



# 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

Senior Deputy City Attorney  
SHANNON L. CHAFFIN

*The Planning Commission welcomes you to this meeting.*

**February 15, 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](http://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 1, 2012
- B. Communications
- C. Entitlements

#### **VI. REPORTS BY COMMISSIONERS**

#### **VII. CONTINUED MATTERS**

**VIII. NEW MATTERS**

A. Consider Rezone Application No. R-11-016, filed by William Gavello, the property is approximately 0.86 acres in area and is located on the north side of West Whites Bridge Road between North Fruit and North Thorne Avenues.

1. **RECOMMEND APPROVAL (TO THE CITY COUNCIL) Environmental Assessment No. R-11-016** recommends that a Finding of Conformity be adopted for the proposed project.
2. **RECOMMEND APPROVAL (TO CITY COUNCIL) Rezone Application No. R-11-016** proposes to reclassify the undeveloped property from the C-6 (*Heavy Commercial*) zone district to the M-1 (*Light Manufacturing*) zone district. This rezone request is consistent with the light industrial planned land use designated for the site by the 2025 Fresno General Plan. The applicant intends to use the property as a construction storage yard with no structures. A development proposal has not yet been submitted to the City for this site.
  - Edison Community Plan
  - Council District 3 (Councilmember Baines)
  - Staff Recommendation: Recommend Approval
  - Staff Member: Bonique Emerson
  - Will be considered by the City Council

B. 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. **DENY THE APPEAL AND APPROVE Environmental Assessment No. C-10-174** the project was determined to be 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. **DENY THE APPEAL AND APPROVE 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**

C. [Consider an appeal of the Director's approval of Conditional Use Permit Application No. C-11-131, filed by Robert Vermeltoort, of Vermeltoort Architects, Inc., on behalf of Jasbinder Singh, located on the southwest corner of West Figarden Drive and North Brawley Avenue on 2.39-acres \(a tenant space at north end of the westerly building on the site\). The subject property is zoned C-P/UGM, Administrative & Professional Office District and is consistent with the commercial office/mixed use planned land use designation of the Bullard Community Plan and the 2025 Fresno General Plan. The site is surrounded on the north, east, and south by residential development and to the west by office development.](#)

1. **DENY THE APPEAL AND APPROVE Environmental Assessment No. C-11-131**  
Determination of a Class 32/Section 15332 (Infill Development Projects) Categorical Exemption from the requirements of the California Environmental Quality Act.

2. **DENY THE APPEAL AND APPROVE Conditional Use Permit Application No. C-11-131** requests authorization to open a grocery store and delicatessen, with an Alcohol Beverage Control Department Type 21 License.

- Bullard Community Plan
- Council District 2 (Councilmember Borgeas)
- Staff Recommendation: Deny appeal, uphold Director's decision
- Staff Member: Jack Van Patten
- May be considered by the City Council on appeal

D. [Consider Plan Amendment Application No. A-11-012, Rezone Application No. R-11-018, Conditional Use Permit Application No. C-11-178 and Vesting Tentative Tract Map No. 6003/UGM, filed by The McCaffrey Group \(Ciao Properties, LLC\) and pertains to approximately 13.83 net acres of property located on the southeast corner of the intersection of East Copper and North Maple Avenues.](#)

1. **RECOMMEND APPROVAL (TO CITY COUNCIL) Environmental Assessment No. A-11-012/R-11-018/C-11-178/T-6003** recommend the City Council adopt the Mitigated Negative Declaration prepared for the proposed project for purposes of the proposed plan amendment and rezone applications.

2. **RECOMMEND APPROVAL (TO CITY COUNCIL) Plan Amendment Application No. A-11-012** proposes to amend the 2025 Fresno General Plan and Woodward Park Community Plan to change the planned land use designation for the subject property from the Neighborhood Commercial planned land use designation to the Medium Density Residential (4.99-10.37 dwelling units per acre) planned land use designation.

3. **RECOMMEND APPROVAL (TO CITY COUNCIL) Rezone Application No. R-11-018** proposes to rezone the subject property from the C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/with conditions of zoning*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.

4. **APPROVE Environmental Assessment No. A-11-012/R-11-018/C-11-178/T-6003** recommend the Planning Commission approve the Mitigated Negative Declaration prepared for the proposed project for purposes of the proposed conditional use permit and vesting tentative tract map applications.

**VIII. NEW MATTERS (Continued)**

5. **APPROVE Conditional Use Permit Application No. C-11-178** requests authorization for the development of a 118-unit single family residential, gated, private street planned development with modified property development standards at an overall density of approximately 8.53 dwelling units per acre.
  
6. **APPROVE Vesting Tentative Tract Map No. 6003/UGM** proposes to subdivide the subject property for the purposes of creating 118 single family residential lots and an additional two Outlots for private street and common open space purposes within the proposed planned development.
  - Woodward Community Plan
  - Council District 6 (Councilmember Brand)
  - Staff Recommendation: Recommend Approval
  - Staff Member: Will Tackett
  - Conditional Use Permit and Vesting Tentative Tract Map 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)***