



# PLANNING COMMISSION AGENDA

JAIME HOLT, Chair

Commission Members  
SEROP TOROSSIAN, Vice Chair  
ANDY HANSEN-SMITH  
LUISA MEDINA  
RANDY REED  
ROJELIO VASQUEZ

Development and Resource Management  
Director/Commission Secretary  
JENNIFER K. CLARK

Deputy City Attorney  
TALIA KOLLURI-BARBICK

*The Planning Commission welcomes you to this meeting.*

**January 15, 2014**

**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 incapacitado, 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 peb 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 December 4, and December 18, 2013
- B. Communications
- C. Entitlements

#### 1. **CONTINUED TO JANUARY 29, 2014**

[Consider Conditional Use Permit Application No. C-12-047 Conditions of Approval for](#)

[property located on the southeast corner of North Van Ness Boulevard and East Princeton Avenue.](#)

- a. **APPROVE** Conditional Use Permit Application No. C-12-047 Conditions of Approval dated December 12, 2013 for consistency with conditions of zoning approved by the Fresno City Council on December 12, 2013.

- Fresno High-Roeding Community Plan
- Council District 1 (Councilmember Xiong)
- Staff Recommendation: Recommend Approval
- Staff Member: McKencie Contreras
- Conditional Use Permit may be considered by City Council on appeal

## **VI. REPORTS BY COMMISSIONERS**

## **VII. CONTINUED MATTERS**

## **VIII. NEW MATTERS**

- A. [Consider Plan Amendment Application Nos. A-13-004 & A-13-005, Rezone Application Nos. R-13-011 & R-13-012, Conditional Use Permit Application Nos. C-13-098 & C-13-099, Vesting Tentative Tract Map Nos. 6052/UGM & 6053/UGM, and the related environmental finding filed by The McCaffrey Group, pertaining to approximately 17.56 net acres of property located on the northwest and northeast corners of North Hayes and West Herndon Avenues.](#)
  1. **RECOMMEND APPROVAL (to the City Council)** of the adoption of a Mitigated Negative Declaration for Environmental Assessment No. A-13-004/A-13-005/R-13-011/R-13-012/C-13-098/C-13-099/T-6052/T-6053 dated December 20, 2013;
  2. **RECOMMEND APPROVAL (to the City Council)** of Plan Amendment Application No. A-13-004 to amend 13.26 net acres of the subject property located on the northwest corner of North Hayes and West Herndon Avenues from the neighborhood commercial land use to the medium density residential planned land use designation;
  3. **RECOMMEND APPROVAL (to the City Council)** of Plan Amendment Application No. A-13-005 to amend 4.30 net acres of the subject property located on the northeast corner of North Hayes and West Herndon Avenues from the office commercial land use to the medium-low density residential planned land use designation;

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4. **RECOMMEND APPROVAL (to the City Council)** of Rezone Application No. R-13-011 to reclassify 13.26 net acres of the subject property located on the northwest corner of North Hayes and West Herndon Avenues from the C-1/EA/UGM/cz (*Neighborhood Shopping Center/Expressway Area Overlay/Urban Growth Management/conditions of zoning*) zone district to the R-1/EA/UGM (*Single Family Residential/Expressway Area Overlay/Urban Growth Management*) zone district;
  5. **RECOMMEND APPROVAL (to the City Council)** of Rezone Application No. R-13-012 to reclassify 4.30 net acres of the subject property located on the northeast corner of North Hayes and West Herndon Avenues from the C-P/EA/UGM/cz (*Administrative and Professional Office/Expressway Area Overlay/Urban Growth Management/conditions of zoning*) zone district to the R-1/EA/UGM (*Single Family Residential/Expressway Area Overlay/Urban Growth Management*) zone district;
  6. **APPROVE** Conditional Use Permit Application No. C-13-098, which would allow modified property development standards for a 95-lot single family subdivision with private streets, a gated pool, and a series passive pocket parks, contingent upon City Council approval of the related Plan Amendment and Rezone applications, and the Environmental Assessment;
  7. **APPROVE** Conditional Use Permit Application No. C-13-099, which would allow modified property development standards for a 15-lot single family subdivision with private streets and a series passive pocket parks, contingent upon City Council approval of the related Plan Amendment and Rezone applications, and the Environmental Assessment;
  8. **APPROVE** Vesting Tentative Tract Map No. 6052/UGM subject to approval of Conditional Use Permit No. C-13-098 and the Conditions of Approval for Vesting Tentative Tract Map No. 6052/UGM dated January 15, 2014, contingent upon City Council approval of the related Plan Amendment and Rezone applications, and the Environmental Assessment;
  9. **APPROVE** Vesting Tentative Tract Map No. 6053/UGM subject to approval of Conditional Use Permit No. C-13-099 and the Conditions of Approval for Vesting Tentative Tract Map No. 6053/UGM dated January 15, 2014, contingent upon City Council approval of the related Plan Amendment and Rezone applications, and the Environmental Assessment.
- Bullard Community Plan
  - Council District 2 (Councilmember Brandau)
  - Staff Recommendation: Recommend Approval
  - Staff Member: McKencie Contreras
  - Conditional Use Permits and Tract Maps may be considered by City Council on appeal; Plan Amendments and Rezones will be considered by the City Council

**VIII. NEW MATTERS (Continued)**

B. Consider Plan Amendment Application No. A-13-006, Rezone Application No. R-13-013 Conditional Use Permit Application No. C-13-151, Vesting Tentative Tract Map No. 6054/UGM and related environmental findings filed by the McCaffrey Group, pertaining to 9.27 acres of property located on the east side of North Polk Avenue between West Corona and North Dante Avenues.

1. **RECOMMEND APPROVAL (to the City Council)** of the adoption of a Mitigated Negative Declaration for Environmental Assessment No. A-13-006/R-13-013/C-13-151/T-6054;

2. **RECOMMEND APPROVAL (to the City Council)** of Plan Amendment Application No. A-13-006 to change the 2025 General Plan and Bullard Community Plan from the Medium High Residential to the Medium Residential planned land use designation;

3. **RECOMMEND APPROVAL (to the City Council)** of Rezone Application No. R-13-013 to amend the Official Zone Map to reclassify the subject property from the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district;

4. **APPROVE** Conditional Use Permit Application No. C-13-151, which would allow modified property development standards for a 69-lot single family subdivision with private streets, a gated club house with a pool and a series passive pocket parks, contingent upon City Council approval of the related Plan Amendment and Rezone applications, and the Environmental Assessment;

5. **APPROVE** Vesting Tentative Tract Map No. 6054/UGM subject to approval of Conditional Use Permit No. C-13-151 and the Conditions of Approval for Vesting Tentative Tract Map No. 6054/UGM, contingent upon City Council approval of the related Plan Amendment and Rezone applications, and the Environmental Assessment.

- Bullard Community Plan
- Council District 2 (Councilmember Brandau)
- Staff Recommendation: Recommend Approval
- Staff Member: Bruce Barnes
- Conditional Use Permit and Tract Map may be considered by City Council on appeal; Plan Amendment and Rezone will be considered by the City Council

**VIII. NEW MATTERS (Continued)**

- C. [Consider two appeals of the Director's action to approve Conditional Use Permit Application No. C-12-038, which proposes the construction of a new 15,524 square-foot CVS Pharmacy retail store with a drive through service window and 24-hour operations and a request for authorization to establish a State of California Alcoholic Beverage Control Type 21 liquor license \(package store – sale of beer, wine, and distilled spirits for consumption off the premises where sold\) for property located on the southwesterly corner of Tuolumne Street and Van Ness Avenue in downtown Fresno.](#)

1. **RECOMMEND DENIAL** of Conditional Use Permit Application No. C-12-038 based on the following:

- a. Based on substantial evidence detailed in the staff report, staff has determined that Findings a and c contained in Section 12-405-A-2 of the Fresno Municipal Code cannot be made, and therefore the Conditional Use Permit cannot be approved.

- Central Area Community Plan
- Council District 3 (Councilmember Baines)
- Staff Recommendation: Recommend Denial of the Conditional Use Permit
- Staff Member: Mike Sanchez
- May be considered by the City Council

- D. [Update on proposed Fulton Mall reconstruction project: status of environmental review, entitlements, funding, and design.](#)

**(No Planning Commission action will be taken on this item)**

- Fulton Mall Area Community Plan
- Council District 3 (Councilmember Baines)
- Staff Member: Wilma Quan

**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

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be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Development and Resource Management Department (telephone: 559-621-8277) at least 10 days before the desired appearance date.

## **XII. ADJOURNMENT**

### ***UPCOMING MATTERS***

*(Dates subject to change)*