



PLANNING COMMISSION AGENDA

JAIME HOLT, Chair

Commission Members
SEROP TOROSSIAN, Vice Chair
RAMA DAWAR
ANDY HANSEN-SMITH
LUISA MEDINA
ROJELIO VASQUEZ

Development and Resource Management Department
KEITH BERGTHOLD
Assistant Director/Planning Commission Secretary

Deputy City Attorney
TALIA KOLLURI-BARBICK

The Planning Commission welcomes you to this meeting.

April 18, 2012

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 Development and Resource Management Department staff at 559-621-8277. **The agenda and related staff reports are available at www.fresno.gov.**

El cuarto de la reunión es accesible a los físicamente incapacitados y los servicios de un traductor pueden ser hechos disponible. Peticiones para servicios adicionales para los incapacitados, los firmantes, aparatos de escuchar o los traductores deben ser hechos una semana antes de la reunión. Por favor llame a el Departamento de la Planificación y el Desarrollo en 559-621-8277.

Chav sablaj muaj rau cov tibneeg xiam ooqhab, thiab muaj tibneeg txhaislus rau cov uas xav tau kev pabcuam. Yog thov kev pabcuam rau cov tibneeg xiam ooqhab, cov hlua ntsaws pobntseg mloog haislus, los yog tibneeg txhaislus, nej yuav tau hais tuaj ib asthiv los yog ib limpiam ua ntej lub rooj sablaj. Nej hu tau rau p̄eb cov tubtxib ntawm tus xovtooj; 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 three 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.

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 15, 2012
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

A. CONTINUED FROM MARCH 7, 2012

[Consider an appeal of the Development and Resource Management Department Director's action to approve, with conditions, Conditional Use Permit Application No.C-10-174 and related environmental findings pertaining to to 0.63 acres of property located on the southeast corner of North Fresno Street and East Bullard Avenue. The property is zoned C-1 \(Neighborhood Shopping Center\) and is located within the Hoover Community Plan and the 2025 Fresno General Plan areas.](#)

1. **APPROVE Environmental Assessment No. C-10-174** which finds the project exempt from the California Environmental Quality Act (CEQA) under Sections 15332 of the CEQA Guidelines as infill development. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project. Therefore, no further environmental assessment is required.
2. **APPROVE** the withdrawal of Appellant's appeal of the mixed use Conditional Use Permit for Conditional Use Permit Application No. C-10-174.
3. **DENY** the appeal and **UPHOLD** the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-10-174 filed by Elias Saliba, on behalf of Hardeep Singh. The applicant proposes to convert the existing lube shop building into a mixed use building which would include a 4,888 square-foot convenience store and sandwich shop, and a second story duplex (two residential units). The existing 2,120 square-foot gas island canopy and the 4 gas pump dispensers will remain. The basement pit will be converted to storage. The applicant also requests authorization to establish a State of California Alcoholic Beverage Control Type 21 License (*Package Store -- sale of beer, wine, and distilled spirits for consumption off the premises where sold*) for the proposed Xpress Food Mart.
 - Hoover Community Plan
 - Council District 4 (Councilmember Westerlund)
 - Staff Recommendation: Deny appeal, uphold Director's decision
 - Staff Member: Sophia Pagoulatos
 - May be considered by the City Council on appeal

VIII. NEW MATTERS

- A. Workshop on Alcohol Beverage Control (ABC) Conditional Use Permit. (No Planning Commission action will be taken on this matter.)
 - DARM Staff: Mike Sanchez
 - Representatives from the Downtown and Community Revitalization Division, Police Department, City Attorney's Office and the office of the State of California Department of Alcoholic Beverage Control

VIII. NEW MATTERS

B. CONTINUE TO MAY 2, 2012

Consider Plan Amendment Application No. A-11-011, Rezone Application No. R-11-017, and Conditional Use Permit Application No. C-11-176, filed by Steven Spencer on behalf of John Allen, and pertains to approximately 10.12 acres of property located on the north side of North Figarden Drive between North Gates and North Verba Avenues.

1. RECOMMEND APPROVAL (to the City Council) of the adoption of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-011/R-11-017/C-11-176 for the purpose of the proposed plan amendment and rezone applications.
2. RECOMMEND APPROVAL (to the City Council) of Plan Amendment Application No. A-11-011 proposing to amend the 2025 Fresno General Plan and the Bullard Community Plan for the subject property from the Community Commercial planned land use designation to the Medium-High Density Residential (10.38-18.15 dwelling units per acre) planned land use designation.
3. RECOMMEND APPROVAL (to the City Council) of Rezone Application No. R-11-017 requesting authorization to reclassify the subject property from the C-2/BA-20/UGM (*Community Shopping Center/Boulevard Area Overlay, 20 feet/Urban Growth Management*) to R-2/BA-20/UGM (*Low Density Multiple Family Residential/Boulevard Area Overlay, 20 feet/Urban Growth Management*) zone district.
4. APPROVE the Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-011/R-11-017/C-11-176 for the purpose of the proposed Conditional Use Permit Application No. /C-11-176, contingent upon City Council approval of Plan Amendment Application No. A-11-011, Rezone Application No. R-11-017 and the related environmental assessment.
5. APPROVE Conditional Use Permit Application No. C-11-176 which proposes a 160 unit multiple family residential gated community with garages, pool, a community building, and a minor rear yard encroachment of 10 feet and is contingent upon City Council approval of Plan Amendment Application No. A-11-011, Rezone Application No. R-11-017 and the related environmental assessment.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Recommendation: Recommend Approval
 - Staff Member: McKencie Contreras
 - Conditional Use Permit may be considered by the City Council on appeal; Plan Amendment and Rezone will be considered by City Council

IX. REPORT BY SECRETARY

X. SCHEDULED ORAL COMMUNICATIONS

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)

ABC Workshop