

CLOVIS PLANNING COMMISSION MINUTES
July 11, 2019

A regular 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, Bedsted, Cunningham, Hinkle, Chair Hatcher

Absent: None

Staff: Bryan Araki, City Planner
Orlando Ramirez, Deputy City Planner
Ricky Caperton, Senior Planner
Sean Smith, Supervising Civil Engineer

MINUTES

1. The Commission approved the June 27, 2019, minutes by a vote of 5-0.

COMMISSION SECRETARY

City Planner Bryan Araki informed that this would be his last meeting, as he will be retiring as of Monday, July 15th, and expressed his gratitude to the Commission, staff, and the development community.

PLANNING COMMISSION MEMBERS COMMENTS

Commissioner Antuna expressed her gratitude for City Planner Araki's service, as it has been an amazing experience working with him. His guidance, knowledge, free sharing of knowledge, and love for the City were contagious for her.

Commissioner Cunningham heartily endorsed his fellow commissioner's comments, expressing his appreciation for City Planner Araki's service and help, as well as his wishes for a long and happy retirement.

Commissioner Hinkle expressed his gratitude for all City Planner Araki has done for the Commission in general and for himself in particular, for inspiring him and being one of the reasons for him remaining a part of the Commission.

Commissioner Bedsted expressed his gratitude for City Planner Araki's service and his congratulations on retirement.

Commissioner Hinkle requested staff consider placing a cover over the playground at Treasure Ingmire Park, to increase the appeal for and use of the park by children as well as the appeal of downtown Clovis in general. City Planner Araki informed that there is a CIP project to install a shade structure at that park, and that as there are approved plans for it, the project will happen within the near future.

Commissioner Cunningham inquired as to the nature of the project work being done along the paseo on Clovis Avenue from Alluvial Avenue on north. Supervising Civil Engineer Sean Smith responded that he would get back to the commissioner, as he needs to look up the information.

Chair Hatcher expressed gratitude for working with him for more than ten years, as he has been a great leader and will be sorely missed.

COMMUNICATIONS AND REFERRALS

None.

BUSINESS FROM THE FLOOR

None

CONSENT CALENDAR

None

PUBLIC HEARINGS

2. Consider items associated with approximately 12.50 acres of property located at the northwest corner of Spruce and Peach Avenues. Edward J. and Janis M. Donaghy, owners; Ara Chekerdemian of Lennar Homes of California, Inc., applicant; Keith Jolly of Morton Pitalo, Inc., representative.
 - a. Consider Approval, Res. 19-22, A request to adopt an environmental finding of a Mitigated Negative Declaration for Rezone R2019-004, Conditional Use Permit CUP2019-004, Vesting Tentative Tract Map TM6262, Variance V2019-001, and Residential Site Plan Review RSPR2019-003.
 - b. Consider Approval, Res. 19-23, **R2019-004**, A request to approve a rezone of a portion of the site from the R-A (Single-Family Residential – 24,000 Sq. Ft.) to the R-2 (Low Density Multiple Family Residential) (1 Unit / 3,000 Sq. Ft.) Zone District.
 - c. Consider Approval, Res. 19-24, **CUP2019-004**, A request to approve a conditional use permit for a 185-lot Planned Residential Development.
 - d. Consider Approval, Res. 19-25, **TM6262**, A request to approve a vesting tentative tract map for a 185-lot Planned Residential Development.
 - e. Consider Approval, Res. 19-26, **V2019-001**, A request to approve a variance to reduce the minimum drive aisle width from 26 feet to 20 feet for portions of the private roadway network to accommodate a 185-unit townhome project for property located at Assessor Parcel Numbers (APNs) 561-260-10 and 561-260-17.

Senior Planner Ricky Caperton presented the staff report.

Commissioner Cunningham inquired as to whether there would be a Home Owners Association with this project. Senior Planner Caperton responded in the affirmative.

Commissioner Cunningham inquired as to whether there would be a condition of approval prohibiting parking on the 20-foot streets. Senior Planner Caperton responded in the affirmative, as such had been a requirement of the Fire Department. He also informed that Fire Department staff were okay with the

reduced width as long as their trucks could make the turn into the facility, which they have indicated they can.

Commissioner Bedsted, in regards to a future roundabout for which the project will provide some funding, inquired as to where the rest of the funding will be coming from and if it will be pre-, during-, or post-buildout. Supervising Civil Engineer Smith responded that it will be a post-project roundabout and provided information on the sources of the remainder of its funding.

Commissioner Bedsted followed up with an inquiry as to whether there were anticipated concerns regarding the absence of the roundabout in the interim period. Supervising Civil Engineer Smith responded in the negative, as while there will be some increased congestion from increased traffic, it will not be enough to install the roundabout, which will be needed instead in the long run.

Commissioner Hinkle sought and received confirmation that at the moment, the roundabout is conceptual. Supervising Civil Engineer Smith confirmed, adding that this is not the only option for that location but rather the most reasonable to date.

Commissioner Hinkle remarked that he goes through that intersection three times a week at least and has trouble visualizing how a roundabout will work there due to several issues. Supervising Civil Engineer Smith confirmed that there are challenges to be worked through, including the issues the commissioner mentioned.

Commissioner Hinkle sought and received confirmation that there will be no parking on the roadways running north and south between the units.

Commissioner Hinkle inquired as to whether there had been any discussion regarding charging stations in relation to this project. Senior Planner Caperton responded in the negative.

Commissioner Hinkle remarked that this is something that will happen and will be forced onto the City. He would like the Planning Department to look into it for this type of development with the amount of parking it has, as you can't charge enough cars in the garages, so we need to have charging stations in the facility. Other developments have gone back and spoken to PG&E, who has a great program, and so it's something that we need to look at and implement in these projects so that we don't have to go back later and bring them up to code. Let's be ahead of Sacramento.

Commissioner Antuna requested clarification and elaboration regarding the Clovis Police Department concerns and conditions. Senior Planner Caperton provided a detailed explanation.

Commissioner Hinkle remarked that the Commission will soon see plans for the commercial development south of the subject site and inquired whether there had been discussion regarding the project HOA implementing a rule prohibiting the residents from parking in that commercial development. He sees it as a potential problem, people parking there then walking across the street and through the gate. Senior Planner Caperton responded that this is something that can be explored and that the applicant may be able to provide more information on the rules they intend for the HOA to implement.

Chair Hatcher inquired as to how many other projects have been approved in recent years with such reductions from the current code development standards, for historical reference. City Planner Araki provided detailed information.

Commissioner Antuna followed up with an inquiry as to whether or not this project counts towards our RHNA numbers. City Planner Araki responded in the affirmative with an explanation.

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

Dirk Poeschel of 923 Van Ness Avenue, Fresno, provided background on the project and offered to answer questions.

Commissioner Hinkle expressed gratitude to the applicant for working with the neighborhood, then inquired as to whether they considered a 'market-rate' project such as this to be 'affordable housing.' Mr. Poeschel responded that it is in a way more affordable, explaining his reasoning.

Commissioner Hinkle remarked that with everything being added to new homes these days, such as solar, 'market-rate' homes are becoming more and more unaffordable, then inquired as to whether the HOA would allow these units to be rented. He has seen a few HOA's lately that have rules against such. Mr. Poeschel responded that there are prohibitions in the law regarding how much you can restrict people renting but that their intention is for these homes to be owner-occupied, and Lennar has some ability to restrict that they intend to exercise.

Commissioner Hinkle remarked that the land in that area appears low, with at least a two-foot grade differential from the neighbors to the north, and inquired as to whether there are plans to bring in soil and bring it up to grade. He has seen as much as a foot or more of standing water on the site. Mr. Poeschel responded that they will be required to submit a grading plan that Flood Control and the City will work on.

Commissioner Cunningham inquired as to whether the applicant feels that the design changes implemented after the neighborhood meetings will mitigate the neighbors' privacy concerns. Mr. Poeschel responded in the affirmative, providing details.

Commissioner Hinkle inquired as to the applicant's willingness to install charging stations in this development. He remarked that for other projects, the installation of charging stations doubled the interest in those projects. He wants to see them in the project and will probably make a motion to include them. Mr. Poeschel responded that the topic will be evaluated as part of the site plan review process, as to his understanding such are mandated. Regardless, he assured that they will consider it as they want to be competitive and attractive.

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

Bill Robinson of 906 N Street, Fresno, representing the current property owner of the project site, stated that the property owners support the project and look forward to changing title, though they have concerns regarding how the proposed signal light/roundabout will affect their property and especially regarding the contributions for that roundabout.

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

Chris Hubbard of 632 W. Birch Avenue stated that he is not in opposition but had concerns regarding light locations but in particular privacy. He wished to protect his property value and privacy.

Tom Frost of 438 Birch Avenue stated that he had not had much chance to look over the materials mentioned by others, but that he is nonetheless against the project. He sought clarification from Senior Planner Caperton regarding the changes in the site layout involving parking, then complained about the lack of quality in the plans mailed to the neighborhood. This project appears to him to be high density living, and spoke against allowing renting several times, as it takes few bad tenants to ruin an area. In that vein, he also expressed his hope that there would be landscape maintenance rules, to maintain the

living standards of the area, and his confusion that this site could not be used for single-family development. He opposes the use of cinder blocks in the retaining wall on the north side of the property due to lack of durability and is concerned that not only will the parking in that area be noisy but that it will overflow onto their streets. He also reiterated Mr. Hubbard's concerns regarding privacy and property value.

Commissioner Hinkle inquired as to whether Mr. Frost was aware of recent state legislation, in particular AB101. Mr. Frost responded in the negative.

Commissioner Hinkle explained the effects of some of the recent housing-related legislation and recommended considering this project in comparison to the possible alternative allowed by these laws, confirming for Mr. Frost his belief, as someone working in the field of real estate, that this project is closer to the Clovis way of life than the alternative that legislation forces cities to allow. He remarked that there's a law on the books that will allow the attorney general to essentially become the planning designer for any city that fails to meet certain housing goals set by the state.

Mr. Frost stated that he is aware that urban sprawl is an issue in parts of the state but that he has concerns regarding this project. Commissioner Hinkle responded by assuring that the concerns brought up are legitimate and expressing gratitude for bringing them before the Commission.

Laura Rios of 477 W. Birch Avenue expressed concerns regarding overflow parking and the increase in traffic to and from the schools on Peach and Nees Avenues from an increased population of residents, in particular young-family first-time buyers. She is concerned that not only does the existing traffic already lead to congestion but that it is also dangerous, as one neighbor's daughter was hit near Alta Sierra Intermediate School. She concluded by echoing the concern regarding families moving out as they grow and renting the houses, requesting restrictions on renting in this development.

Sherri Greer of 558 W. Birch Avenue echoed Mrs. Rios' concerns regarding the nearby schools, traffic, and the safety of children going to school, as her own son had been in a car accident in that area, this area is too close for bus service to the schools, and these are clearly starter homes, and therefore the residents will primarily be young families.

Ben Navarrette of 448 W. Birch Avenue reiterated previous comments regarding traffic congestion in the area, expressing his concern that three hundred more people, potentially four hundred more cars and no roundabout will worsen the situation. He also expressed concerns with the density, overflow parking, property value, safety, and privacy. The safety concern stems from his son playing in the dirt field and his certainty that adults do as well, leading him to inquire as to whether there will be a gate on the Peach Avenue side of the development. His privacy concern stems from his uncertainty as to what direction the windows of the development will face and the possibility of someone seeing his fourteen-year-old daughter through a window. According to his experience in real estate, condo and town house projects cause property values to drop eventually, and this combined with his other concerns leads him to believe his best option is to sell his house and move.

Chair Hatcher informed that the documents shown in the presentation are available on the City of Clovis website, for anyone interested in seeing the plans.

Monica Gracianos expressed concern regarding school attendance, as she and others bought houses in that neighborhood specifically to be able to send their children to Garfield Elementary School. She is concerned that they might be told to send their children to another school, especially with this project bringing in an unknown number of additional children, and inquired as to whether her child will be sent from Garfield to Cole Elementary School. Chair Hatcher responded that such calculations and decisions

are up to the school districts and advised reaching out to Clovis Unified School District. Senior Planner Caperton further responded that though City staff does not generally receive such information, they do work closely with CUSD, which has been aware for quite some time that this site was planned for this kind of development, and have in theory already accounted for the increase in student numbers.

Tom Frost of 438 W. Birch Avenue spoke again, expressing concern regarding traffic conditions in the area as his cars have been hit twice while parked at his home. He stated his belief that unsafe driving conditions are partially due to flooding caused by improper drainage in the area.

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

Mr. Poeschel responded by assuring that they had done significant outreach, including to Mrs. Rios who had not returned the contact, and by addressing the concerns brought up by the neighbors who spoke in opposition.

At this point, the Chair closed the public portion.

Commissioner Hinkle pointed out that the proposed buildings are fifty feet from and about three feet lower than the existing fence, and therefore by line-of-sight residents of the project will not be able to look into neighbor properties. The only buildings with that possibility are those on the northeast end of the project.

Chair Hatcher followed up by pointing out that such loss of some privacy would also be a possibility with single-family houses, which are permitted by right to go up to two stories and is therefore not an issue that the Commission is able to address. She remarked that the applicants had designed the lights to keep them from going into the neighbors' backyards and had done a good job in reducing intrusiveness by moving the trash receptacles and parking. She sees no reason to vote against the project.

A member of the public called out comments. Chair Hatcher very briefly rebuked the comments and reminded the speaker that the public portion of the hearing was closed.

Commissioner Antuna stated her opinion that this is a good project and that the applicant had done well in trying to accommodate the requests of the neighbors who had contacted them. There is a need for market-rate, affordable housing for young people who want to live in Clovis but cannot afford a single-family home, as she herself was. She does not believe that rental properties lower property value in an area, and took offence to the implication that renters are not equal to owners, stating that such a stigma is the result of ignorance and there is no research supporting such a stance. She welcomes diversity, young families, university students, and this project.

Commissioner Cunningham echoed his fellow commissioners' remarks. In his opinion, Lennar had done well in interacting with the neighborhood, something the Commission wants to see. The applicant had been receptive to neighbor concerns and gone far in addressing them. As commissioners, they are the same as the members of the public in the audience, with the difference being only that they meet once a month and listen to a variety of concerns, and keep track of laws coming out of Sacramento.

At this point the same member of the public interrupted to call out comments again and was chastised.

Commissioner Cunningham reiterated that awareness of laws affecting housing is important and stated that he will support the project as he believes it to be better for this site than apartments.

Commissioner Hinkle remarked that there is an apartment project on the other side of Willow Avenue, and that the differences when comparing the two are significant.

At this point a motion was made by Chair Hatcher and seconded by Commissioner Bedsted to approve a finding of a Mitigated Negative Declaration for R2019-004, CUP2019-004, TM6262, V2019-001, and RSPR2019-003. The motion was approved by a vote of 5-0.

At this point a motion was made by Chair Hatcher and seconded by Commissioner Bedsted to approve R2019-004. The motion was approved by a vote of 5-0.

At this point a motion was made by Commissioner Hinkle and seconded by Chair Hatcher to approve CUP2019-004 with added consideration for charging stations. The motion was approved by a vote of 5-0.

At this point a motion was made by Chair Hatcher and seconded by Commissioner Bedsted to approve TM6262. The motion was approved by a vote of 5-0.

At this point a motion was made by Commissioner Cunningham and seconded by Chair Hatcher to approve V2019-001. The motion was approved by a vote of 5-0.

City Planner Araki informed the audience that this project is scheduled for consideration by the City Council on August 5th and to keep an eye on the mail for items from staff or the applicant.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT AT 7:20 P.M. UNTIL the Planning Commission meeting on July 25, 2019.



Amy Hatcher, Chair