

CLOVIS PLANNING COMMISSION MINUTES
January 28, 2021

A modified meeting of the Clovis Planning Commission was called to order at 6:00 p.m. by Chair Hatcher in the Clovis Council Chamber.

Flag salute led by Chair Hatcher

Present: Commissioners Antuna (via Webex), Bedsted, Cunningham, Hinkle, Chair Hatcher

Absent: None

Staff: Dave Merchen, City Planner
Ricky Caperton, Senior Planner
George Gonzalez, Senior Planner
Sean Smith, Supervising Civil Engineer
Michael Linden, City Attorney

PLANNING COMMISSION REORGANIZATION

Nomination and vote of Planning Commission Chair and Chair Pro Tempore. Commissioner Hinkle was nominated for Planning Commission Chair by Chair Hatcher, seconded by Commissioner Cunningham. Chair Hatcher was nominated for Chair Pro Tem by Commissioner Hinkle; the motion was withdrawn following discussion of the rotation method for the positions. Commissioner Cunningham was nominated for Chair Pro Tem by Commissioner Hinkle, seconded by Chair Hatcher. The motion to approve the nominations was approved by a vote of 5-0.

MINUTES

1. The Commission approved the December 17, 2020, minutes by a vote of 5-0.

COMMISSION SECRETARY

None.

PLANNING COMMISSION MEMBERS COMMENTS

None.

COMMUNICATIONS AND REFERRALS

Item of correspondence related to Agenda Item X-4.

BUSINESS FROM THE FLOOR

None.

CONSENT CALENDAR

None.

PUBLIC HEARINGS

2. Consider Approval - **Res. 21-__**, **CUP2020-008**, A request for a conditional use permit allowing for the construction of a gas station and $\pm 4,500$ square-foot convenience store with a Type 21 (beer, wine, and distilled spirits) alcoholic beverage control license located at 984 West Shaw

Avenue. Steven G. Sanders, Trustee of Steve G. Sanders Trust, owner; Randel Mathias, applicant and representative.

Senior Planner Ricky Caperton requested a continuance to a date uncertain.

At this point, the Commission voted by consensus to continue CUP2020-008 to a date uncertain. The motion was approved by a vote of 5-0.

3. Consider Approval - **Res. 21-001, OA2021-002**, A request to amend the standards of the R-1-MD (Single Family Residential Medium Density) zone district and the general property development and use standards in conjunction with the adoption of objective standards for the development of single family residential housing projects. City of Clovis, applicant.

City Planner Dave Merchen presented the staff report.

Commissioner Cunningham inquired, in regards to the four-foot side setback, as to whether staff had done any research on the acceptability of such a setback, given that his own research into the size of trash totes means that such a setback will only leave six inches for a gate latch and hinges. City Planner Merchen responded that this setback has been adopted for an ample number of subdivisions within the City and that he believes there is a way for a gate to accommodate the totes. While he acknowledges that often totes have to be moved in order to allow a person to pass, staff has determined that four feet can work as a minimum standard.

Commissioner Cunningham sought clarification as to the entity(ies) referred to by "the City." City Planner Merchen clarified that the standard has been approved by the City Council and that it had been determined to be an acceptable minimum standard by Planning and Development staff as well as public safety staff.

Commissioner Cunningham expressed confusion as to why the Planning Commission is addressing this if it is already standard. City Planner Merchen clarified that it is a standard that has been approved through PRD zoning, whereas tonight's proposal would apply to the R-1-MD zone district as part of the objective standards. In addition, if this setback becomes codified for the R-1-MD zone district, then it would probably become viewed as the baseline for developments with lots of a similar size.

Commissioner Cunningham remarked that though that may be correct, in his time on the Commission, there have been a lot of requests for this in other areas. He expressed concern about where to put the totes if a reduced side setback and reduced garage sizes prevent those areas from being used. City Planner Merchen responded that staff has substantially reviewed this issue and feels that these standards are appropriate for smaller lots. However, this does not prevent Commissioners from recommending a different standards.

Commissioner Hatcher inquired as to whether totes are all required to be the same size, as she recalls seeing smaller totes and assumes that smaller houses would be able to use smaller totes. The issue of side setback vs trash tote storage has come up numerous times. She expressed understanding of Commissioner Cunningham's view, but pointed out that a four-foot setback has been approved and it does not make sense to make developers come to the Planning Commission each time for the same request. Commissioner Cunningham responded that if the City Council has already approved the standard, then the Planning Commission should not have to address it. City Planner Merchen and

Supervising Civil Engineer Sean Smith both offered that they believe there is an option for residents to request totes of either a smaller or larger size.

Commissioner Bedsted expressed that he is a proponent of setting standards, as setting precedent can make it challenging to address issues like this, which has come up for debate fairly often. However, he believes that the reduced setback will cause an increase in totes sitting out on the streets. Returning to Commissioner Cunningham's last remark, he inquired as to whether this is actually a standard, as he was under the impression it had been approved as an exception to standards. In addition, he sought and received clarification regarding the allowance of tandem garages. He expressed concern that two-car tandem garages will, by their nature and in combination with shorter driveways, lead to an increased spillover of vehicles onto streets.

Commissioner Antuna expressed agreement with Commissioners Cunningham and Bedsted, as it was also her understanding that the four-foot setback was an exception rather than a standard. Though she understands that City staff have found the four-foot/three-foot side yard setbacks acceptable, she wonders how many totes will be left out. She personally would not want to move a trash tote every time she needs to access her backyard from the side, and believes the Commission should possibly put forward a different recommendation when making a motion on this.

Commissioner Hinkle expressed gratitude to City Planner Merchen and Planning Department staff for including all-weather pathways for trash totes, as most often totes being left out front are due to a lack of such. He expressed great difficulty with the four-foot garage-side setback, as he fears interference with first responders during critical moments. He also sought and received confirmation of swing garage dimensions, then expressed doubt regarding the proposed reduced garage sizes, as three quarters of vehicles sold in Clovis currently are SUVs or pickup trucks. He stated that the requirement for vehicle charging stations further reduces available space within garages.

Commissioner Hatcher pointed out a section of the staff report calling out swing garage dimensions as being ten feet by twenty feet, then sought and received confirmation that the proposed reduced setbacks are just for the medium density, R-1-MD zone district. She also inquired as to the current standard side yard setbacks for low density residential development. City Planner Merchen responded that it is five feet on both sides.

Commissioner Hatcher inquired as to whether there had been any consideration towards having developers who use reduced site setbacks place fences in such a way that the totes can still be screened. City Planner Merchen responded that there had been no such discussion so far.

Commissioner Hatcher remarked that, in regards to commentary regarding 1,800 square foot lots, she hopes the City never has to codify such, as she cannot imagine a lot that small. In terms of side yards, she is unsure as to whether she would vote against them given the Commission's propensity to approve them otherwise. Though she hears her fellow commissioners, she also has to take into account that the Police and Fire Departments do not have an issue getting in.

Chair Hinkle returned to the question regarding the swing garage dimensions. City Planner Merchen responded that it seems to be an error and that it was a good thing to catch it now and change it to the twenty-foot by twenty-foot standard.

At this point, the Chair opened the floor to those in favor.

There being none, the Chair opened the floor to those in opposition.

There being none, the Chair closed the public portion.

City Planner Merchen clarified that the four-foot/three-foot setbacks approved previously by the City Council have all been as part of the PRD process, a process that has different standards for each subdivision. Therefore, the City Council has not approved these setbacks as a universal standard, but rather as one that has been found acceptable on an individual basis.

Chair Hinkle sought and received confirmation that the Commission has the ability to make a motion to change the garage-side setback back to five feet, then invited Fire Department personnel present to comment if they wish. Chief John Binaski offered to answer any questions if the Commission had any. No questions were presented.

At this point, a motion was made by Chair Hinkle and seconded by Commissioner Bedsted to approve OA2021-002 with modifications to swing garage sizes to 20' x 20' and side setbacks in the R-1-MD Zone District to require a 5' garage side setback. The motion was approved by a vote of 4-1, with Commissioner Hatcher dissenting.

4. Consider Approval - **Res. 21-002, CUP2020-007**, A request for a conditional use permit for the construction of a ±9,400 square-foot ambulatory surgery center on a portion of an approximately 2.7-acre parcel located at 570 North Magnolia Avenue. AMEL Investments, LLC, a California Limited Liability Company, owner; Eric Lindvall, AMEL Investments, LLC, applicant; Marlette Associates, representative.

Senior Planner George Gonzalez presented the staff report.

At this point, the Chair opened the floor to the applicant.

Ron Marlette of Marlette Associates offered to answer any questions.

Chair Hinkle sought confirmation regarding the currently proposed operational hours and the applicant potentially seeking expansion of those hours in the future. Mr. Marlette deferred such questions to the applicant.

Commissioner Bedsted inquired as to whether any parking spaces would be specifically designated for patient pickup. Mr. Marlette responded that, rather than designate parking, there would be a set patient arrival/departure area, providing an explanation.

Eric Lindvall stepped forward to answer operational questions.

Chair Hinkle returned to the issue of proposed operational hours and recommended that the applicant expand them now rather than having to come back sometime in the future to modify them. Do so now would give them flexibility to change hours later as needed without having to repeat this process. Mr. Lindvall provided information regarding the currently proposed operational hours and expressed willingness to expand them now in order to simplify the process.

Commissioner Hatcher recommended the hours of 5:00 a.m. to 8:00 p.m. Mr. Lindvall agreed to them.

Chair Hinkle assured that such hours would not affect any other business, but would ensure maximum flexibility for their own business.

At this point, the Chair opened the floor to those in favor.

There being none, the Chair opened the floor to those in opposition.

At this point, the Chair closed the public portion.

At this point, a motion was made by Commissioner Cunningham and seconded by Commissioner Hatcher to approve CUP2020-007 with an added condition allowing for operational hours of 5:00 a.m. to 8:00 p.m. The motion was approved by a vote of 5-0.

OLD BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT AT 7:04 P.M. UNTIL the Planning Commission meeting on February 25, 2021.

A handwritten signature in blue ink, appearing to read "Paul Hinkle", written over a horizontal line.

Paul Hinkle, Chair