

**AGENDA
CITY OF SELMA
PLANNING COMMISSION**

**June 24, 2019
6:00 PM**

City of Selma Council Chambers
1710 Tucker Street
Selma, CA 93662

Call to order at **6:00 p.m.**

Flag salute led by Commissioner Niswander

Roll Call: Commissioners Coury, Fedor, Garcia, Gonzalez, Sekhon, Singe

Potential Conflicts of Interest: Any Commissioner who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.

PLANNING COMMISSION OATH OF OFFICE

Presentation of Oath of Office to newly appointed Commission members

ORAL COMMUNICATIONS

NOTICE(S) TO THE PUBLIC: *At this time, any member of the public may address the Commission regarding any item over which the Commission has jurisdiction. No action or discussion will be taken on any item not on the agenda. Issues raised will be referred to the Chairperson for review. Members of the public shall limit their remarks to three (3) minutes.*

CONSENT CALENDAR

None

PUBLIC HEARINGS

- 1) **CONDITIONAL USE PERMIT NO. 2019-0014** - Consideration of a resolution approving Conditional Use Permit No. 2019-0014, for the establishment and operation of a community based adult services center known as Diversified Wellness Center of Selma at 3800 and 3810 McCall Avenue, Selma, CA 93662 (APN 358-380-26), Selma, California, and notice of exemption regarding same

WORKSHOP

- 1) **BASICS OF PLANNING** – Presentation by QK Contract City Planning Staff.

DIRECTOR'S REPORT

- 1) **PLANNING DEPARTMENT UPDATE** – Teresa Gallavan, City Manager

**DRAFT
CITY OF SELMA
MINUTES OF PLANNING COMMISSION MEETING
June 24, 2019**

Chairman Niswander called the meeting of the Selma Planning Commission to order at 6:01 p.m. in the Council Chambers. Commission members answering roll call were Fedor, Garcia, Singh, Gonzales, Sekhon and Chairman Niswander Commissioner. Commissioner Coury was absent.

Commissioner Fedor and Commissioner Sekhon get sworn in.

Also present were City Attorney James M. Casso, & Planner Kira Nougera.

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.

PUBLIC HEARINGS

Consideration and necessary action for a conditional use permit, for Diversified Wellness Center of Selma at 3800 and 3810 McCall Avenue, Selma, CA 93662 (APN: 358-380-26) .Public hearing.

Chairman Niswander opened the public portion.

Planner Kira Noguera describes Diversified Wellness Center conditional use permit NO.2019-0014 to the Planning Commission.

Chairman Niswander asks if any from applicant side is present, come forward, state your name, and address for the record.

Applicant George Kosla at 3800 McCall Avenue, Selma, Ca 93662 describes the move for Diversified Wellness Center conditional use permit NO.2019-0014 to the Planning Commission.

There being no further public comments, Chairman Niswander closed the public hearing portion of the meeting.

The Commission discussed the item and Commissioner Fedor motioned for approval. Motion was seconded by Commissioner Singh and was carried by the following vote.

AYES:	Fedor, Gonzalez, Sekhon, Singh, & Niswander
NOES:	Garcia
ABSTAIN:	None
ABSENT:	Coury

WORKSHOP

Kira Noguera from Quad Knopf describes the scope of their service to the Planning Commission.

DIRECTOR'S REPORT


City Manager Teresa Gallavan expresses the happiness of having Quad Knopf to the Planning Commission. In addition, to having regular meetings and the transitioning. Also the recruitment for a new Planner. As well having a consultant help the city on our housing element for rezoning. At the last Council meeting, approved an ordinance to turn Tucker St into a one-way street.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:09 p.m.

Respectfully submitted,


Sabino Cayetano
Building Planning Technician


Glenn Niswander, Chairman
of the Planning Commission


Kira Noguera
Secretary of the Planning Commission

**SELMA CITY PLANNING COMMISSION
STAFF REPORT**

Meeting Date: June 24, 2019

TO: Selma City Planning Commission

FROM: Community Development Department

SUBJECT: AGENDA ITEM NO. 1
Submittal No. 2019-0014:
▪ Conditional Use Permit
▪ CEQA Categorical Exemption

Summary and Purpose

This Staff Report is an exact replication of the Staff Report for a Conditional Use Permit for Diversified Wellness Center Selma (“Diversified Wellness”), dated August 27, 2018. All of the application information is the same, except Diversified Wellness has changed its location. Diversified Wellness will still be in the same shopping complex, moving 3 doors down from 3830 McCall Avenue to 3800 and 3810 McCall Avenue.

The purpose of agenda item No. 1 is to conduct a public hearing to consider a Conditional Use Permit to operate a Community Based Adult Services (CBAS) facility. The CBAS facility will provide services 24-hours per day, seven days per week, to adults with disabilities, helping them to restore or maintain their capacity for self-care. The facility will also require a i) facility license from the California Department of Social Services, ii) certification from the Fresno County Environmental Health Department, and iii) building permit for tenant improvements from the City Building and Safety Department.

Application Information

1. Applicant: Diversified Wellness Center Selma, 3800 and 3810 McCall Avenue, Selma, CA 93662.
2. Project Location: The subject property is located within the Selma Plaza commercial and retail complex, and is situated in the north-east corner of the complex, with access to and from E Dinuba Ave to the north, and McCall Ave to the west (APN 358-380-26).
3. General Plan Land Use: Community Commercial
4. Zoning: C-2 Central Commercial Zone
5. Applicant’s Request: The Conditional Use Permit is subject to Chapter 6 of the Municipal Code, and will permit the proposed Community Based Adult Services facility, subject to all conditions of approval.

Background

The Subject Property is accessed by E Dinuba Ave to the north, and McCall Ave to the west, and is located within the Selma Plaza commercial and retail complex, which includes existing retail stores (Westamerica Bank, Family Dollar, United Market, etc.) and a surface parking lot.

The proposed CBAS facility will be located in an existing 21,440 square-foot (approx.) commercial space that is currently occupied by Fresno County. The applicant is proposing significant renovations and tenant improvements to the existing building that will be reviewed and approved by the City Departments of Planning, Building and Safety Department, Engineering, Fire, and Police.

Environmental (CEQA)

The project meets the criteria for a Class 1 Categorical Exemption, pursuant to CEQA Guidelines 15301. A Class 1 Categorical Exemption has been prepared for the project.

Notice of Hearing

On June 12, 2019, the notice of hearing was published in the Selma Enterprise, and mailed to property owners within a 300 feet radius of the project site.

Prepared by:

Kira Noguera
City Planner

Date

Approved by:

James M. Casso
City Attorney

Date

<i>Attachments</i>	<i>Page</i>
1. Location Map.....	3
2. Site Plan, Floor Plan	4-5
3. Notice of CEQA Categorical Exemption.....	6

4. Resolution No. 2019-_____ recommending approval of Conditional Use Permit
No. 2019-0014.....

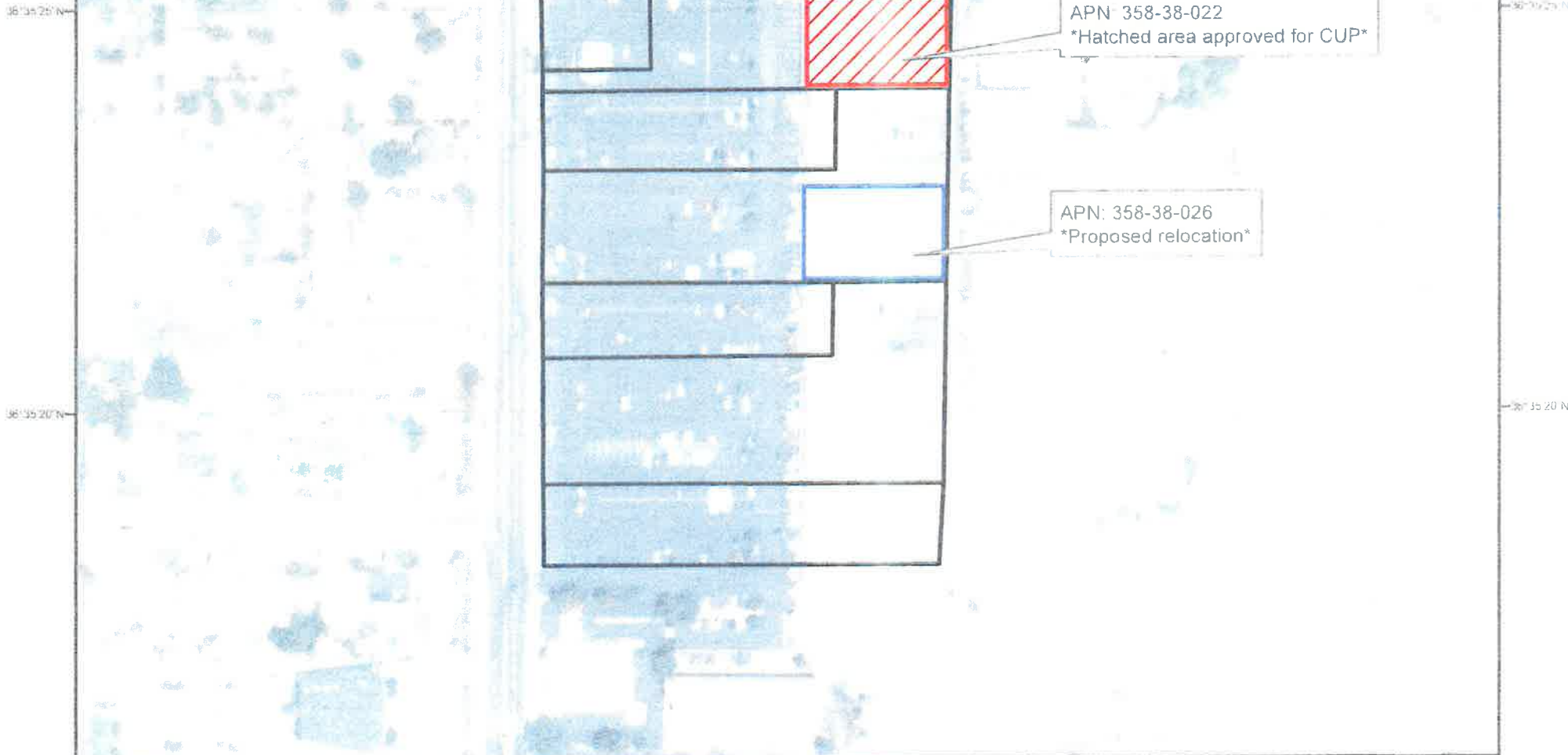
7-13

CUP 2109-0014 Project Location Map



 Project site

119°36'45"W 119°36'40"W 119°36'35"W 119°36'30"W 119°36'25"W



APN- 358-38-022
Hatched area approved for CUP

APN: 358-38-026
Proposed relocation



Legend
[Outline] Parcels

CUP 2018-024 Minor Modifications (Proposed Relocation)



1 in = 0.04 miles

119°36'45"W 119°36'40"W 119°36'35"W 119°36'30"W 119°36'25"W

36°35'15"N

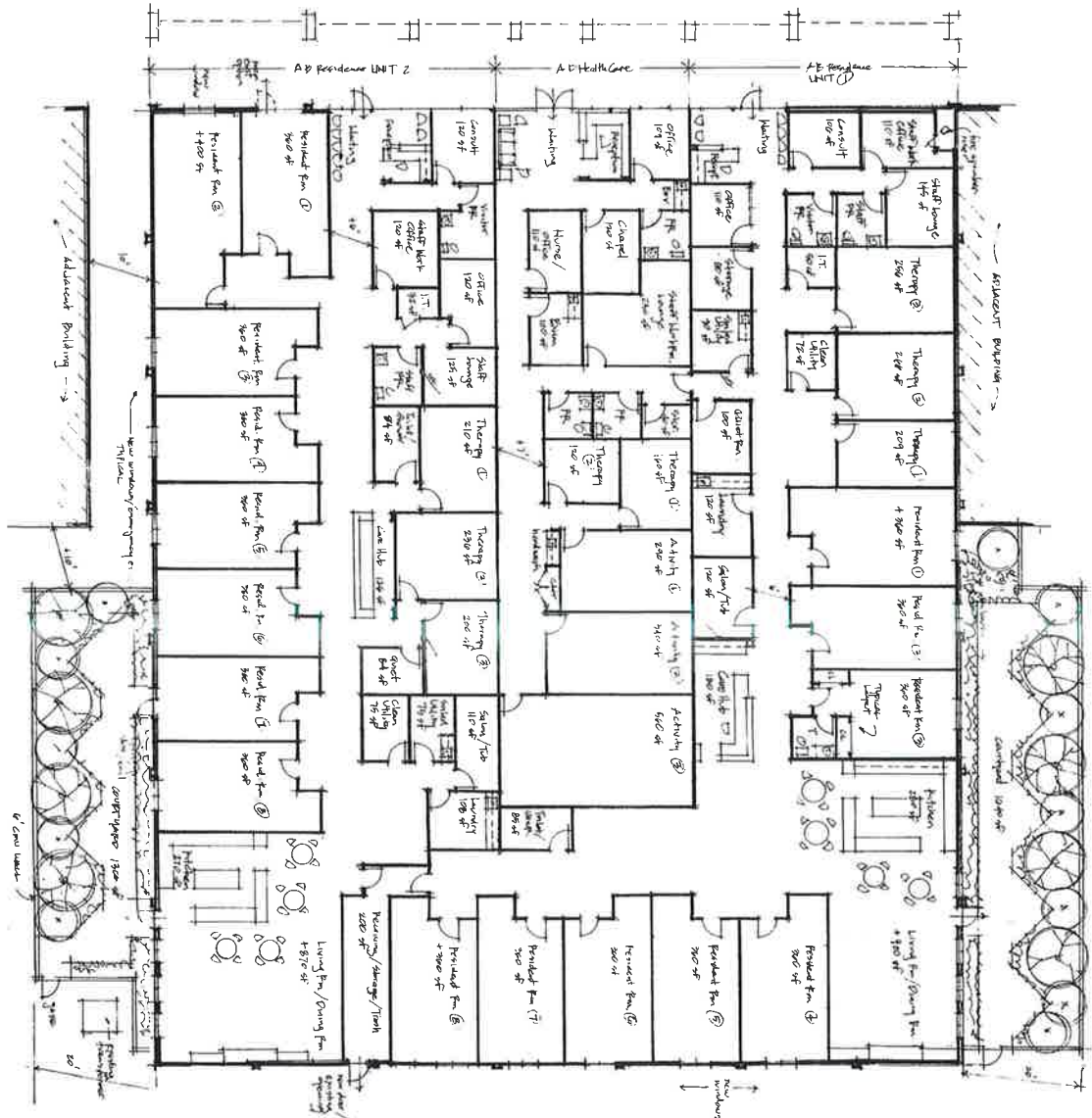
36°35'20"N

36°35'25"N

119°36'15"W

119°36'20"W

119°36'25"W



2.1.19

Preliminary Floor Plan

<p>Owner Kosla Properties, LLC 3724 McCall Avenue Selma, CA 93662</p>	<p>Project Interior Remodel for: Selma Diversified Wellness Center 3800 McCall Avenue Selma, CA 93662</p>	<p>ARCHITECTURE it 1111 14th Street Selma, CA 93662 559-244-1111</p>
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RESOLUTION NO. XX

**A RESOLUTION OF THE SELMA PLANNING COMMISSION
MAKING FINDINGS AND APPROVING CONDITIONAL USE PERMIT
AND CEQA CATEGORICAL EXEMPTION**

**DIVERSIFIED WELLNESS CENTER SELMA
3800 AND 3810 MCCALL AVENUE, SELMA, CA 93662**

WHEREAS, on June 24, 2019 Selma City Planning Commission, at a regularly scheduled meeting considered a Conditional Use Permit application filed by Greg Meinhold of Kosla Properties LLC, for the purpose of conditionally permitting a Community Based Adult Services (CBAS) facility at 3800 and 3810 McCall Avenue, Selma, CA 93662.

WHEREAS, the Planning Commission conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony of interested parties; and

WHEREAS, the Planning Commission, 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. Reflecting independent judgment and analysis, the Planning Commission determined that the project will not have a significant effect on the environment; and

WHEREAS, based on substantial evidence provided in the whole record before the Planning Commission for CEQA compliance and public comments related to the project, it has been determined that there is no possibility that this project will have significant effects on the environment; and

WHEREAS, the Planning Commission deliberated and hereby makes the following Findings for Approval of Conditional Use Permit No. 2019-0014, in compliance with Municipal Code section 11-16-4, to wit:

FINDINGS:

- A. 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.
 - a. The site proposed is an existing improved commercial/retail complex. The applicant is not proposing any site modifications, and the proposed use is permitted with a conditional use permit. The site plan will be reviewed for compliance with all applicable development standards.
- B. 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.

- b. The site abuts E Dinuba Ave to the north, which is classified as an arterial street with a 100 ft ROW, and McCall Ave to the west, which is classified as an arterial street with a 100 ft ROW. These streets will also provide access to and from the site and are adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.
- C. 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.
 - c. The site proposed is an existing improved commercial/retail complex. The applicant is not proposing any site modifications, and there will be no expansion to the existing commercial building. Therefore, the proposed use will have no adverse effect on property within a three hundred-foot (300') radius of the permitted use thereof.
- D. That the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare.
 - d. The conditions stated in this resolution are deemed necessary to protect the public health, safety and general welfare.
- E. 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.
 - e. The proposed use is consistent with the Selma General Plan. The site plan will be reviewed for compliance with all applicable development standards.

WHEREAS, the Planning Commission, having made its Findings for Approval, was of the opinion that Conditional Use Permit No. 2019-0014 should be approved subject to the following certain conditions of approval to be listed and made a part of the Resolution.

Fire Department: All of the standard conditions of approval for a commercial development will apply. This shall include, but not be limited to the following.

1. A fire sprinkler system is required for structures to be built, have a change of occupancy, having an addition to an existing non-conforming structure or moved into the city limits. Fire sprinkler systems shall be installed and maintained in accordance with the California Fire Code, Selma Fire Prevention Bureau amendments, policies, and NFPA Standards 13, 13D and 13R. Fire sprinkler systems shall be monitored by an approved fire alarm system that reports to a monitoring company. Alternative fire suppression systems (Clean Agent,

etc.) may be installed and monitored with the approval of Selma Fire Prevention Bureau. (CFC 903).

2. Where required, an approved manual, automatic or manual and automatic fire alarm system shall be installed in accordance with the provisions of the California Fire Code, Selma Fire Prevention Bureau amendments and policies and the National Fire Protection Association, Standard 72. (CFC 907).
3. Portable fire extinguishers shall be selected, installed and maintained in accordance with the California Fire Code, NFPA Standard 10 and Chapter 3, Title 19 California Code of Regulations. All fire extinguishers, including new extinguishers, shall have a current California State Fire Marshal service tag attached to the extinguisher. Fire extinguishers shall be mounted on the wall at no more than 5 feet above the floor. (Gross weight not to exceed 40 pounds.) Fire extinguisher type and placement locations shall be shown on the plans and coordinated with Selma Fire Prevention Bureau. (CFC 906).
4. An approved key box (Knox Box) shall be installed in an approved location at a height of approximately 6-8 feet above grade. (Usually the right side of the main entrance.) The key box shall contain labeled keys to gain access into all portions of the building or specific portions of the building as required by the fire code official. The operator of the building shall immediately notify the fire code official and provide a new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box by the fire code official. (CFC 506).
5. Commercial cooking equipment that produces grease laden vapors shall be provided with a Type-1 hood, in accordance with the California Mechanical Code, and shall be provided with an automatic fire extinguishing system installed in accordance with the Fire Code. The fire extinguishing system shall be listed and labeled for its intended use and shall be a wet-chemical extinguishing system, complying with UL 300. All hood fire extinguishing systems and all portable fire extinguishers shall have a current California State Fire Marshal service tag attached to the pull station. A Class K fire extinguisher shall be installed within thirty-feet of the hood and along the exit pathway. (CFC 904).
6. New and existing buildings shall have approved address numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. Numbers shall contrast with their background and be posted a minimum of 10 feet above the ground. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 8 inches high with a minimum stroke width of three-quarter inch. (Commercial Occupancies) (CFC 505) (Selma FD).
7. Provide, for review and approval, a fire safety and evacuation plan in compliance with Chapter 4 of the California Fire Code. (Group A, other than group A buildings used exclusively for religious worship that have an occupant load less than 2,000, B with an occupant load of 500 or more, E, H, I, R-1, R-2, college and university buildings, R-4, M with an occupant load of 500 or more, high-rise buildings, covered mall buildings exceeding 50,000 sq. feet and underground buildings). (CFC 404)

8. The applicant is required to provide the occupancy calculations to the fire department prior to issuance of the certificate of occupancy.

Planning Department

1. Applicant is required to provide a copy of the Environmental Health Certification, issued by Fresno County, prior to issuance of the certificate of occupancy.
2. Applicant is required to provide a copy of the facility license, issued by the Department of Social Services, prior to issuance of the certificate of occupancy.

Selma-Kingsburg-Fowler County Sanitation District: Modifications to the existing building, plumbing, or occupant usage requires a re-evaluation of the sewer connection permit. The applicant is required to provide the following.

1. A detailed set of floor plans and plumbing plans.
2. Verification that the existing sewer lateral is in good working condition, and install a sewer cleanout and box at the property-line. SKF recommends replacing old clay sewer laterals with new six-inch PVC sewer laterals.
3. Enhanced abatement devices for the commercial kitchen.
4. Submit the completed sewer connection application. Applicant is required to pay for the sewer connection permit prior to issuance of the certificate of occupancy.
5. Separate meters for building and landscaping.

NOW, THEREFORE, BE IT RESOLVED, by the City of Selma Planning Commission as follows:

1. That the foregoing recitals and findings are true and correct and incorporated by this reference as though fully set forth at this point.
2. That Conditional Use Permit No. 2019-0014 is hereby approved subject to the foregoing conditions which are in addition to all other statutes, regulations, ordinances or other applicable conditions.
3. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

4. The Secretary of the Selma Planning Commission shall certify the adoption of this resolution and hereafter be in full force and effect.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 24th day of June 2019 by the following vote, to wit:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

GLENN NISWANDER CHAIRMAN OF
THE SELMA PLANNING COMMISSION

ATTEST:

Kira Noguera, Secretary, Selma Planning Commission

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: Fresno
2281 Tulare Street
Fresno, CA 93271

From: (Public Agency): Selma City Planning
1710 Tucker Street
Selma, CA 93662
(Address)

Project Title: Diversified Wellness Center Selma

Project Applicant: Kosla Properties LLC

Project Location - Specific:
3800 and 3810 McCall Avenue, Selma, CA 93662 (APN: 358-380-26)

Project Location - City: Selma Project Location - County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:
Community based adult services including treatment for post-traumatic stress and traumatic brain injuries to be provided to eligible Medi-Cal beneficiaries.

Name of Public Agency Approving Project: Selma City Planning

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: Class 1 & 32, Section 15301 and 15332
 - Statutory Exemptions. State code number: _____

Reasons why project is exempt:
The project meets the criteria for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301 as it is within an existing building in an existing shopping center. The project meets the criteria for a Class 32 Categorical Exemption pursuant to CEQA Guidelines section 15332 as the project location is within an existing shopping center surrounded by development on all sides and is currently served by all utilities.

Lead Agency Contact Person: Kira Noguera, City Planner Area Code/Telephone/Extension: 559-891-2200

- 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: City Planner

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: _____
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.