



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.

April 30, 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.

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 20, 2008, and March 5, 2008
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. REPORT BY SECRETARY

- A. Clarify and define request of Commissioner DiBuduo as related to proposed tentative tract map review; Commission to submit questions and concerns to staff; staff to return to the Commission with response(s) at the June 4, 2008, meeting of the Commission (Keith Bergthold)
- B. Discussion regarding interpretation of applicable policies of the 2025 Fresno General Plan as related to sidewalk installation and location of sidewalks (Bryan Jones)

VIII. CONTINUED MATTERS

IX. NEW MATTERS

- A. Consideration of Plan Amendment Application No. A-07-08, Rezone Application No. R-07-29, and the cancellation of two Agricultural Land Conservation Contracts (ALCC), or “Williamson Act” contracts in accordance with Government Code Sections 51280-51287 and the City of Fresno Rules of Procedure to Implement the California Land Conservation Act of 1965 (“Williamson Act”) adopted by the Council of the City of Fresno on April 4, 2006, by Resolution No. 2006-130. Agricultural contract cancellation is a prerequisite to facilitate an alternative use of the subject property (i.e., development of the subject property with single family residential and commercial uses pursuant to related Vesting Tentative Tract Map No. 5891/UGM and Conditional Use Permit Application No. C-07-308). The applications, which have been filed by Dirk Poeschel Land Development Services, Inc., on behalf of the McCaffrey Group, pertain to approximately 126.89 gross acres (122.93 net acres) of property located between West Ashlan Avenue and the West Gettysburg Avenue Alignment; and, between North Bryan and North Hayes Avenues.
1. Environmental Assessment No. A-07-08/R-07-29/T-5891/C-07-308, determination of initial study to file a Mitigated Negative Declaration for the entire project, which also includes development of the subject property with approximately 646 single family residential dwelling units, 4 commercial buildings totaling approximately 50,000 square feet of floor area on approximately 5 acres, and the dedication and improvement of multiple common open space areas totaling approximately 11 acres in area.
 2. Plan Amendment Application No. A-07-08 proposes to amend the 2025 Fresno General Plan and West Area Community Plan by relocating a neighborhood commercial planned portion of the subject property from the southwest corner of the intersection of the West Gettysburg Avenue Alignment and North Hayes Avenue to the north side of West Ashlan Avenue between North Bryan and North Hayes Avenues. This relocation will involve redesignating the respective portions of the subject property from the neighborhood commercial planned land use designation to the medium density residential planned land use designation (approximately 10 acres); and, from the medium and medium-high density residential planned land use designations to the neighborhood commercial planned land use designation (approximately 5 acres). The Plan Amendment application also proposes to amend the 2025 Fresno General Plan Multi-Purpose Trail Plan by relocating the bicycle/pedestrian trail alignment from the northwest area of the site to the West Gettysburg Avenue and North Bryan Avenue alignments.
 3. Rezone Application No. R-07-29, proposing to redesignate the subject site from the RR (*Rural Residential, Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*), R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*), and C-1/UGM (*Neighborhood Shopping Center/Urban Growth Management*) zone districts.
 4. Proposed cancellation of that portion of ALCC No. AP-1250 located within the City of Fresno and proposed cancellation of all of ALCC No. AP-1251.
 - West Area Community Plan
 - Council District 1 (Councilmember Xiong)
 - Staff Member: Will Tackett
 - Staff Recommendation: Recommend Approval of the Plan Amendment and Rezone Applications and Cancellation of the ALCC Nos. AP-1250 and AP-1251
 - Will be considered by the City Council

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