



PLANNING COMMISSION AGENDA

HAL KISSLER, Chair

Commission Members
JAIME HOLT, Vice Chair
LORI CHERRY
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CHARLES VANG
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Planning and Development
Interim Director/Secretary
KEITH BERGTHOLD

Deputy City Attorney
JOHN W. FOX

The Planning Commission welcomes you to this meeting.

April 8, 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.

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 March 4, March 11, and March 18, 2009
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. SCHEDULED ORAL COMMUNICATIONS

- A. Presentation by Fresno Business Council on Community Values

VIII. CONTINUED MATTERS

IX. NEW MATTERS

The following plan amendment application have been submitted for consideration during the 2008 Cycle III filing period in accordance with the Trimester Plan Amendment Program of the Planning Guidelines established by the Fresno City Council to implement the City's Local Planning and Procedures Ordinance, Article 6, Chapter 12, of the Fresno Municipal Code. In addition to the plan amendment applications, the projects described below may include rezone applications to change the subject properties' zone district boundaries.

- A. Consideration of Plan Amendment Application No. A-08-28, and Rezone Application No. R-08-38, and environmental findings, filed by Bill Robinson of Sol Development Associates on behalf of Derrel's Mini Storage, pertaining to 1.04± acres of property abutting the southern boundary of the existing 5.78-acre Derrel's Mini Storage facility, which is located on the south side of East Ashlan Avenue between North Barton Avenue and the southbound on-ramp of State Route 168, and a portion of area from the proposed street vacation of North Barton Avenue between East Hampton and East Dakota Avenues (4546 East Dakota Avenue).
1. Environmental Assessment No. A-08-28/R-08-38/S-08-120, determination of initial study to file a Mitigated Negative Declaration.
 2. Plan Amendment Application No. A-08-28 proposes to amend the 2025 Fresno General Plan, the McLane Community Plan, and the Fresno Yosemite International Airport and Environs Plan from the open space/commercial recreational planned land use designation to the light industrial land use designation.
 3. Rezone Application No. R-08-38 proposes to rezone the subject property from the R-A (*Single Family Residential Agricultural*) zone district to the M-1/cz (*Light Manufacturing/ conditions of zoning*) zone district.
 - McLane Community Plan
 - Fresno Yosemite International Airport and Environs Plan
 - Council District 4 (Councilmember Caprioglio)
 - Staff Member: Joann Zuniga
 - Staff Recommendation: Recommend Approval of the Plan Amendment and Rezone Applications
 - Will be considered by the City Council

IX. NEW MATTERS - *Continued*

- B. Consideration of an appeal of the Planning and Development Department Director's action to approve Conditional Use Permit Application No. C-08-278 and environmental findings, filed by Josh Eisenhut, on behalf of Wohl/Fresno LLC, pertaining to an approximately 5.2 acre site located on the southwest corner of North Fresno Street and East Shaw Avenue.
1. Environmental Assessment No. C-08-278, adopt the finding that the project proposal is in conformance to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130), dated December 23, 2008.
 2. Conditional Use Permit Application No. C-08-278, requests authorization to demolish two existing buildings and construct a new 11,800 square foot CVS/Pharmacy with drive-through pharmacy access within the existing Mission Village Shopping Center. The pharmacy is also proposing to establish a Type 21 ABC License authorizing the sale of beer, wine, and distilled spirits for consumption off the premises.
 - Hoover Community Plan
 - Council District 7 (Councilmember Perea)
 - Staff Member: McKencie Contreras
 - Staff Recommendation: Deny appeal, uphold action by Director
- C. Consideration of Rezone Application No. R-07-75, Conditional Use Permit Application No. C-09-69 and Tentative Tract Map No. 5833 and environmental findings, filed by Marwan Youssef, pertaining to approximately 1.18 acres of property located on the south side of East Jensen Avenue between South Martin Luther King, Jr. Boulevard and South Walnut Avenue.
1. Environmental Assessment No. R-07-75/S-07-194/T-5833 recommends that a Finding of Conformity to 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) be adopted for the rezone application, conditional use permit and tentative tract map.
 2. Rezone Application No. R-07-75 proposes to reclassify the subject site from the R-A (*Single Family Residential-Agriculture District*) zone district to the R-1 (*Single Family Residential District*) zone district.
 3. Conditional Use Permit Application No. C-09-69 proposes a residential planned development with 10 lots and will provide for reduced lot sizes and setbacks and a private street.
 4. Tentative Tract Map No. 5833 proposes to subdivide approximately 1.18 acres into a 10-lot single family residential subdivision.
 - Edison Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Israel Trejo
 - Staff Recommendation: Approve
 - Rezone will be considered by the City Council
 - Conditional Use Permit and Tentative Tract may be considered by the City Council

IX. NEW MATTERS – *Continued*

D. CONTINUED TO APRIL 22, 2009

Consideration of Conditional Use Permit Application No. C-08-289, Vesting Tentative Tract No. 5584/UGM and Addendum to the environmental findings A-05-025/R-05-123, filed by Granville Homes, pertaining to approximately 9.35 net acres (9.81 gross acres) of property on the north side of West Bullard Avenue between North Grantland Avenue and State Route 99.

1. Addendum to Environmental Assessment No. A-05-025/R-05-123, recommends an addendum to the Mitigated Negative Declaration prepared for General Plan Amendment No. A-05-025 and Rezone Application No. R-05-123 be adopted for Conditional Use Permit Application No. c-08-289 and vesting Tentative Tract Map No. 5584/UGM.
2. Conditional Use Permit Application No. C-08-289, requesting authorization for the development of a private street planned development with modified lot area, lot dimension and building setbacks requirements. Development of the subject property is proposed to include 107 single family residential units.
3. Vesting Tentative Tract Map No. 5584/UGM proposes to subdivide the subject property for the purposes of 107-lot single family residential private street planned development on the subject property.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Member: Will Tackett
 - Staff Recommendation: Approve
 - May be considered by the City Council

E. Consideration of approval of Conditional Use Permit Application No. C-09-028, filed by Kal Aver and Steve Symonds of Avera Investment Group, pertaining to an existing 3,000 square foot single family residence.

1. Environmental Assessment No. C-09-028, determination of Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA).
2. Conditional Use Permit Application No. C-09-028 proposes to authorize the operation of a 24 hour women's therapeutic community group home. The subject site is zoned C-6/cz (*Heavy Commercial/conditions of zoning*), within the Central Area Community Plan, Fulton/Lowell Specific Plan and designated for commercial/mixed use level 2 (central area) by the Fresno General Plan.
 - Central Area Community Plan and Fulton/Lowell Specific Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Franklin Spees
 - Staff Recommendation: Approve
 - May be considered by the City Council

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)

April 22, 2009 - TTM-5912/R-09-01/S-07-152, Cedar Butler

April 22, 2009 - C-08-297, ABC upgrade parkside market