



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.

July 6, 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 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 ntwm 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
- B. [Communications – Consideration of a request by the Sanger Unified School District to provide a recommendation and determination of General Plan consistency regarding the proposed purchase of 116 acres for a high school and middle school site on the northeast corner of Fowler and Jensen Avenues, extending northward to East Church Avenue and eastward to South Armstrong Avenue.](#)
- C. Entitlements
 - 1. [Consider an appeal of the Development and Resource Management Department Director's action to approve, with conditions, Conditional Use Permit Application No. C-11-012 for property located at 5816 East Shields Avenue #101. This application requests authorization to establish a State of](#)

California, Alcohol Beverage Control (ABC) Type 21 license within a proposed 2,245 square foot convenience store (within an existing building). The Type 21 ABC license allows the sale of beer, wine and distilled spirits for consumption off the premises where sold. The subject property is zoned M-1 (Light Manufacturing District) and M-1/cz (Light Manufacturing District/conditions of zoning).

- a. **Approve** withdrawal of the appeal, without consideration on the merits, per Fresno Municipal Code 12-401.

- McLane Area Community Plan
- Council District 4 (Councilmember Westerlund)
- Staff Recommendation: Approve withdrawal of the appeal
- Staff Member: Israel Trejo
- May be considered by the City Council

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

- A. Election of Planning Commission Officers

- B. Consider an appeal of the Development and Resource Management Department Director's action to approve, with conditions, Conditional Use Permit Application No.C-10-124 and related environmental findings for approximately 0.31 acres of property located on the southeasterly corner of Broadway Plaza and Fresno Street. The property is located within the C-4 (Central Trading) zone district and within the Central Area Community Plan, Central Business District Redevelopment Plan, and the 2025 Fresno General Plan areas.

1. **Approve Environmental Assessment No. C-10-124** the project was determined to be exempt from the California Environmental Quality Act (CEQA) under Sections 15301 and 15332 of the CEQA Guidelines as the licensing of an existing facility and infill development. In addition, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.
2. **Approve Conditional Use Permit Application No. C-10-124** was filed by Gloria Leon, which proposes a Nightclub and Tavern (with Type 48 ABC License, which authorizes the sale of beer, wine and distilled spirits for consumption on the premises and the sale of beer and wine for consumption off the premises where sold), at the existing Crest Theatre. Event types would include, but not be limited to, concerts, movies, comedians, birthday parties, weddings, and dances. Typical events would be from 6 p.m. to 12 a.m. Monday to Sunday; applicant requests authorization to operate as a Nightclub until 4:00 am.

- Central Area Community Plan
- Council District 3 (Councilmember Baines)
- Staff Recommendation: Deny appeal, uphold Director's decision
- Staff Member: Sophia Pagoulatos
- May be considered by the City Council

VIII. NEW MATTERS (Continued)

C. [Resolution approving an amendment to the Preliminary Plan for the Airport Area Revitalization Redevelopment Project Area \(El Dorado Park Area\)](#)

- Council District 4 (Councilmember Westerlund)
- Resolution Recommendation: Approve
- Staff Member: David Martin, Redevelopment Agency

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)

July 20, 2011 Workshop on Form Based Codes

August 17, 2011 Workshop on Fulton Corridor Specific Plan

August 17, 2011 Workshop on Downtown Neighborhood Specific Plans