



PLANNING COMMISSION AGENDA

ROJELIO VASQUEZ, Chair

Commission Members
HAL KISSLER, Vice Chair
LORI CHERRY
NAT DIBUDUO
JAIME HOLT
SEROP TOROSSIAN
CHARLES VANG

Planning and Development
NICK P. YOVINO, Director

Assistant Director/Secretary
KEITH BERGTHOLD

Deputy City Attorney
JOHN W. FOX

The Planning Commission welcomes you to this meeting.

August 6, 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 in 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 January 16, 2008, and April 30, 2008

B. Communications

C. Entitlements

1. Consider approval of a two-year extension of time for the filing of a final map of Vesting Tentative Tract Map No. 5631/UGM, filed by Yamabe and Horn Engineering, to subdivide approximately 3.49 acres of property into a 15-lot single family residential planned development subdivision located on the east side of North Polk Avenue between West Gettysburg and West Ashlan Avenues. (Lewis)

VI. ELECTION OF OFFICERS

VII. REPORTS BY COMMISSIONERS

VIII. CONTINUED MATTERS

A. REFER BACK TO STAFF

Consideration of an appeal of the action of the Planning and Development Department Director approving Conditional Use Permit Application No. C-08-21, and environmental findings, filed by Dirk Poeschel Land Development Services on behalf of Viejo Capital LLC, pertaining to approximately 0.83 acre of property pending R-1 (*Single Family Residential*) zoning located on the west side of North Glenn Avenue, east of North Blackstone Avenue between West Shaw and East Fairmont Avenues in the County of Fresno. (*Continued from May 21, June 18, July 16, 2008*)

1. Environmental Assessment No. C-08-21, determination of Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA).
2. Conditional Use Permit Application No. C-08-21 requests the establishment of a four-lot planned unit development, construction of three new single family residential dwellings, and construction of a private drive for the residential dwellings on property currently developed with one single family residential dwelling.
 - Bullard Community Plan
 - Council District 7 (Councilmember Perea)
 - Staff Member: Danielle Thiesen Bergstrom
 - Staff Recommendation:
 - May be considered by the City Council

IX. NEW MATTERS

A. REFER BACK TO STAFF

Consideration of an appeal of the action of the Planning and Development Department Director denying Site Plan Review Application No. S-07-90, and environmental findings, filed by Miguel Torres on behalf of David Hovannision, pertaining to approximately 0.13 acre of property, zoned M-1 (*Light Manufacturing*) zoning, located on the east side of South Teilman Avenue between West Whites Bridge Avenue and State Route 180.

1. Site Plan Review Application No. S-07-90 proposes to reconstruct a vacant single family residential dwelling and reconstruct a demolished garage on a nonconforming M-1 (*Light Manufacturing*) zoned parcel.
 - Edison Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Rick Duncan
 - Staff Recommendation: Deny Appeal and Uphold Director's Action of Denial
 - May be considered by the City Council

IX. NEW MATTERS - *Continued*

- B. Consideration of Site Plan Review Application No. S-08-36, and environmental findings, filed by Tamie Ego on behalf of Warner Fresno Properties, pertaining to approximately 0.36 acre of property zoned C-P/cz (*Administrative and Professional Office/condition of zoning*) located on the southwest corner of North Fresno Street and East Warner Avenue. This proposed project is conditioned to be reviewed by the Planning Commission to ensure that the design and operation of the project is sensitive to the adjacent single family residential land uses pursuant to a condition of zoning established under Rezone Application No. R-07-78.
1. Environmental Assessment No. S-08-36, determination of Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA).
 2. Site Plan Review Application No. S-08-36 proposes the construction of a 4,281 square-foot single story professional medical and office building and related off-site improvements including parking and landscaping, and construction of street improvements within the public right-of-way.
 - Hoover Community Plan
 - Council District 6 (Councilmember Duncan)
 - Staff Member: Joann Zuniga
 - Staff Recommendation: Approve
 - May be considered by the City Council
- C. Consideration of Rezone Application No. R-07-79, and environmental findings, filed by Dirk Poeschel Land Development Services, on behalf of Fresno Pacific University, pertaining to approximately 40 acres of property located south of East Butler Avenue between South Chestnut and South Willow Avenues.
1. Environmental Assessment No. R-07-79/C-08-47, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-07-79, proposing to rezone the subject property from the R-1 (*Single Family Residential*) zone district for Assessor's Parcel Nos. 473-020-37, 40s, 44, 45; from the R-1-B (*Single Family Residential*) zone district for Assessor's Parcel Nos. 473-020-08; and from the R-1-C (*Single Family Residential*) zone district for Assessor's Parcel Nos. 473-061-01, 02, 03, 04, 07, 09, 10, 11 and 473-062-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 16, 17, 18, 19, 20, 21, 22; to the C-P (*Administrative and Professional Office*) zone district. This rezone application would facilitate the development of an approximately 95,000 square-foot four story residence hall and a new 5,255 square-foot central power plant facility building on a portion of the subject site. The remainder of the site is simply being rezoned to be consistent with the 2025 Fresno General Plan which designates the subject site for public facilities planned land use.
 - Roosevelt Area Community Plan
 - Council District 5 (Councilmember Dages)
 - Staff Member: Bonique Salinas
 - Staff Recommendation: Recommend Approval
 - Will be considered by the City Council

IX. NEW MATTERS - *Continued*

- D. Consideration of Conditional Use Permit Application No. C-08-110, and environmental findings, filed by Irwin Pancake Architects, on behalf of San Joaquin Gardens, a subsidiary of American Baptist Homes of the West, pertaining to the northernmost 15 acres on a 25±-acre property located on the west side of North Fresno Street between East Barstow and East Bullard Avenue (5550 North Fresno Street, APN 418-450-30).
1. Environmental Assessment No. C-08-110, determination of initial study to file a Mitigated Negative Declaration.
 2. Conditional Use Permit Application No. C-08-110 was filed as a minor amendment to Conditional Use Permit No. C-07-020 and proposes the reduction of total square footage from the previously approved 557,241 square feet to 463,039 square feet, reduction of new independent living units from 297 to 213, addition of 5 skilled nursing beds, a 6 percent reduction in open space, the removal of additional existing trees, and the planting of 446 new trees on site to include larger specimens and total trunk diameter in excess of 2,146 inches.
 - Hoover Community Plan
 - Council District 7 (Councilmember Perea)
 - Staff Member: Sophia Pagoulatos
 - Staff Recommendation: Approve
 - May be considered by the City Council
- E. Consideration of Rezone Application No. R-06-63, Vesting Tentative Tract Map No. 5608/UGM, Conditional Use Permit Application No. C-06-252, and environmental findings, filed by Midstate Investors, LLC, and WEM Properties, Inc., pertaining to approximately 8.8 acres of property located on the north side of West Santa Ana Avenue between North Hayes and North Polk Avenues.
1. Environmental Assessment No. R-06-63/T-5608/C-06-252, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-06-63 proposes to rezone the subject property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district.
 3. Vesting Tentative Tract Map No. 5608/UGM proposes to subdivide the subject property into a 27-lot (102 unit) multiple family residential planned development subdivision.
 4. Conditional Use Permit Application No. C-06-252 proposes a planned development of the subject property with 102 multiple family residential dwellings.
 - West Area Community Plan
 - Council District 1 (Councilmember Xiong)
 - Staff Member: David Braun
 - Staff Recommendation: Recommend Approval of the Rezone Application and Approve the Vesting Tentative Tract Map and Conditional Use Permit Application
 - Will be considered by the City Council (Rezone Application only)

IX. NEW MATTERS - *Continued*

F. Consideration of Rezone Application No. R-08-08, and environmental findings, filed by the City of Fresno, pertaining to 7 properties totaling approximately 18.8 acres general located on the northeast corner of West Olive Avenue and North Hayes Avenues.

1. Environmental Assessment No. R-08-08, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
2. Rezone Application No. R-07-79, proposing to rezone the 7 properties from the RR (*Rural Residential, Fresno County*) zone district to the R-1/UGM/ANX (*Single Family Residential/Urban Growth Management/Annexed Rural Residential Transitional Overlay*) zone district.
 - West Area Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: David Braun
 - Staff Recommendation: Recommend Approval
 - Will be considered by the City Council

X. REPORT FROM 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)

August 20, 2008 - Subdivision Map Workshop

September 17, 2008 – Preliminary review of proposed amendments to the 10 Redevelopment Project Area Plans with Merger 1 Project Area (submitted by Fresno Redevelopment Agency)

September 24, 2008 – Joint Planning Commission Meeting Workshop