

**KINGSBURG PLANNING COMMISSION  
SEPTEMBER 12, 2019  
REGULAR MEETING**

**CALL TO ORDER** – At 6:01PM the Kingsburg Planning Commission meeting was called to order.

**COMMISSIONERS PRESENT** – Kinney, Carlson, Rountree, Brock, Cozbey and Kruper

**COMMISSIONERS ABSENT** - Blayney

**STAFF PRESENT** – Planning Director Greg Collins and Planning Secretary Mary Colby

**OTHERS PRESENT** – Mr. and Mrs. Nuanes, Abe Wiebe, Mr. James Jackson, Cathy Critchley, Lisa Beck, Cheri Bertelsen, Bill Sihota and Desiree Woodworth

**NEXT RESOLUTION 2019-06**

**APPROVAL** – Commissioner Rountree made a motion, seconded by Commissioner Brock to approve the minutes of the August 8, 2019 meeting as presented. The motion carried by unanimous vote of those Commissioners present.

**PUBLIC COMMENTS** –

Jim Jackson a local business owner stated that he has concerns over people jaywalking on downtown Draper Street. He sees it constantly and would like to have the city consider installing a sidewalk at the alley between California and Marion Street.

**REQUEST FOR 1 YEAR EXTENSION FROM DALE G. MELL & ASSOCIATES FOR TENTATIVE TRACT NO. 5073 – AKS ENTERPRISES LOCATED ON KAMM AVENUE**

Planning Director Greg Collins stated that this is a routine request. A letter was submitted by the Engineer for AKS Enterprises requesting a 1-year extension to file their final map. He stated that they are close but would like to be sure they have plenty of time to complete their submittal.

No discussion by the Commission.

Commissioner Brock made a motion, seconded by Commissioner Kinney to grant the request for a one-year extension for Tentative Tract Map no. 5073 and adopt resolution 2019-06. The motion carried by unanimous vote of those Commissioners present.

**PUBLIC HEARING – PARCEL MAP 2019-01 TO DIVIDE 12.61 ACRES INTO FOUR PARCELS, LOCATED AT 2491 SIMPSON STREET. APPLICANT ABE WIEBE.**

Open the Public Hearing at 6:12 P.M.

Planning Director Greg Collins stated that this is a tentative parcel map for the existing Industrial Park on Simpson and Stroud. He described the property and the proposed division which will add more Industrial shop space to the parcels. A site plan for the proposed buildings has already been reviewed in preparation for the division of the land. The applicant has two years to file a final map before it would expire.

Open for Public Comment at 6:17

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No public comment

Close Public Comment at 6:18

Continued Commission Discussion - No further discussion by the Commissioners

Close Public Hearing at 6:18

Commissioner Rountree made a motion, seconded by Commissioner Kinney to approve Parcel Map 2019-01 dividing a 12.61-acre lot into four parcels to accommodate development and adopt Resolution 2019-07. The motion carried by unanimous vote of those Commissioners present.

**PUBLIC HEARING – CUP 2019-01 STONE PLAZA**

Commissioner Brock and Commissioner Carlson recused themselves due to a conflict of interest.

Open the Public Hearing scheduled for 6:21 P.M.

Presentation by Planning Director Greg Collins.

Commission Discussion

Open for Public Comment – 6:26PM

Desiree Woodworth who works downtown stated that she is concerned with the lack of parking in the downtown area. She would like to see additional parking created to accommodate the growing downtown area.

Planning Director Greg Collins explained about the adoption of the Form Based Code for downtown where parking was addressed. But as the downtown becomes more viable parking spaces become premium. The City is looking for ways to add more parking to the downtown area.

Close Public Comment – 6:32

Continued Commission Discussion – No further commission discussion.

Close Public Hearing – 6:35

Commissioner Cozbey made a motion, seconded by Commissioner Kinney to approve CUP 2019-01, allowing the construction of a mixed-use commercial and residential project located at the southeast corner of Draper and California Streets. And adopt Resolution 2019-08 with all conditions of approval. The motion carried by unanimous vote of those Commissioners present.

**PUBLIC NOTICE - HO-2019-13 REGARDING PROTEST LETTER RECEIVED ON BERTELSEN AIR BNB**

Commissioner Kinney recused himself due to a conflict of interest. Commissioner Brock and Commissioner Carlson returned to the dais.

Open the Public Hearing scheduled for 6:36 P.M.

Planning Director Greg Collins described the adoption of the ordinance approving and regulating Air BnB's. He stated that Home Occupations are a permitted use but since a letter of protest has been received it then is reviewed by the Planning Commission. He stated that there have been no police reports or neighborhood complaints about this Air BnB and it has

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been operating since 2016. Off street parking is adequate and the residence is well maintained. Staff has no findings to deny this home occupation.

Open for Public Comment – 6:38PM

Cathy Critchley, who lives in Satterberg estates asked if the Home Occupation permits remains with the applicant or the property. Planning Director Collins stated that the if the property were to change hands the new owners would have to reapply.

Rene Nuanes, 2080 Stroud, stated that the letter which was received is from her and her husband. It is not referencing the current Air BnB but one that is operating two doors down from their home. Ms. Nuanes stated that they have had issues such as, traffic, parking, scantily clad women, questionable transactions, blocking the driveway and countless strangers roaming in their neighborhood. They have discussed with the homeowners but there has been no progress or agreement coming out of those talks. They are concerned with their safety, their neighborhood, families and property. This is the third Air BnB in their neighborhood, she stated there have been no problems with the one being proposed tonight but have great concerns regarding the one two doors down from their home.

Tim Nuanes, 2080 Stroud the Kinneys are not being good neighbors, this is the first weekend we have not called the police in the last three weeks. They have parties there every week and during the week, but this is not an event center.

Cheri Bertelsen, applicant for Air BnB. Described the quarters she has available for her guests. When she received the letter from the City came down immediately and applied for the Home Occupation permit. Has provided to her guests a binder with the history of Kingsburg and local restaurants that she would promote.

Ms. Bertelsen was asked if she thought any of the items in the ordinance were too ridged. She stated that the 92-day maximum for rental in the ordinance is a little restrictive but will abide by it.

Lisa Beck who lives across from the Bertelsen's, stated that there have been no issues with guests, parking or noise with the Air BnB across the street.

Close Public Comment – 7:04PM

Continued Commission Discussion

Commissioner Kruper, stated this is the first time I've read the ordinance and do have an issue with a couple of items in the ordinance.

The 30-minute response time is restrictive.

No parking on the street is prohibited, this is also unreasonable.

Discussed process to address complaints with Air BnB's.

Close Public Hearing – 7:17PM

Commissioner Rountree made a motion, seconded by Commissioner Cozbey to approve resolution 2019-09 approving Home Occupation Permit 2019-13, permitting a short-term

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rental (Air BnB) at 2012 Erling Way consistent with Ordinance 2019-004.  
The motion carried by unanimous vote of those Commissioners present,

**FUTURE ITEMS –**

**ADJOURN** – At 7:23PM Commissioner Rountree made a motion, seconded by Commissioner Carlson to adjourn the Kingsburg Planning Commission meeting. The motion carried by unanimous vote of those commissioner's present.

Submitted by

Mary Colby  
Planning Secretary