



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.

February 4, 2009

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. 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 3, 2008, and December 10, 2008.
- B. Communications
- C. Entitlements
 - 1. Consideration and adoption of Resolution No. 12913 in the matter of an appeal of the action of the Planning and Development Department Director revoking Site Plan Review No. S-06-353, which was considered by the Planning Commission on December 17, 2008, in which the Commission took action to deny the appeal and uphold the Director's action. (Public Hearing was closed on December 17, 2008.)

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. SCHEDULED ORAL COMMUNICATIONS

- A. Appearance by Shelly Musgrave (4134 N. Bengston Avenue) to discuss fencing requirements in front yards as they pertain to large child care nurseries.

IX. NEW MATTERS

- A. Consideration of Rezone Application No. R-08-37, and environmental findings, filed by Dirk Poeschel Land Development Services and David Bowie, on behalf of RKME Investments, LLC, pertaining to approximately 1.59 acres of property located on the east side of North Figarden Drive between West Bullard Avenue and the B.N. & S.F. Railroad crossing (6240 North Figarden Drive).
1. Environmental Assessment No. R-08-37/C-08-284, determination of initial study to file a Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 be adopted for Rezone Application No. R-08-37 and Conditional Use Permit Application No. C-08-284.
 2. Rezone Application No. R-08-37 proposes to rezone the subject property from the C-1/BA-20/UGM/cz (*Neighborhood Shopping Center/Boulevard Area Overlay/Urban Growth Management/conditions of zoning*) and M-1/BA-20/UGM/cz (*Light Manufacturing/ Boulevard Area Overlay/Urban Growth Management/conditions of zoning*) zone districts to the C-1/BA-20/UGM/cz (*Neighborhood Shopping Center/Boulevard Area Overlay/Urban Growth Management/conditions of zoning*) zone district. Rezone Application No. R-08-37 is requesting to rezone the subject property to allow car washes as a permitted use and to remove conditions of zoning on the subject property that prohibit car washes.
 3. Conditional Use Permit Application No. C-08-284 pertains to construction of a new automated drive-through car wash with 27 self-service customer vacuum stalls.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Member: Will Tackett
 - Staff Recommendation: Recommend Approval of Rezone application and approve Conditional Use Permit
 - May be considered by the City Council

X. REPORT BY SECRETARY

- A. Workshop on Planning Commission Rules and Procedures.
1. Items to be discussed include noticing requirements; Plan Amendment Cycle; meeting time, length of meetings, agenda coordination; length of presentations and rebuttals; Commission-initiated projects; workshops; electronic staff reports; and topics related to the Planning Commission powers, duties, and procedures.
 - Staff Member: Planning and Development Department

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)