



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 W. FOX

The Planning Commission welcomes you to this meeting.

September 17, 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 July 16, 2008**
- B. Communications**
- C. Entitlements**

VI. REPORTS BY COMMISSIONERS

- A. Resolution of Appreciation to Gilbert J. Haro, Planning Manager (City Service Retirement)**

VII. CONTINUED MATTERS

A. REFER BACK TO STAFF

Consideration of an amendment to the conditions of approval for Vesting Tentative Parcel Map No. 2001-01, filed by Granville Homes, pertaining to the construction of off-site public street improvements along the street frontages of an approximately 10-acre parcel created by the recorded parcel map (recorded on July 23, 2002) at the immediate northeast corner of the intersection of North Chestnut and East Nees Avenues.

1. Amendment of Conditions of Approval for Vesting Tentative Parcel Map No. 2001-01 in order to remove requirements to construct off-site public street improvements along the North Chestnut Avenue and East Nees Avenue street frontages of an approximately 10-acre parcel created by the recorded parcel map at the immediate corner of the intersection. All of the required off-site improvements were previously secured with the recordation of Parcel Map No. 2001-01.

- Woodward Park Community Plan
- Council District 6 (Councilmember Duncan)
- Staff Member: Will Tackett
- Staff Recommendation: Refer back to staff
- May be considered by the City Council

VIII. NEW MATTERS

- A. Consideration of Text Amendment No. TA-08-01, and environmental findings, initiated by the Planning and Development Department Director, amending the text of the Fresno Municipal Code Zoning Ordinance related to the use of decorative flags as signs for residential subdivisions.
1. Environmental Assessment No. TA-08-01, determination that pursuant to the California Environmental Quality Act (CEQA) Guidelines, there is No Possibility of Significant Adverse Effect upon the environment.
 2. Text Amendment No. TA-08-01 as described above.
 - Citywide Application
 - Staff Member: David Stiglich
 - Staff Recommendation: Recommend Approval
 - Will be considered by the City Council
- B. Consideration of the abandonment of a service station located on property at 2020 West Shaw Avenue (APN 415-070-15s) based on findings of an inspection of the property by the Code Enforcement Division of the Planning and Development Department that revealed the use as a service station was discontinued in April 2003 when the underground storage tanks and associated piping were removed, the building has been vacant and boarded-up for an extended period of time, and since April 2003 there is no evidence of permits and business licenses being issued for any approved use of the property.
- Bullard Community Plan
 - Council District 2 (Councilmember Sterling)
 - Staff Member: Kevin Watkins
 - Staff Recommendation: Find that the service station is abandoned and order appropriate abatement of public nuisance
- C. 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.
1. Environmental Assessment No. T-5933/C-08-59, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
 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 1 (Councilmember Duncan)
 - Staff Member: Israel Trejo
 - Staff Recommendation: Approve
 - May be considered by the City Council

VIII. NEW MATTERS - *Continued*

D. 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.

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 31 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 and approximately 50,000 square feet of neighborhood commercial retail and/or office space, and 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

IX. REPORT FROM 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)

September 24, 2008 – Joint Planning Commission Meeting

October 1, 2008 – 2008 Cycle II Plan Amendments

October 15, 2008 – Preliminary review of proposed amendments to the 10 Redevelopment Project Area Plans with Merger 1 Project Area (submitted by Fresno Redevelopment Agency)