



PLANNING COMMISSION AGENDA

JAIME HOLT, Chair

Commission Members
SEROP TOROSSIAN, Vice Chair
PAUL E. CAPRIOGLIO
RAMA DAWAR
ANDY HANSEN-SMITH
LUISA MEDINA
ROJELIO VASQUEZ

Planning and Development
Assistant Director/Secretary
KEITH BERGTHOLD

Deputy City Attorney
SHANNON L. CHAFFIN

The Planning Commission welcomes you to this meeting.

March 17, 2010

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.

El cuarto de la reunión es accesible a los físicamente incapacitados y los servicios de un traductor pueden ser hechos disponible. Peticiones para servicios adicionales para los incapacitado, los firmantes, aparatos de escuchar o los traductores deben ser hechos una semana antes de la reunión. Por favor llame a el Departamento de la Planificación y el Desarrollo en 559-621-8277.

Chav sablaj muaj rau cov tibneeg xiam oqhab, thiab muaj tibneeg txhaislus rau cov uas xav tau kev pabcuam. Yog thov kev pabcuam rau cov tibneeg xiam oqhab, cov hlua ntsaws pobntseg mloog haislus, los yog tibneeg txhaislus, nej yuav tau hais tuaj ib asthiv los yog ib limpiam ua ntej lub rooj sablaj. Nej hu tau rau peb cov tubtxib ntawm tus xovtooj: 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 three 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 February 17, 2010, and March 3, 2010
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

A. **CONTINUED FROM FEBRUARY 3 AND MARCH 3, 2010**

Consider Plan Amendment Application No. A-09-06 and Rezone Application No. R-09-14, filed by Dirk Poeschel Land Development Services on behalf of The Wathen Group, pertaining to approximately 37 acres of property located on the south side of West Ashlan Avenue between North Blythe Avenue and North Parkway Drive, in the City of Fresno.

1. Environmental Assessment No. A-09-06/R-09-014 recommends that a Mitigated Negative Declaration be adopted for the Plan Amendment Application No. A-09-06 and Rezone Application No. R-09-014.
2. Plan Amendment Application No. A-09-06 requests amendment of the 2025 Fresno General Plan and West Area Community Plan to redesignate approximately 0.55 acres of property planned general heavy commercial and approximately 8.57 acres of property planned for medium high density residential to the community commercial planned land use designation.
3. Rezone Application No. R-09-014 requests to redesignation of approximately 8.51 acres of property zoned C-6/UGM/cz (*Heavy Commercial/Urban Growth Management/conditions of zoning*), 0.55 acres of property zoned C-6/UGM (*Heavy Commercial/Urban Growth Management*) and approximately 7.07 acres of property zoned R-3/UGM/cz (*Medium Density Multiple Family Residential/Urban Growth Management/conditions of zoning*) to the C-2/UGM/cz (*Community Shopping Center/Urban Growth Management/ conditions of zoning*) zone district; and to redesignate approximately 3.12 acres of property zoned R-3/UGM/cz (*Medium Density Multiple Family Residential/Urban Growth Management/ conditions of zoning*) zone district to the R-2/UGM/cz (*Low Density Multiple Family Residential/ Urban Growth Management/conditions of zoning*) zone district subject to the conditions of zoning. This rezone also includes a request to remove condition of zoning of R-04-20 requiring 468 multiple family residential units on the site.

An integrated community shopping center is proposed for the subject property, but is not part of this request.

- West Area Community Plan
- Council District 1 (Councilmember Xiong)
- Staff Recommendation: Recommend Approval
- Staff Member: Bonique Salinas
- Will be considered by the City Council

VIII. NEW MATTERS

- A. Consider Conditional Use Permit Application No. C-09-230, filed by Thomasito del Castillo, pertaining to a .37 acre property that is part of an 18+/-acre shopping center located on the southwesterly corner of West Nees and North Palm Avenues at 7835 North Palm Avenue, Suite 106. The property is zoned C-2/UGM/cz (*Community Shopping Center/Urban Growth Management/conditions of zoning*).
1. Environment Assessment No. A-09-08/R-09-016/C-09-230 recommends that a Mitigated Negative Declaration be adopted for the Conditional Use Permit Application No. C-09-230.
 2. Conditional Use Permit Application No. C-09-230 is an amendment to an existing ABCUP which would add a nightclub component to the existing restaurant pursuant to the recently adopted Restaurants, Taverns and Nightclubs zoning ordinance text amendment.
 - Bullard Area Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Recommendation: Recommend Approval
 - Staff Member: Sophia Pagoulatos
 - May be considered by the City Council
- B. Request for feedback regarding future Planning Commission Workshops. (Planning Commission will not be taking action on this matter.)
- Staff Member: Shannon Chaffin, Deputy Attorney

IX. REPORT BY SECRETARY

X. SCHEDULED ORAL COMMUNICATIONS

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