



PLANNING COMMISSION AGENDA

HAL KISSLER, Chair

Commission Members
JAIME HOLT, Vice Chair
LORI CHERRY
RAMA DAWAR
NAT DIBUDUO
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.

May 20, 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
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

A. CONTINUED FROM MAY 6, 2009

Workshop on Activity Centers and Intensity Corridors of the 2025 Fresno General Plan.

- Citywide application
- Staff Member: Keith Bergthold

VIII. NEW MATTERS

- A. Consideration of Plan Amendment Application No. A-08-06, Rezone Application No. R-08-12 and environmental findings, filed by Sol Development Associates, LLC, on behalf of Horizon Enterprises, pertaining to approximately 0.77 acres of property located on the northwest corner of East Braly Avenue and South Sarah Street. If approved, these applications will facilitate the development of a 12,927 square-foot private retail commercial building that will be adjacent to a future City of Fresno skate park.
1. Environmental Assessment No. A-08-006/R-08012/S-08-036/C-08-179, determination of a Mitigated Negative Declaration.
 2. Plan Amendment Application No. A-08-06, requests to amend the 2025 Fresno General Plan, the Roosevelt Community Plan, and the South Van Ness Industrial Redevelopment Project Area from the heavy industrial planned land use designation to the light industrial planned land use designation.
 3. Rezone Application No. R-08-12, requests to designate the subject site from the M-2(*General Industrial*) zone district to the C-M (*Commercial and Light Manufacturing*) zone district.
 - Roosevelt Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Bonique Salinas
 - Staff Recommendation: Approve
 - Will be considered by the City Council
- B. Consideration of Amendment of Conditions of Approval for Vesting Tentative Parcel Map No. 2001-01, filed by Granville Homes, pertaining to approximately 17.65 net acres of property located on the northeast corner of the intersection of North Chestnut and East Nees Avenues.
1. Request to amend the conditions of approval 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. Approval of the requested amendment to the conditions of approval would allow the construction of improvements to be deferred until the time of development of the subject property.
 - Woodward Park Community Plan
 - Council District 6 (Councilmember Brand)
 - Staff Member: Will Tackett
 - Staff Recommendation: Deny project
 - May be considered by the City Council

VIII. NEW MATTERS - *Continued*

- C. Consideration of Conditional Use Permit Application No. C-08-314 and environmental findings filed by George R. Marcus on behalf of Marcus Mini-Mart, pertaining to an approximately 2,505 square foot convenience store located at 854 East California Avenue on the southwest corner of South Martin Luther King Jr. Boulevard and East California Avenue.
1. Environmental Assessment No. C-08-314, determination of a Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA).
 2. Conditional Use Permit Application No. C-08-314, requests authorization to allow the up-grade or exchange of a State of California, Alcoholic Beverage Control license for off-sale consumption, from an ABC Type 20 (*beer/wine*) to an ABC Type 21 (*beer/wine/distilled spirits*), where sold. The subject site is zoned C-5 (*General Commercial District*) and is designated for Commercial Neighborhood planned land use by the 2025 Fresno General Plan and Edison Community Plan.
 - Edison Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Mike Chico
 - Staff Recommendation: No recommendation by staff
 - 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)

June 3, 2009 - Air Quality Element Update