

**MEETING AGENDA  
CITY OF SELMA  
PLANNING COMMISSION**

**September 23, 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 Gonzalez

Roll Call: Commissioners Niswander, Coury, Fedor, Garcia, Gonzalez, Sekhon, Singh

***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.*

**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.*

**REGULAR BUSINESS**

Nomination and election of Vice Chairperson of the City of Selma Planning Commission.

**CONSENT CALENDAR**

All items listed under consent calendar are considered routine. The complete consent calendar will be enacted by one motion by Roll-Call Vote. For purposes of discussion any Commission Member may have an item removed from the consent calendar and made part of the regular agenda. The Commission can then approve the remainder of the consent calendar.

1. a. Consideration and necessary action on the minutes of the July 29, 2019 meeting.
- b. Consideration and necessary action on the minutes of the August 26, 2019 meeting.

**PUBLIC HEARINGS**

2. Consideration of SITE PLAN REVIEW, PRE-ZONING, ANNEXATION NO. 2019-0013, AND MITIGATED NEGATIVE DECLARATION – Resolution No. 2019-07 recommending to the City Council approval of Site Plan Review, Pre-

Zoning, Annexation No. 2019-0013, and associated Mitigated Negative Declaration filed by Self-Help Enterprises for an 84-unit apartment complex that includes open space and a community center on approximately 4.21 acres. The project site is owned by Karan L. Cerutti and is located in the unincorporated county area (within the City's Sphere of Influence). Continued from August 26, 2019 public hearing.

3. GENERAL PLAN CONSISTANCY NO. 2019-0017 Staff recommends that the Planning Commission find the Huntsman Avenue widening project, including property acquisition of the southerly 30 feet needed for road right-of-way currently owned by First Christian Church, consistent with the General Plan pursuant to Government Code Section 65402.
4. CONDITIONAL USE PERMIT NO. 2019-0016 - Consideration of a Conditional Use Permit requesting to allow the selling of Beer & Wine (Type 20 Alcoholic Beverage License) at 1702 Second Street, Selma, CA. (APN:388-161-15)

### **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.*

### **ADJOURNMENT**

- *Any writings or documents provided to a majority of the Selma Planning Commission regarding any item on this agenda will be made available for public inspection in the City Clerk's office located at 1710 Tucker Street during normal business hours.*
- *In compliance with the ADA, if you need special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk's Office (559) 891-2200. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.*

**DRAFT  
CITY OF SELMA  
MINUTES OF PLANNING COMMISSION MEETING  
July 29, 2019**

Chairman Niswander called the meeting of the Selma Planning Commission to order at 6:00 p.m. in the Council Chambers. Commission members answering roll call were Fedor, Garcia, Singh, Gonzales, Coury, Sekhon and Chairman Niswander Commissioner.

Also present were City Attorney James M. Casso, Planner Kira Noguera and Building/Planning Technician Sabino Cayetano.

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 of CONDITIONAL USE PERMIT NO. 2018-0039 - Resolution No. 2019-03 approving a Conditional Use Permit for a two-story multifamily apartment complex at 3420 McCall Avenue, Selma CA 93662 (APN 358-080-37) and a Notice of Exemption regarding the same. *Public hearing.***

Chairman Niswander describes agenda item. The Planning Commission chairman suggests to continue the agenda item to next month's meeting in response to a request for continuance by the applicant.

City Attorney James M. Casso, suggested any resident in favor or oppose that is not available for the next meeting can speak today.

City Attorney James M. Casso suggested Commissioner Fedor step down in conflict of interest for the agenda. Commissioner Fedor leaves the Council Chambers.

Shawn Rusk DDS at 3410 McCall #104, Selma, Ca, spoke in opposition of the item.

Chairman Niswander asks if anyone else would like to speak in opposition to the item.

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

The Planning Commission voted to continue the agenda item to next month's meeting.

AYES: Coury, Garcia, Gonzalez, Sekhon, Singh, & Niswander  
NOES:  
ABSTAIN: Fedor,  
ABSENT:

Commissioner Fedor returns to the Council Chambers and reclaims his seat.

**Consideration of TENTATIVE SUBDIVISION MAP PLANNED UNIT DEVELOPMENT AND DENSITY BONUS NO. 2018-0038 - Resolution 2019-04 approving a Tentative Subdivision Map, Planned Unit Development, and Density Bonus application filed by Harbhajan Nagra, for the purpose of permitting a 10-lot subdivision at 2595 Pine Street, Selma, CA 93662 (APN 390-020-81)**

Chairman Niswander describes agenda item to the Planning Commission.

Planner Kira Noguera gives the report on the agenda item to the Planning Commission.

Chairman Niswander asks if we know what the average square footage of the dwellings would be.

Planner Kira Noguera gives the square footage to Chairman Niswander.

Chairman Niswander asks if the commission has any more questions.

Commissioner Garcia asks if the proposed footprints are in compliance with lot coverage.

Planner Kira Noguera replies they are in compliance.

Commissioner Sekhon asks where the parking for the park is.

Planner Kira Noguera responds residents would have 2 car garages and a drive ways. Therefore, they would walk to the park.

Commissioner Fedor asks how the park will be maintained.

Commissioner Garcia asks if Mason St would be PUD or city maintenance.

Planner Kira Noguera describes the conditions of the park maintenance and the residence conditions for approval.

Commissioner Sekhon ask if rented would they have to be an HOA.

Planner Kira Noguera replies they would not necessarily need to be HOA if under one owner. But if sold separately it would have to be recorded under a separate agreement for each property.

Commissioner Fedor asks if the owner is building the project or a developer.

Nick Sahota at 2511 Logan St, Selma, Ca replies owner will be building.

Commissioner Fedor asks if owner has any other current projects going.

Nick Sahota replies owner does have other projects.

Chairman Niswander asks if all the residences would be 3 bedrooms.

Planner Kira Noguera defers to the applicant for response.

Nick Sahota at 2511 Logan St, Selma, Ca replies that all will be 3 bedrooms.

Chairman Niswander asks if this would create 10 new APN numbers.

Planner Kira Noguera responds it would be 11 new APN numbers because of the park.

Chairman Niswander asks if the commissioners have any more questions.

Nick Sahota at 2511 Logan St, Selma, Ca speaks in approval for agenda.

Chairman Niswander asks the commission if they have questions for Nick Sahota.

Chairman Niswander asks if anyone wants to speak in favor of the agenda item.

Harbhajan Nagra at 11160 S Chestnut Ave, Fresno, Ca, owner, speaks in favor of the agenda item.

Commissioner Singh asks what type of park this would be to Harbhajan Nagra.

Harbhajan Nagra responds whatever type the city would require.

Chairman Niswander asks if anyone wants to speak in favor of agenda.

Planner Kira Noguera responds city has no requirements for a park.

Chairman Niswander asks if anyone would like to speak in opposition to the agenda item.

Gilbert Garcia at 2639 Pine St, Selma, Ca speaks in opposition of the agenda item.

Commissioner Gonzales asks how long ago Mr. Garcia was sent the notice letter or who else.

Planner Kira Noguera responds we have a 10-notice requirement and to residents 300' feet around proposed property. In addition, we have a list of the who it was sent to.

Commissioner Gonzales asks if Mr. Garcia would like more time to notify neighbors.

Planner Kira Noguera asks Mr. Garcia if some of the residents are renters as notices are mailed to property owners.

Chairman Niswander request a 2 to 3 min reses while staff checks on statistics.

Planner Kira Noguera responds with reading the addresses who they were mailed too.

Chairman Niswander responds with all where returned.

Planner Kira Noguera responds only 3 where returned to staff.

Chairman Niswander ask if Mr. Garcia would like more time to notify neighbors.

Commissioner Coury describes the lot size requirements, and how many homes the builder can put on the site without coming for Planning Commission approval.

Planner Kira Noguera responds that 8 homes would not require notification to the public.

Nick Sahota at 2511 Logan St, Selma, Ca re-butts in favor of the agenda item.

Harbhajan Nagra at 11160 S Chestnut Ave, Fresno, Ca re-butts in favor of the agenda item.

Chairman Niswander asks if anyone else would like to speak in favor or in opposition to the agenda item.

Dan Martinez at 2570 Pine St, Selma, Ca, spoke in opposition of the agenda item.

Chairman Niswander asks if anyone is else would like to speak in favor or in opposition to the agenda item.

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

The Commission voted on the agenda item and the Planning Commission voted unanimously to continue the agenda item to next month's meeting. Commissioner Coury motioned for adjournment. Chairman Niswander seconded motion.

AYES: Fedor, Coury, Garcia, Gonzalez, Sekhon, Singh, & Niswander  
NOES:  
ABSTAIN:  
ABSENT:

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 6:50 p.m.

Respectfully submitted,

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Sabino Cayetano  
Building Planning Technician

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Glenn Niswander, Chairman  
of the Planning Commission

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Kira Noguera  
Secretary of the Planning Commission

**DRAFT  
CITY OF SELMA  
MINUTES OF PLANNING COMMISSION MEETING  
August 26, 2019**

Chairman Niswander called the meeting of the Selma Planning Commission to order at 6:00 p.m. in the Council Chambers. Commission members answering roll call were Fedor, Garcia, Singh, Gonzales, Coury, Sekhon and Chairman Niswander Commissioner.

Also present were City Attorney James M. Casso, Planner Kira Noguera and Building/Planning Technician Sabino Cayetano.

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.

Chairman Niswander asks if any Commissioner has any conflict of interest and to identify the item and to excuse him or herself.

Commissioner Fedor announces he has a conflict of interest for item 2018-0039 Resolution No. 2019-03 and excuses himself and left the room.

**PUBLIC HEARINGS**

**Consideration of CONDITIONAL USE PERMIT NO. 2018-0039 - Resolution No. 2019-03 approving a Conditional Use Permit application filed by Dwight Nelson for a two-story multifamily apartment complex at 3420 McCall Avenue, Selma CA 93662 (APN 358-080-37) and a Notice of Exemption regarding the same.** (Continued from the July *public hearing*)

Chairman Niswander describes agenda item to Planning Commissioners and audience. Asks if staff has a report.

Planner Kira describes Conditional Use Permit No. 2018-0039 – Resolution No 2019-03 at 3420 McCall Ave, Selma, Ca.

Chairman Niswander asks Planner question from agenda on page 2, of owner ship to the south property and access easement.

Planner Kira responds that conditions of approval that an amended agreement would need to be made first before building permits are issued for this project.

Chairman Niswander asks if commissioners have questions.

Commissioner Garcia asks if they cannot come to an agreement the project would be on hold.

Planner Kira responds that is correct.

Chairman Niswander asks if commissioners have questions. Asks if applicant is present or representative present.

Dwight Nelson at 3420 McCall Selma, Ca, speaks in favor of the agenda item.

Chairman Niswander asks if anyone has questions for applicant or anyone would like to speak in opposition to the agenda item.

Shawn Rusk DDS at 3410 McCall #104, Selma, Ca, spoke in opposition of the agenda item.

Chairman Niswander asks if Dwight Nelson would like to rebut in favor.

Dwight Nelson comes forward to rebut in favor.

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

The Planning Commission voted on the agenda item. Commissioner Coury first motion for approval, with Commissioner Singh seconded motion for approval.

AYES: Coury, Garcia, Gonzalez, Sekhon, Singh, & Niswander  
NOES:  
ABSTAIN: Fedor  
ABSENT:

Commissioner Fedor returned at 6:26 pm to the Planning Commission. And did not vote on agenda.

**Consideration of TENTATIVE SUBDIVISION MAP, PLANNED UNIT DEVELOPMENT AND DENSITY BONUS NO. 2018-0038 - Resolution No. 2019-04 approving a Tentative Subdivision Map, Planned Unit Development, and Density Bonus application filed by Harbhajan Nagra, for the purpose of permitting a 10-lot subdivision at 2595 Pine Street, Selma, CA 93662 (APN 390-020-81) and a Notice of Exemption regarding the same. (Continued from the July *public hearing*)**

Chairman Niswander describes the agenda item to the Planning Commission.

Chairman Niswander asks if applicant or representative is here for in favor of agenda.

Nick Sahota at 2511 Logan St , speaks in favor of agenda.

Chairman Niswander asks if anyone wants to speak in favor of the agenda item.

Harbhajan Nagra at 11160 S Chestnut, speaks in favor of the agenda item.

Chairman Niswander asks if commissioners have any questions for the applicant.

Chairman Niswander asks if anyone wants to speak in favor or in opposition of the agenda item.

Robert Garcia at 2631 Rose Ave, speaks in opposition of the agenda.

Chairman Niswander asks if anyone wants to speak in opposition of the agenda item.



Gilbert Garcia at 2639 Pine St, speaks in opposition of the agenda item.

Chairman Niswander asks if anyone wants to speak in opposition of the agenda item.

David Quintana at 2618 Pine St, speaks in opposition of the agenda item.

Chairman Niswander asks Nick Sahota to answer a question on what they are proposing.

Nick Sahota responds by describing they are abiding by Fire setbacks and they are proposing homes not apartments.

Chairman Niswander asks if commissioners have any more questions.

Chairman Niswander asks if anyone wants to talk in opposition of the agenda item.

Gilbert Garcia speaks in opposition to the item stating no one can afford the homes.

Commissioner Coury responds as a real-estate agent, that the homes are within that value proposed.

David Quintana speaks saying he did not get the size of the homes.

Nick Sahota speaks and describes the homes' square footage and gives the proposed sizes.

Chairman Niswander asks if anyone would like to speak in support or opposition to the agenda item.

Ambrosio Gonzales at 3037 Love St, speaks in opposition of the agenda item.

Chairman Niswander asks if anyone would like to speak in support or opposition to the agenda item.

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

The Planning Commission voted on the agenda. Commissioner Coury first motion for approval, with Commissioner Singh seconded motion for approval.

AYES: Coury, Garcia, Gonzalez, Sekhon, Singh, & Niswander  
NOES: Fedor  
ABSTAIN:  
ABSENT:

**Consideration of CONDITIONAL USE PERMIT NO. 2018-0042 – Resolution No. 2019-05 approving a Conditional Use Permit application filed by LAV/Pinnacle Engineering for the purpose of permitting the construction of an electronic billboard at 1645 South Dockery Avenue, Selma, CA 93662(APN 390-111-05). It is determined that the project does not have the potential to result in a significant adverse impact on the environment. The activities are determined to be covered by Section 15303 of the California Environmental Quality Act (CEQA) that provides New Construction or Conversion of Small Structures and Section 15332 for Infill Development Projects.**

Chairman Niswander describes agenda item to the Planning Commission.

Planner Kira describes Conditional Use Permit No. 2018-0042 – Resolution No. 2019-05.

Chairman Niswander asks where on the project site the billboard is proposed.

Planner Kira describes the location to the Planning Commission by presentation board.

Commissioner Garcia asks if the city has a sign ordinance and if it meets it.

Planner Kira responds that it meets the requirements of the sign ordinance.

Chairman Niswander asks if this is a commercial venture.

Planner Kira responds that it is a commercial venture.

Chairman Niswander asks if commissioners have any questions.

Commissioner Coury asks if the project has any risks of glare or neighboring residential properties.

Planner Kira responds that there are no issues and it meets the requirements.

City Attorney James M. Casso comments that it will be required to meet outdoor advertisement act per Cal Trans review.

Chairman Niswander asks if commissioners have any more questions.

Commissioner Sing asks what the illumination of the billboard will be.

Planner Kira responds applicant provided documentation that it will be well below the threshold required.

Chairman Niswander asks if commissioners have any questions.

Chairman Niswander asks if anyone would like to speak in support or opposition of the agenda item.

Don Fester at 3036 S Thompson, Selma, Ca, speaks in opposition of the proposed sign. He also asks who is paying for the sign.

Planner Kira responds that a private company is paying for the sign and would advertise as paid for through the private company.

Chairman Niswander asks if anyone wants to speak in favor or opposition of the agenda item.

Chairman Niswander asks if applicant or representative is here to speak.

Todd Hansen at 1831 Truxtun Ave, Suite 121, Bakersfield, Ca, speaks in favor of the agenda item.

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

The Planning Commission voted on the agenda item. Commissioner Gonzales first motions for approval, with Commissioner Garcia seconded the motion for approval.

AYES: Fedor, Coury, Garcia, Gonzalez, Sekhon, Singh, & Niswander  
NOES:  
ABSTAIN:  
ABSENT:

**Consideration of TENTATIVE PARCEL MAP NO. 2018-28 - Resolution No. 2019 – 06 approving a Parcel Map application by Gaurev Sethi to divide a single parcel into two parcels at 3000 Floral Avenue, Selma, CA (APN: 348-191-01). It is determined that the project does not have the potential to result in a significant adverse impact on the environment. The activities are determined to be covered by Section 15315 of the CEQA that provides Minor Land Divisions.**

Chairman Niswander describes the agenda item to the Planning Commission.

Planner Kira describes Tentative Parcel Map No. 2018-28 – Resolution No. 2019-06.

Chairman Niswander asks if the proposal is just splitting the clinic and urgent care from the gas station.

Planner Kira responds that is correct.

Chairman Niswander asks if commissioners have any questions.

Chairman Niswander asks if anyone wants to speak in favor or in opposition of the agenda item.

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

The Planning Commission voted on the agenda. Commissioner Garcia first motioned for approval, with Commissioner Coury seconding the motion for approval.

AYES: Fedor, Coury, Garcia, Gonzalez, Sekhon, Singh, & Niswander  
NOES:  
ABSTAIN:  
ABSENT:

**Consideration of SITE PLAN REVIEW, PRE-ZONING, ANNEXATION NO. 2019-0013, AND MITIGATED NEGATIVE DECLARATION – Resolution No. 2019-07 recommending to the City Council approval of Site Plan Review, Pre-Zoning, Annexation No. 2019-0013, and associated Mitigated Negative Declaration filed by Self-Help Enterprises for an 84-unit apartment complex that includes open space and a community center on approximately 4.21 acres. The project site is owned by Karan L. Cerutti and is located at the northwest corner of the intersection of East Dinuba Avenue and Wright Street (APN 358-120-40) in the unincorporated county area (within the City’s Sphere of Influence).**

Chairman Niswander describes agenda item to the Planning Commission.

Planner Kira describes Site Plan Review, Pre-Zoning, Annexation No. 2019-0013 and Mitigated Negative Declaration – Resolution No. 2019-07.

Commissioner Coury asks questions with concerns about annexations and the size of the lot with the cost for annexation.

Planner Kira responds that it is possible for extra fees due to city staff time and applicants pay a deposit for annexations and later any additional costs are added to their fee for the project.

Commissioner Coury asks questions if access to site from Dinuba can be limited and access be done from the side street due to safety concerns in the area.

Planner Kira describes other ways to enter and exit the site.

Commissioner Coury asks if there will be turning lanes.

Planner Kira responds that traffic improvements are being taken care of with development fees, fair share fees and impact fees.

Commissioner Coury asks would there be a possibility to ask the applicant to make a dedicated street to the site.

Planner Kira responds we can ask the applicant. The city engineers would determine if needed in the area.

Chairman Niswander asks would this be coming back to the Planning Commission.

Planner Kira says it would go to City Council.

Chairman Niswander asks if we need to get clearance on street developments.

Planner Kira describes that the City Engineers determine when widening Dinuba Ave would be warranted and described the conditions of approval that the City Engineer has placed on the project.

Commissioner Garcia asks if the report describes signals on Wright and Dinuba.

Planner Kira responds with saying it does not.

Chairman Niswander responds there is a signal at Thompson and Dinuba.

Commissioner Garcia responds with his opinion that the signal at Thompson and Dinuba will not have an effect on Wright and Dinuba, and that a signal would be needed at Wright and Dinuba.

Planner Kira responds it could be part of the City project. Engineering would have to answer it.

City Attorney James M. Casso suggest to Chairman Niswander to address the audience and to talk only when ask to for the record.

Chairman Niswander ask if commissioners have any more questions if staff.

Planner Kira responds that this project would meet the RHNA numbers required by the state.

Chairman Niswander asks if applicant or owner would like to speak in favor of the agenda item.

Tom Collishaw at 8445 W Elowin Ct , Visalia, Ca spoke in favor of the agenda item.

Chairman Niswander asks if anyone would like to speak in opposition to the agenda.

Chairman Niswander asks if anyone would like to speak in favor or opposition of the agenda item.

Chairman Niswander ask the applicant if this project is sweat equity program.

Tom Collishaw responds no it is not.

Chairman Niswander responds with the name is misleading.

Tom Collishaw responds that at the time of the incorporation of the company, that was the only program at the time.

Chairman Niswander asks if commissioners have any questions for the applicant.

Commissioner Coury asks if all units are for affordable housing.

Tom Collishaw responds with, yes they are.

City Attorney James M. Casso responds that 83 are and 1 is for a manager.

Tom Collishaw responds with that is correct.

Tom Collishaw responds on how they get the money or investors, through state as well.

Commissioner Coury asks if they screen their tenants.

Tom Collishaw responds that his company does the screening for tenants.

Chairman Niswander asks if any more questions of staff.

Chairman Niswander asks if anyone wants to speak in favor or opposition of the agenda item.

Carol Marquez at 3809 Wright St, speaks in opposition of the agenda item.

Chairman Niswander asks if anyone wants to speak in favor or opposition of agenda item.

Don Fester at 3805 Wright St, speaks in opposition of the agenda item.

Chairman Niswander asks if anyone wants to speak in favor or opposition of the agenda item.

Gladys Griffith at 9885 E Dinuba Ave, speaks in opposition of the agenda item.

Jacklyn Harper at 9989 E Dinuba Ave, speaks in opposition of the agenda item.

Victoria Shafer at 9803 E Dinuba Ave, speaks in opposition of the agenda item.

Chairman Niswander asks if anyone wants to speak in favor or opposition of the agenda item.

Francis Carrisosa at 3801 Wright Ave, speaks in opposition of the agenda item.

Onkar Bains at 3817 Wright St, speaks in opposition of the agenda item.

Chairman Niswander asks if anyone wants to speak in favor or oppose of agenda.

Juanita Varela at 3813 Wright St, speaks in opposition of the agenda item.

Jarjit Bains at 3817 Wright St, speaks in opposition of the agenda item.

Chairman Niswander asks if anyone wants to speak in opposition of the agenda item.

Chairman Niswander asks if the applicant wants to rebut in favor of the agenda item.

Chairman Niswander asks anyone wants to rebut in opposition of the agenda item.

Bernard Marquez at 3809 Wright St, rebuts in opposition of the agenda item.

Onkar Bains at 3817 Wright St, rebuts in opposition of the agenda item.

Don Fester at 3805 Wright St, rebuts in opposition of the agenda item.

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

Chairman Niswander asks staff if there has been a recent traffic study been done.  
Planner Kira responds, she would have to check with Engineering.

Chairman Niswander states he does not feel he has been provided enough information to make a decision tonight.

Planner Kira notes the project is under a tight deadline, and suggests the commission make a recommendation to city council.

City Attorney James M. Casso recommends Chairman Niswander to tell staff to write a new resolution for denial or to vote to continue Resolution No. 2019-07.

Planner Kira said a traffic study has been done for the area for a nearby project.

Chairman Niswander responds he is not comfortable to make a decision on the project. He asks for a plan from the applicant to insure the privacy of the tenants to the west and to the north.

Planner Kira recommended for Engineering to attend the Planning Commission or they are willing to meet with commissioners during working hours.

City Manager Teresa Gallavan says the applicant is ok with addressing traffic concerns prior to the City Council hearing.

The Planning Commission voted on the agenda. Commissioner Coury first motion to continue, with Commissioner Sing seconded motion to continue the agenda item to next month's meeting.

AYES: Fedor, Coury, Garcia, Gonzalez, Sekhon, Singh, & Niswander  
NOES:  
ABSTAIN:  
ABSENT:

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

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Sabino Cayetano  
Building Planning Technician

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Glenn Niswander, Chairman  
of the Planning Commission

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Kira Noguera  
Secretary of the Planning Commission

**SELMA CITY PLANNING COMMISSION  
STAFF REPORT**

Meeting Date: September 23, 2019

**TO: Selma City Planning Commission**

**FROM: Community Development Department**

**SUBJECT: AGENDA ITEM NO. 2**  
**Submittal No. 2019-003:**

- **Site Plan Review**
- **Pre-Zoning**
- **Annexation**
- **CEQA Initial Study and Draft Mitigated Negative Declaration**

**Summary and Purpose**

The purpose of agenda item No. 5 is to conduct a public hearing to consider the above requested entitlements. The applicant is requesting an annexation to the City of Selma, accompanying rezoning to R-3 (Multiple Family Residential), and Site Plan Review to build an 84-unit affordable apartment complex on a 4.59-acre vacant lot. The lot in question is on the northwest corner of the intersection of East Dinuba Avenue and Wright Street. The proposed zoning for this lot is R-3 (Multiple Family Residential).

The complex will include a total of 84 dwelling units, 83 of which will be affordable units for low-income groups in addition to open space/park amenities & anew community center building. Dwelling units will be constructed within fourteen (14) individual 2-story buildings which will include 1-bedroom, 2-bedroom and 3-bedroom units. Other on-site improvements will include fencing, landscaping and associated parking facilities. Off-site improvements include adjacent road improvements and extension of water and sewer infrastructure to serve the site.

**Public Process and Revisions to Project**

The Planning Commission of the City of Selma conducted a duly noticed public hearing on August 26, 2019 on the Application, and considered all testimony written and oral and continued the item to the September Planning Commission. During the August 26, 2019 public hearing members of the public came forth to express concerns with the proposed project. Specifically, traffic impacts and safety concerns were mentioned. One letter from the public was received after the public hearing and it has been attached to this staff report.

Since the August 26, 2019 public hearing, the applicant has revised their site plan and made changes to the elevations in an effort to address concerns expressed by the commissioners and members of the public. The site plan has been revised to include an additional 10 on-site parking spaces. To provide additional privacy to existing single-family residences, translucent glazing has been added on all north facing windows for buildings 7 – 14 and setbacks have been increased as follows:



<b>Setback</b>	<b>Required In R3</b>	<b>Previous Plan</b>	<b>Revised Plan</b>
Front	15'	15'	15'
Side	5'	20'	25'
Rear	10'	15'	20'

**Application Information**

1. Applicant: Self-Help Enterprises  
Property Owner: Karan L Cerutti
2. Project Location: The subject property is located at the northwest corner of the intersection of East Dinuba Avenue and Wright Street. (APN 358-120-40).
3. General Plan Land Use: High Density Residential (HDR)
4. Proposed Zoning: R-3 (Multiple Family Residential)
5. Applicant’s Request: The Site Plan Review is subject to Chapter 20.1 of Title 11 – Zoning and will permit the development of the multifamily apartment complex, subject to all conditions of approval. The Prezoning request to R-3 is required as part of the annexation application to the Local Agency Formation Commission (LAFCo) and to make the property consistent with the existing General Plan Designation of HDR.

<b>Adjacent Land Use, Zone, and General Plan Designation</b>			
<b><u>Direction</u></b>	<b><u>Current Use</u></b>	<b><u>Zone</u></b>	<b><u>General Plan</u></b>
North	Residential Subdivision	R-1-7	Medium Density Residential
South	Residential Subdivision	R-1-7	Low Density Residential
East	Vacant	AE20 (County)	Medium Density Residential
West	Residential Subdivision	R-1-7	Low Density Residential

**Zoning/General Plan**

The project site is currently designated as HDR within the General Plan. The applicant has proposed to prezone the property to R-3 as part of the annexation process to bring the property within the city limits. Additionally, per Table 1-1 of the General Plan, R-3 would be the only currently available zone district consistent with the HDR designation. The density allowance within the HDR designation is 13 to 19 units per acre. The proposed density of the project would be 18.3 units per acre and would be within the range allowed by the General Plan.

Multiple dwellings are allowed by right within the proposed R-3 zone district. Multiple dwellings are defined as “a building, or portion thereof, designed for occupancy by, or occupied by, four (4) or more families living independently of each other.” Multifamily dwellings, or “multiple dwelling” as the code describes it, are permitted uses, subject to the provisions of Chapter 20.1, “Site Plan Review”.

### **Density Bonus Incentives**

Under State Law, local agencies must grant density bonus requests for affordable housing projects as a non-discretionary act subject to the provisions of the Government Code. Additionally, applicants may request incentives such as relief from local development standards in order to promote fiscal viability of an affordable housing project. Staff has reviewed the request by the applicant for density bonus related incentives. Staff has approved the request pursuant to the requirements of State Law as a non-discretionary act. The development standards which the applicant has requested relief include off-street parking spaces reduction of open space areas in order to reduce overall costs by over \$230,000. The site plan proposed before the Planning Commission and subsequently the City Council incorporates the aforementioned concessions. The concessions are further discussed in the staff report under the appropriate development standard.

### **Access and Right of Way**

Access to the property will be from two locations, one on East Dinuba Avenue (south) and one on Wright Street (east). Staff supports having two access points because it will allow for better circulation in and out of the property for residents, visitors, fire emergency vehicles, and refuse vehicles.

### **Parking/On-Site Circulation**

The zoning code requires 1.5 spaces for each 1-bedroom unit, 2 parking stalls for each 2-bedroom dwelling unit 2.5 stalls for each 3 or more bedroom unit. The applicant proposes 28 units of each varying bedroom type. Therefore, a total number of parking spaces that would typically be required is 168 parking spaces. The applicant is proposing a total of 124 space with an additional 88 bicycle parking spaces. The applicant is proposing an additional 19 spaces on-street. The development incentives of the density bonus find that the parking variation to promote the affordable housing is acceptable. However, the applicant shall advise its tenants that they shall only park along the adjacent roadways of the proposed project and not within adjacent residential neighborhoods.

### **Architectural and Site Design Standards**

The site meets the City's design standards for height and setbacks. Because the project is adjacent to existing residentially developed zones, a solid masonry wall of 5 to 6 feet is required along the western and northern property lines. The architectural renderings of the project are provided as Attachment C.

### **Signage:**

All new signage would be required to meet the City Zoning Ordinance and a separate permit is required. The project would be allowed building signage and monument signage per the standards in the City Zoning Ordinance.

### **Open Space:**

The applicant has proposed reducing the requirement of 150 square feet for first floor units to 100 square feet. The rationale for development incentive is to create more space for more units in compliance with the affordability requirements of the funding agency. The addition of the community center building and associated community open space has been provided to justify the reduction of

private open space. This development incentive has been granted by staff as a non-discretionary act in accordance with state law and shown in the site plan provided.

**Environmental Assessment:**

Pursuant to California Environmental Quality Act (CEQA) Guidelines, a draft Initial Study (IS) and Draft Mitigated Negative Declaration (MND) with Mitigation Monitoring and Reporting Program (MMRP) was prepared for the project. As noted by outside agencies, the proposed project did not qualify for any in-fill or affordable housing exemptions predominantly because the property is not located within the City and requires annexation. If the property had been within the city limits, it would have qualified for an exemption. Mitigation measures to reduce impacts to biological, cultural, hydrology and tribal resources have been provided within the draft MND and MMRP.

**Recommended Approval Findings – Rezoning and Annexation:**

No specific findings are required by the Selma Municipal Code as part of rezoning and annexation application; however, this action must maintain consistency with the General Plan. Consistency would include being aligned with the policies of the Land Use Element designation of HDR as well as other related policies within the General Plan. Therefore, the following findings of approval are recommended:

- A. 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.
- B. The project is consistent with the High-Density Residential land use designation of the General Plan, according to Table 1-1 – Land Use and Zoning Consistency, as it allows for multi-story apartment developments at a density between 13 and 19 units per acre.
- C. The proposed project is designed in a manner that minimizes impacts to adjacent, existing single-family residential subdivisions. Outdoor recreation areas are located away from the neighborhoods along with parking areas being buffered away from adjacent subdivisions. Landscaping is provided to provide more of a transition and screening along the property lines adjacent to existing residential neighborhoods.
- D. The project is currently within the existing urban development boundary and the established Sphere of Influence. The project is substantially surrounded by existing development and consistent with the growth pattern of the area. The project could not be considered premature or leapfrog as over 75 percent of the area surrounding the project is currently development and infrastructure to service the area already exists.
- E. The project would provide 84 affordable units within the low-income category of the Regional Housing Needs Allocation (RHNA) identified within the 2023 Housing Element. These units will aid in the City provided a range of housing options for its residents.

**Site Plan Review:**

The following standards from the City Zoning Ordinance, except those modified by the incentives approved for the Density Bonus request by the applicant, shall be met:

1. Lot Dimensions
2. Height
3. Setbacks
4. Walls & Fences
5. Off-Street Parking (modified by Density Bonus Incentives)
6. Access: Pedestrian, Vehicular, and service
7. Signs
8. Lighting
9. Street dedications and improvements
10. Landscaping and Open Space (modified by Density Bonus Incentives)

The standards of the Site Plan Review, pursuant to the Municipal Code, have all been met. The items modified by the Density Bonus incentives includes off-street parking and open space requirements have been accepted in accordance with state law in order to achieve financial and development viability of the proposed affordable project.

**Recommended Approval Findings – Site Plan Review**

Pursuant to Section 11-20.1(B)5 of the Municipal Code, the Site Plan Review shall be approved only when the designated approving authority that the proposed use or activity complies with all of the following findings:

- A. All of the applicable provisions of this Chapter are complied with;
- B. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on the surrounding property;
  - a. Facilities, improvements, and utilities
  - b. Vehicular ingress, egress, and internal circulation
  - c. Setbacks
  - d. Height of buildings
  - e. Location of service use areas
  - f. Walls; and
  - g. Landscaping
- C. The proposed lighting is so arranged as to deflect the light away from adjoining properties; and
- D. The proposed signs will not by size, location, or lighting interfere with traffic or limit visibility.
- E. That any conditions of approval are deemed necessary to protect the public health, safety, and welfare.

**Recommended Conditions of Site Plan Review:**

Staff Recommends that the approval be conditioned upon the following:

Planning Conditions:

1. The applicant shall submit a Site Photometric (lighting) Plan at time of building permit.
2. The applicant shall submit a landscape plan at time of building permit submittal. The landscape plan shall be compliant with Model Water Efficient Landscape Ordinance, including but not limited to the following conditions:
  - a. Plan shall include square footages of landscaped area shown and water use calculations;
  - b. Turf shall be limited to no more than 25% of total landscape area;
  - c. No turf shall be permitted in any landscape area less than eight feet (8') in width;
  - d. The landscape plans shall include a regular maintenance schedule, per the Zoning Ordinance; and
  - e. Water use classifications shall be based on Water Use Classification of Landscape Species IV.
3. An encroachment permit shall be obtained prior to commencement of work in the public right of way.
4. Trash enclosures shall be designed to accommodate refuse and recycling bins and be ADA accessible by residents. The trash enclosure shall also include a roof structure and be enclosed by a finished block wall.
5. The project shall connect to existing sewer and water lines. Sewer and water services shall be installed per plans approved by the City Engineer.
6. A separate sign application and administrative approval process will be required before ordering or installing any signage or lease up signage and flags so that it is in conformity with city's sign ordinance.
7. The developer shall comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) standards. The project will be required to meet Rule 9510 (indirect source review) and submit a construction notification to the district for the project and that compliance with the Districts Regulation VIII (fugitive dust) Rules will be monitored.
8. Outdoor lighting shall utilize energy efficient fixtures and lamps, such as LED, high pressure sodium, metal halide, low pressure sodium, hard wired compact fluorescent, or other lighting technology that is of equal or greater efficiency. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than ten thousand (10,000) hours.
9. Architectural features may be illuminated by up lighting, provided that the lamps are low intensity to produce a subtle lighting effect and no glare or light trespass is produced. Wherever feasible, solar powered fixtures should be used.
10. A solid masonry wall of no less than six (6) be constructed along the northern and western property lines between the project and existing single-family residential neighborhoods. The walls shall be constructed of decorative block or be stuccoed and painted in a manner acceptable to the Planning Department. Precision block and wood fencing is not permitted.
11. The applicant shall comply with all mitigation measures as adopted within the Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA).

Fire Department Conditions:

12. Construction documents (plans and cut sheets) and calculations for all fire protection and notification systems shall be provided in an approved format to Selma Fire Prevention Bureau for review. Installation or modification of any fire protection or notification system shall not be started without first receiving a permit from Selma Fire Prevention Bureau. Permits will not be issued until plans are approved by Selma Fire Prevention Bureau and the permit fees are paid to Selma Fire Prevention Bureau. (CFC, Appendix 105.4)

13. Plans submitted to Selma Fire Prevention Bureau shall include the governing codes used for the project, type of occupancy and type of construction. Provide a "Fire Protection" page in your general construction plans that include a depiction of all fire protection systems applicable to the project. Please include project notes indicating any applicable requirements that are not included on the page. List any submittals to be deferred, such as fire sprinklers and fire alarms in the project notes. Underground water supply and access requirements shall not be deferred.
14. Fire sprinkler systems shall be installed and maintained in accordance with the California Fire Code, Selma Fire Prevention Bureau amendments and policies and NFPA Standards 13R. Fire sprinkler systems shall be monitored by an approved fire alarm system that reports to a monitoring company. (CFC 903)
15. When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to construction except when approved alternative methods of protection are provided. (CFC Sec. 501, 3312)
16. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. They shall be designed and maintained to support the imposed loads of fire apparatus (45,000) pounds. The minimum widths and clearances shall be maintained at all times. (CFC 503)
17. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around the fire apparatus. If area for turning is not possible, fire access gate would be required on Wright Street. (CFC 503)
18. An approved lock or opening device (Knox) shall be installed on walk-through and vehicle gates or similar barriers when required by the fire code official. Vehicle gates shall not be less than 20 feet wide. (CFC 506)
19. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. CFC Sec. 3312.1
20. Fire hydrant systems shall comply with the CFC, Sections 507.1 through 507.5.6 and Appendix C or by an approve Method. A 3-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved. Fire hydrants shall be painted safety yellow in color and have a "blue dot" installed on the driving surface near the hydrant. Hydrant is required within 100' of any Fire Department Connections. Fire Department Connections shall have locking caps by Knox. (CFC 912)
21. Vehicle impact protection shall be required when any fire protection equipment is located closer than 4-foot from the face of a curb or when located in open areas such as parking lots and yards. Physical barriers shall be a minimum of 72 inches high and have a minimum diameter of 3 inches. The barrier shall be a steel pipe filled with concrete and painted safety yellow. The pipes shall be spaced at 36 inches on center. The pipe shall be installed so that 36 inches of the pipe are below ground and 36 inches of the pipe are above ground. The footing for the pipe shall be 36 inches deep with 24 inch side dimensions. The physical barrier shall resist a force of 12,000 pounds, applied 36 inches above the adjacent ground surface. (CFC 312)

Engineering Conditions:

22. Existing sewer nearest project site has no additional capacity. Sewer main must be extended to Golden State to serve the proposed site.
23. Relocate above ground dry utilities underground.
24. Widen Dinuba Avenue to ultimate configuration per City Standards along project frontage.
25. Construct Wright Street from Dinuba to the north, matching existing

26. Drainage to be conveyed by surface flow to existing curb and gutter system; no new storm drain improvements required.

SKF Sanitation District Conditions:

27. Complete and submit the multi-family sewer connection application prior to the issuance of the sewer connection permit.

28. Install a sewer service lateral (size to be determined) with cleanout and box at the property line.

29. Call SKF for an inspection of the sewer lateral installation.

General Conditions

30. All requirements of the Selma Municipal Code, as they pertain to this application, shall be complied with and such requirements shall be made a condition of permit approval.

31. The Applicant and Property Owner shall within thirty (30) days after approval of Submittal No. 2019-0013 submit to the Planning Department his/her written consent to all of the conditions referenced herein. The Applicant understands that approval of this Resolution and will be of no force or effect unless such written consent is submitted to the City within the stated 30-day period.

32. The Applicant and Property Owner shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.

On August 14, 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 on August 16, 2019.

Prepared by:

\_\_\_\_\_  
Kira Noguera  
City Planner

\_\_\_\_\_  
Date

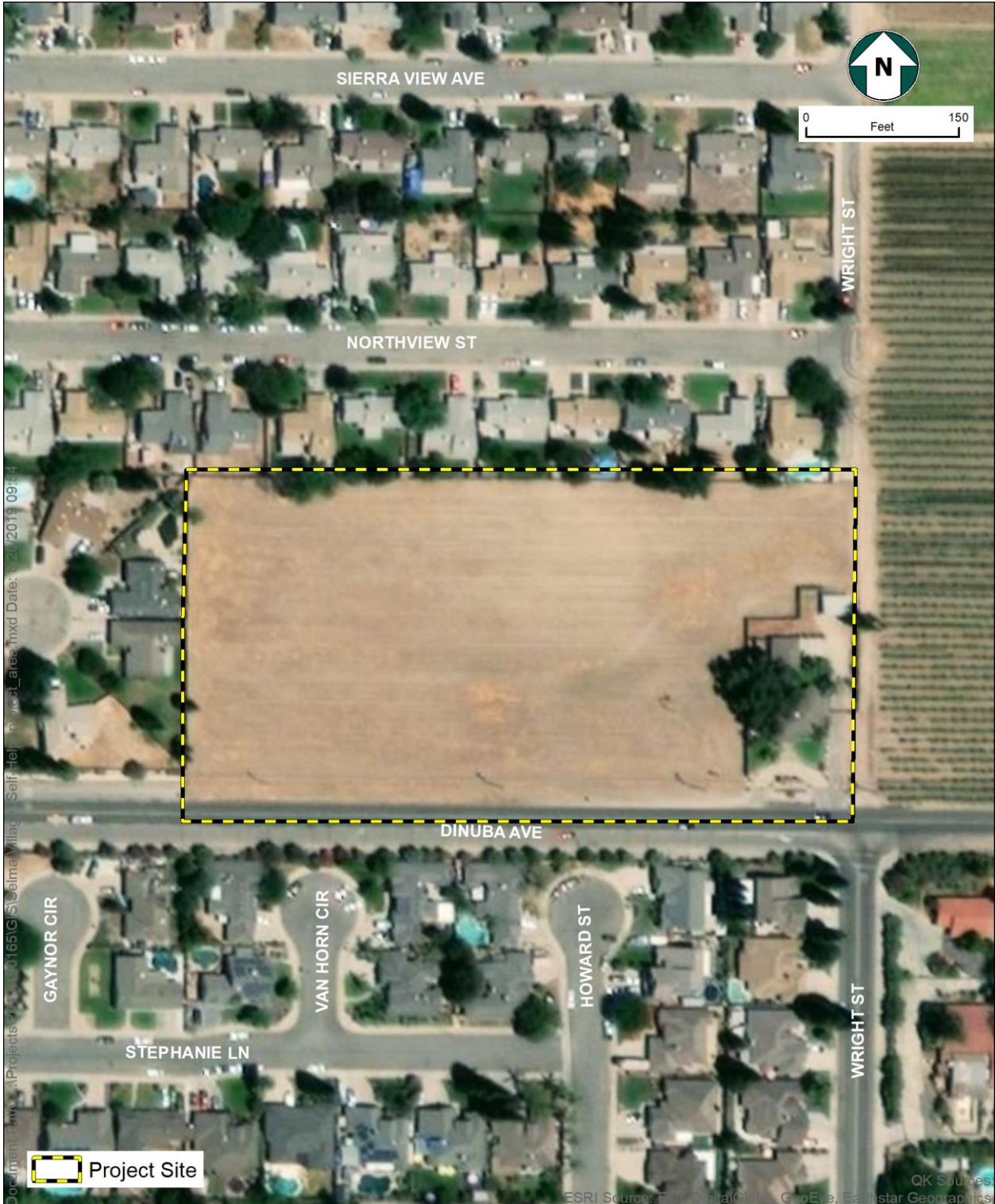
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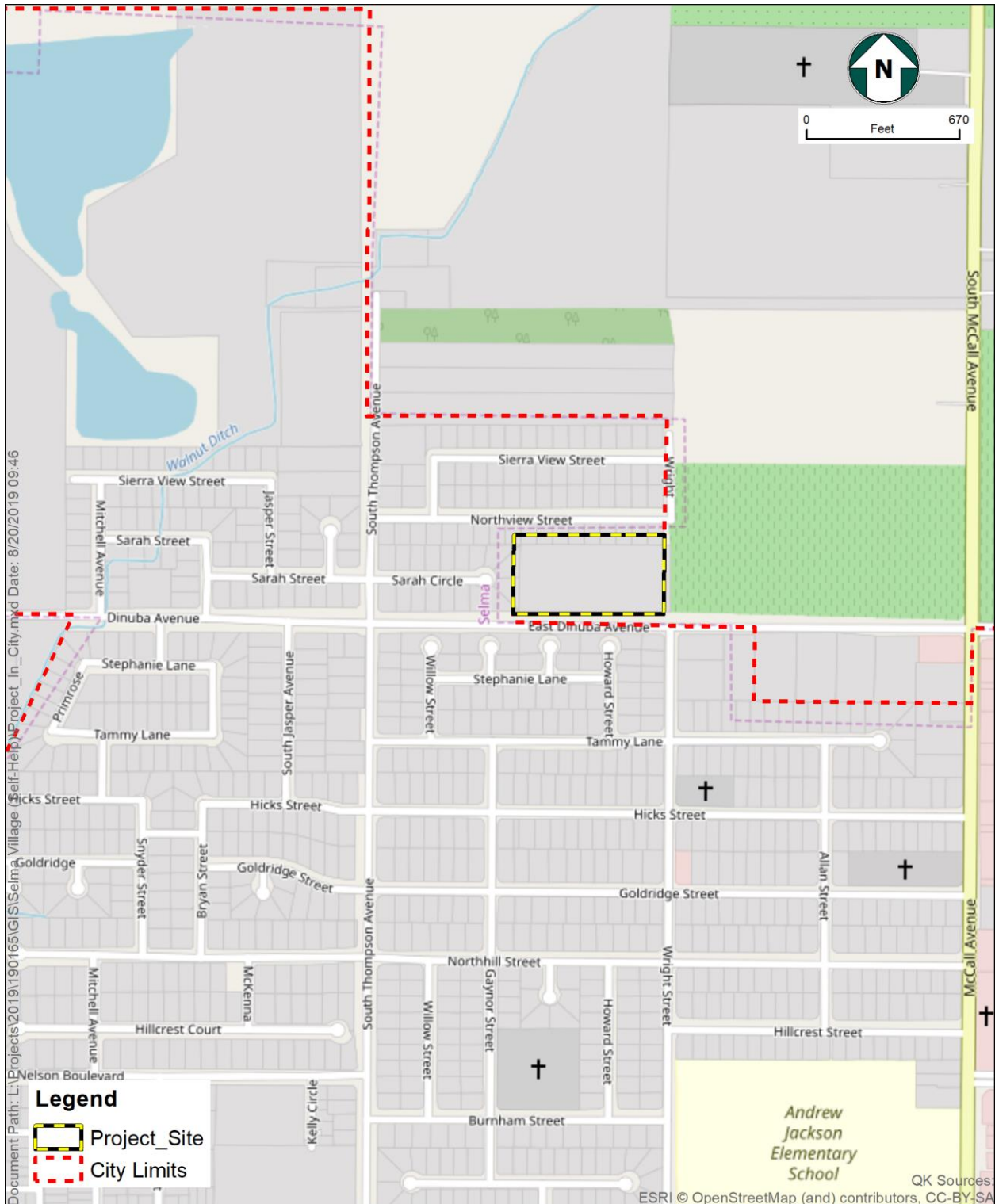
***Attachments***

- A. Location Maps
- B. Site Plan
- C. Architectural Renderings of Units and Community Center
- D. Draft Initial Study and Draft Mitigated Negative Declaration
- E. Letter from the public

- F. Additional information provided by the applicant.
- G. Letter in support from Fresno County Rural Transit Agency
- H. Resolution No. 2019-07 recommending approval of Submittal 2019-003
- I. Resolution No. 2019-07 recommending denial of Submittal 2019-003









/Volumes/CADD COMMON/JOBS/219026 Archicad - Selma SHE/219026 PLN/219026 - Selma SHE - 2019-09-12.pln - Printed: Friday, September 13, 2019, 4:10 PM



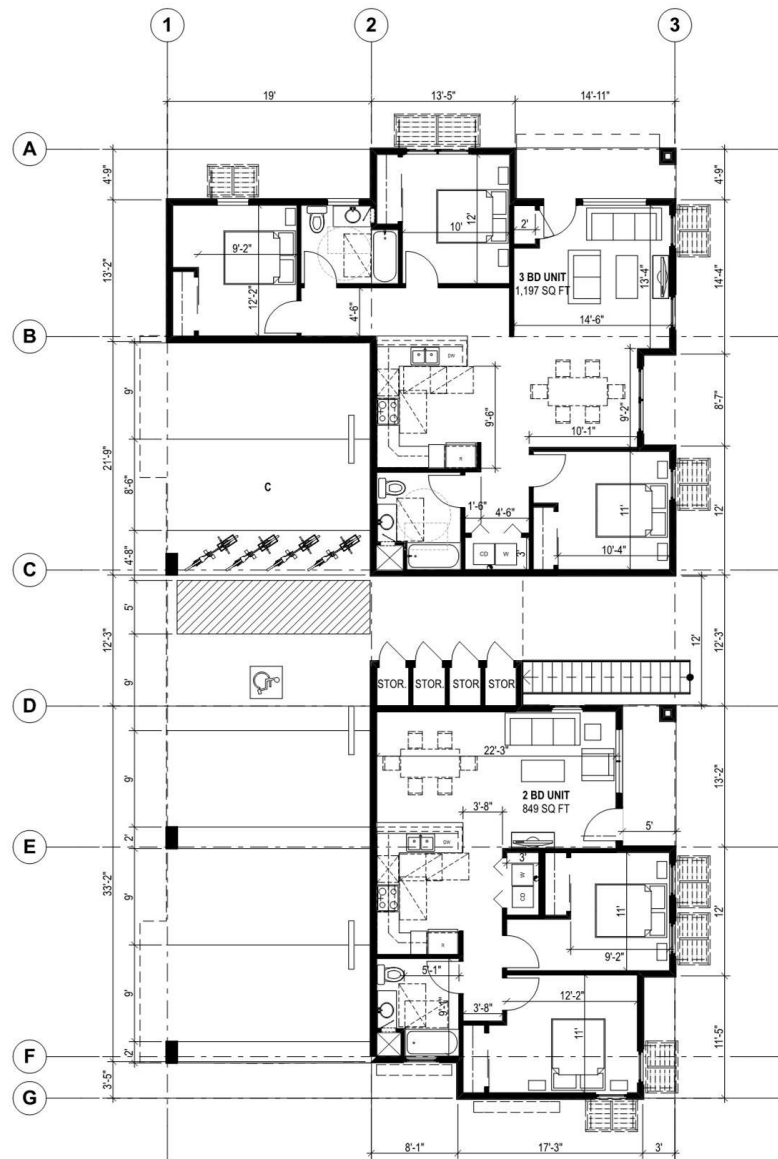
■ SITE PLAN (COLORED) - SCALE 1" = 50'



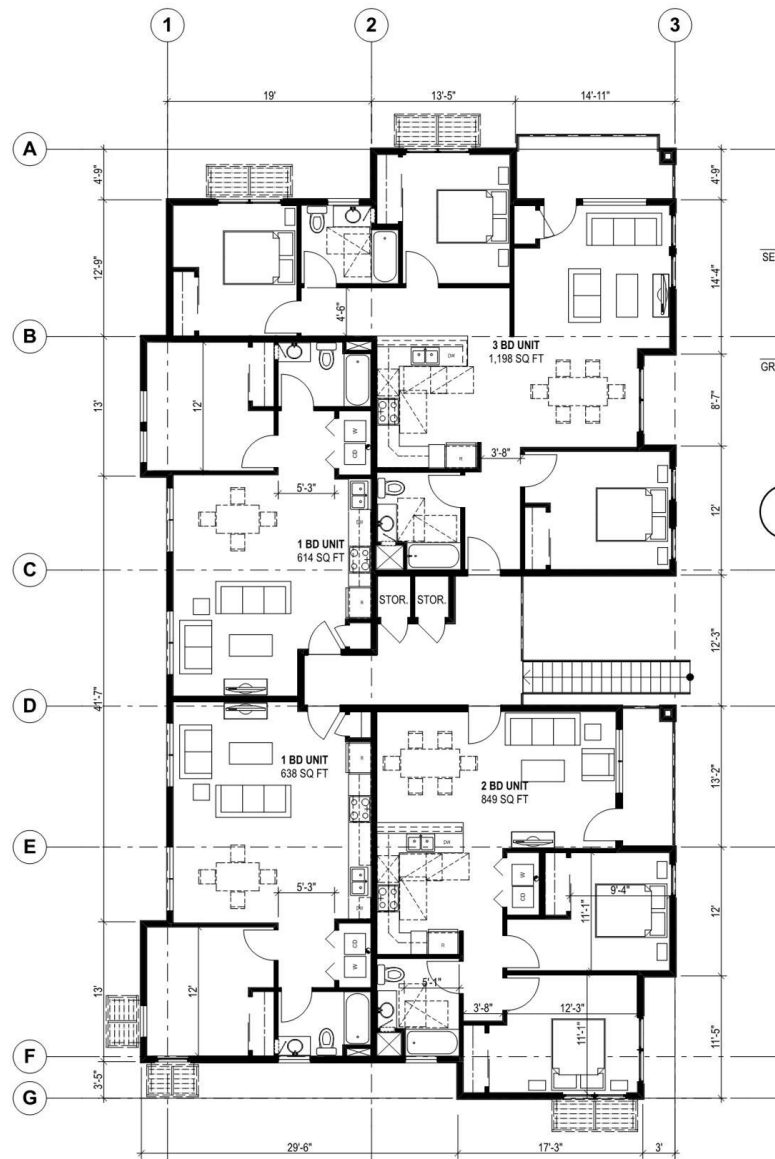
**PROJECT SUMMARY:**

- 14 BLDGS: EACH (2)1BR, (2)2BR, (2)3BR
- TOTAL: 84 UNITS WITH (28)1BR, (28)2BR, (28)3BR
- PARKING SPACES: 134 ON-SITE APPROX. / 19 OFF-SITE
- BIKE SPACES: 84 COVERED / 4 UNCOVERED
- OPEN SPACE: 43.85% (NON-BLDG & AUTO DRIVES - DOES NOT INCLUDE PLANTING STRIP ALONG PUBLIC ROW)





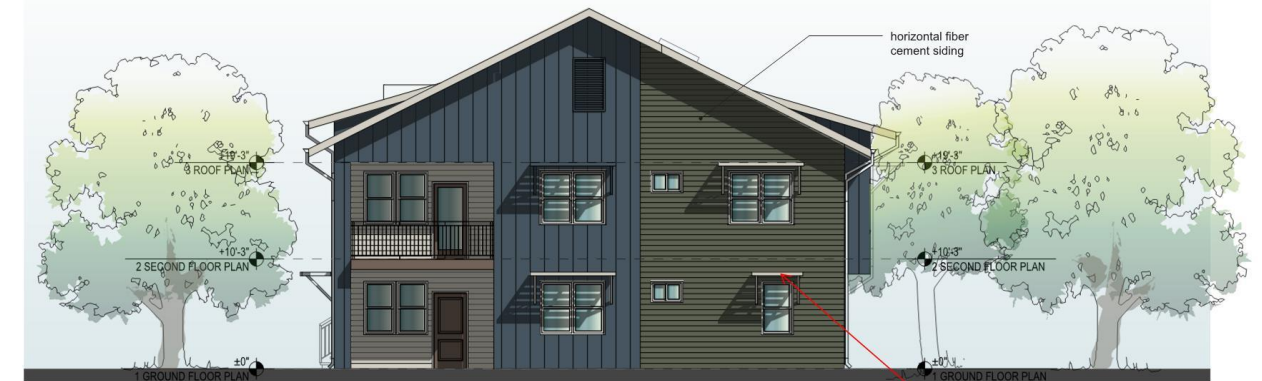
1 FIRST FLOOR PLAN - BLDG A  
SCALE: 1/8" = 1'-0"



2 SECOND FLOOR PLAN - BLDG A  
SCALE: 1/8" = 1'-0"

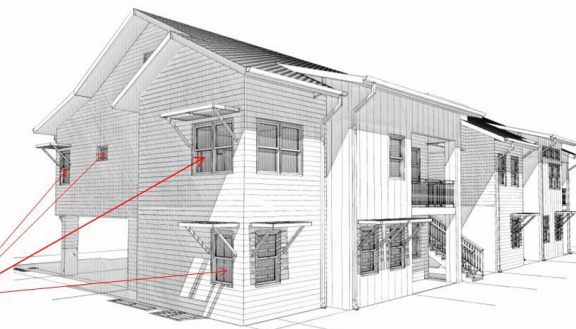


3 FRONT ELEVATION BLDG A SCHEME 1  
SCALE: 1/8" = 1'-0"



1 BUILDING A - ELEVATION ONE  
SCALE: 1/8" = 1'-0"

Added Note:  
Sunshades Optional



REVISION: Translucent glazing on all north facing windows for buildings 7-14.

5 FRONT BLDG A SCHEME 1  
SCALE: 1:1.24



6 BLDG A SCHEME 1  
SCALE: 1:1.02

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**2 SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**3 WEST ELEVATION**  
SCALE: 1/8" = 1'-0"



**4 NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



1710 Tucker Street

Selma, CA 93662

Subject: Proposed development of an 84-unit, two story multifamily affordable housing complex on (APN358-120-40)

The application paperwork for this project has several contradictions. Here are a few:

In the project summary it states the existing house will be preserved and relocated off-site. On p. 31 it states the project would not result in existing residences being removed.

Project summary states 124 parking spaces on site and 19 off-site. Else where it says 16 off-site.

Application Assessor's Parcel shows 4.21 acres. Page 3 says 4.59 acres.

In the 2 pages of the Request for Development Concessions the phrase, to make this project economically or financially feasible appears 7 times. In some research I did, the number 2 problem with dependence on government subsidized loans is delay in funding those loans. Suppose the project gets started and expected funding fails to come through on time, what happens then? It is reasonable to expect the project cost will exceed that estimated as it does in almost every building project, how is the project then completed? Then comes the problem of loan repayment. Although it is deferred for a time, it still must be repaid. This leads to the number 1 problem with subsidized loans. It is delay in receiving subsidized rent funding which affects the renter's ability to make payments. Is the city of Selma willing to accept this reality?

Next let's address the development concessions required for the city to make. The application requests "modest deviations from current standards in city ordinances." I do not consider the concessions they are asking for to be modest. First, they have to have 20 units per acre to be funded. In order to pack requested 84 units into 4.21 acres they are requesting city required setbacks of 20 ft. to be reduced to 15 ft. on the north side. Then allow 18 in. of overhang on the second story into the setback on the south and east sides. Neighbors on the north side will certainly be deprived of enjoyment of their back yards with 2 story units 15 ft. from their fence. Do you want to set a precedent for other builders to reduce setbacks?

Second, they are requesting private open space be reduced from 150 sq. ft. to only 100 sq. ft. That is only a 10 x 10 ft. area per ground level unit and 2 units have no private space.

Third, according to the staff report they are typically required to provide 168 parking spaces. Well, when you pack 84 units into such a small area, there is not room for even the 140 spaces the applicant proposed. Their answer is put 124 on-site and the remaining 16 spaces on the public street of Dinuba Ave. How can public parking on an already congested street be considered as fulfilling their requirement to provide parking?

On page 9 regarding air quality they state the emissions would be similar to other residential projects. Think about adding 140 cars to already congested Dinuba Ave. and Wright Street, where traffic is currently stop and go for long periods of time 4 times a day. This includes semitrucks with their diesel emissions waiting to move. This is not at all similar to other residential streets in Selma.

On page 16 it addresses the mandated on-site solar systems capable of producing 100 percent of the electricity demands of the residents. My neighbors and I have solar and we know the number of panels needed to meet the consumption demands of our single-family residences. Even if every roof surface is covered with panels, I don't believe it would produce 100% of the demand usage for 84 apt. units, especially in the summer months. So, is this another concession the city would have to make?

On page 25 it states the project involves the construction of a three-unit apartment complex on 0.21 acres to provide for storm water collection. Using that formula, if my math is correct, this would only provide for 60 units, not 84.

On page 27, it states development would blend with the existing neighborhood and would not divide an established community. False. Placing 84 apts. with 305 people in our very low-density neighborhood would certainly have a negative impact and divide the community. It could not be considered as blending in with the existing residences.

On page 31 it states that adding 305 people to a city with a population of 24,782 is not significant. That may be true if those 305 people were scattered all around town. However, when they are all placed on the intersection of two of the most congested streets it does create a significant influence. That cannot be mitigated away. It also states the project is to construct 3 multi-family residential units. What does that mean?

On page 34 it talks about increasing hazards. It says the total anticipated trips for the project would be 456.96 daily trips. These additional 456.96 vehicle trips have to travel down Dinuba Ave. or Wright Street. Consider all the children crossing the street to get to school and home again and walking along the street. Would not these additional trips pose a threat to their safety?

Also, consider the schools themselves. With 305 residents, a good guess is that half of them would be children. Neither Jackson nor Indianola could accommodate such an increase of students with out new construction. More tax dollars would have to come from all Selma residents to fund this. Tax dollars for the loan. Tax dollars for the subsidies. Tax dollars for the schools. And so on.

On page 4 of the Staff Report, paragraph 4 states the infrastructure to service the area already exists. Page 7 states existing sewer has no additional capacity, and must be extended to Golden State. This would be a major cost for the city of Selma. Is this cost in your budget? Where would the money come from?

On page 5 of the Staff Report it states the Site Plan Review shall be approved only when the proposed use is so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on the surrounding property. There is no way to avoid more congestion with all additional 456.96 daily trips traveling either on Wright St. or Dinuba Ave. There is definitely an adverse effect on the surrounding properties.

Please do not approve these development concessions and please deny the request to build these 84 apartments. Respect the wishes of the residents who live in this area who do not want the negative impact this development would cause.

Sincerely,

Gladys Griffith



## Planning Department

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**From:** Karen Saucedo <KarenS@selfhelpenterprises.org>  
**Sent:** Tuesday, September 17, 2019 5:57 PM  
**To:** Planning Department  
**Subject:** Changes in Site Plan & Upcoming PC Meeting  
**Attachments:** 2 SITE PLAN CONCEPT (COLORED) 9-17-19.pdf; Self Help-Bldg A-9.17.19.pdf

Hi Kira,

Attached is our revised site plan with the following changes:

- Increased side and rear setbacks

Selma Setbacks for R3	Required R3	Previous Plan	Revised Plan
Front	15'	15'	15'
Side	5'	20'	25'
Rear	10'	15'	20'

- 10 parking spaces added for a total of 134 on-site parking spaces
- Translucent glazing added on all north facing windows for buildings 7 – 14

Although the prior traffic study didn't provide information specific to the intersection at Dinuba and Wright, Planning Commission should be reminded that traffic impacts were analyzed under the CEQA process and determined to have no significant impact. SHE plans to apply for Affordable Housing and Sustainable Communities (AHSC) funding for the project which, if awarded, will make funding available not only for multi-family housing construction, but also for transportation needs. Eligible costs include such things as installation of traffic control devices, installation of new or improved pedestrian crossings, traffic calming projects (i.e., development of curb extensions, roundabouts, median islands, etc.), and more.

Additionally, SHE is committed to working with the City to find the resources necessary to extend the sewer line to Golden State, presenting an opportunity for the City to address an issue that has hindered development in the area. Possible funding sources for sewer improvements include AHSC and Infill Infrastructure Grant (IIG) funds. Notices of Funding Availability are expected to be released in October. This is the reason for our tight timeline.

### Karen Saucedo

Senior Project Manager

Self-Help Enterprises



8445 W. Elwin Court  
P.O. Box 6520  
Visalia, CA. 93290

559-802-1670 Office

559-651-3634 Fax  
[KarenS@selfhelpenterprises.org](mailto:KarenS@selfhelpenterprises.org)  
[www.selfhelpenterprises.org](http://www.selfhelpenterprises.org)

*Honored to be recognized as a  
Top 50 Affordable Housing Developer  
& a California Non-Profit of the Year*



## Planning Department

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**From:** Betsy McGovern-Garcia <betsyg@selfhelpenterprises.org>  
**Sent:** Friday, September 20, 2019 9:43 AM  
**To:** Planning Department  
**Cc:** Karen Saucedo  
**Subject:** FW: Changes in Site Plan & Upcoming PC Meeting

Hi Kira:

Yes, you can include the e-mail below, and would you also share the following summary:

- We understand the concerns from the community about the proximity of two-story housing next to the adjacent single-family homes. Therefore, we have increased the set-backs (the chart is below from Karen) to add additional buffer space between the units and adjacent homes. We will also add translucent glazing to the second story windows so there is limited view out from the second story windows.
- We added additional parking to the site so the project meets the code requirements. This should address concerns about adequate parking.
- Self-Help Enterprises (SHE) understands the need for the City to extend the sewer line in Dinuba Avenue. It has been brought to our attention that other viable economic development projects could not proceed due to the sewer challenge. SHE is committed to working with the City, through this project, to secure funds for the project. For example, SHE and the City can apply for up to \$7,000,000 from the Infill Infrastructure Grant program to construct the sewer improvements in conjunction with this project. SHE plans to apply for Affordable Housing and Sustainable Communities (AHSC) funding which can be used for sewer upgrades also.
- It has been noted the City is out of compliance with the Housing Element as a result of not rezoning adequate sites for medium and high density housing. This project will assist the City in meeting the Housing Element goals. There are new consequences for the City not having a compliant housing element, such as inability to access State resources such as Permanent Local Housing Allocation funding and the potential for lawsuits from community members unable to access affordable housing. SHE would be happy to work with the City and HCD to meet Housing Element compliance. The California Coalition for Rural Housing has also offered to host a workshop for City Council and Planning Commission about the Housing Element, if the City is interested.
- Although the prior traffic study didn't provide information specific to the intersection at Dinuba and Wright, Planning Commission should be reminded that traffic impacts were analyzed under the CEQA process and determined to have no significant impact.

In addition, SHE has been working with Fresno County Rural Transit Agency to partner on the AHSC application and is also working to establish a partnership with the Boys and Girls Club to improve their access to transportation.

Thank you.

Betsy



## Fresno County Rural Transit Agency

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2035 Tulare Street, Suite 201, Fresno, CA 93721  
tel 559-233-6789 Fax 559-233-9645  
[www.ruraltransit.org](http://www.ruraltransit.org)

September 20, 2019

Thomas J. Collishaw  
Self-Help Enterprises  
8445 W. Elwin Ct.  
Visalia, CA 93290

**RE: Selma Village Affordable Housing Project, 9702 E. Dinuba Avenue**

Dear Mr. Collishaw,

The Fresno County Rural Transit Agency (FCRTA) is pleased to provide this letter of support for Self-Help Enterprises' *Selma Village Affordable Housing Project* and application for Affordable Housing and Sustainable Communities (AHSC) funding from the Department of Housing and Community Development (HCD).

The Selma Village project provides the opportunity for construction of a high quality 84-unit multi-family rental project within the City of Selma, County of Fresno. Safe, affordable housing is a critical need in the community, a need that has been successfully addressed by SHE in San Joaquin Valley communities since 1965. The proposed project would provide affordable rental housing for low-income families residing in Selma and allows for further collaboration between SHE and FCRTA to ensure residents have access to high quality public transportation.

Partnering with SHE and the City of Selma, FCRTA will assist in identifying opportunities for infrastructure improvements and expansion of transit services in the project area. This project, and the application for AHSC funding, presents an opportunity to acquire more efficient buses, provide free transit passes to the residents for a period of three years, potentially locate electric vehicles on-site for ride sharing, and close sidewalk and bike lane gaps within a 1 mile radius of the project. FCRTA fully supports SHE's application to annex the property in to the City of Selma and efforts to address infrastructure challenges in Selma.

Should you have any questions, please contact me at (559) 233-6789 or [mstites@fresnocog.org](mailto:mstites@fresnocog.org).

Sincerely,

Moses Stites  
General Manager  
Fresno County Rural Transit Agency

**RESOLUTION NO. 2019-07**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA RECOMMENDING APPROVAL OF SITE PLAN REVIEW, PREZONE AND ANNEXATION NO. 2019-0013 FOR THE DEVELOPMENT OF AN 84-UNIT, TWO-STORY MULTIFAMILY AFFORDABLE HOUSING COMPLEX (APN 358-120-40) TO THE SELMA CITY COUNCIL AND DRAFT INITIAL STUDY, DRAFT MITIGATED NEGATIVE DECLARATION AND DRAFT MITIGATION MONITORING AND REPORT PROGRAM REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF**

**RECITALS**

**WHEREAS**, on June 11, 2019, Self Help Enterprises, (“Applicant”), filed a complete application requesting the approval of a site plan review, prezone to R-3 and annexation to the City of Selma, No. 2019-0013 described herein (“Application” or “Project”); and

**WHEREAS**, the Application applied to develop an 84-unit, affordable housing project on a 4.59 acre vacant lot located on the northwest corner of East Dinuba Avenue and Wright Street, Selma, California, Assessor’s Parcel Number 358-120-40 (“Property”); and

**WHEREAS**, the Property has vehicular and pedestrian access from East Dinuba Avenue and Wright Street; and

**WHEREAS**, the Property is currently fallow agricultural land and predominantly vacant,

**WHEREAS**, the Land Use Element of the General Plan designates the Property for High Density Residential uses. The Project is consistent with the General Plan as it will provide essential services and does not conflict with the established goals and objectives of the Land Use Element. The corresponding zoning designation, R-3 (Multiple Family Residential), permits two-story apartment complexes, subject to the approval of a Site Plan Review, pursuant to Chapter 11-20-1 of the City’s Municipal Code; and

**WHEREAS**, the Project is located within the City of Selma’s Sphere of Influence and Urban Development Boundary and is substantially surrounding by existing development and therefore annexation is appropriate to promote orderly urban development and growth; and

**WHEREAS**, an Environmental Assessment form was submitted by the Applicant pursuant to the City’s requirements. Based upon the information received and Staff’s review and assessment, Project No. 2019-013, as proposed, the project required an Initial Study and Mitigated Negative Declaration in compliance with the California Environmental Quality Act (“CEQA”) Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Reflecting independent judgment and analysis, the Planning Commission determines that the project will not have a significant effect on the environment and recommends adoption of the Draft Initial Study, Draft Mitigated Negative Declaration and Draft Mitigation Monitoring and Report Program to the Selma City Council; and

**WHEREAS**, notice of the Planning Commission’s August 26, 2019 public hearing for the Project was published in *The Selma Enterprise* on August 14, 2019, in compliance with the City’s Code and Government Code Section 65091.

**WHEREAS**, notice of the Planning Commission’s August 26, 2019 public hearing on the Project was also mailed to property owners within 300 feet of the Property on August 16, 2019; and

**WHEREAS**, on August 26, 2019, 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 continued the item to the September Planning Commission; and

**WHEREAS**, on September 23, 2019, 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**, 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 recommends adoption of the Draft Initial Study, Draft Mitigated Negative Declaration and Draft Mitigation Monitoring and Report Program to the Selma City Council; and

**WHEREAS**, the Planning Commission deliberated and hereby makes the following Findings for the Project and recommends approval of the Project to the Selma City Council.

**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.** That the Project is hereby recommended for approval subject to the conditions articulated in Exhibit A which are in addition to all other statutes, regulations, ordinances or other applicable conditions.

**SECTION 4.** 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. 2019-0013, will not have significant impacts with appropriate mitigation measures applied. A Draft Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program is appropriate under the California Environmental Quality Act (“CEQA”) to address impacts of the Project. Based on these findings, the Planning Commission recommends adoption the Draft Initial Study, Draft

Mitigated Negative Declaration and Draft Mitigation Monitoring and Report Program to the Selma City Council.

**SECTION 5.** Based upon substantial evidence presented to the Planning Commission during the August 26, 2019 and September 23, 2019 public hearings, including public testimony and written and oral staff reports, the Planning Commission recommends to the City Council that annexation of the Property be approved and forward to the Fresno Local Agency Formation Commission for consideration.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Selma at a regular meeting held on September 23, 2019, by the following vote:

AYES:            COMMISSIONER:

NOES:            COMMISSIONER:

ABSTAIN:        COMMISSIONER:

ABSENT:         COMMISSIONER:

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GLENN NISWANDER CHAIRMAN OF  
THE SELMA PLANNING COMMISSION

ATTEST:

\_\_\_\_\_  
Kira Noguera, Secretary, Selma Planning Commission

**RESOLUTION NO. 2019-07**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA RECOMMENDING DENIAL OF SITE PLAN REVIEW, PREZONE AND ANNEXATION NO. 2019-0013 FOR THE DEVELOPMENT OF AN 84-UNIT, TWO-STORY MULTIFAMILY AFFORDABLE HOUSING COMPLEX (APN 358-120-40) TO THE SELMA CITY COUNCIL AND DRAFT INITIAL STUDY, DRAFT MITIGATED NEGATIVE DECLARATION AND DRAFT MITIGATION MONITORING AND REPORT PROGRAM REGARDING SAME, AND MAKING FINDINGS AGAINST**

**RECITALS**

**WHEREAS**, on June 11, 2019, Self Help Enterprises, (“Applicant”), filed a complete application requesting the approval of a site plan review, prezone to R-3 and annexation to the City of Selma, No. 2019-0013 described herein (“Application” or “Project”); and

**WHEREAS**, the Application applied to develop an 84-unit, affordable housing project on a 4.59 acre vacant lot located on the northwest corner of East Dinuba Avenue and Wright Street, Selma, California, Assessor’s Parcel Number 358-120-40 (“Property”); and

**WHEREAS**, the Property has vehicular and pedestrian access from East Dinuba Avenue and Wright Street; and

**WHEREAS**, the Property is currently fallow agricultural land and predominantly vacant,

**WHEREAS**, the Land Use Element of the General Plan designates the Property for High Density Residential uses. The Project is consistent with the General Plan as it will provide essential services and does not conflict with the established goals and objectives of the Land Use Element. The corresponding zoning designation, R-3 (Multiple Family Residential), permits two-story apartment complexes, subject to the approval of a Site Plan Review, pursuant to Chapter 11-20-1 of the City’s Municipal Code; and

**WHEREAS**, the Project is located within the City of Selma’s Sphere of Influence and Urban Development Boundary and is substantially surrounding by existing development and therefore annexation is appropriate to promote orderly urban development and growth; and

**WHEREAS**, an Environmental Assessment form was submitted by the Applicant pursuant to the City’s requirements. Based upon the information received and Staff’s review and assessment, Project No. 2019-013, as proposed, the project required an Initial Study and Mitigated Negative Declaration in compliance with the California Environmental Quality Act (“CEQA”) Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Reflecting independent judgment and analysis, the Planning Commission determines that the project will not have a significant effect on the environment and recommends adoption of the Draft Initial Study, Draft Mitigated Negative Declaration and Draft Mitigation Monitoring and Report Program to the Selma City Council; and

**WHEREAS**, notice of the Planning Commission’s August 26, 2019 public hearing for the Project was published in *The Selma Enterprise* on August 14, 2019, in compliance with the City’s Code and Government Code Section 65091.

**WHEREAS**, notice of the Planning Commission’s August 26, 2019 public hearing on the Project was also mailed to property owners within 300 feet of the Property on August 16, 2019; and

**WHEREAS**, on August 26, 2019, 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 continued the item to the September Planning Commission; and

**WHEREAS**, on September 23, 2019, 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**, 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 recommends adoption of the Draft Initial Study, Draft Mitigated Negative Declaration and Draft Mitigation Monitoring and Report Program to the Selma City Council; and

**WHEREAS**, the Planning Commission deliberated and hereby makes the following Findings for the Project and recommends denial of the Project to the Selma City Council.

**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.** That the Project is hereby recommended for denial.

**SECTION 4.** Based upon substantial evidence presented to the Planning Commission during the August 26, 2019 and September 23, 2019 public hearings, including public testimony and written and oral staff reports, the Planning Commission recommends to the City Council that annexation of the Property be denied and therefore will not be forward to the Fresno Local Agency Formation Commission for consideration.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Selma at a regular meeting held on September 23, 2019, by the following vote:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

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GLENN NISWANDER CHAIRMAN OF  
THE SELMA PLANNING COMMISSION

ATTEST:

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Kira Noguera, Secretary, Selma Planning Commission



**SELMA PLANNING COMMISSION**

**STAFF REPORT**

Meeting Date: September 23, 2019

**TO: Selma Planning Commission**

**FROM: Community Development Department**

**SUBJECT: AGENDA ITEM NO. 3**

Submittal No. 2019-0017: Finding of General Plan Consistency in the dedication of R.O.W. of Huntsman Avenue west of Thompson Avenue, Selma, CA.

**Summary and Purpose**

The purpose of this agenda item is to hold a public hearing to consider the approval of 2019-0017, which will find the dedication of R.O.W. easement to the City for improvements consistent with the General Plan.

**Application Information**

Applicant: City of Selma

Project Location: North side of Huntsman Ave., west of Thompson Ave., Selma, CA. (APN: 358-473-33).

Applicant's Proposal: Determine General Plan consistency of proposal to acquire R.O.W. on Huntsman Ave. which will be dedicated to, and improved by the city.

Land Use; General Plan; Zoning: Multiple Family Residential Zone; R-2-P.

**Project Description**

The residential tract south of Huntsman Avenue and west of Thompson Avenue was developed to the centerline of Huntsman Avenue, with construction of only half the ultimate Huntsman roadway. This half roadway has been a problem for both pedestrian and vehicular circulation for many years. The property on the north side of Huntsman, including the southerly 30 feet needed for road right-of-way, is owned by the First Christian Church. City Staff met with Church leaders and they have provided a letter of support for the project and are offering the right-of-way at no cost to the City.

**Environmental (CEQA)**

Pursuant to California Environmental Quality Act (CEQA) Guidelines, Public Resources Code §15332 In-Fill Development Projects, it has been determined that this project is categorically exempt from additional CEQA processes.

**Notice of Public Hearing**

The Public Notice was published one time in The Selma Enterprise on September 11, 2019. The adjacent property owners within 300 feet were notified of the hearing by the City via letter on September 13, 2019.

**Recommendation**

Staff recommends approval of Resolution No. 2019-08.

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Kira Noguera, Contract Planner  
Community Development Department

Approved by:

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Teresa Gallavan, City Manager

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**Attachments**

1. Location Map
2. Resolution No. 2019-08 approving Finding of General Plan Consistency No. 2019-0017.

1. Location Map



 R.O.W. to be acquired

**RESOLUTION NO. 2019-08**

**A RESOLUTION OF THE PLANNING COMMISSION MAKING FINDINGS  
AND RECOMMENDING TO THE CITY COUNCIL, APPROVAL OF 2019-0017 A  
FINDING OF GENERAL PLAN CONSISTENCY.**

**WHEREAS**, on September 23, 2019, the Selma Planning Commission, held a public hearing to consider finding that the dedication of R.O.W. easement on the north side of Huntsman Avenue (APN: 358-473-33) west of Thompson Avenue to the City of Selma for improvements (2019-0017), consistent with the General Plan; and

**WHEREAS**, the public notice of the Selma Planning Commission regularly scheduled public meeting was noticed in accordance with all applicable local and state laws; and

**WHEREAS**, the Planning Commission, after holding a public hearing, considered the proposal and the staff report and recommendations together with all public testimony of interested parties; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Selma Planning Commission hereby finds that:

1. Huntsman Avenue is designated a local residential street within the Selma General Plan.
2. The dedication width, in conjunction with existing right of way, is consistent with City of Selma improvement standards for local residential streets.
3. The dedication of R.O.W. easement from the property owner to the City of Selma for the purpose of infrastructure improvements is consistent with the Selma General Plan.
4. The dedication of the R.O.W. easement for the purpose of infrastructure improvements is an In-Fill project and Categorically exempt from the California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines, CCR Section 15332. Staff is authorized and directed to record a Notice of Exemption.

The foregoing Resolution No. 2019-08 is hereby approved this 23<sup>rd</sup> day of September 2019, by the following vote, to wit:

AYES: COMMISSIONERS:  
NOES: COMMISSIONERS:  
ABSTENTION: COMMISSIONERS:  
ABSENT: COMMISSIONERS:

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GLENN NISWANDER  
CHAIRMAN OF THE COMMISSION

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Kira Noguera  
Secretary, Selma City Planning Commission

## SELMA PLANNING COMMISSION

### STAFF REPORT

Meeting Date: September 23, 2019

**TO:** Selma Planning Commission  
**FROM:** Community Development Department  
**SUBJECT:** AGENDA ITEM NO. 4  
Submittal No. 2019-0016: Conditional Use Permit  
Categorical Exemption

#### Summary and Purpose

The purpose of this agenda item is to hold a public hearing to consider a Conditional Use Permit requesting to allow the selling of Beer & Wine (Type 20 Alcoholic Beverage License) at 1702 Second Street, Selma, CA (APN:388-161-15).

#### Application Information

Applicant: Lion Builders, Inc. 3323 Pendragon St. Bakersfield, CA 93313  
Project Location: 1702 Second Street, Selma, CA (APN:388-161-15)  
Applicant's Proposal: To sell Beer & Wine (Type 20 Alcoholic Beverage License) at a convenience store to be located at 1702 Second Street, Selma, CA  
Land Use; General Plan; Zoning: Commercial; Highway Commercial; CH.

#### Summary and Purpose

This site is currently vacant. A Site Plan Review was approved by staff in August 2019 for the construction of a service station and convenience store. The applicant has applied for a Conditional Use Permit to allow for the sale of beer and wine at the convenience store. The City of Selma Municipal Code regulates the sale of alcohol at retail. Pursuant to Section 11-8-10 (D) of the Municipal Code, which applies to all retail facilities that sell packaged alcoholic beverages, with certain exceptions not applicable here, "(t)he following criteria shall be used to determine the density of facilities under this Section in the City:

1. All facilities shall be a minimum of three hundred feet (300') from any public park and any public or private school.
2. All facilities shall be a minimum of five hundred feet (500') from any existing nonexempt facility which conducts retail sales of packaged alcoholic beverages."

The location of the future convenience store is less than 300 feet away from Berry Park (to the east) and less than 500 feet from a convince store located across the street (to the north) that has a current Type 20 ABC License (see Exhibit B). For this reason, staff recommends denial of Conditional Use Permit 2019-0016.

**Environmental (CEQA)**

California Environmental Quality Act (CEQA) Article 19 §15301 identifies the minor alteration of an existing private facility as Categorical Exempt. The convenience store was approved previously under a separate request. The selling of beer and wine, and the issuance or denial of an ABC Type 20 license will not result in environmental impacts. The project is exempt from CEQA.

**Notice of Public Hearing**

The Public Notice was published one time in The Selma Enterprise on September 11, 2019. The adjacent property owners within 300 feet were notified of the hearing by the City via letter on September 13, 2019.

**Recommendation**

Staff recommends approval of Resolution No. 2019-09, denying Conditional Use Permit 2019-0016.

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Kira Noguera, Contract Planner  
Community Development Department

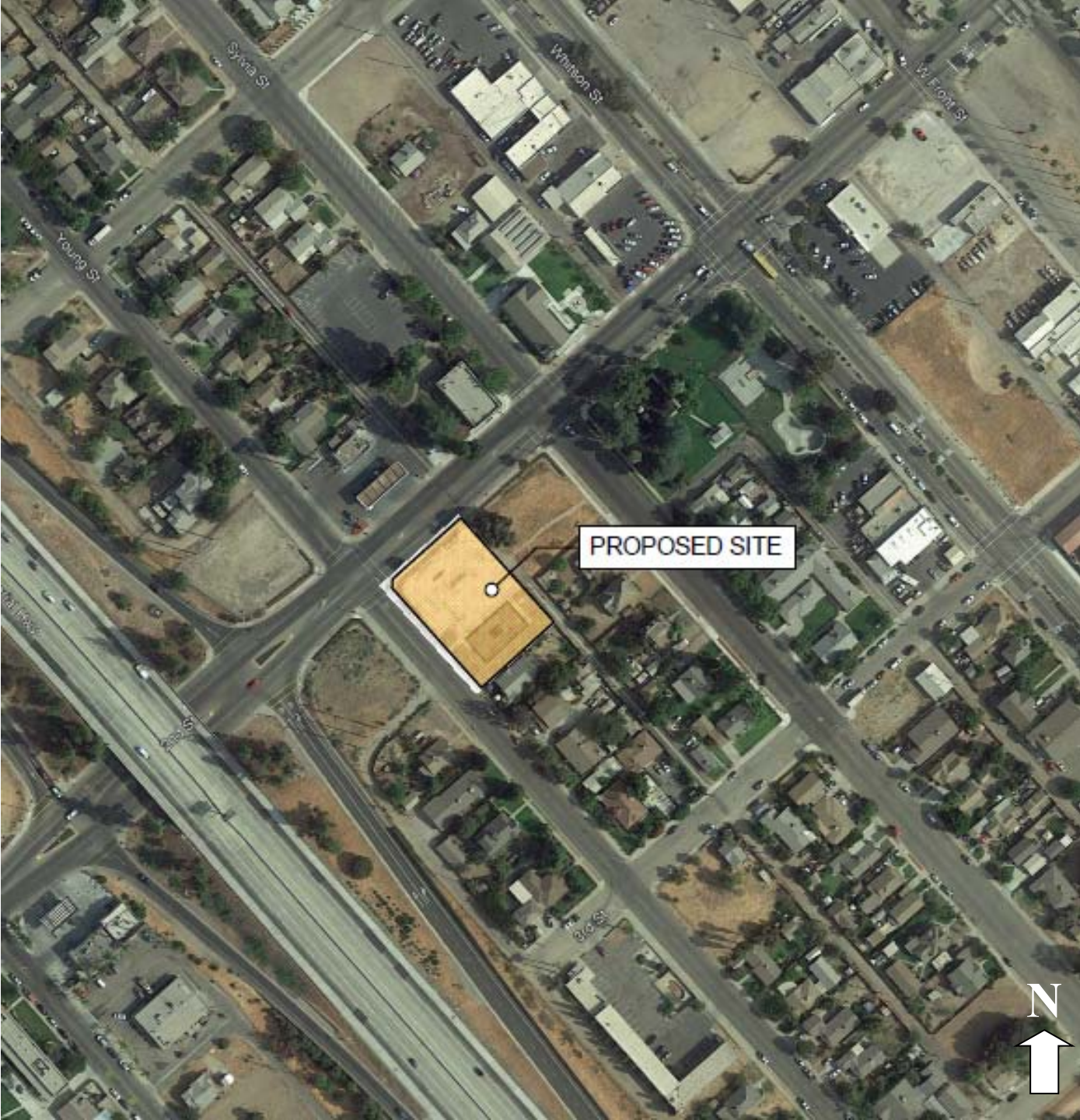
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**Attachments**

1. Location Map
2. ABC License Exhibit
3. Resolution No. 2019-09 denying Conditional Use Permit 2019-0016

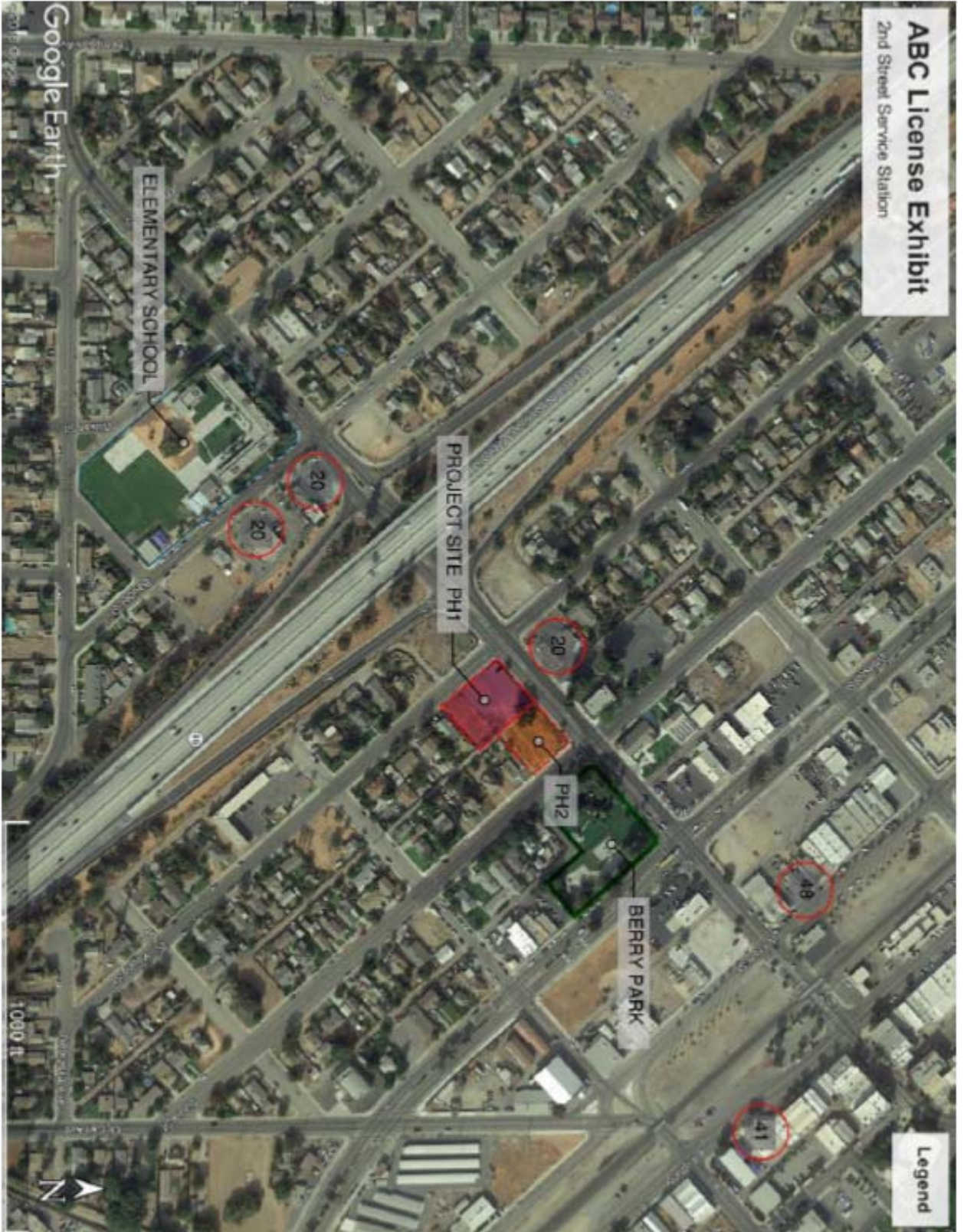


1. Location Map





2. ABC License Exhibit



**RESOLUTION NO. 2019-09**

**A RESOLUTION OF THE CITY OF SELMA PLANNING  
COMMISSION DENYING CONDITIONAL USE PERMIT  
NO. 2019-0016**

**ABC LICENSE TYPE 20 BEER & WINE  
1702 SECOND STREET, SELMA, CA**

**WHEREAS**, on September 11, 2019, Selma Planning Commission considered a conditional use permit application filed by Deep Grewal representing Lion Builders. The Conditional Use Permit No. 2019-0016 application was filed for the purposes of permitting the Beer & Wine ABC Type 20 license at 1702 Second Street, Selma, CA (APN:388-161-15); and

**WHEREAS**, the public hearing was noticed in accordance with all applicable state and local laws; and

**WHEREAS**, the Selma Planning Commission conducted a public hearing, as heretofore specified, and considered the proposal and the Planning Division Staff Report together with all public testimony of interested parties; 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.

**WHEREAS**, the Selma Planning Commission deliberated and prepared its Findings for denying Conditional Use Permit No. 2019-0016 which are stated and included in this Resolution.

**FINDINGS:**

1. The Public Health and Welfare would not be served by the issuance of this Conditional Use Permit, because SMC Section 11-8-10 (D) expressly prohibits the sale at retail of packaged alcoholic beverages from a facility that is within five hundred feet of a facility that sells at retail packaged alcoholic beverages or within three hundred feet of a public park and the site does not conform to those limits.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Selma Planning Commission hereby takes the following actions:

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. The Planning Commission denies Conditional Use Permit No. 2019-0016 subject to the above Findings of Fact, which are made a part of this Resolution.

The foregoing Resolution 2019-09 was duly approved by the Selma Planning Commission at a regular meeting held on the 23<sup>rd</sup> day of September 2019 by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

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GLENN NISWANDER CHAIRMAN  
OF THE PLANNING COMMISSION

ATTEST:

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Kira Noguera, Secretary, Selma City Planning Commission