



# PLANNING COMMISSION AGENDA

HAL KISSLER, Chair

Commission Members  
JAIME HOLT, Vice Chair  
LORI CHERRY  
NAT DIBUDUO  
SEROP TOROSSIAN  
CHARLES VANG  
ROJELIO VASQUEZ

Planning and Development  
Interim Director/Secretary  
KEITH BERGTHOLD

Deputy City Attorney  
JOHN FOX

*The Planning Commission welcomes you to this meeting.*

**November 5, 2008**

**Wednesday**

**6:00 p.m. to 9:30 p.m.**

**City Hall, Second Floor, COUNCIL CHAMBER, 2600 Fresno Street**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development Department staff at 559-621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street. and parking restrictions have been relaxed in these lots for those attending the meeting.

- I. **ROLL CALL**
- II. **PLEDGE OF ALLEGIANCE**
- III. **PROCEDURES**

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all public testimony from those in support and in opposition of the project will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

**IV. AGENDA APPROVAL**

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

**V. CONSENT CALENDAR**

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

- A. Minutes – Meeting Minutes of August 6, 2008, and October 1, 2008
- B. Communications
- C. Entitlements

**VI. REPORTS BY COMMISSIONERS**

**VII. CONTINUED MATTERS**

- A. Consideration of Vesting Tentative Tract Map No. 5933/UGM, Conditional Use Permit Application No. C-08-59, and environmental findings, filed by Gary G. Giannetta on behalf of Gary McDonald Homes, pertaining to approximately 16.85 acres of property zoned R-1/UGM (*Single Family Residential/Urban Growth Management*) located between North Friant Road and East Copper Avenue within the Copper River Ranch Master Planned Community. (*Continued from September 17, 2008, and October 15, 2008*)
  - 1. Adopt the addendum to Mitigated Negative Declaration for Environmental Assessment No. T-5205/C-04-153 dated September 29, 2004.
  - 2. Vesting Tentative Tract Map No. 5933/UGM proposes to subdivide the subject property into a 78-lot single family residential planned development subdivision.
  - 3. Conditional Use Permit Application No. C-08-59 proposes a residential planned development with 78 lots with modified lot area, dimensions, and setbacks.
    - Woodward Park Community Plan
    - Council District 6 (Councilmember Duncan)
    - Staff Member: Israel Trejo
    - Staff Recommendation: Approve
    - May be considered by the City Council

**VII. CONTINUED MATTERS - *Continued***

- B. Consideration of Vesting Tentative Tract Map No. 5891/UGM, Conditional Use Permit Application No. C-07-308, and environmental findings, filed by Provost and Pritchard Engineering Group, Inc., on behalf of The McCaffrey Group, pertaining to approximately 122.93 net acres of property zoned R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*), R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*), C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) located between West Ashlan Avenue and the West Gettysburg Avenue Alignment and between North Bryan and North Hayes Avenues. The project also includes the detachment of approximately 60 acres of the subject property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency. (*Continued from September 17, 2008, and October 15, 2008.*)
1. Affirm the finding of a Mitigated Negative Declaration for Environmental Assessment No. A-07-08/R-07-29/C-07-308/T-5891, dated March 13, 2008, adopted by the Fresno City Council on May 20, 2008.
  2. Vesting Tentative Tract Map No. 5891/UGM proposes to subdivide the subject property for the purposes of a 683-lot single family residential and neighborhood commercial private street planned development, which includes 648 single family residential lots, 4 proposed neighborhood commercial lots, and 86 outlots proposed for various open space, parking, private street, and private alley purposes.
  3. Conditional Use Permit Application No. C-07-308 proposes a private street planned development with 648 single family residential lots, 50,000± square feet of neighborhood commercial retail and office space, modified lot area, dimensions, and setbacks.
    - West Area Community Plan
    - Council District 1 (Councilmember Xiong)
    - Staff Member: Will Tackett
    - Staff Recommendation: Approve
    - May be considered by the City Council
- C. Consideration of an appeal of the action of the Planning and Development Department Director denying Site Plan Review Application No. S-07-90, filed by Miguel Torres on behalf of David Hovannision, pertaining to approximately 0.13 acre of property zoned M-1 (*Light Manufacturing*) located on the east side of South Teilman Avenue between West Whites Bridge Avenue and State Highway 180. (*Continued from October 1, 2008.*)
1. Site Plan Review Application No. S-07-90, proposing to reconstruct a vacant single family residential building and reconstruct a demolished garage on a nonconforming M-1 zoned parcel.
    - Edison Community Plan
    - Council District 3 (Councilmember Sterling)
    - Staff Member: Darrell Unruh
    - Staff Recommendation: Deny Appeal and Uphold Director's Action of Denial
    - May be considered by the City Council

**VII. CONTINUED MATTERS - *Continued***

**D. CONTINUE TO DECEMBER 17, 2008**

Consideration of an appeal of the action of the Planning and Development Department Director revoking Site Plan Review No. S-06-353 for failure to substantially comply with the conditions of approval, filed by Cottonwood Creek Consultants, LLC, pertaining to approximately 0.82 acre of property zoned M-1 (*Light Manufacturing*) and M-3 (*Heavy Industrial*), located on the north side of West Church Avenue between South Teilman and South Fruit Avenues (670 West Church Avenue). (*Continued from October 1, 2008.*)

1. Site Plan Review No. S-06-353, authorizing South Gate Pre-Industrial Wastewater Plant to operate a single cell protein (SCP) production facility utilizing organic food processing waste from the milk and cheese industries as the caloric feedstock for growing the SCP. The facility was approved under the Solid Waste Recycling Facilities Ordinance as a permitted recycling facility.
  - Edison Community Plan
  - Council District 3 (Councilmember Sterling)
  - Staff Member: Richard Salinas
  - Staff Recommendation: Continue to December 17, 2008
  - May be considered by the City Council

**E. REFER BACK TO STAFF**

Consideration of Plan Amendment Application No. A-08-07, and environmental findings, filed by Mehmet Noyan on behalf of Frazier Realty and Investments, pertaining to approximately 57 acres of property located on the northwest corner of South Martin Luther King Jr. Boulevard and West Jensen Avenue. (*Continued from October 1, 2008.*)

1. Environmental Assessment No. A-08-07, determination of initial study to file a Mitigated Negative Declaration.
2. Plan Amendment Application No. A-08-07 proposes to amend the 2025 Fresno General Plan and the Edison Community Plan from the medium density residential planned land use designation for 56 acres and the neighborhood commercial planned land use designation for 1.0 acre to the light industrial land use designation for the entire 57-acre property. The subject property is zoned AL-20 (*Limited Twenty Acre Agricultural, Fresno County*) and will require pre-zoning prior to its annexation to the city of Fresno.
  - Edison Community Plan
  - Council District 3 (Councilmember Sterling)
  - Staff Member: Sophia Pagoulatos
  - Staff Recommendation: Refer back to staff
  - Will be considered by the City Council

**VIII. NEW MATTERS**

- A. Consideration of Plan Amendment Application No. A-06-06, Rezone Application No. R-06-32, Conditional Use Permit Application No. C-06-94, and environmental findings, filed by JDMS Investments on behalf for Derrel's Mini Storage, pertaining to 5.16 acres of a larger 26.0-acre property located west of the corner of the North Harrison Avenue and East Bedford Avenue alignments.
1. Environmental Assessment No. A-06-06/R-06-32/C-06-94, determination of initial study to file a Mitigated Negative Declaration.
  2. Plan Amendment Application No. A-06-06 proposes to amend the 2025 Fresno General Plan and the Bullard Community Plan from the medium-low density residential planned land use designation to the office commercial land use designation for the subject property.
  3. Rezone Application No. R-06-32 proposes to rezone the subject property from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the S-L//UGM (*Storage Limited/Urban Growth Management*) zone district.
  4. Conditional Use Permit Application No. C-06-94 proposes the development of a two-phased 110,456 square-foot mini-storage facility that will not include a caretaker's residence.
    - Bullard Community Plan
    - Council District 2 (Councilmember Calhoun)
    - Staff Member: Bruce Barnes
    - Staff Recommendation: Recommend Approval of the Plan Amendment, Rezone, and Conditional Use Permit ApplicationsWill be considered by the City Council

**IX. REPORT BY SECRETARY**

**X. UNSCHEDULED ORAL COMMUNICATIONS**

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

**XI. ADJOURNMENT**

***UPCOMING MATTERS***  
*(Dates subject to change)*

*November 19, 2008 – Workshop on Public Works and Parks*  
*December 17, 2008 – Workshop on Open Space*  
*January 2009 – Workshop on Drive-Through Service Windows*