



PLANNING COMMISSION AGENDA

JAIME HOLT, Chair

Commission Members
SEROP TOROSSIAN, Vice Chair
CARY CATALANO
LAWRENCE GARCIA
LUISA MEDINA
RANDY REED
ROJELIO VASQUEZ

Development and Resource Management
Director/Commission Secretary
JENNIFER K. CLARK

Deputy City Attorney
MARY RATERMAN-DOIDGE

The Planning Commission welcomes you to this meeting.

March 18, 2015

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 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 events 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
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

A. [Consideration of cancellation of Development Agreement By and Between the City of Fresno and Ashlan/Hayes No. 1 LP \(McCaffrey Group\).](#)

1. **RECOMMEND APPROVAL (to the City Council)** of an ordinance cancelling the Development Agreement by and between the City of Fresno and Ashlan/Hayes No. 1 LP.

- West Area Community Plan
- Council District 1 (Councilmember Soria)
- Staff Recommendation: Approve
- Will be considered by the City Council

B. [Consider Rezone Application No. R-13-010 filed by Elias Saliba of Aesthetics Designs, on behalf of Gurudwara Nanak Sar, a California Nonprofit Religious Corporation. The application pertains to an approximately 0.97 acre property located on the southwest corner of South Cherry and East North Avenues.](#)

1. **RECOMMEND APPROVAL (to the City Council)** of the environmental finding of a Finding of Conformity with Fresno's General Plan Update Master Environmental Impact Report as Environmental Assessment No. ANX-13-001/R-13-010/C-13-088 dated March 6, 2015.

2. **RECOMMEND APPROVAL (to the City Council)** of Rezone Application No. R-13-010 proposing to amend the Official Zone Map and prezone an approximately 0.97 acre subject site located on the southwest corner of South Cherry and East North Avenues from the AL-20 (*Limited 20-Acre Agricultural [Fresno County]*) zone district to the M-3/UGM (*Heavy Industrial/Urban Growth Management*) zone district.

- Edison Community Plan
- Council District 3 (Councilmember Baines)
- Staff Recommendation: Recommend Approval
- Staff Member: McKencie Contreras
- Rezone will be considered by the City Council

VIII. NEW MATTERS (Continued)

C. CONTINUED TO APRIL 1, 2015

Consider Plan Amendment Application No. A-14-005, Rezone Application No. R-14-009, and Conditional Use Permit Application No. C-14-080, filed by Gary Giannetta on behalf of Russ Nakata and pertaining to approximately 5 net acres of property located on the northwest corner of East Nees and North Bond Avenues:

1. **RECOMMEND APPROVAL (to the City Council)** of the adoption of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-14-005/R-14-009/C-14-080 dated February 27, 2015 for the purpose of the proposed plan amendment and rezone applications.
2. **RECOMMEND APPROVAL (to the City Council)** of Plan Amendment Application No. A-14-005 proposing to amend the Fresno General Plan and the Woodward Park Community Plan from commercial recreation planned land use designation to community commercial land use designation for 4.63 acres; and 0.37 acre from office commercial planned land use designation to community commercial land use designation, which will allow for access from North First Street to the 4.63-acre site. In addition, Commercial Policy 1-4.3-e of the Woodward Park Community Plan is proposed to be amended as follows: "...At the two identified community commercial nodes where up to ~~25~~ 30 acres may be developed, the total acreage may be distributed on three corners of the intersection."
3. **RECOMMEND APPROVAL (to the City Council)** of Rezone Application No. R-14-009 proposing to amend the Official Zone Map to reclassify the subject property from C-R/UGM/cz (*Commercial Recreation/Urban Growth Management/conditions of zoning*) and C-P/UGM (*Administrative and Professional Office/Urban Growth Management*) zone districts to C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) zone district with an additional condition of zoning requiring pedestrian connectivity.
4. **APPROVE** Conditional Use Permit Application No. C-14-080 for the construction of a gas station comprised of 8 fueling stations accommodating 16 vehicles, and a 3,028 square-foot ARCO AM/PM mini mart with the requested establishment of a State of California Alcoholic Beverage Control Type 20 alcohol license (package store – sale of beer and wine for consumption off the premises where sold); and the construction of an 840 square-foot office and 1,080 square-foot storage area. Approval of this application is contingent upon City Council approval of the Plan Amendment. Rezone applications, and related environmental assessment, and would not become effective until the effective date of the ordinance bill.

- Woodward Park Community Plan
- Council District 6 (Councilmember Brand)
- Staff Recommendation: Approve
- Staff Member: Sophia Pagoulatos
- May be considered by the City Council on appeal

VIII. NEW MATTERS (Continued)

D. [Consider Rezone Application No. R-14-012 and Conditional Use Permit Application No. C-14-150, filed by Tab Johnson of Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the Official Zone Map to reclassify the subject properties from the C-6 \(Heavy Commercial\) and the R-3 \(Medium Density Multiple Family Residential\) to the C-1 \(Neighborhood Shopping Center\) zone district and proposes the construction of a ±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with a drive-through service window, and ±4,800 square feet of in-line retail shops. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 \(Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold\) for the Smart & Final store.](#)

1. **RECOMMEND APPROVAL (to the City Council)** of the Environmental Assessment No. R-14-012/C-14-150, dated February 27, 2015, Finding of Conformity with the Fresno General Plan Master Environmental Impact Report (MEIR), State Clearing House No. 2012111015.
2. **RECOMMEND APPROVAL (to the City Council)** of Rezone Application No. R-14-012, requesting authorization to reclassify the subject properties from the C-6 (Heavy Commercial) and the R-3 (Medium Density Multiple Family Residential) to the C-1 (Neighborhood Shopping Center) zone district.
3. **APPROVE** Conditional Use Permit Application No. C-14-150, subject to compliance with the Conditions of Approval for this project dated March 18, 2015, including the requirement to comply with Policy 3 of Goal 3, Objective 3, of the Tower District Specific Plan. This policy prohibits on-site surface parking from fronting on a major street. This approval is also contingent on City Council approval of Rezone Application No. R-14-012 and the related environmental assessment.
 - Fresno High-Roeding Community Plan: Tower District Specific Plan.
 - Council District 7, (Councilmember Olivier)
 - Staff Recommendation: Recommend Approval of Environmental Assessment, and Rezone application and recommend denial of Conditional Use Permit
 - Staff Member: Christopher Preciado
 - Rezone application 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)