

**CITY OF SELMA**  
**REGULAR PLANNING COMMISSION MEETING**  
**January 24, 2024**

*PURSUANT TO AB 361 AND GOVERNMENT CODE SECTION 54953, THE MEETING WAS HELD REMOTELY AND THE PUBLIC HAD THE OPTION TO CALL +1(301) 715-8592 ID: 883-1804-9306 TO PROVIDE COMMENTS ON AGENDA ITEMS. THE COUNCIL CHAMBER WAS OPEN FOR THE PUBLIC AS WELL.*

The regular meeting of the City of Selma Planning Commission was called to order at 6:04 p.m. in the Council Chambers by Chairman Salas. Commission members answering roll call were: Coury, Franco, Juarez, Sandhu and Singh.

Also present were: Deputy City Manager Keene, City Planner Biawogi, Assistant Planner Macias, and Building-Planning Tech Cruz.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

**CONSENT CALENDAR:** A motion was made by Franco to approve the minutes of November 27, 2023, and December 20, 2023, as written. The motion was seconded by Vice-Chair Singh and carried with the following vote.

Ayes: Coury, Franco, Juarez, Salas, Sandhu, Singh

Noes: None

Absent: Garcia

Abstain: None

CONDITIONAL USE PERMIT – Continued public hearing from November 27, 2023, for the consideration of a resolution for a Conditional Use Permit (CUP) 2023-0032 to permit the use of a Mental Health Rehabilitation Clinic (MHRC) at 3800/3810 McCall Avenue, Selma, CA 93662 (APN: 358-380-26). The project will also include the approval of a Notice of Exemption. Deputy City Manager Keene presented application 2023-0032 for a Conditional Use Permit to allow for the behavior wellness center that will provide psychosocial rehabilitation training and support for adults with mental health disabilities. In 2018, a Conditional Use Permit was approved for the establishment and operation of Community Based Adult Services (CBAS) also known as Diversified Wellness Center of Selma. The CBAS facility consisted of a Veterans Wellness Center and a senior care facility. On June 24, 2019 a Conditional Use Permit (2019-0014) was approved to change locations of the previously approved CBAS facility. Conditional Use Permit 2019-0014 was extended due to economic impacts of COVID-19. The applicant requested an additional extension that was approved by the Planning Commission on May 31, 2023. The applicant provided an amendment of the previously approved project to develop a Mental Health Rehabilitation Facility instead of the CBAS facility.

After discussion, the public hearing was opened at 6:17 p.m. The Applicant /Representatives Blum and Curtin provided additional information about the services offered within the facility. Property Manager Avalos expressed support for the proposed facility. Attorney Sheppard provided additional support for the applicant. There being no further comments, the hearing was closed at 6:45 p.m.

Following Commissioner's discussion, a motion was made by Commissioner Franco to approve RESOLUTION NO. 2024-01 OF THE PLANNING COMMISSION RECOMMENDING THE APPROVAL OF CUP 2023-0032 TO PERMIT THE USE OF A MENTAL HEALTH REHABILITATION CLINIC (MHRC) AT 3800/3810 MCCALL AVE, SELMA, CA 93662 (APN:358-380-26). The motion was seconded by Vice-Chair Singh and carried with the following vote:

Ayes: Franco, Juarez, Salas, Sandhu, Singh

Noes: Coury

Absent: Garcia

Abstain: None

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 6:51 p.m.

Respectfully submitted by:

Lupe Macias, Assistant Planner

**SELMA PLANNING COMMISSION  
STAFF REPORT**

Meeting Date: February 26, 2024

**TO: Selma Planning Commission**

**FROM: Community Development Department**

**SUBJECT: AGENDA ITEM NO. 2**

Submittal No. 2024-1: Sal's Mexican Restaurant – Conditional Use Permit for a Type 47 (On-Sale General – Eating Place) ABC License at 2163 Park St. (APN: 390-081-22) and Notice of Exemption.

**Summary and Purpose**

The purpose of this agenda item is to hold a public hearing for the Planning Commission to consider application 2024-1 for a Conditional Use Permit Application to allow the upgrade of the existing Type 41 (On-Sale Beer & Wine-Eating Place) ABC License associated with Sal's Mexican Restaurant to a Type 47 (On-Sale General-Eating Place) ABC License.

**Application Information**

Owner/Applicant: Lorraine Salazar

Project Location: 2163 Park St.

Applicant's Proposal: Consideration of a Conditional Use Permit Application to allow an upgrade from an existing Type 41 (On-Sale Beer & Wine-Eating Place) ABC License to a Type 47 (On-Sale General – Eating Place) ABC License for Sal's Mexican Restaurant.

General Plan Designation: Neighborhood Commercial

Zoning: C-1

**Summary and Purpose**

The subject property is zoned C-1 (Neighborhood Commercial), which allows for the sale of alcohol subject to the approval of a Conditional Use Permit. The subject property is located at 2163 Park Street. The applicant is proposing to upgrade their existing Type 41 (On-Sale Beer & Wine-Eating Place) ABC license, which allows for the sale and onsite consumption of beer and wine to a Type 47 (On-Sale General – Eating Place) ABC license which allows for the sale and onsite consumption of beer, wine, and distilled spirits. The hours of operation would be Monday-Saturday, 11:00 AM - 9:00 PM and Sunday, 8:00 AM - 9:00 PM. The application was routed to the Selma Police Department. No concerning comments were received from Chief Alcaraz.

The City of Selma Municipal Code provides regulations regarding the sale of alcohol. Pursuant to section 11-8-2 (18) of the Municipal Code, "*Serving of alcoholic beverages in a restaurant is subject to a conditional use permit and site plan review.*" With the upgrade to a Type 47 (On-Sale General – Eating

Place) ABC License, business operations will remain the same. No physical improvements, expansions, or interior alterations are proposed with this project and therefore, no building permits are required.

### **Environmental Compliance (CEQA)**

This project is exempt under California Environmental Quality Act (CEQA) Article 19 §15301 - Existing Facilities

### **Notice of Public Hearing**

A Public Notice for this project was published in *The Selma Enterprise* on February 14th, 2024. Additionally, adjacent property owners within 300 feet were notified of the hearing by the City via a public notice mailed out on February 12, 2024.

### **Conditional Use Permit Findings**

If the Planning Commission approves the application as submitted, Staff recommends that the Planning Commission make the following findings with regard to Conditional Use Permit No. 2024-1:

- 1) That the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this Section to adjust said use with land and uses in the neighborhood.

*The proposed project is within the C-1 (Neighborhood Commercial) zone district. The project is required to comply with the goals and policies regulating the zone district through the City's General Plan and Municipal Code. The project does not propose a variance to deviate from the established policies of the municipal code, therefore, the proposed development will be compliant with the on-site development standards. The existing restaurant use is consistent with the municipal and land use.*

- 2) That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

*Adjacent streets and highways to the Project site are fully built out. The Project does not propose an amendment to the General Plan, therefore, the analysis that was completed for the City's General Plan is applicable to this project. Therefore, the analysis that was done assumed the project's level of use forecasted. The site is adequately served by the existing roadway system.*

- 3) That the proposed use will have no adverse effect on property within a three hundred-foot (300') radius of the permitted use thereof. In making this determination, the Planning Commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation, setbacks, height of buildings, walls and fences, landscaping, outdoor lighting, signs, such other characteristics as will affect surrounding property.

*The operation of the restaurant is allowed in the C-1 Zone District and Neighborhood Commercial Land Use. The business's site does not propose an expansion and therefore will not have an adverse effect within the surrounding areas due to the existing nature of the establishment.*

- 4) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.

*Proposed conditions of approval are recommended so that the proposed request would not be detrimental to the public health, safety, and welfare of the nearby vicinity.*

- 5) That the proposed use is consistent with the Selma General Plan and applicable land use component plans which may establish criteria for approval and/or standards for development.

*The proposed request is consistent with the City of Selma General Plan and the Municipal Code.*

### **Recommendation**

Staff is recommending that the Planning Commission approve Conditional Use Permit 2024-1 with associated conditions for a Type - 47 (On-Sale General – Eating Place) ABC license at 2163 Park Street (APN: 390-081-22).

/s/

Kamara Biawogi, City Planner  
Community Development Department

/s/

Jerome Keene MAS, AICP, Deputy City Manager  
Community Development Department

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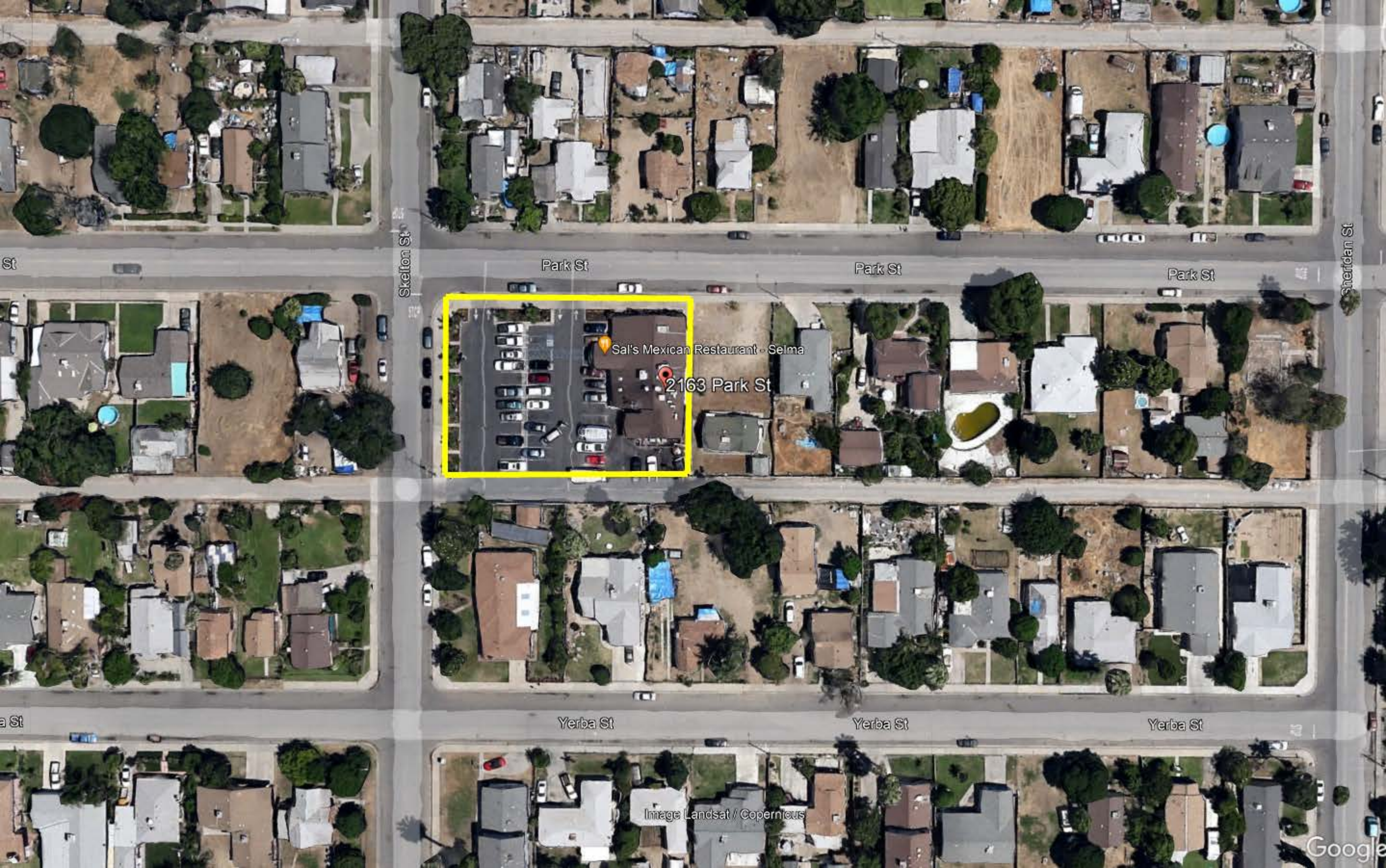
### ***Exhibits***

- A. Project Site
- B. Project Floor Plan
- C. Notice of Exemption
- D. Resolution Approving Conditional Use Permit No. 2024-01

# **EXHIBIT A**

## **PROJECT SITE**





St

Skelton St

Park St

Park St

Park St

Sheridan St

Sal's Mexican Restaurant - Selma

2163 Park St

a St

Yerba St

Yerba St

Yerba St

Image Landsat / Copernicus

Google



**EXHIBIT B**  
**PROJECT FLOOR PLAN**





RESIDENCES

PARK ST

2143 1/2 APN 390-81-24

2163 PARK ST  
APN 390-081-22

RESIDENCE

SKEELTON ST

PARKING LOT

Parking  
EXIT

Office

WALK AREA

DINING  
AREA

FRONT ENTRANCE / EXIT

FOYER  
WALKER

PARKING SPOTS

INDOOR PATIO

Host  
RESTROOM

COUNTER  
BAR

KITCHEN

EXIT

SERVICE  
AREA

DISH  
ROOM

RUG

FREESTAND

WALK-IN

RESTROOM

BACK ENTRANCE  
EXIT

PARKING  
EXIT

ALLEY

RESIDENCES

YERBA STREET

Structure

AUTHOR: LORRAINE SALAZAR  
1691 W. FERRIS  
FRESNO CA 93711  
559-217-7128

**EXHIBIT C**  
**NOTICE OF EXEMPTION**

**Notice of Exemption****Appendix E**

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**From:** (Public Agency): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Address)

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location - Specific:

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: \_\_\_\_\_
- ☐ Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Lead Agency \_\_\_\_\_

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?      Yes      No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency      Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

**EXHIBIT D**  
**RESOLUTION APPROVING**  
**CONDITIONAL USE PERMIT**  
**No. 2024-01**



## RESOLUTION NO. 2024\_\_\_\_\_

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA APPROVING THE CONDITIONAL USE PERMIT NO. 2024-1 FOR A TYPE-47 (ON-SALE GENERAL- EATING PLACE) ABC LICENSE FOR SAL'S MEXICAN RESTAURANT AT 2163 PARK ST., NOTICE OF EXEMPTION, MAKING A DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY, AND MAKING FINDINGS THEREOF

#### RECITALS

**WHEREAS**, on January 2, 2024, the Applicant (Lorraine Salazar) filed an application requesting the approval of a Conditional Use Permit 2024-1 to the City of Selma, described herein ("Application" or "Project"); the application was filed for the purpose of permitting Beer, Wine, and Distilled spirits (Type 47 (On-Sale General – Eating Place)) License for Sal's Mexican Restaurant located at 2163 Park St., Selma, CA (APN 390-081-22); and,

**WHEREAS**, the applicant proposes to upgrade their existing Type 41 (On-Sale Beer & Wine-Eating Place) ABC license which allows for the sale and onsite consumption of beer and wine to a Type 47 (On-Sale General – Eating Place) ABC license which allows for the sale and onsite consumption of beer, wine, and distilled spirits.

**WHEREAS**, the property is zoned (C-1) and has a conforming General Plan designation of Neighborhood Commercial; and,

**WHEREAS**, public notice of the Planning Commission's February 26, 2024 public hearing for the Project was published in *The Selma Enterprise* on February 14, 2024 in compliance with the City's Code and Government Code Section 65091; and,

**WHEREAS**, public notice of the Planning Commission's February 26, 2024 public hearing for the Project was also mailed to property owners within 300 feet of the Property on February 12, 2024; and,

**WHEREAS**, the Planning Commission of the City of Selma conducted a duly noticed public hearing on the Application, and considered all testimony written and oral; and,

**WHEREAS**, the Planning Commission as the lead agency, examined the whole record and found that Section 15301 of the California Environmental Quality Act provides that projects consisting of the operation of existing facilities involving negligible or no expansion of use beyond that previously existing may qualify as a Class 1 Categorical Exemption; and,

**WHEREAS**, the Planning Commission conducted a public hearing, as heretofore specified, and deliberated and prepared the following findings of fact for approval listed and included in this Resolution, based on the reports, evidence and verbal presentations:

1. That the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this Section to adjust said use with land and uses in the neighborhood.

*The proposed project is within the C-1 (Neighborhood Commercial) zone district. The project is required to comply with the goals and policies regulating the zone district through the City's General Plan and Municipal Code. The project does not propose a variance to deviate from the established policies of the municipal code, therefore, the proposed development will be compliant with the on-site development standards. The existing restaurant use is consistent with the municipal and land use.*

2. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.  
*Adjacent streets and highways to the Project site are fully built out. The Project does not propose an amendment to the General Plan, therefore, the analysis that was completed for the City's General Plan is applicable to this project. Therefore, the analysis that was done assumed the project's level of use forecasted. The site is adequately served by the existing roadway system.*

3. That the proposed use will have no adverse effect on property within a three hundred-foot (300') radius of the permitted use thereof. In making this determination, the Planning Commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation, setbacks, height of buildings, walls and fences, landscaping, outdoor lighting, signs, such other characteristics as will affect surrounding property.  
*The operation of the restaurant is allowed in the C-I Zone District and Neighborhood Commercial Land Use. The business's site does not propose an expansion and therefore will not have an adverse effect within the surrounding areas due to the existing nature of the establishment.*

4. That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.  
*Proposed conditions of approval are recommended so that the proposed request would not be detrimental to the public health, safety, and welfare of the nearby vicinity.*

5. That the proposed use is consistent with the Selma General Plan and applicable land use component plans which may establish criteria for approval and/or standards for development.  
*The proposed request is consistent with the City of Selma General Plan and the Municipal Code.*

**NOW THEREFORE**, it is hereby found, determined and resolved by the Planning Commission of the City of Selma as follows:

**SECTION 1.** The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct and are incorporated herein by reference.

**SECTION 2.** All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Selma.

**SECTION 3.** Upon independent review and consideration of all pertinent written information contained in the Staff Report and reflecting independent judgment and analysis, the Planning Commission hereby finds and determines that the proposed project, No. 2024-1, will not have significant impacts on the environment. Based on these findings, the Planning Commission approves the Notice of Exemption. The Planning Commission further approves the Application for the aforesaid Conditional Use Permit of the Property to allow for a Type-47 (On-Sale General – Eating Place) ABC License.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 26<sup>th</sup> day of February 2024 by the following vote:

AYES:

COMMISSIONER:

NOES:

COMMISSIONER:

ABSTAIN:

COMMISSIONER:

ABSENT:

COMMISSIONER:

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Theresa Salas  
CHAIRPERSON OF  
THE SELMA PLANNING COMMISSION

ATTEST:

Jerome Keene  
Deputy City Manager

—

*Exhibit A: Conditions of Approval for Application No. 2024-1*

Consider a Conditional Use Permit application filed by Lorraine Salazar-Sal's Mexican Restaurant to allow an upgrade of an existing Type 41 (On-Sale Beer & Wine-Eating Place) ABC Licenses to a Type-47 (On-Sale General – Eating Place) ABC License located at 2163 Park St, Selma, CA.

**CONDITIONS OF APPROVAL:**

***Planning Division***

1. The project site shall operate in accordance with City of Selma Municipal Code Section 11.16.01 – 11.16.10 Conditional Uses.
2. Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Conditional Use Permit or as modified by the Community Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.
3. The approval does not authorize any deviation from Fire and Building Codes.
4. All previous conditions of approval required by any previous entitlements shall be adhered to.
5. The applicant shall maintain all licenses and/or permits required by the State.
6. This approval is subject to the business owner being in good standing with all laws of the State of California, including the Alcohol Beverage Control (ABC), City of Selma, and other regulatory agencies.
7. City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the *peace* and disorderly conduct result from the proposed land use, the conditional use permit may be subject to review and revocation by the City of Selma after a public hearing and following the procedures outlined in the Selma Municipal Code.
8. All outdoor lighting shall be shielded and directed downward to avoid light spillover onto adjacent properties.
9. The premises shall remain clean and free of debris at all times.
10. **Prior to the issuance of the Conditional Use Permit**, the applicant must remove the accessory structure from the parking lot. Per section 11-20-8 Accessory Buildings and Dwellings: the space between a dwelling and any accessory building on the same lot, when not joined by a common wall, shall be a minimum distance of twice the width of the required interior side yard, or eight feet (8'), whichever is greater.



***City Attorney - Defense and Indemnification Provisions:***

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Acknowledgment and Acceptance of Conditions

**ACKNOWLEDGEMENT AND ACCEPTANCE OF CONDITIONS**  
**PLAN 2024-01**  
**Sal's Mexican Restaurant**

I, \_\_\_\_\_, developers of PLAN 2024-01 listed above, hereby state, that I have read, understand and accept Conditions of Approval and do, hereby, agree to abide by said conditions.

Our signature below certifies that we are fully aware that all conditions shall be fully complied with prior to issuance of any applicable licenses and/or permits unless other arrangements have been made in writing with the Community Development Department, City Engineer and/or Building Official.

APPLICANT/OWNER/DEVELOPER SIGNATURE:

Applicant/Developer \_\_\_\_\_ Date \_\_\_\_\_

Property Owner \_\_\_\_\_ Date \_\_\_\_\_

## SELMA PLANNING COMMISSION

### STAFF REPORT

Meeting Date: February 26, 2024

**TO:** Selma Planning Commission

**FROM:** Community Development Department

**SUBJECT:** AGENDA ITEM NO. 3

**TO CONTINUE:** Submittal No. PLAN 24-5: General Plan Amendment, Rezone, Site Plan Review for APN: 390-030-71 & Accompanied Mitigation Negative Declaration.

#### **Summary and Purpose**

Staff is recommending the continuation of this item to the next Planning Commission meeting scheduled for the 25<sup>th</sup> of March. The item was proposing to consider approval of a General Plan Amendment, Rezone, and Site Plan Review to allow a 40-unit multifamily development and a 3,000 sq. ft commercial facility to be developed. The 3.29-acre property is located at the southwest corner of Nebraska and Thompson Avenue (APN 390-030-71).

#### **Application Information**

Applicant: Brenda Ramirez (Central Valley Engineering and Surveying)

Owner(s): Manvir K and Narinder Sahota Trustees

Project Site: The project site is located on the southwest of Nebraska Avenue between Mitchell and Thompson Avenue (APN: 390-030-71)

Applicant's Proposal: General Plan Amendment, Rezone, Site Plan Review to construct a 40-unit multi-family apartment complex and a 3,000 sq. ft. Commercial Development.

Current General Plan Medium Low Density Residential

Current Zoning District R-1-7 (One-Family Zone)

Proposed General Plan High Density Residential & Community Commercial

Proposed Rezone Multiple-Family Zone (R-3) & a Central Commercial Zone (C-2).

#### **Recommendation**

*Staff is recommending the continuation of this item to the next Planning Commission meeting scheduled for the 25<sup>th</sup> of March.*

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Kamara Biawogi  
City Planner  
Community Development Department

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Jerome Keene  
Deputy City Manager  
Community Development Department

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***EXHIBITS***

- A. Location of Proposed Project
- B. Request for Continuation



**EXHIBIT A**  
**LOCATION OF PROPOSED PROJECT**





Fig St

Eric White  
Elementary  
School

Peter Ringo  
Park

Nebraska Ave

Mitchell Ave

Nebraska Ave

Nebraska Ave

Nebraska Ave

Sunset St

Mitchell Ave

Snyder St

Yerba St

Knowles St

Knowles St

Park St

Yerba St

Yerba St

Gaynor St

Van Horn St

George  
Washington  
Elementary  
School

Fig St

Almond St

Nectarine St

Walnut St

Peach St

Snyder St

Jasper St

Thompson Ave

Thompson Ave

Bauder St

Wilson St

Wilson St

Wilson St

1st St

John St

1st St

2nd St

Wilson St

2nd St

1st St

99

99

99

99

99

99

99

99



**EXHIBIT B**  
**REQUEST FOR CONTINUANCE**

## Lupe Macias

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**From:** bramirez@cveas.com  
**Sent:** Thursday, February 22, 2024 9:28 AM  
**To:** Jerome Keene  
**Cc:** Kamara Biawogi; Nick Sahota; xiong@cveas.com; Lupe Macias; Planning Department  
**Subject:** RE: Casa De Villa 2021-0008 (21058)

Some people who received this message don't often get email from bramirez@cveas.com. [Learn why this is important](#)

Good morning Jerome,  
We received the COA and we would like to schedule a meeting to discuss said document.  
We can move the project to the next Planning Commission Meeting.  
Please get back to me with your availability to discuss the provided COA.

**Thank you,**  
**Brenda N. Ramirez**  
Assistant Project Manager



Central Valley Engineering & Surveying, Inc.  
2511 Logan Street  
Selma CA. 93662  
Tel: (559) 891-8811 ex.1011  
Fax: (559) 891-8815  
[bramirez@cveas.com](mailto:bramirez@cveas.com)

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