



MINUTES
PLANNING COMMISSION
of the
CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
7:00 PM, Tuesday, May 14, 2019

CALL TO ORDER

Chairperson PADEN called the meeting to order at 7:00 p.m.

ROLL CALL

Attendee Name	Title	Status	Arrived
Richard Douglas		Present	6:54 PM
Michael Johnston		Present	6:42 PM
Travis Paden		Present	6:33 PM
Savino Perico		Present	6:50 PM
Angel Vee Galvan		Present	6:55 PM
Jacob Sanchez		Present	6:42 PM
Jason Kemp Van Ee		Present	6:44 PM

INVOCATION

Chairperson PADEN gave the invocation.

FLAG SALUTE

Commissioner JOHNSTON led the flag salute.

PUBLIC COMMENT

*This is the time for citizens to comment on subject matters not on the agenda and that are within the jurisdiction of the Commission. This is also the public's opportunity to request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. Comments related to Public Hearing items will be heard at the time the item is discussed. A maximum of **three minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

Jack Schwartz, Hanford - He requested that the Planning Commission direct staff to provide an update on the City's Housing Element, stating goals and what the City has done to implement them.

CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

Chairperson PADEN removed Item 2 from the Consent Calendar, for separate consideration.

Motion to approve the Consent Calendar, except for Item 2.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Johnston
SECONDER:	Richard Douglas
AYES:	Douglas, Johnston, Paden, Perico, Galvan, Sanchez, Kemp Van Ee

- 1. Approval of the Minutes of the April 23, 2019 Meeting**
- 2. TIME EXTENSION 2019-01, a request to extend the life of Tentative Tract 919 Unit II for 24 months. The project applies to property located south of Fargo Avenue, west of Centennial Drive (APN 009-030-154).**

ITEM PULLED FROM CONSENT

(Item B)

Senior Planner Myers stated that the expiration date was incorrect in the staff report and resolution and should be May 16, 2021.

Motion to adopt Resolution No. 2019-08, approving Time Extension No. 2019-01, amending the expiration date to May 16, 2021.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Douglas
SECONDER:	Savino Perico
AYES:	Douglas, Johnston, Paden, Perico, Galvan, Sanchez, Kemp Van Ee

PUBLIC HEARING

Continued item from Tuesday, April 23, 2019 -MUNICIPAL CODE AMENDMENT NO. 2019-01: a request by 198-43, LLC to amend Title 17, Section 17.08.030 – Commercial, Office, and Industrial Zone Use Table of the Hanford Municipal Code by adding sections in order to permit or permit with a conditional use permit, the following uses in the C-R Regional Commercial zone district: colleges; exercise studios; large health facilities; business support services; medical offices; professional and commercial offices; laboratories; furniture stores; and food catering.

Chairperson PADEN opened the Public Hearing at 7:09 p.m. and called for the Staff Report.

Community Development Director Mata presented the staff report, including two letters she had received from citizens. She recommended approval and invited questions of staff.

Following questions of staff, Chairperson PADEN opened Public Comment:

FAVOR

Michael Kennedy, representing 198/43 LLC, stated that, with Amazon and other online retail businesses, it is difficult to find retail tenants. He has been contacted by other types of businesses--such as dental offices--that specifically want to locate in large retail centers and would not consider locating Downtown. He stated that it would be beneficial to the City to allow such uses in the C-R zone district, as it will bring in more taxes and development fees.

Jeff Porterfield noted that the City has been trying to protect downtown businesses from 30 years ago, but it is different now. He stated that large spaces are not available downtown. Downtown needs other services, such as attorneys' offices and banks.

OPPOSED

Michelle Brown, Executive Director of Main Street Hanford, stated that permitting medical, professional and commercial offices in the C-R zone district would negatively impact Downtown. She cited Kingsburg's new program, which provides incentives to encourage businesses downtown. If City Council approves the zoning changes, she would encourage them to offer something similar to Kingsburg's incentives

Yvette Gomez expressed concern that the proposed zoning changes could be devastating to Downtown. She requested that the changes be brought before the Downtown business and property owners for comments.

Diane Sharp provided a partial list of downtown building and landowners and an accompanying map showing which Downtown properties are Hanford owned, taxpayer owned, and out-of-town owned. She stated that staff did not mention Downtown in their report. She disagreed with staff's findings and recommended that all the proposed changes be denied or that new findings be made, in support of Downtown.

Dan Chin distributed information regarding California Environmental Quality Act (CEQA) and sections of the City's General Plan. He stated that the feasibility study done five years ago was only for retail, and the applicant is now asking for 14 non-retail uses. Citing Policies L48 and L50 of the General Plan, he stated that non-retail uses are not allowed in the C-R zone and that the staff report shows a lack of burden of proof.

Dave Ayers agreed with Mr. Chin and added that 198/43 LLC has been granted incentives of 50 percent of their sales tax and a break on impact fees. He further stated that the purpose of the C-R district is to create retail sales. He does not want to see these uses permitted in the C-R zone.

Jack Schwartz agreed with Dan Chin and Dave Ayers. He stated that the 198/43 LLC does not exist, is not on the Secretary-of-State Web site, and was an error on staff's or the applicant's part. He stated that the Commission does not have the information required to pass on this proposal. He yielded his last minute to **Dan Chin**, who referenced tables included in his earlier hand-out that indicate the square footage available in the C-R zone district compared to Downtown.

Bob Ramos stated that, if this proposal is allowed, the Commission will be turning their backs on the people who pay taxes.

Michael Mayer, Downtown business owner, stated that Costco and the developers knew the rules when they applied years ago. He expressed concern for Downtown investors and business owners and their families. He urged the Commission to deny the changes.

Craig Johnson, owner of Salmon's Furniture Galleries, stated that if the City adds these uses to another zone, they will be stealing Hanford's Downtown.

Dennis Ham addressed the Commission, stating that their decisions need to be consistent. He noted that the retail centers along 12th Avenue, Costco, and the Hanford Mall are each unique and that these uses will apply to other properties in the future.

Brett Brakeman encouraged the Commission to keep the plan as is and to work on Downtown. He agreed with Michelle Brown and Diane Sharp.

Paula Lehn, FAST Credit Union, stated that the current plan is the standard that was decided upon. She noted that people have invested millions of dollars downtown, to make it healthy. She agreed with points made by Mr. Chin and others.

Jim Castleman encouraged a look at what other historical towns are doing to make their downtowns special and attractive to visitors.

STAFF RESPONSE TO PUBLIC COMMENT

Director Mata provided the following responses:

1. Addressing issues raised by Mr. Chin:
 - This proposal is a text amendment and is not a physical project; no additional environmental review was required. City Attorney Carlson concurred.
 - None of the uses are limited to Downtown, so the impact cannot be quantified solely on Downtown.
 - Policy L48 lists typical uses, not required uses, in C-R zone districts. It states that uses that typically provide only day-to-day goods and services are to be prohibited. Staff did not recommend approval of those uses.
 - Policy L50 refers to the location and size requirements for C-R zone districts. There is nothing in the proposal about moving any C-R areas, so this Policy is not applicable.
 - Tables 3-2 and 3-3 refer to square footage potentially available. These uses are also allowed in other zones besides Downtown.
2. The reason the staff report does not address Downtown is that it is not a request to change the uses in Downtown. The report is written for the zone district for which the request was made.
3. Regarding the suggestions to provide incentives for Downtown businesses, Director Mata stated that City Council would have to make those decisions. It is not in the Planning Commission's purview.
4. Anyone can submit a Municipal Code Amendment application, so 198/43 LLC was able to apply. Staff is responsible to process and evaluate the application, according to the current Municipal Code. Staff did analysis of each proposed use and did not recommend approval of all of them.

COMMISSION DISCUSSION

Commissioner GALVAN stated that her primary concern was that the applicant was an individual. She also had concerns with three of the five findings. She expressed appreciation to the public for doing their own research.

Commissioner JOHNSTON mentioned that he has served on several Downtown Hanford Revitalization committees that have made recommendations regarding Downtown, but none were approved by City Council. He has had a business downtown for 23 years and has been a loyal customer to several downtown businesses for many years. He stated that there was concern that Downtown would suffer when the mall came in, then when Walmart came in, and when Super Walmart came to Hanford; but, Downtown is doing better than it has in years. He noted that this change would also help the mall and would be a win-win for the entire city. He stated it is time for a change, for the betterment of the City as a whole.

Commissioner SANCHEZ, asked Director Mata if there were any CEQA concerns. She confirmed staff's findings. He stated that his and the other Planning Commissioners' opinions do not matter when it is time to

vote, as all decisions must be based on the General Plan and the Municipal Code. He added that opinions on the Commission are not necessarily reflected in their votes.

Commissioner KEMP VAN EE agreed with Commissioner JOHNSTON'S comments. He mentioned that, as an employee of Kings County (the largest employer in the County), his insurance required him to go to Costco for his eye exams and glasses, so he had to go to the Visalia Costco. He stated that when the mall and other centers came in, Downtown continued to thrive. He commented that competition is good, and change is needed in this community.

Commissioner PERICO, agreed with Commissioner KEMP VAN EE that Downtown needs more restaurants and breweries, not dental and optical offices. He was in favor of putting a time-stamp of five years on this, if approved.

Commissioner DOUGLAS thanked everyone for coming and participating. He stated that the Downtown issue has come up many times. He mentioned that he and Commissioner JOHNSTON both served on the Citizens Advisory Committee for the General Plan Update, and this topic came up then. He agreed with Commissioner JOHNSTON'S comments.

Chairperson PADEN stated that, as a member of his high-school student council, he was Mayor-for-a-Day for the City, and he sat at the dais. They were talking about preservation of Downtown that day. He asked the City Attorney if the Commission can move forward with a recommendation, if the 198/43 LLC is not legally active. City Attorney Carlson replied that, if it is true that 198/43 LLC is not an entity in good standing with the Secretary of State, the application could not move forward.

Mr. Kennedy's associate, and others in attendance, checked the Secretary-of-State Web site on their cell phones and found 198/43 LLC listed as an active entity.

Commissioner JOHNSTON reminded the audience that the Planning Commission is only making a recommendation to the City Council, and City Council will make the final decision.

Commissioner GALVAN mentioned that citizens can still speak during public comment at the City Council public hearing.

Chairperson PADEN closed the Public Hearing at 10:00 p.m.

Motion to adopt Resolution 2019-07, recommending approval to the City Council of Municipal Code Amendment No. 2019-01, amending the proposed changes as follows: Section 17.08.030 C14--permitted in the C-R Regional Commercial zone district with a Conditional Use Permit; Section 17.08.030 E6--not permitted in C-R Regional Commercial

RESULT:	FAILED [2 TO 5]
MOVER:	Travis Paden
SECONDER:	Richard Douglas
AYES:	Douglas, Paden
NAYS:	Johnston, Perico, Galvan, Sanchez, Kemp Van Ee

Motion by Chairperson PADEN to adopt Resolution 2019-07, recommending approval to the City Council of Municipal Code Amendment No. 2019-01, amending the proposed changes as follows: Section 17.08.030 C14--permitted in the C-R Regional Commercial zone district with a Conditional Use Permit;" Section 17.08.030 E6--not permitted in C-R Regional Commercial. There was no second to the motion.

Motion to adopt Resolution 2019-07, recommending approval of Municipal Code Amendment No. 2019-01 to the City Council.

RESULT:	APPROVED [4 TO 3]
MOVER:	Savino Perico
SECONDER:	Michael Johnston
AYES:	Douglas, Johnston, Perico, Kemp Van Ee
NAYS:	Paden, Galvan, Sanchez

DIRECTOR'S COMMENTS

Director Mata announced that Aldi opened last week.

COMMISSIONERS' ITEMS OF INTEREST

None.

ADJOURNMENT

Chairperson PADEN adjourned the meeting at 10:03 p.m.

Respectfully submitted,

Diana Black
Recording Secretary