



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.

June 15, 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 - Meeting Minutes of May 4, May 18, and June 1, 2011
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. **CONTINUED MATTERS**

- A. [Consider Conditional Use Permit C-09-230 filed by Thomas del Castillo. This application pertains to a .37 acre property that is part of an 18+/-acre shopping center located on the southwesterly corner of West Nees and North Palm Avenues at 7835 North Palm Avenue, Suite 106. The property is zoned C-2/UGM/cz \(Community Shopping Center/Urban Growth Management/conditions of zoning\).](#)
1. **Approve Environmental Assessment No. C-09-230:** recommends that a finding of categorical exemption be adopted pursuant to the California Environmental Quality Act Section 15301 as the permitting of a facility with no expansion of use.
 2. **Approve Conditional Use Permit Application No. C-09-230** requests authorization to continue the nightclub use (Type 47 ABC License) at 7835 North Palm Avenue, Suite 106 (the Twist Restaurant and Ultra Lounge).
 - Bullard Area Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Recommendation: Approve
 - Staff Member: Sophia Pagoulatos
 - May be considered by the City Council
- B. [Consider Conditional Use Permit Application No. C-11-016, filed by Manuel Perales on behalf of Yosemite Falls Café, relating to an existing restaurant within the Granite Park Development located on the east side of North Cedar Avenue between East Dakota and East Ashlan Avenues \(4020 North Cedar Avenue\).](#)
1. **Approve Environmental Assessment No. C-11-016** recommending a Categorical Exemption Section 15301/Class 1 and 15332/Class 32 be adopted for the conditional use permit application.
 2. **Approve Conditional Use Permit Application No. C-11-016** which is a request to operate a night club within an existing restaurant. The restaurant (Yosemite Falls Café) has an existing Alcohol Beverage Control license which allows for the sale of beer, wine and distilled spirits (ABC Type 47 license).
 - McLane Area Community Plan
 - Council District 4 (Councilmember Westerlund)
 - Staff Recommendation: Approve
 - Staff Member: Israel Trejo
 - May be considered by the City Council

VIII. NEW MATTERS

- A. [Consider an appeal of the Development and Resource Management Department Director's action to approve, with conditions, Conditional Use Permit Application No. C-11-020 and environmental findings for property located at 1435 Fresno Street, located on the west side of Fresno Street between "E" and "F" Streets. This application is requesting authorization to establish a State of California Alcoholic Beverage Control Type 48 license \(*Bar, Night Club – sale of beer, wine, and distilled spirits for consumption on the premises where sold; minors are not allowed to enter and remain*\) for the Los Arcos Night Club.](#)
1. **Approve Environmental Assessment No. C-11-020** recommending the proposed project is exempt from CEQA through a Class 1 and 32 Categorical Exemption.
 2. **Approve Conditional Use Permit Application No. C-11-020** to establish a State of California Alcoholic Beverage Control Type 48 license (*Bar, Night Club - sale of beer, wine, and distilled spirits for consumption on the premises where sold; minors are not allowed to enter and remain*) for the Los Arcos Night Club.
 - Central Area Community Plan
 - Council District 3 (Councilmember Baines)
 - Staff Recommendation: Deny appeal, uphold Director's decision
 - Staff Member: McKencie Contreras
 - May be considered by the City Council
- B. [Consider Plan Amendment Application A-09-10, Rezone Application No. R-09-20, and Environmental Assessment No. A-09-10/R-09-20, pertaining to 1.1± net acres of property located at 6798 North Bryan Avenue, on the southeast corner of West Herndon and North Bryan Avenues.](#)
1. **Recommend approval to the City Council** of the adoption of a Mitigated Negative Declaration finding for Environmental Assessment No. A-11-01/R-09-20 for the proposed plan amendment and rezone applications.
 2. **Recommend approval to the City Council** of Plan Amendment Application A-09-10 proposing to amend the 2025 Fresno General Plan and Bullard Community Plan from the Medium Density Residential planned land use designation to the Neighborhood Commercial planned land use designation.
 3. **Recommend approval to the City Council** of Rezone Application No. R-09-20 requesting authorization to reclassify the subject property from AE-5/UGM (*Exclusive Five-Acre Agricultural District, Urban Growth Management Area*) to C-1/UGM/EA (*Neighborhood Shopping Center District, Urban Growth Management Area, Expressway Area Overlay*).
 - Bullard Area Community Plan
 - Council District 2 (Councilmember Borgeas)
 - 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 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