



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.

October 15, 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 in 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. CONTINUE TO NOVEMBER 5, 2008

Consideration of Vesting Tentative Tract Map No. 5933/UGM, Conditional Use Permit Application No. C-08-59, and environmental findings, filed by Gary G. Giannetta on behalf of Gary McDonald Homes, pertaining to approximately 16.85 acres of property zoned R-1/UGM (*Single Family Residential/Urban Growth Management*) located between North Friant Road and East Copper Avenue within the Copper River Ranch Master Planned Community. (*Continued from September 17, 2008.*)

1. Adopt the addendum to Mitigated Negative Declaration for Environmental Assessment No. T-5205/C-04-153 dated September 29, 2004.
2. Vesting Tentative Tract Map No. 5933/UGM proposes to subdivide the subject property into a 78-lot single family residential planned development subdivision.
3. Conditional Use Permit Application No. C-08-59 proposes a residential planned development with 78 lots with modified lot area, dimensions, and setbacks.
 - Woodward Park Community Plan
 - Council District 1 (Councilmember Duncan)
 - Staff Member: Israel Trejo
 - Staff Recommendation: Continue to November 5, 2008
 - May be considered by the City Council

VII. CONTINUED MATTERS - *Continued*

B. CONTINUE TO NOVEMBER 5, 2008

Consideration of Vesting Tentative Tract Map No. 5891/UGM, Conditional Use Permit Application No. C-07-308, and environmental findings, filed by Provost and Pritchard Engineering Group, Inc., on behalf of The McCaffrey Group, pertaining to approximately 122.93 net acres of property zoned R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*), R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*), C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) located between West Ashlan Avenue and the West Gettysburg Avenue Alignment and between North Bryan and North Hayes Avenues. The project also includes the detachment of approximately 60 acres of the subject property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency. (*Continued from September 17, 2008.*)

1. Affirm the finding of a Mitigated Negative Declaration for Environmental Assessment No. A-07-08/R-07-29/C-07-308/T-5891, dated March 13, 2008, adopted by the Fresno City Council on May 20, 2008.
2. Vesting Tentative Tract Map No. 5891/UGM proposes to subdivide the subject property for the purposes of a 683-lot single family residential and neighborhood commercial private street planned development, which includes 648 single family residential lots, 4 proposed neighborhood commercial lots, and 86 outlots proposed for various open space, parking, private street, and private alley purposes.
3. Conditional Use Permit Application No. C-07-308 proposes a private street planned development with 648 single family residential lots, 50,000± square feet of neighborhood commercial retail and office space, modified lot area, dimensions, and setbacks.
 - West Area Community Plan
 - Council District 1 (Councilmember Xiong)
 - Staff Member: Will Tackett
 - Staff Recommendation: Continue to November 5, 2008
 - May be considered by the City Council

VIII. NEW MATTERS

A. CONTINUE TO NOVEMBER 19, 2008

Consideration of an appeal of the action of the Planning and Development Department Director approving Conditional Use Permit Application No. C-08-76, filed by Gurmeet Singh on behalf of Campasino's Meat Market, pertaining to approximately 8,000 square feet of commercial tenant space located on the northwest corner of South Trinity and East Whites Bridge Avenues (245 East Whites Bridge Avenue). The subject site is zoned C-6 (*Heavy Commercial*).

1. Environmental Assessment No. C-08-76, determination of a Categorical Exemption from the requirements of the California Environmental Quality Act.
2. Conditional Use Permit Application No. C-08-76, requesting authorization to upgrade the current State of California Alcoholic Beverage Control license from a Type 20 to Type 21 to sell beer, wine, and distilled spirits for off-premises consumption where sold.
 - Edison Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Mikeal Chico
 - Staff Recommendation: Continue to November 19, 2008
 - May be considered by the City Council

VIII. NEW MATTERS - *Continued*

- B. Consideration of Rezone Application No. R-07-32, Vesting Tentative Tract Map No. 5844/UGM, and environmental findings, filed by Sunridge Development, pertaining to approximately 10 acres of property located on the northeast corner of South Minnewawa and East Jensen Avenues.
1. Environmental Assessment No. R-07-32/T-5844, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-07-32 proposes to rezone the subject property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-1/EA/UGM (*Single Family Residential/Expressway Area Overlay/Urban Growth Management*) zone district.
 3. Vesting Tentative Tract Map No. 5844/UGM proposes to subdivide the subject property into a 59-lot single family residential subdivision.
 - Roosevelt Community Plan
 - Council District 5 (Councilmember Dages)
 - Staff Member: David Braun
 - Staff Recommendation: Recommend Approval of the Rezone Application and Approve the Vesting Tentative Tract Map
 - Will be considered by the City Council (Rezone Application only)
- C. Consideration of Rezone Application No. R-08-05, and environmental findings, filed by the City of Fresno, pertaining to 8 properties totaling approximately 33.12 acres generally located on the east side of South Fowler Avenue on the north and south sides of East Church Avenue.
1. Environmental Assessment No. R-08-05, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-08-05 proposes to rezone the subject 8 properties from the AL-20/UGM (*Limited Twenty Acre Agricultural, Fresno County/Urban Growth Management*) zone district to the R-1/ANX/UGM (*Single Family Residential/Annexed Rural Residential Transitional Overlay/Urban Growth Management*) zone district.
 - Roosevelt Community Plan
 - Council District 5 (Councilmember Dages)
 - Staff Member: David Braun
 - Staff Recommendation: Recommend Approval of the Rezone Application
 - Will be considered by the City Council

VIII. NEW MATTERS - *Continued*

D. REFER BACK TO STAFF

Consider recommending the City Council approve and adopt the Proposed Amendments to 10 Redevelopment Plans in the Merger No. 1 Project (comprised of the Central Business District, Chinatown Expanded, Convention Center, Fulton, Jefferson, Mariposa, South Van Ness Industrial, West Fresno I, West Fresno II, and West Fresno III).

1. Recommend that the City Council and Agency Board approve the Mitigated Negative Declaration environmental finding, dated July 21, 2008, for Environmental Assessment No. RDA-2008-SB 211.
2. Find that the 10 Redevelopment Plans, as proposed to be amended, are consistent with the Fresno General Plan including, but not limited to, the Housing Element of the General Plan.
3. Recommend that the City Council adopt an Ordinance(s) approving the Proposed 2008 Plan Amendments to the Merger No. 1 Project

Staff Recommendation:

The Redevelopment Agency requests that the Planning Commission's consideration of the Proposed Plan Amendments to Merger No. 1 Project Area be postponed. The Agency will reschedule the Proposed Plan Amendments to a future date and will renote this matter.

IX. REPORT FROM SECRETARY

- A. Code Enforcement Workshop (Matt Lopez)

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

UPCOMING MATTERS

(Dates subject to change)

November 19, 2008 – Workshop on Public Works and Parks

December 17, 2008 – Workshop on Open Space

January 2009 – Workshop on Drive-Through Service Windows

