



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.

March 4, 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 February 18, 2009
- B. Communications
 - 1. Request to adjust Planning Commission schedule for April, 2009
 - Staff Member: Mike Sanchez
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

A. CONTINUED FROM FEBRUARY 18, 2009

Consideration of Vesting Tentative Tract Map No. 5951/UGM, filed by Yamabe and Horn Engineering, Inc., on behalf of Westwood Bluffs, LLC, pertaining to approximately 4.38 acres of property located on the north side of West Herndon Avenue between North Warren and North West Avenues.

- 1. Vesting Tentative Tract Map No. 5951/UGM proposes a one-lot subdivision for the purposes of a condominium project on the subject property. The subject property has been developed as an 88-unit multiple family residential planned development for senior citizens. If approved, the proposed condominium project will facilitate individual ownership of respective dwelling units and establish or designate jointly owned and shared areas and facilities on the subject property.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Member: Will Tackett
 - Staff Recommendation: Recommend Approval
 - May be considered by the City Council

VIII. NEW MATTERS

- A. Consideration of Rezone Application No. R-08-29, Vesting Tentative Tract Map No. 5913/UGM, and environmental findings filed by R.J. Hill Company, pertaining to approximately 20 (net) acres in area and is located on the northeast corner of South Armstrong Avenue and the East California Avenue alignment.
1. Environmental Assessment No. R-08-29/T-5913 determination of initial study to file a Finding of Conformity to Master Environmental Impact Report No. 10130.
 2. Rezone Application No. R-08-29, proposes to reclassify the subject property from the AE-20 /UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district.
 3. Vesting Tentative Tract Map No. 5913/UGM proposes to subdivide the subject property into a 109-lot (plus one outlot) single family residential subdivision.
 - Roosevelt Community Plan
 - Council District (Councilmember Dages)
 - Staff Member: David Braun
 - Staff Recommendation: Approve
 - May be considered by the City Council
- B. Consideration of an appeal of Conditional Use Permit Application No. C-09-020, filed by Dirk Poeschel, pertaining to a single tenant space within Manchester Center specifically located at 1901 E. Shields #130. The appeal protests the following conditions:
- No more than one automobile shall be displayed in the tenant space.
 - No more than one scooter shall be displayed in the tenant space.
 - No more than 25 percent of the dedicated showroom floor area shall display such merchandise that would otherwise not be allowed to be sold within the zone district.
1. Conditional Use Permit Application No. C-09-020 requests authorization to establish a unique financing office use that displays automobiles, scooters, and other display props that are not permitted to be sold within the C-3 (*Regional Shopping Center District*). To distinguish, the proposed business mode does not actually sell any of their advertised or displayed items on-site, but rather they offer financing services for their customers who can be qualified to purchase the merchandise which is then delivered and enjoyed solely in Mexico.
 - McLane Community Plan
 - Council District 7 (Councilmember Perea)
 - Staff Member: Franklin Spees
 - Staff Recommendation: Recommend Denial of Appeal
 - May be considered by the City Council

- C. Consideration of Conditional Use Permit Application No. C-08-133, and environmental findings, filed by William Mohoff of Sunset Waste Paper Material Recovery Facility & Transfer Station, pertaining to approximately 10 acres of property located on the southeast corner of South Elm and East Vine Avenues (2721 South Elm Avenue).
1. Environmental Assessment No. C-08-133, recommends a Mitigated Negative Declaration be adopted for the proposed conditional use permit application.
 2. Conditional Use Permit Application No. C-08-133 proposes the County of Fresno to operate a regional, permanent household hazardous waste management facility. The proposed project also includes a request by Sunset Waste to slightly modify and add operations to the existing material recovery facility and transfer station. These changes include the following: (1) addition of a self-haul disposal of solid waste and recyclables; (2) addition of recyclable bale storage areas inside the transfer station and just south of the existing canopy along the southern elevation of the transfer station; and, (3) addition of manual and mechanical sorting of glass recyclables adjacent to the existing bunkers located along the western elevation of the transfer station. The project also proposes limited vehicular access to East Vine Avenue which is currently only used for emergency access. The subject site is zoned M-1 (*Light Manufacturing District*) and designated for light industrial planned land uses by the 2025 Fresno General Plan and Edison Community Plan.
 - Edison Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Bonique Salinas
 - 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)

- March 11, 2009** *Special Planning Commission Meeting to consider South Stadium Project*
March 18, 2009 *Plan Amendment Application No. A-08-09 (NW Jensen/Minnewawa) - Sol Development*
March 18, 2009 *Variance Application No. V-08-17, Appeal of Variance by applicant William Dyck*
March 18, 2009 *Conditional Use Permit Application No. C-08-26, Appeal of ABC license by applicant Vinay Vohra*
March 18, 2009 *Conditional Use Permit Application No. C-08-278, Appeal by applicant Josh Eisenhunt*