



PLANNING COMMISSION AGENDA

HAL KISSLER, Chair

Commission Members
JAIME HOLT, Vice Chair
PAUL E. CAPRIOGLIO
RAMA DAWAR
CAM MALOY
SEROP TOROSSIAN
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.

July 15, 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.

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 ooqhab, thiab muaj tibneeg txhaislus rau cov uas xav tau kev pabcuam. Yog thov kev pabcuam rau cov tibneeg xiam ooqhab, cov hlua ntsaws pobntseg mloog haislus, los yog tibneeg txhaislus, nej yuav tau hais tuaj ib asthiv los yog ib limpiam ua ntej lub rooi 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 June 3 and June 17, 2009
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

- A. Consideration of Rezone Application No. R-09-07, environmental findings, filed by the City of Fresno, pertaining to three properties totaling approximately 4.64 acres generally located on the east side of North Bryan and the west side of North Hayes Avenue between West Ashlan and West Gettysburg Avenues.
1. Environmental Assessment No. R-09-07, recommends that a Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) be adopted.
 2. Rezone Application No. R-09-07, proposes to rezone the parcels from the RR (County) zone district to the R-1/UGM/ANX (*Single Family Residential/Urban Growth Management/Annex Rural Residential Transitional Overlay*) and R-2/UGM/ANX (*Low Density Multiple Family Residential/Urban Growth Management/Annexed Rural Residential Transitional Overlay*) zone districts.
 - West Area Community Plan
 - Council District 1 (Councilmember Xiong)
 - Staff Member: David Braun
 - Will be considered by the City Council
- B. Consideration regarding the appeal of Conditional Use Permit Application No. C-09-032, filed by George Grim on behalf of Shaw-Blythe Liquor Store, pertaining to 0.78 acres of property at 4360 West Shaw Avenue located on the northeast corner of North Brawley and West Shaw Avenues.
1. Environmental Assessment C-09-032, determination of a Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA).
 2. Conditional Use Permit Application No. C-09-032 proposes authorizing the establishment of a State of California, Alcohol Beverage Control license to sell beer, wine and distilled spirits for off-premises consumption (*Type 21 license*) to relocate from 4380 to West Shaw Avenue to 4360 West Shaw Avenue, Suite No.103. The subject site is zoned C-M (*Commercial and Light Manufacturing District*) and is designated for *Light Industrial* planned land use by the 2025 Fresno General Plan and the Bullard Community Plan.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Member: Mikeal Chico/Kevin Fabino
 - Staff Recommendation: Deny appeal, uphold Director's action of approval
 - May be considered by the City Council

VIII. NEW MATTERS- Continued

- C. Consideration of an appeal of the Planning and Development Department Interim Director's approval of Conditional Use Permit Application No. C-09-58, and environmental findings, filed by Lana M. Shearer of Complete Wireless Consulting, on behalf of Verizon Wireless, pertaining to approximately 403 square feet of leased R-1 zoned property within an existing 0.39 acre City of Fresno Water Pump Station No. 153 located on the north side of East Butler Avenue between South Peach and South Minnewawa Avenues at 5339 East Butler Avenue
1. Environmental Assessment No. C-09-58 determination of Class 32 Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA) Guidelines.
 2. Conditional Use Permit Application No. C-09-58 proposes the installation of an unmanned telecommunications tower consisting of 12 antennas mounted inside a radome enclosure on a brown 80-foot high slimline monopole and the construction of a 12-foot by 20-foot equipment shelter adjacent to the base of the cell tower on leased property within City of Fresno Water Pump Station No. 153. The proposed facility will meet with all FAA and FCC requirements.
 - Roosevelt Community Plan
 - Butler Willow Area Specific Plan
 - Staff Member: Joann Zuniga
 - Staff Recommendation: Deny Appeal, Uphold Director's Action of Approval
 - May be considered by City Council
- D. Consideration of Vesting Tentative Tract Map No. 5873/UGM, Conditional Use Permit Application No. C-09-78, and environmental findings, filed by Provost & Pritchard, Inc., on behalf of Marjorie A. Nolte, pertaining to approximately 8.46 net acres (9.15 gross acres) of R-1 (*Single Family Residential/Urban Growth Management*) zoned property located on the east side of North Marks Avenue between West McKinley and West Olive Avenues.
1. Environmental Assessment No. T-5873/C-09-78, 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. 5873/UGM proposes a 62-lot single family residential public street planned development subdivision on the subject property at an overall density of approximately 7.33 dwelling units per acre (planned medium density residential at 4.99 to 10.37 dwelling units per acre).
 3. Conditional Use Permit Application No. C-09-78 proposes to develop the single family lots with modified lot area, lot dimensions, lot coverage, and building setbacks, and including common open space.
 - West Area Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Joann Zuniga
 - Staff Recommendation: Approve
 - May be considered by the City Council

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)

August 5, 2009 – El Dorado Park Community Plan Workshop