

# CITY OF KERMAN PLANNING COMMISSION

## AGENDA

### REGULAR MEETING

DATE: Monday, September 28, 2009

TIME: 6:30 p.m.

Location: City Council Chambers 850 S. Madera Avenue, Kerman, Ca

Planning Commissioners: Chairperson Robert Epperson, Robert Bandy, Mike Arabian, Robert Felker, Louie Garcia, Michael Lopez, Kevin Nehring.

Materials related to an item on this agenda that are public documents and are submitted after distribution and posting of the agenda are available for public inspection in the Planning Department at 942 South Madera Avenue, Kerman, during normal business hours. Documents that are public documents provided by others during a meeting will be available at the same location during business hours after the meeting.

*Note: Individuals needing special assistance in order to participate should contact Olivia Pimentel, Planning Secretary at (559) 846-9386 for assistance prior to the meeting.*

Call to Order – Chairman, Robert D. Epperson

Roll Call – Secretary, Olivia Pimentel

Approval of Agenda

1. Approval of Minutes

Minutes of August 24, 2009 submitted for approval.

Request to Address Commission

*This portion of the meeting is reserved for members of the public to address the Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. **Speakers shall be limited to (3) three minutes.** It is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Commission on items on the Agenda should notify the Chairman when that Agenda item is called, and the Chairman will recognize your discussion at that time. It should be noted that the Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Speakers are asked to please use the microphone, and provide their name and address.*

2. Presentation(s)

3. Public Hearing(s) / Meeting(s)

4. Petitions, Resolutions

A. Resolution Amending the Planning Commission Terms of Office

Section 2.28 of the Kerman Municipal Code sets forth the membership and terms of office for the Planning Commission. The Planning Commission consists of seven (7) members appointed by the City Council for a term of two (2) years. Currently, the term of office for five (5) of the seven (7) seats will expire on December 31, 2009 and the other two (2) terms will expire on December 31, 2010, as shown in the staff report.

On August 24, 2009 staff requested the Planning Commission's input and direction regarding possible changes to the terms of office for the Commission. Staff presented several options and alternatives for the Commission's consideration. The Consensus was that the terms of office for the Planning Commission should be changed from two (2) years to three (3) and that the terms should be staggered. The proposed schedule will promote stability and continuity on the Planning Commission.

Recommendation

That the Planning Commission adopt resolution recommending that the City Council amend section 2.28.020 of the Kerman Municipal Code to revise the terms of office for the Planning Commission from two years to three and stagger the terms so that no more than three members shall have terms expiring in any given year.

5. Administrative Reports

A. Development Newsletter - Summer 2009

The Planning & Development Department reports on some of the various projects throughout the city periodically to update the community on development and new businesses.

B. Appoint Planning Commissioners to Madera Avenue Streetscape Master Plan Committee

tbd

Communications

A. Commissioners Comments

Adjournment

**AGENDA POSTING CERTIFICATION**

I, OLIVIA G. PIMENTEL, Planning Secretary for the City of Kerman, do hereby declare under penalty of perjury that I caused the above agenda to be posted at Kerman City Hall, 942 So. Madera Avenue, and at Kerman Community/Teen Center, 15101 Kearney Plaza, and emailed to interested parties, on the 23 day of September, 2009.

Olivia G. Pimentel  
Secretary to the Planning Commission

# Minutes

Call to Order: Vice-Chairman Arabian called meeting to order 6:30p.m.

Roll Call: Commissioners, present – Bandy, Garcia, Lopez, Nehring, Arabian, Felker  
Commissioners, absent – Epperson (excused)

Approval of Agenda: C/ Arabian made motion to approve the agenda as presented, unanimous approval.

I. Approval of Minutes 7/27//09, C/Arabian made a motion to approve minutes of 7/27/09 as presented, unanimously approved.

Request to Address the Commission

A. None

II. Presentation(s)

A. None

III. Public Hearing(s)/Meeting(s)

A. None

IV. Petitions, Resolutions None Scheduled

V. Administrative Reports/Resolutions

A. Planning Commission Terms of Office:

Staff report was reviewed; the Planning Commission consists of seven (7) members appointed by the City Council for a term of two (2) years. Currently the terms of office for five (5) of the seven (7) seats will expire on December 31, 2009-. Section 2.28 of the Kerman Municipal Code sets forth the membership and terms of office for the Planning Commission. Staff requested for the Planning Commission to evaluate the terms of office and consider recommending that the City Council amend the ordinance to revise the terms of office for the Planning Commission by staggering the terms so that no more than three (3) members shall have terms expiring in any given year. Staff reviewed the several options and after some discussion, the Commissioners agreed that the best alternative would be (option 2) and directed staff to set for public hearing to recommend that City Council amend the Kerman Municipal Ordinance to stagger the Planning Commission's terms of office for 3-Year Terms

Option 2 – Three (3) Year Staggered Terms. Under this option, the terms of office will be extended to three (3) years staggered as shown below.

| Members | Existing Term            | Interim Term             | Proposed New Term        |
|---------|--------------------------|--------------------------|--------------------------|
| (2)     | 12/31/2008 to 12/31/2010 | 12/31/2008 to 12/31/2011 | 12/31/2011 to 12/31/2014 |
| (2)     | 12/31/2007to 12/31/2009  | 12/31/2007to 12/31/2010  | 12/31/2010 to 12/31/2013 |
| (3)     | 12/31/2007to 12/31/2009  | Unchanged                | 12/31/2009 to 12/31/2012 |

In the interim, four (4) Commission positions would be extended one year with two seats expiring in December 31, 2010 and the two seats expiring in December 31, 2011. Three Commission seats will be subject to appointment in December of this year for a three (3) year term terminating in December 31, 2012. Thereafter, the terms of office for all members will covert to three (3) year terms as proposed in the above table.

No other comments:

Adjournment C/Arabian - Adjourned meeting at 7:30 p.m.

Minutes prepared by: Olivia Pimentel  
Olivia Pimentel, Secretary



# City of Kerman

*"Community Comes First"*

Planning Commission  
Terms of Office

PLANNING & DEVELOPMENT SERVICES  
REPORT TO THE PLANNING COMMISSION  
September 28, 2009

To: Planning Commission  
From: Luis Patlan, Director  
Subject: Planning Commission Terms of Appointment

**Recommendation:**

That the Planning Commission adopt resolution recommending that the City Council amend Section 2.28.20 of the Kerman Municipal Code to revise the terms of office for the Planning Commission from two years to three and staggering the terms so that no more than three members shall have terms expiring in any given year.

**Background:**

On August 24, 2009, staff solicited input and direction from the Planning Commission regarding possible changes to the terms of office for the Commission. Staff advised the Commission that five (5) of the seven (7) members have terms that are set to expire in December of this year. Ideally, the terms of office should be staggered so that no more than three (3) members will have terms expiring in any given year. Current terms of office are listed in the table below.

The Commission considered several alternatives and agreed that the terms of office for the Planning Commission should be changed from two (2) years to three (3) and that the terms should be staggered. This proposed schedule will promote stability and continuity on the Planning Commission.

| Existing Terms of Office |  |
|--------------------------|--|
| Commissioner             | Term of Office                         |
| Bob Epperson             | December 31, 2007 to December 31, 2009 |
| Mike Arabian             | December 31, 2007 to December 31, 2009 |
| Kevin Nehring            | December 31, 2007 to December 31, 2009 |
| Louie Garcia             | December 31, 2007 to December 31, 2009 |
| Michael Lopez            | December 31, 2007 to December 31, 2009 |
| Robert Felker            | December 31, 2008 to December 31, 2010 |
| Robert Bandy             | December 31, 2008 to December 31, 2010 |

**Discussion:**

The Kerman Planning Commission is an important advisory body to the City Council on all land use decisions. As such, stability and continuity of the Planning Commission members is critical to maintaining knowledge and understanding of planning related matters. Staff is asking that the Planning Commission recommend that the City Council amend the Chapter 2.28 of the Kerman Municipal Code to revise the terms of office for the Planning Commission by extending the terms from two (2) years to three (3) years, and by staggering the terms so that no more than three (3) members shall have terms expiring in any given year.

In order for the three (3) year staggered terms to work, four (4) of the seven (7) seats will need to be extended one year and three (3) seats will expire in December of this years. As shown in the table below, the interim term for two seats will be extended from December 31, 2010 to 2011 and two seats will be extended from December 31, 2009 to 2010. However, because five (5) seats are subject to expire in December the Commission must decide which of the two seats shall be granted a one-year extension. The Commission agreed to draw names to determine which two seats will be extended an additional one year. Staff will conduct a drawing at the meeting.

| Proposed Three (3) Year Staggered Terms of Office |                          |                          |                          |
|---|--------------------------|--------------------------|--------------------------|
| Members   | Existing Term            | Interim Term             | Proposed New Term        |
| (2)   | 12/31/2008 to 12/31/2010 | 12/31/2008 to 12/31/2011 | 12/31/2011 to 12/31/2014 |
| (2)   | 12/31/2007to 12/31/2009  | 12/31/2007to 12/31/2010  | 12/31/2010 to 12/31/2013 |
| (3)   | 12/31/2007to 12/31/2009  | Unchanged                | 12/31/2009 to 12/31/2012 |

**Conclusion:**

The current terms of office result in five (5) of the seven (7) Planning Commission seats being subject to appointment in December of this year and every two years thereafter. This could result in the potential turnover and appointment of five new commissioners at one time, affecting the continuity and institutional knowledge of the commission. The ideal schedule would be to stagger the terms of office so that no more than three (3) Commission positions are up for appointment in any given year. This would insure that the remaining Commissioners would have some experience and knowledge of land use planning issues.

**Recommendation:**

Staff is asking that the Planning Commission adopt resolution recommending that the City Council amend Chapter 2.28 of the Kerman Municipal Code to revise the terms of office for the Planning Commission.

**Attachments**

*Resolution Recommending Revision to Chapter 2.28 – Planning Commission*

RESOLUTION NO. 09-\_\_\_\_\_

BEFORE THE PLANNING COMMISSION  
CITY OF KERMAN, STATE OF CALIFORNIA

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AMEND CHAPTER 2.28 OF THE KERMAN MUNICIPAL CODE TO REVISE THE TERMS OF OFFICE FOR THE PLANNING COMMISSION

WHEREAS, Chapter 2.28 of the Kerman Municipal Code authorizes the creation of a Planning Commission; and

WHEREAS, the City Council adopted Ordinance No. 79-6, which created a Planning Commission, provided for the selection and removal of Planning Commission members, and set forth their terms of office; and

WHEREAS, the Planning Commission has reviewed Chapter 2.28 of the Kerman Municipal Code, and recommends that the City Council amend said ordinance to ensure stability and continuity of understanding of the Planning Commission by revising the terms of office from two years to three years and by staggering the terms so that no more than three new members will be appointed in any give year.

NOW, THEREFORE, the Planning Commission of the City of Kerman hereby resolves as follows:

Section 2.28.020 of the Kerman Municipal Code, shall read as follows:

2.28.020 Members – Generally. Each appointment of a commission member shall be for a term not to exceed of two three years, and their terms shall be staggered so that no more than two (3) members shall have terms expiring in any given year. Beginning in 2009, four commission members are extended for one year with two seats terminating in 2010 and two seats terminating in 2011, and three commission members terminating in 2009. If a vacancy shall occur otherwise than by expiration of a term, it shall be filled by appointment of the unexpired portion of the term. The terms of ex officio members shall correspond to their respective official tenures. The rights and duties of the commission shall be as provided in the laws of the state of California.

The foregoing Resolution was adopted at a regular meeting of the Kerman Planning Commission held on this 28<sup>th</sup> day of September, 2009, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED BY:

\_\_\_\_\_  
Chairman, Robert D. Epperson

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Olivia Pimentel

\_\_\_\_\_  
Date

# DEVELOPMENT NEWSLETTER

AUGUST 2009



## A NEW WALMART STORE PROPOSED

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### SPECIAL POINTS OF INTEREST:

- **EDC BEAR Action Network** ready to help you. Call (559) 476-2505.
- **Cen-Cal Business Finance Group** offers small business financing. Contact Kevin P. Clark at (559) 227-1158 for details.
- **Fast Fact:** Kerman has a population of 14,064 as of January 2009.

Walmart Stores, Inc. has submitted a site plan application for a proposed Walmart store on a 20 acre site located at the southwest corner of Whitesbridge Road and Goldenrod Avenue.

The proposed project consists of an 154,648 square feet store on 17 acres with three outlots for future commercial-retail development on 3 acres.

The proposed Walmart Store will feature an outdoor garden center and drive through pharmacy. The applicant anticipates



that the store will operate 24-hours a day, seven days a week. The new store expects to hire approximately 300 new employees.

The project will require an environmental impact report (EIR) that will evaluate the potential effects of the project and identify possible mitigation measures.

The City retained Michael Brandman Associates to prepare the EIR, which is expected to take up to 9 months to complete.

The EIR will provide a comprehensive evaluation of several key areas of the project such as, but not limited to, traffic, air quality, water, noise, economic impacts, and urban decay.

Information about the EIR and the project can be obtain from the City of Kerman website at [www.cityofkerman.org](http://www.cityofkerman.org) or by contacting (559) 846-9386.

## NEW CITY HALL OPENING SOON!

The remodel and expansion of the new City Hall is complete. The new parking lot is under construction and should be completed in early September.

The city intends to occupy the building once the new parking lot is completed.

The City Council plans on hosting an open house on October 1, 2009 for members of the public to view the new facility.

The new City Hall was expanded to meet the city's needs well into the future. The facility will also provide an important an-



chor for the downtown.

The City Council wanted to ensure that the City Hall remain in the downtown. Mayor Trinidad Rodriquez said that "the City Council felt strongly that the new City Hall should serve to

preserve and maintain downtown Kerman as the community's focal point."

The new City Hall was funded by lease revenue bonds at a cost of \$2.4 million dollars.

**CONSTRUCTION TRADE PROGRAM BUILDS SECOND HOUSE**

The City of Kerman, through the Kerman Redevelopment Agency, in partnership with the Kerman Unified School District established the Construction Trades Program to provide high school students with the opportunity to learn valuable skills in the various construction trades.

The program combines classroom instruction with real work experience as the students participating the program learn how to build a new single-family home from the ground up.

The Kerman Redevelopment Agency acquires the lot and funds the purchase of material to construct the house. In addition, many local contractors, businesses and private individual donate material and supplies for the project.

The students completed the second home constructed under the program this summer. The Kerman RDA has identified a qualified first-time homebuyer to purchase the home.

A dedication ceremony will be scheduled for sometime



in October of this year.

The program has been a success largely due to the cooperation between the City of Kerman and KUSD.

Aside from gaining valuable skills in the various construction trades, the youth also learn how to work as a team, schedule tasks, estimate costs, and read blueprints.

**CONSTRUCTION OF PHASE II OF KEARNEY PALMS SENIORS VILLAGE COMPLETE**



Construction on phase II of Kearney Palms senior apartments is complete. The project will add 20 new units to the existing 80 unit complex.

Willow Partners developed the first phase in 2006 which consisted of 80 units. Phase I and II were funded through

state and federal tax credits. As such, the units are all affordable to seniors who are on a fixed income.

Kearney Palms provides much needed housing to the elderly community and the complex is a great addition to the City of Kerman.

**AUTUMN RIDGE ASSISTED LIVING FACILITY NOW OPEN**

Construction of the Autumn Ridge Assisted Living Facility is complete.

Autumn Ridge will provide 24-hour assisted living care to seniors, including memory loss programs for residents diagnosed with Alzheimer's Disease and other related dementias.

The facility features 27 one bedroom, studio and shared suites, dining rooms, activity areas, beauty salon, garden patios, secure walking areas, and all the amenities of assisted care.

For information about the facility, contact: Jenny Garcia at (559) 842-7727.



Autumn Ridge Assisted Leaving Facility

**KERMAN RDA FORMS JPA WITH FRESNO COUNTY**

The City of Kerman Redevelopment Agency and the County of Fresno formed a new Joint Powers Authority (JPA).

The purpose of the JPA is to expedite the implementation of the of \$8.0 million in federal Neighborhood Stabilization Program (NSP) funds awarded to the County to purchase, rehabilitate and re-sell foreclosed properties. The funds are part of the

American Housing Rescue and Foreclosure Prevention Act of 2008.

The County approached the Kerman Redevelopment Agency as a possible partner after realizing that County's ability to purchase & sell land was limited without extensive changes to County policy. Under California Redevelopment Law, redevelopment agencies are given broad powers by the state to pur-

chase and sell property.

By forming a JPA with the Kerman RDA, the County can more quickly expend the federal funds within the cities qualifying for federal assistance.

The newly formed Neighborhood Stabilization (NSP) JPA has held several meetings and has begun making offers on foreclosed properties.

The NSP JPA will focus on



purchasing foreclosed homes in the cities of Kerman, Sanger, Selma, Reedley, Kingsburg, Fowler, Coalinga and the unincorporated areas of Fresno County.

**CITY RECEIVES \$2.0 MILLION FEDERAL STIMULUS FOR WWTP EXPANSION**

The City of Kerman qualified for \$2.0 million from the American Recovery and Reinvestment Act funds to help offset the cost of the Wastewater Treatment Plan Expansion.

Earlier this year the City received a \$6.7 million loan at 2.5 percent interest from the State Water Resources Control Board to finance the WWTP Expansion project.



The federal stimulus funds will not only reduce the principal on the loan from \$6.7

million to \$4.7 million., but will also lower the interest rate on the loan to 1 percent.

The upgrade is needed to comply with new state discharge requirements. Once completed, the plant will increase treatment capacity from 1.2 million gallons per day (mgd) to 2.0 mgd.

The City awarded the project to Clark Brothers construction. The City expects work to begin this fall and anticipates that the project will be completed in late 2010.

**FRESNO COUNTY HOUSING AUTHORITY—AFFORDABLE HOUSING PROJECT**

The City of Kerman approved a 16-unit multi-family apartment project to be developed on a 1 acre infill site by the Housing Authorities Serving City and County of Fresno.

The Housing Authority is applying for state tax credits to fund the project. If awarded tax credits, the Authority

expects to begin construction on the project in early 2010.

The complex consists of a mix of 3 and 4 bedroom units and includes a community building and playground on-site.

The project will be developed on an infill lot that has been vacant for some time.



Visit us on the Web at:  
[www.cityofkerman.org](http://www.cityofkerman.org)

**CITY OF KERMAN  
PLANNING & DEVELOPMENT**

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**Luis Patlan**—Director (Editor)  
**Olivia Pimentel**—Planning Technician/Dept. Sect.  
**Monica Fonseca**—Permit Technician  
**Chris Kufis**—Acting Building Official  
**Domingo Zapata**—Code Enforcement/Animal Control

Other notable projects:

- **Spencer Enterprises:** A new tenant is expected to occupy a vacant industrial building (formerly Rock Tenn). Spencer Enterprises intends to manufacture scissor man-lifts at the facility. Tenant improvements are in progress.
- **Kearney Palms III:** Willow Partners, LLC is proposing to add an additional 44 independent living seniors apartments. The developer will apply for state tax credits to fund the project. The units will be in addition to the existing 100 units constructed in Kearney Palms Phase I and II projects.

**CITY COUNCIL**

Trinidad M. Rodriguez  
Mayor

Richard Stockwell  
Mayor Pro Tem

Charlie Jones  
Council Member

Kanwaldeep (Raj) Dhaliwal  
Council Member

Jack Sidhu  
Council Member

**PLANNING COMMISSION**

Robert Epperson  
Chairperson

Mike Arabian  
Vice-Chairperson

Kevin Nehring  
Commissioner

Bob Felker  
Commissioner

Louie Garcia  
Commissioner

Michael L. Lopez  
Commissioner

Robert Bandy  
Commissioner

**WHERE "COMMUNITY COMES FIRST"**

**CITY PURCHASES PROPERTY FOR COMMUNITY PARKS**

The City of Kerman purchased 35 plus acres for a future community park located at the south east corner of California and Siskiyou Avenues.

The City hopes to apply for state grant funds to design

and build the park in phases.

Kerman has been a leader in planning and developing parks and open space. The future community park will be designed to provide a wide array of active and passive recreation activities.



**KERMAN RECOGNIZED AS PLAYFUL CITY USA**

The City of Kerman was recently distinguished as a "Playful City USA" by KaBoom!, a national non-profit organization committed to providing places to play within walking distance of every child.

Kerman was one of 67 communities recognized nationwide for its innovation and commitment to parks and playgrounds. Through the Parks & Recreation Department.

Playful Cities USA is a national recognition program

honoring cities and towns across the nations committed to taking action for and supporting parks and playgrounds.

Kerman is committed to providing quality park and playground space throughout the community. At present, Kerman has 3 acres of park space for every 1,000 residents.

The City is currently in discussions with the Kerman Unified School District to jointly fund and develop a park at the future elementary school,

to include baseball diamonds, soccer fields, and playground area.

The City is also planning two larger community parks on the east and west side of town. The City purchased 10 acres from a private owner who, in turn, donated 15 acres to the City for a total of 25 acres. The City hopes to acquire an additional 15 to 20 acres for the east side park.

The City also recently acquired 35 acres for the west side park.



[www.kaboom.org](http://www.kaboom.org)

**About KaBOOM!**

KaBOOM! Is a national non-profit organization that envisions a great place to play within walking distance of every child in America.

Since 1995, KaBOOM! and its partners have built nearly 1,500 new playgrounds, skate-parks and sports fields across North America.