda Heights Apartments on Gateway Boulevard. All were made possible with joint efforts with City and tax credits. Staff has no doubt that this developer will continue to aggressively seek funding for this very worthwhile project that will provide much needed affordable housing.

All required entitlements for this project have been approved; however, the conditional use permit requires that if the use is not started within one year, an extension is required. The project was approved by Council in June 2016, therefore, it is due to expire on June 15th, 2017. Mr. Davis Slajchert has submitted an extension request for the project in a timely manner, at least 30 days prior to expiration of the approved conditional use permit 16-02 as required by the Kerman Municipal Code and

**General Information**

**Site Location:** The project site is located on the southeast side of State Route 180/Whitesbridge Avenue and Siskiyou Avenue (Assessor Parcel Number 023-700-04s), as shown in Figure 1 below.

**Figure 1**

“Site Location”

Existing Use: Vacant

General Plan: Neighborhood Commercial (NC).
Zoning: Neighborhood Commercial Zone District, (NC).

Surrounding Uses & Zoning:

<table>
<thead>
<tr>
<th>Location</th>
<th>General Plan Designation</th>
<th>Zone District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Fresno County/Agriculture</td>
<td>Ag</td>
<td>Agriculture</td>
</tr>
<tr>
<td>South</td>
<td>High Density Residential</td>
<td>SD-R-4.5</td>
<td>Multiple-Family Residential</td>
</tr>
<tr>
<td>East</td>
<td>Medium Density Residential</td>
<td>R-1-7</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>Medium Density Residential</td>
<td>R-1-7</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

**Conditional Use Permit**

The proposed Conditional Use Permit was contingent upon approval of the proposed General Plan Amendment and Zone Change. All entitlements were approved.

The subject site is a vacant infill lot that is bounded by two fully developed roadways and existing single-family residential developments (see photographs in Attachment A). The proposed project includes 30 two-story apartment buildings and 1 single-story buildings (clubhouse and manager’s unit) along with a fenced pool and lanai, playground and barbecue area. The proposed buildings are clustered in the center and at the south and east end of the property with parking and driveways around the perimeter. There are two vehicular access points proposed on Gateway Boulevard. Pedestrian access and paths are to be found throughout the complex, around each building and along the driveways. The preliminary landscape plan shows extensive planting throughout the site.

The perimeter of the complex will be served with an existing seven-foot masonry wall along the east and proposed seven-foot masonry wall along north property lines buffering State Route 180/Whitesbridge. Along the south and west property lines a six-foot wrought iron fence is to be constructed with automatic gates to provide added security and limit access to tenants and authorized guests. Signage is proposed in the median at the main entrance and will require a separate permit process.

**Public Hearing Not Required for Extension Request:**

Conditional use permits may be renewed in accordance with section 17.12.100 for an additional year or for a lesser or greater time period as may be specified; provided, that the application for renewal is filed with the planning commission prior to the expiration of the time period granted. The original conditional use permit was granted on June, 2016, the applicants emailed a request for an extension 30 days prior to the expiration; and submitted a formal request on February 24, 2017, therefore, they have met the intent of the ordinance which requires notification prior to expiration of the conditional use permit.

**Alternate Action:**

The Planning Commission may modify the conditions of approval or deny the request for an extension of the conditional use permit.
Summary and Recommendation

The proposed sixty-one (61) unit income qualified apartment project will be consistent with the proposed General Plan designation and proposed Zone District and will be consistent with the city’s development standards. Staff recommends that the Planning Commission adopt the following:

Resolution No. 17-__, Approving extension request for Conditional Use Permit No. 16-02 for an additional twelve months from the date of approval of extension.

Attachments:

A. Photographs of site
B. Site Plan of Proposed Gateway Villas 61 unit apartment complex
C. Elevations of Proposed Gateway Villas apartments
D. Resolution
Attachment ‘A’
Photographs of Site
Attachment ‘B’
Site Plan Map
Proposed Gateway Villas Apartments
Attachment ‘C’
Elevations
Proposed Gateway Villas Apartments

Building Type 1 – Exterior Elevations
Attachment ‘C’ (continued)
Elevations
Proposed Gateway Villas Apartments

Clubhouse Elevations
RESOLUTION NO. 17-
BEFORE THE PLANNING COMMISSION
CITY OF KERMAN, STATE OF CALIFORNIA

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KERMAN APPROVING AN EXTENSION REQUEST FOR CONDITIONAL USE PERMIT (16-02) FOR CONSTRUCTION OF GATEWAY VILLAS, A 61 UNIT, INCOME QUALIFIED APARTMENT COMPLEX ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF WHITESBRIDGE AVENUE AND SISKIYOU AVENUE IN KERMAN CALIFORNIA.

WHEREAS, Davis Slajchert of Willow Partners, LLC applied for a conditional use permit (CUP) which was approved at a regular meeting of the Planning Commission of the City of Kerman (the “Planning Commission”) duly called and held on May 2, 2016, at 6:30 p.m. to allow construction of Gateway Villas, a 61 unit income qualified apartment complex on property located on the southeast corner of State Route 180/Whitesbridge Avenue and Siskiyou Avenue; and

WHEREAS, on June 1, 2016 the Kerman City Council held a public hearing for the proposed project, that included several entitlements General Plan Amendment, Rezone and Conditional Use Permit, heard public testimony and held a second meeting on June 15, 2016; and

WHEREAS, an approved conditional use permit shall lapse and become void one year from the date it became effective if said use is not operating within that time period unless a lesser or greater time was prescribed by the resolution pursuant to Section 17.12.090 of the Kerman Municipal Code; and

WHEREAS, the applicant filed an extension request on February 24, 2017, and electronically prior to the expiration date and therefore, said use may be renewed for an additional year or for a lesser or greater time period as may be specified; provided, that an application for renewal is filed with the planning commission prior to the expiration of the time period granted in accordance with Section 17.12.100, and

WHEREAS, the project is categorically exempt from environmental review per Section 15311, Class 32 of CEQA Guidelines (In-fill Development), and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Kerman does hereby approve an extension as specified for Conditional Use Permit No. 16-02, subject to all original conditions as originally approved:

The foregoing resolution was adopted at a regular meeting of the Kerman Planning Commission held on this 13th day of March 2017, by the following vote.
AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED BY:

__________________________ _______________
Chairman, Robert D. Epperson Date

__________________________ _______________
Secretary, Olivia Pimentel Date
February 24, 2017

Ms. Olivia Pimentel
Planning Department
City of Kerman

Re: Gateway Apartments/CUP Extension request

Ms. Pimentel,

Thank you for working with Willow Partners on our Gateway Apartments project. We have diligently pursued the development since we initially received our approvals in June of last year. Unfortunately we were not successful in receiving an award of federal tax credits in the second round of 2016. We would therefore like to apply in the two upcoming tax credit rounds this year.

We respectfully request the planning commission consider our request for a 12 month extension of the conditional use permit for the Gateway Apartments. We would like this request to be added to the agenda of the next scheduled Planning Commission meeting. Thank you for consideration the Gateway Apartments will enhance the multi-family housing stock of the city and help to fill the current shortage of affordable housing in Kerman.

Regards,

[Signature]
Davis Slajchert
Willow Partners, LLC