

Call to Order – Chairman, Robert D. Epperson called the meeting to order at 6:30pm

Roll Call – Secretary, Olivia Pimentel

Present - Epperson, Felker, Nehring, Lopez, Arabian, Garcia,

Absent - Bandy

Guest – Nadeem Ahmad

Approval of Agenda c/ Epperson, made a motion to approve Agenda of 12/7/09 approved as presented

1. Approval of Minutes, C/Epperson made a motion to approve Minutes of October 26 2009 as presented, unanimously approved

Request to Address Commission

None

2. Presentation(s)

A. None

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

None scheduled

4. Petitions, Resolutions (heard prior to Presentations)

A. Resolution No. 09-10, Approving a Twelve Month Extension of Conditional Use Permit (CUP) 06-13, Six Star Mini Mart, Car Wash

Staff gave a brief summary of the project and reasons for applicants request for a second extension. Mr. Nadeem Ahmad, owner of Six Star Gas Station and Auto Repair Shop was originally granted a CUP on November 20, 2006 to include an expansion and remodel of his existing gas station and small auto repair shop to include a mini mart and car wash located on the southeast corner of Madera Avenue and Kearney Blvd. In 2007, the Planning Commission granted the applicant an extension for CUP 06-13, due to delays in getting the needed plans from the architect; he subsequently hired another architect to complete the plans. The plans were submitted for plan check in August 2008 (prior to expiration of the CUP) and thus complied with the City requirements. Unfortunately, the slow economy and inability to get the proper financing has caused another delay in moving this project forward. This CUP expired on November 20, 2009, and the applicant submitted a timely extension request pursuant to Section 17.12.100 of the Kerman Municipal Code. The Commission did not have a meeting in November, the CUP lapsed thru no fault of the applicant.

Mr. Ahmad spoke in support of this project. He explained the reason for the request was that he has had difficulty in securing the property financing due to the economy crisis. He was still very serious about getting this project completed and asked for consideration.

C/Felker made a motion to approve twelve month extension request for Six Star Gas Station, Auto Repair, Mini Mart and Car Wash second by C/Nehring motion carried with the following vote:

Ayes: (6) –Arabian, Nehring, Garcia, Lopez, Felker, Epperson

Nays: None

Absent: Bandy

Abstain: None

5. Administrative Reports

A. Sphere of Influence Update (SOI):

Staff provided a verbal report on the status of the ongoing discussions with Fresno County on the SOI. Staff will provide a verbal report of the status of the ongoing discussions with Fresno County on the Sphere of Influence. In summary, the City Council directed the City Manager to pursue an amendment to the Property Tax Sharing Agreement (MOU) with the County of Fresno and Sphere of Influence Boundary change with LAFCo. The Property Tax Sharing Agreement would be amended from a 15 to a 3 year term and reflect the intermediate SOI boundary consisting of 786 acres. This would allow the City to 1) proceed with an application for a SOI boundary change now rather than later; and 2) approve annexations for new developments over the next three years without any changes to the terms of the tax sharing methodology in the existing MOU. The City anticipates that the amended MOU would be presented to the Fresno County Board of Supervisors as early as January 12, 2010.

Staff added that the 3 year option appeared to be the best for Kerman because the City does not have any land available within the SOI. C/Nehring asked who's idea was it to change from 15 years to 3 years, staff responded that this was an option given by Fresno County. C/Arabian inquired had any analysis been done to show comparative property acreages in Fresno County as opposed to Kerman. Staff noted that it had not and that this was something that could be looked into. Staff will keep the Commission informed on an ongoing basis.

Communications

A. Updates:

- Staff reported that there had been 7 applications received to date for the 3 Planning Commission seats expiring on December 31, 2009. The filing deadline is Wednesday December 9<sup>th</sup> at 4p.m.
- Rite Aide- bad weather was holding up progress. C/Felker asked about the design of the building, staff reported that it had been revised to compliment the United Health Center.
- La Quinta Hotel, staff reported that they were contacted by Calif. Builder, Inc. regarding the project for a bid. This was a good sign of progress.
- The Old Rock Tenn Building - is being occupied by Spensor Inc. also by California, Mfg & Engineering Co., They are planning a grand opening and project to employ approximately 150 jobs.
- Walmart - staff reported that the proposed Walmart project is in administrative review now and that staff anticipate scheduling a site plan review in February 2010. Staff hopes to present to the Planning Commission by March 2010 for comments. Staff noted that this project is permitted by right in the General Commercial zone district and normally only requires a site plan review; however, because of the type and size of the proposed project staff is also requiring the Planning Commission review and City Council approval.

B. Commissioners Comments

- C/Felker gave comments on the Six Star Mini Mart, Car Wash project and that it should also be asked to design the building similar to the New Rite Aide and United Health Center designs. C/Felker spoke in support of roundabouts, staff reported that this project was put on hold until next year because of budget cuts and the State taking \$150,000 from the RDA.

Adjournment- 7:30pm

---

Olivia G. Pimentel , Secretary to the Planning Commission