



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

Senior Deputy City Attorney
TALIA KOLLURI-BARBICK

The Planning Commission welcomes you to this meeting.

July 2, 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.**

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.

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 for April 2, and May 21, 2014
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

A. Consider Vesting Tentative Tract Map No. 6063/UGM, Conditional Use Permit Application No. C-14-018, and the proposed finding of Mitigated Negative Declaration for Environmental Assessment No. T-6063/ C-14-018, filed by Gary S. Giannetta of Gary S. Giannetta Civil Engineering and Land Surveying on behalf of property owner and subdivider Copper Park, LLC. These applications pertain to approximately 1.78 net acres of vacant, undeveloped property located at 1025 East Carnoustie Avenue (APN 577-210-54), on the southeast corner of North Friant Road and East Copper Avenue and public street right-of-way being vacated at the formerly dedicated intersection of North Millbrook Avenue, East Copper Avenue, and North Friant Road. The subject property is planned for Medium Density Land use in the 2025 Fresno General Plan and Woodward Park Community Plan, and is zoned R-1/UGM (Single Family Residential District/Urban Growth Management Area).

1. **APPROVE** the adoption of the Mitigated Negative Declaration (MND) prepared for Environmental Assessment (EA) No. T-6063/ C-14-018, dated May 30, 2014 for the purpose of the proposed tract map, conditional use permit (CUP) application, and street vacation.

2. **APPROVE** Vesting Tentative Tract Map (VTTM) No. 6063/UGM to divide the subject property into ten (10) single family residential parcels, subject to the findings included within the Staff Report to the Planning Commission dated July 2, 2014 and subject to compliance with the Conditions of Approval for the vesting tentative tract map, dated July 2, 2014. Approval of VTTM 6063/UGM is also contingent upon Planning Commission approval of the related MND for EA No. T-6063/C-14-018 and CUP Application No. C-14-018.

3. **APPROVE** Conditional Use Permit Application No. C-14-018 for the establishment of a 10-lot single family residential planned unit development with modified property development standards and public street access for lots proposed to be created by VTTM No. 6063/UGM, subject to the findings included within the Staff Report to the Planning Commission dated July 2, 2014 and subject to compliance with the Conditions of Approval for the CUP dated July 2, 2014. Approval of CUP Application No. C-14-018 is also contingent upon Planning Commission approval of the related MND for EA No. T-6063/C-14-018 and VTTM 6063/UGM.

- Woodward Park Community Plan
- Council District 6 (Councilmember Brand)
- Staff Recommendation: Approve
- Staff Member: Sandra Brock
- Tract Map and CUP may be considered by the City Council on appeal (the City Council will act on the street vacation issue as a Public Works matter)

VIII. NEW MATTERS

B. Consider an appeal of the Development and Resource Management Department Director's action to approve Conditional Use Permit Application No. C-14-021, proposing to establish a State of California Alcoholic Beverage Control Type 41 liquor license (Restaurant – sale of beer and wine for consumption on or off the premises where sold) for the Mariscos El Pescador Restaurant, located at 4546 East Tulare Street and is zoned C-5 (General Commercial).

1. **APPROVE Environmental Assessment No. C-14-021** finding that the proposed project is exempt from CEQA through a Class 32 Categorical Exemption.

2. **DENY the Appeal and UPHOLD the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-14-021** proposing to establish a State of California Alcoholic Beverage Control Type 41 liquor license for the Mariscos El Pescador Restaurant.

- Roosevelt Community Plan
- Council District 7 (Councilmember Olivier)
- Staff Recommendation: Deny appeal, uphold Director's decision
- Staff Member: Christopher Preciado
- May be considered by the City Council

C. Consider Recommendation to the City Council for Rezone Application No. R-14-006 and proposed finding of Mitigated Negative Declaration for Environmental Assessment No. R-14-006 , filed by Dirk Poeschel of Dirk Poeschel Land Development Services on behalf of property owner Wells Fargo National Association. This application pertains to approximately 4.24 acres of developed property located at 6350, 6360, 6370, and 6380 North Figarden Drive (APNs 506-320-509S and 506-320-60S), on the east corner of N. Figarden Drive south of the Burlington Northern Santa Fe Railroad and north of West Bullard Avenue. The subject property is planned for Light Industrial Use in the 2025 Fresno General Plan and Bullard Community Plan, and is zoned M-1/BA-20/UGM/cz (Light Manufacturing District/Boulevard Area – 20 Feet/Urban Growth Management Area/conditions of zoning)

1. **RECOMMEND APPROVAL (to the City Council)** of the Mitigated Negative Declaration (MND) prepared for Environmental Assessment (EA) No. R-14-006, dated May 30, 2014 for the purpose of the proposed rezone application.

2. **RECOMMEND APPROVAL (to the City Council)** of Rezone Application No. R-14-006 to amend the conditions of zoning previously imposed on the subject property through Rezone No. R-01-037 in order to permit some previously prohibited uses and to permit specific commercial uses pursuant to Fresno Municipal Code Section 12-226.1-B-10, resulting in modified conditions of zoning with retention of the M-1/BA-20/UGM/cz (Light Manufacturing District/Boulevard Area – 20 Feet/Urban Growth Management Area/conditions of zoning) classification. Approval of this

rezone application is contingent upon approval of the related MND for EA No. R-14-006.

- Bullard Community Plan
- Council District 2 (Councilmember Brandau)
- Staff Recommendation: Approve
- Staff Member: Sandra Brock
- 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 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)