



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.

August 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.**

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 xovtoo: 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. 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 August 1, 2012
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. **CONTINUED MATTERS**

A. **CONTINUED FROM AUGUST 1, 2012**

Consider an appeal of the Director's denial of Conditional Use Permit Application No. C-12-026, filed by Dirk Poeschel Land Development Services, Inc., on behalf of Devinder Dhariwal, requesting authorization to remove a Condition of Approval of Conditional Use Permit No. 99-051, which reads: 'Beer and malt liquor in containers of 41 oz. or less shall not be sold in units of less than a six pack.' The property is located on the southwest corner of East Belmont Avenue and North Abby Street on 0.38 acres. Property is located in the C-6, Heavy Commercial District and is consistent with the commercial planned land use designation of the Central Area Community Plan and the 2025 Fresno General Plan. The site is surrounded by commercial development.

1. **ADOPT** Environmental Assessment No. C-12-026 Determination of a Class 1/Section 15301 (Permitting of Existing Facility) Categorical Exemption from the requirements of the California Environmental Quality Act;
2. **GRANT THE APPEAL AND APPROVE** Conditional Use Permit Amendment Application No. C-12-026 subject to new conditions of approval.
 - Central Area Community Plan
 - Council District 7 (Councilmember Olivier)
 - Staff Recommendation: Grant appeal and approve CUP with conditions
 - Staff Member: Jack Van Patten
 - May be considered by the City Council

VIII. NEW MATTERS

- A. Consider an appeal of the Director's denial of Variance Application No. V-12-005 filed by Stergeos Demetreos on behalf of the Fresno Rescue Mission. The variance application requests authorization to install a 6-foot high wrought iron fence within the 10-foot landscape setback required along the street frontage. The Planning Commission will also consider a Minor Revised Exhibit (a request to modify a condition of approval) to the already approved Conditional Use Permit Application No. C-10-109. The Conditional Use Permit Application No. C-10-109 approved the rehabilitation of the former Vagabond Motel to establish a secure transitional housing community that will be owned and operated by the Fresno Rescue Mission. The applicant is requesting a two month extension to install the 7-foot high block wall required along the southern property line of the subject site. This wall is currently required to be installed prior to occupancy/operation. All required walls and fences are typically required to be installed prior to occupancy. The subject site is approximately 9.0 acres of property located on the west side of North Parkway Drive between West Clinton and West McKinley Avenues (2141 N. Parkway Drive). The subject property is zoned C-6, *Heavy Commercial District*.
1. **DENY** the appeal and **UPHOLD** the Director's Action denying Variance Application No. V-12-005 which requests authorization to install a 6-foot high wrought iron fence within the 10-foot landscape setback required along the street frontage (Parkway Drive).
 2. **APPROVE** the Minor Revised Exhibit to the already approved Conditional Use Permit Application No. C-10-109, allowing a two month extension to install the 7-foot high block wall required along the southern property line of the subject site. This wall is currently required to be installed prior to occupancy/operation.
- West Area Community Plan
 - Council District 3 (Councilmember Baines)
 - Staff Recommendation: Deny appeal, uphold Director's decision to deny variance. Approve minor modification to the Conditional Use Permit Application No. C-10-109.
 - Staff Member: Bonique Emerson
 - May be considered by the City Council
- B. Consider a recommendation to the City Council to initiate a revision of the 2025 Fresno General Plan to allow for a subsequent adoption of a 2035 Fresno General Plan.
- All Council Districts
 - Staff recommendation: Recommend Initiation of Plan Update
 - Staff Member: Keith Bergthold
 - Initiation will be considered by the City Council
- C. Consideration of special meetings to accommodate workshops for proposed 2035 Fresno General Plan Draft Elements.
- All Council Districts
 - Staff recommendation: Consider Proposed Dates.
 - Staff Member: Keith Bergthold
 - Will not be considered by the 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)