



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

Senior Deputy City Attorney
JOHN W. FOX

The Planning Commission welcomes you to this meeting.

April 22, 2009

Wednesday

6:00 p.m. to 10:00 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. All public testimony must be presented to the Commission at the podium. Any testimony that references race, religion, economic status, national origin, shall be deemed out of order, irrelevant and will not be considered by the Commission in making its land use determinations.

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 December 17, 2008
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

- A. Consideration of Conditional Use Permit Application No. C-08-289, Vesting Tentative Tract No. 5584/UGM, and Addendum to Environmental Assessment No. A-05-25/R-05-123, filed by Granville Homes, pertaining to approximately 9.35 net acres (9.81 gross acres) of property on the north side of West Bullard Avenue between North Grantland Avenue and State Route 99. *(Continued from meeting of April 8, 2009.)*
 - 1. Addendum to Environmental Assessment No. A-05-25/R-05-123, recommends an addendum to the Mitigated Negative Declaration prepared for General Plan Amendment No. A-05-25 and Rezone No. R-05-123 be adopted for Conditional Use Permit Application No. C-08-289 and Vesting Tentative Tract Map No. 5584/UGM.
 - 2. Vesting Tentative Tract Map No. 5584/UGM proposes to subdivide the subject property into a 107-lot single family residential private street planned development subdivision.
 - 3. Conditional Use Permit Application No. C-08-289 proposes the development of a private street planned development subdivision with modified lot area, lot dimension, and building setbacks.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Member: Will Tackett
 - Staff Recommendation: Approve
 - May be considered by the City Council

VIII. NEW MATTERS

- A. Consideration of Rezone Application No. R-09-01, Site Plan Review Application No. S-07-152, Vesting Tentative Tract Map No. 5912, and environmental findings, filed by Minh the Tran and Nuong H. Vu, pertaining to approximately 1.06 acres of property located on the west side of South Cedar Avenue between East Butler and East Hamilton Avenues.
1. Environmental Assessment No. R-09-01/S-09-152/T-5912, determination of initial study to file a Finding of Conformity to Master Environmental Impact Report (MEIR) No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-09-01 proposes to rezone the subject property from R-3 (*Medium Density Multiple Family Residential*) zone district to the R-2 (*Low Density Multiple Family Residential*) zone district in order to facilitate the proposed subdivision of the subject property.
 3. Vesting Tentative Tract Map No. 5912 proposes to subdivide the subject property into a 14-lot single family residential private street planned development subdivision.
 4. Site Plan Review Application No. S-07-152 proposes a minor revised exhibit to the previously approved Site Plan Review No. S-05-452 (which authorized the development of a 14-unit multiple family apartment complex on the subject property) in order to authorize the planned development subdivision on the subject property.
 - Roosevelt Community Plan
 - Council District 5 (Councilmember Dages)
 - Staff Member: Will Tackett
 - Staff Recommendation: Approve
 - Will be considered by the City Council (Rezone Application only)
- B. Consideration of Conditional Use Permit Application No. C-08-297, and environmental findings, filed by Peter Moua, on behalf of Nassr Mohamed and Nabeel Abdulla, pertaining to property located on the southwest corner of West Belmont and North Delno Avenues. The applicant has appealed the condition that prevents single sales of malt beverage or wine cooler products. As conditioned, these beverages would only be allowed to be sold in 4 or 6 packs.
1. Environmental Assessment No. C-08-297, determination of a Class 1 Categorical Exemption, dated March 11, 2009, from the requirements of the California Environmental Quality Act.
 2. Conditional Use Permit Application No. C-08-297 proposes to combine and remodel two buildings located at 705 West Belmont and 719 West Belmont Avenues into one 2,970 square-foot building for the purpose of expanding an existing convenience store into a grocery store for the local community. The subject site is zoned C-6 (*Heavy Commercial District*) and is planned for general heavy commercial land uses. An Alcoholic Beverage Control License Type 20 (*off sale beer and wine – package store*) is proposed to remain and include the square footage expansion of the business. The project also involves the addition of a parking lot landscaping, block walls, and a trash enclosure.
 - West Area Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Bonique Salinas
 - Staff Recommendation: Approve
 - May be considered by the City Council

VIII. NEW MATTERS - *Continued*

C. Consideration of amendments to the Bylaws of the Fresno City Planning Commission

- Citywide application
- Staff Member: Mike Sanchez
- Staff Recommendation: Approve

IX. SCHEDULED ORAL COMMUNICATIONS

X. REPORT BY SECRETARY

XI. 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.

XII. ADJOURNMENT

UPCOMING MATTERS

(Dates subject to change)

May 6, 2009 – Parcel Map No. 2001-01, Granville Homes

May 6, 2009 – Rezone Application No. R-08-31, Gurdial Sangera

May 20, 2009 – Plan Amendment No. A-08-06, Steve Weil