



# 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.*

**March 5, 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 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.

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 6, 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. 5449/UGM, filed by Valley Pacific Builders, Inc., to subdivide approximately 25 acres of property into a 101-lot single family residential subdivision located on the north side of East Butler Avenue between South Peach and South Minnewawa Avenues. (Lewis)

#### **VI. REPORTS BY COMMISSIONERS**

#### **VII. CONTINUED MATTERS**

- A.** Consideration of project Conditions of Approval, dated February 20, 2008, for Conditional Use Permit Application No. C-06-114 pertaining to Lucky's Market located in an approximate 5,950 square-foot commercial tenant space zoned C-6 (*Heavy Commercial*) on the east side of South Elm Avenue, south of East Church Avenue (2419 South Elm Avenue). ***(Public Hearing held on February 6, 2008; project pending further Planning Commission review and acceptance of Conditional Use Permit Application No. C-06-114 Conditions of Approval.)***
  - 1. Environmental Assessment No. C-06-114, determination of a Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA).
  - 2. Conditional Use Permit Application No. C-06-114, authorizing the sale of beer and wine for off-premises consumption (State of California Alcohol Beverage Control (ABC) Type 20 license) at an existing food market located in the C-6 (*Heavy Commercial*) zone district.
    - Southwest Fresno General Neighborhood Renewal Area Redevelopment Project Area
    - Edison Community Plan
    - Council District 3 (Councilmember Sterling)
    - Staff Member: Mike Chico
    - Staff Recommendation: Accept and Approve C-06-114
    - May be considered by the City Council

## **VIII. NEW MATTERS**

- A. Consideration of Rezone Application No. R-07-73, Vesting Tentative Tract Map No. 5914/UGM, Conditional Use Permit Application No. C-07-349, and environmental findings, filed by Provost and Pritchard Engineering, Inc., on behalf of the McCaffrey Group, pertaining to approximately 9.49 acres of property located on the north side of West Herndon Avenue between North Hayes and West Spruce Avenues.
1. Environmental Assessment No. R-07-73/T-5914/C-07-349, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
  2. Rezone Application No. R-07-73 proposes to rezone the subject property from the AE-5/EA/UGM (*Exclusive Five Acre Agricultural/Expressway Area Overlay/Urban Growth Management*), the R-1/EA/UGM/cz (*Single Family Residential/Expressway Area Overlay/Urban Growth Management/conditions of zoning*), and the C-1/EA/UGM (*Neighborhood Shopping Center/Expressway Area Overlay/Urban Growth Management*) zone districts to the R-2/EA/UGM (*Low Density Multiple Family Residential/Expressway Area Overlay/Urban Growth Management*) and the C-P/EA/UGM (*Administrative and Professional Office/Expressway Area Overlay/Urban Growth Management*) zone districts.
  3. Vesting Tentative Tract Map No. 5914/UGM proposes to subdivide approximately 5.11 acres of the subject property into a 38-lot single family residential planned development subdivision.
  4. Conditional Use Permit Application No. C-07-349 proposes a residential planned development with modified lot area, lot dimensions, lot coverage, and building setbacks.
    - Bullard Community Plan
    - Council District 2 (Councilmember Calhoun)
    - Staff Member: Israel Trejo
    - Staff Recommendation: Recommend Approval of the Rezone Application and Approve Vesting Tentative Tract Map and Conditional Use Permit Application
    - Will be considered by the City Council (Rezone Application only)

## **IX. REPORT BY 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**