



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

Senior Deputy City Attorney
JOHN W. FOX

The Planning Commission welcomes you to this meeting.

May 6, 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 December 17, 2008 and April 8, 2009
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. NEW MATTERS

A. Consideration of Conditional Use Permit Application No. C-09-085, and environmental findings, filed by Thomas Beggs on behalf of Kearney Palms LLC and Rocio's Mexican Restaurant, pertaining to property located within the Kearney Palms Shopping Center located on the northeast corner of Fresno and B Streets.

1. Environmental Assessment No. C-09-085, determination of a Class 32 Categorical Exemption, from the requirements of the California Environmental Quality Act.
2. Conditional Use Permit Application No. C-09-085 proposes to operate a mobile food trailer within a specific location in the Kearney Palms Shopping Center parking lot. Rocio's Mexican Restaurant, which is a tenant within the Kearney Palms Shopping Center, is proposing to operate the mobile food trailer from 5:00 pm to 9:00 pm, seven days per week, as well as during special daytime Kearney Palms sponsored promotional events (not to exceed once per quarter). The trailer measures approximately 8 feet wide by 18 feet in length. Food offered for sale is not prepared in the trailer, instead, food is prepared in the main restaurant and carried to the trailer unit. At the end of each business day, the trailer will be removed and stored off-site. The subject site is zoned C-2 (Community Shopping Center District) and designated for community commercial planned land uses by 2025 Fresno General Plan and Edison Community Plan.

- Edison Community Plan
- Council District 3 (Councilmember Sterling)
- Staff Member: Darrell Unruh
- Staff Recommendation: Deny project
- May be considered by the City Council

VII. NEW MATTERS - *Continued*

- B. Workshop on Text Amendment related to Bars, Taverns and Nightclubs.
 - Citywide application
 - Staff Member: Arnolando Rodriguez

- C. Workshop on update of the Air Quality Element of the 2025 Fresno General Plan.
 - Citywide application
 - Staff Member: Darrell Unruh

- D. Workshop on Activity Centers and Intensity Corridors of the 2025 Fresno General Plan.
 - Citywide application
 - Staff Member: Keith Bergthold

- E. Workshop regarding factors the AB939 MOU Committee should consider when determining a new location for the proposed Household Hazardous Waste Facility within the City of Fresno.
 - Citywide application
 - Staff Member: Bonique Salinas

VIII. SCHEDULED ORAL COMMUNICATIONS

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

UPCOMING MATTERS

(Dates subject to change)

May 20, 2009 – Parcel Map No. 2001-01, Granville Homes

May 20, 2009 – Plan Amendment Application No. A-08-06, Skate Park

May 20, 2009 – Conditional Use Permit Application No. C-08-314, appeal of ABC CUP