



PLANNING COMMISSION AGENDA

JAIME HOLT, Chair

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

Development and Resource Management Department
JOHN M. DUGAN, AICP
Director/Planning Commission Secretary

Senior Deputy City Attorney
SHANNON L. CHAFFIN

The Planning Commission welcomes you to this meeting.

August 17, 2011

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 oqhab, thiab muaj tibneeg txhaislus rau cov uas xav tau kev pabcuam. Yog thov kev pabcuam rau cov tibneeg xiam oqhab, 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. 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 July 20 and August 3, 2011
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

- A. Consider Vesting Tentative Tract Map No. 5933/UGM and Conditional Use Permit No. C-11-066 filed by Gary G. Giannetta, on behalf of Gary McDonald Homes, pertaining to approximately 16.85 acres of property located between North Friant Road and East Copper Avenue, within the Copper River Ranch Master Planned Community. (Continued from July 20 and August 3, 2011)
1. **Approve Environmental Assessment No. T-5933/C-11-066** recommending that a Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) and Mitigated Negative Declaration prepared for Plan Amendment A-09-02 (Air Quality MND) to the Program EIR No. 10126 prepared for the Copper River Ranch Project be adopted for the conditional use permit application and vesting tentative tract map.
 2. **Approve Conditional Use Permit Application No. C-11-066** proposing a residential planned development, with 78 lots, which will include private streets and modified property development standards. One outlot is proposed to be developed with a fitness center and a private community building.
 3. **Approve Vesting Tentative Tract Map No. 5933/UGM** proposing to subdivide the subject property into a 78-lot single family residential subdivision and two outlots.
 - Woodward Park Community Plan
 - Council District 6 (Councilmember Brand)
 - Staff Recommendation: Recommend approval
 - Staff Member: Israel Trejo
 - May be considered by the City Council

VII. CONTINUED MATTERS (Continued)

B. REFER BACK TO STAFF

Consider Conditional Use Permit Application No. C-11-014 and Vesting Tentative Tract Map No. 5994 filed by Gary G. Giannetta Civil Engineering and Land Surveying, on behalf of FFDA Properties, LLC., (Granville Homes), pertaining to approximately 1.29 net acres of property located on the northerly corner of the intersection of "L" and San Joaquin Streets. **(Continued from July 20 and August 3, 2011)**

1. **Affirm Environmental Assessment No. C-11-014/T-5994** of a Mitigated Negative Declaration dated June 07, 2011, which was prepared for the purposes of the proposed project and adopted by the Historic Preservation Commission on June 27, 2011.
2. **Approve Conditional Use Permit Application No. C-11-014** requesting authorization for the development of a gated private street planned development with modified property development standards. Development of the property is proposed to include 28 two-story town home dwelling units consisting of 14 multiple dwelling (duplex) structures with attached garages.
3. **Approve Vesting Tentative Tract No. 5994** proposing to subdivide the subject property for the purposes of creating 28 individual lots for the respective town home units which are proposed to be constructed within the proposed private street planned development at an overall density of approximately 21.71 dwelling units per acre. The tentative map also proposes to create one Outlot for common area purposes and the vacation of portions of adjacent public street rights-of-way.
 - Central Community Plan
 - Council District 3 (Councilmember Baines)
 - Staff Recommendation: Refer to staff
 - Staff Member: Will Tackett
 - May be considered by the City Council

VIII. NEW MATTERS

- A. Briefing on 2035 General Plan and Development Code Update Workshop. (Planning Commission will not be taking any action on this item.)
 - Staff Member: Keith Bergthold, Assistant Director, Development and Resource Management (10-15 minutes)

VIII. NEW MATTERS (Continued)

B. [Consider of appeals of the Development and Resource Management Department Director's action to approve Conditional Use Permit Application No. C-08-172 and Variance Application No. V-08-016; and, consideration of related Environmental Impact Report \(EIR\) No. 10141. These applications have been filed by Gryphon Capital, Inc., on behalf of John Allen Company, LLC., and pertain to approximately 63.07 acres of property located on the southwest corner of the intersection of West Herndon and North Blythe Avenues.](#)

1. **DETERMINE** that Conditional Use Permit Application No. C-08-172 and Variance Application No. V-08-016 were identified and fully assessed in Environmental Impact Report (EIR) No. 10141, as certified by the Fresno City Council on December 16, 2010; and, **DETERMINE** that none of the circumstances set forth in the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15163, mandating preparation of a subsequent EIR, supplement to an EIR, or any other subsequent environmental review, apply to the subject conditional use permit or variance applications.
2. **DENY** the appeal and UPHOLD the action of the Development and Resource Management Director approving Conditional Use Permit Application No. C-08-172, which requests authorization to construct approximately 666,218 square feet of commercial retail space on the subject property; comprising a portion of Phase I of the Marketplace at El Paseo development project.
3. **DENY** the appeal and UPHOLD the action of the Development and Resource Management Director approving Variance Application No. V-08-016, which requests: (1) A reduction of the parking lot shading requirement for a portion of the subject property, which is traversed by a Pacific Gas & Electric (PG&E) transmission line easement; and, (2) An increase in the number, and allowable size, of signs for the proposed project.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Recommendation: Deny appeal, uphold Director's decision.
 - Staff Member: Will Tackett
 - May be considered by the City Council

[Link to city of Fresno website El Paseo exhibits](#)

VIII. New Matters (Continued)

C. [Consider C-11-011 Cell Tower Appeal an appeal of the Director's approval of Conditional Use Permit Application No. C-11-011, filed by Lana Shearer of Complete Wireless Consulting, on behalf of Verizon Wireless Communications. The project site is located on the southeast corner of North Cedar and East Herndon Avenues on 596 square feet of leased property on an 8.74 acre site at 6640 North Cedar Avenue C/T. The subject property is zoned C-2, Community Shopping Center District, and is consistent with the neighborhood commercial planned land use designation of the Hoover Community Plan and the 2025 Fresno General Plan.](#)

1. **DENY the Appeal and Approve Environmental Assessment No. C-11-011** of a determination of Class 32/Section 15332 and Class 3/Section 15303 Categorical Exemptions from the requirements of the California Environmental Quality Act.

2. **DENY the Appeal and UPHOLD the action of the Development and Resource Management Director's approval of Conditional Use Permit Application No. C-11-011** requesting authorization to install a new 80-foot high slimline monopole with 6 antennas mounted inside a radome enclosure. Ground equipment will be located within a 340 square foot equipment room inside an existing building, the pole will be located outside within a 6-foot high slatted chain link fence enclosure and a standby generator is proposed for placement within another nearby fenced enclosure.

- Hoover Community Plan
- Council District 4 (Councilmember Westerlund)
- Staff Recommendation: Deny appeal, uphold Director's decision
- Staff Member: Robert Berend
- May be considered by the City Council

D. [Consider an appeal of the Director's approval of Conditional Use Permit Application No. C-11-028, filed by Larry McKenry of ABC Brokers on behalf of Abdulla Mansour Nasr, for property located on the southwest corner of East California Avenue and Martin Luther King, Jr. Boulevard covering 0.66 acres. The subject property is zoned C-5\(General Commercial\) and is consistent with the neighborhood commercial planned land use by the Edison Community Plan and the 2025 Fresno General Plan.](#)

1. **Approve Environmental Assessment No. C-11-028:** 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 UPHOLD the action of the Development and Resource Management Director's Approval of Conditional Use Permit Application No. C-11-028** requesting authorization to up-grade from a Type 20 ABC License to a Type 21 ABC License.

- Edison Community Plan
- Council District 3 (Councilmember Baines)
- Staff Recommendation: Deny appeal, uphold Director's decision
- Staff Member: Jack Van Patten
- May be considered by the City Council

VIII. NEW MATTERS (Continued)

E. Consider the adoption of an Official Plan Line (OPL) for the West Ashlan Avenue alignment from North Bryan Avenue to the vicinity of North Polk Avenue, including an amendment of existing Official Plan Line No. 87-65 beginning approximately 700 feet west of North Polk Avenue and ending approximately 400 feet west of North Dante Avenue. The subject planned major street alignment segment is approximately one mile in length and is located within the boundaries of the 2025 Fresno General Plan and West Area Community Plan.

1. **Approve Environmental Assessment No. EA-10-006** recommending adoption of a Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and the Mitigated Negative Declaration (MND) prepared for Plan Amendment A-09-02 (Air Quality MND).
2. **Approve Official Plan Line for West Ashlan Avenue** recommending adoption of an Official Plan Line (OPL) for the alignment of the planned major street (Arterial) segment of West Ashlan Avenue from North Bryan Avenue to the vicinity of North Polk Avenue, including an amendment of existing Official Plan Line No. 87-65 beginning approximately 700 feet west of North Polk Avenue and ending approximately 400 feet west of North Dante Avenue. The OPL is designed as an arterial to accommodate two travel lanes in each direction, a median island, bike lanes, and parking on both sides of the street
 - West Area Community Plan
 - Council District 1 (Councilmember Xiong)
 - Staff Recommendation: Recommend Approval
 - Staff Member: Sophia Pagoulatos
 - Will 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)

<i>October 19, 2011</i>	<i>Workshop on Fulton Corridor Specific Plan</i>
<i>October 19, 2011</i>	<i>Workshop on Downtown Neighborhood Specific Plans</i>
<i>September 7, 2011</i>	<i>Workshop on 2035 General Plan Update</i>

September 7, 2011 Workshop on Development Code Update