



# 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.*

**June 4, 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. 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
- D. Entitlements

1. Consider approval of a two-year extension of time for the filing of a final map of Vesting Tentative Tract Map No. 54598/UGM, filed by Corine Demetrios of KB Home to subdivide approximately 11.1 acres of property into a 80-lot single family residential subdivision located on the north side of E. Church Avenue between South Peach and South Minnewawa Avenues (Braun)
2. Consider approval of a two-year extension of time for the filing of a final map of Vesting Tentative Tract Map No. 5552/UGM, filed by Harbour & Associates Engineering to subdivide approximately 21 acres of property into an 95-lot single family residential subdivision located on the east side of South Fowler Avenue between East Church and East Jensen Avenues (Braun)

**VI. REPORTS BY COMMISSIONERS**

**VII. CONTINUED MATTERS**

A. Consideration of an appeal of the action of the Planning and Development Department Director approving Conditional Use Permit Application No. C-07-348, and environmental findings, filed by Gary T. Vigen on behalf of Lisa Lepper, pertaining to approximately 4.13 acres of property zoned C-1/UGM (*Neighborhood Shopping Center/Urban Growth Management*) located on the southeast corner of West Ashlan and North Cornelia Avenues.

1. Affirm the finding of the Mitigated Negative Declaration for Environmental Assessment No. A-06-41/R-06-30/C-06-166, dated October 26, 2006, adopted by the Fresno City Council on November 28, 2006.
2. Conditional Use Permit Application No. C-07-348 requests the establishment of a Type 21 Alcoholic Beverage Control (ABC) license authorizing the sale of beer, wine, and distilled spirits for consumption off the licensed premises where sold at the proposed "Fresh and Easy" grocery store. The applicant also proposes to amend Conditional Use Permit No. C-06-166 to substitute a grocery store for retail space and revise proposed office space to retail and office space.
  - West Area Community Plan
  - Council District 1 (Councilmember Xiong)
  - Staff Member: McKencie Contreras
  - Staff Recommendation: Deny Appeal and Uphold Director's Action of Approval
  - May be considered by the City Council

**VIII. NEW MATTERS**

A. Consideration of Rezone Application No. R-08-06, and environmental findings, filed by the City of Fresno, pertaining to 186 properties totaling approximately 83 acres of property generally located between East Dakota Avenue, East Shields Avenue, State Route 168, and North Chestnut Avenue.

3. Environmental Assessment No. R-08-06, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
4. Rezone Application No. R-08-06 proposes to rezone the parcels from the AL-20 (*Limited Twenty Acre Agricultural, Fresno County*), R-A (*Single Family Residential Agricultural, 36,600 square-foot lot size, Fresno County*), R-1-B (*Single Family Residential, 12,500 square-foot lot size, Fresno County*), and R-1 (*Single Family Residential, 6,000 square-foot minimum lot size, Fresno County*) zone districts to the R-A (*Single Family Residential, 36,000 square-foot lot size*) zone district. In addition, the Annexed Rural Residential Transitional Overlay Zone District, "ANX," shall be applied to certain specified parcels included in the application.
  - McLane Community Plan
  - Council District 4 (Councilmember Caprioglio)
  - Staff Member: Bruce Barnes and David Braun
  - Staff Recommendation: Recommend Approval
  - Will be considered by the City Council

**VIII. NEW MATTERS - *Continued***

- B. Consideration of Rezone Application No. R-07-71, and environmental findings, filed by Jeff Callaway, pertaining to approximately 0.3 acre of property located on the east side of North Marks Avenue between West Clinton and West McKinley Avenues.
1. Environmental Assessment No. R-07-71, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
  2. Rezone Application No. R-07-71 proposes to rezone the subject property from the T-P (*Trailer Park Residential*) zone district to the C-6 (*Heavy Commercial*) zone district.
    - West Area Community Plan
    - Council District 3 (Councilmember Sterling)
    - Staff Member: McKencie Contreras
    - Staff Recommendation: Recommend Approval of the Rezone Application
    - Will be considered by the City Council
- C. Consideration of the repeal of Official Plan Line No. OPL 111 for West Gettysburg Avenue, a local street, between North Grantland and North Garfield Avenues.
1. Affirm the finding of the Mitigated Negative Declaration for Environmental Assessment No. R-07-12/T-5864/C-07-252, dated January 30, 2008, adopted by the Fresno City Council on March 25, 2008.
  2. Repeal Official Plan Line No. OPL-111 for West Gettysburg Avenue, a local street, between North Grantland and North Garfield Avenues. The adopted circulation element of the 2025 Fresno General Plan relocated the West Gettysburg Avenue collector street between North Grantland and North Garfield Avenues to the south of the existing alignment.
    - West Area Community Plan
    - Council District 1 (Councilmember Xiong)
    - Staff Member: Robert Lewis
    - Staff Recommendation: Recommend the repeal of the OPL
    - Will be considered by the City Council

**VIII. NEW MATTERS - *Continued***

- D. Noticed public hearing for consideration of Revision to the Fresno City General Plan Housing Element (2008-2013) and related environmental findings.
1. Environmental Assessment No. EA-08-12, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
  2. Consider housing needs analysis, goals, policies, and programs and receive public comment regarding proposed Revision to the Fresno City General Plan Housing Element (2008-2013).
    - City-wide application
    - Staff Member: Corrina Nunez
    - Staff Recommendation: Recommend Approval
    - Will be considered by the City Council

**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**