



# PLANNING COMMISSION AGENDA

JAIME HOLT, Chair

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

Development and Resource Management Department  
KEITH BERGTHOLD  
Assistant Director/Planning Commission Secretary

Senior Deputy City Attorney  
SHANNON L. CHAFFIN

*The Planning Commission welcomes you to this meeting.*

**March 7, 2012**

**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](http://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 p̄eb 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.

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
- C. Entitlements

#### **VI. REPORTS BY COMMISSIONERS**

**VII. CONTINUED 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-10-174 and related environmental findings pertaining to to 0.63 acres of property located on the southeast corner of North Fresno Street and East Bullard Avenue. The property is zoned C-1 (Neighborhood Shopping Center) and is located within the Hoover Community Plan and the 2025 Fresno General Plan areas.

1. **APPROVE Environmental Assessment No. C-10-174** which finds the project exempt from the California Environmental Quality Act (CEQA) under Sections 15332 of the CEQA Guidelines as infill development. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project. Therefore, no further environmental assessment is required.
2. **DENY** the appeal and **UPHOLD** the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-10-174 filed by Elias Saliba, on behalf of Hardeep Singh. The applicant proposes to convert the existing lube shop building into a mixed use building which would include a 4,888 square-foot convenience store and sandwich shop, and a second story duplex (two residential units). The existing 2,120 square-foot gas island canopy and the 4 gas pump dispensers will remain. The basement pit will be converted to storage. The applicant also requests authorization to establish a State of California Alcoholic Beverage Control Type 21 License (*Package Store -- sale of beer, wine, and distilled spirits for consumption off the premises where sold*) for the proposed Xpress Food Mart.
  - Hoover Community Plan
  - Council District 4 (Councilmember Westerlund)
  - Staff Recommendation: Deny appeal, uphold Director's decision
  - Staff Member: Sophia Pagoulatos
  - May be considered by the City Council on appeal

## 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-10-231 and related environmental findings pertaining to an expansion of an existing restaurant located in the 11.08 acre Via Montaña Shopping Center and a portion of the Sugar Pine Trail located on the northeast corner of East Champlain Drive and East Shepherd Avenue. The property is zoned C-1/UGM/cz \(Neighborhood Shopping Center/Urban Growth Management/conditions of zoning\) and is located within the Woodward Park Community Plan and the 2025 Fresno General Plan areas.](#)
1. **APPROVE Environmental Assessment No. C-10-231** which the project was determined to be exempt from the California Environmental Quality Act (CEQA) under Sections 15301, 15303 and 15304 of the CEQA Guidelines as the minor alteration and licensing of existing public and private facilities, new construction of a small structure, and minor alterations to land. In addition, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project. Therefore, no further environmental assessment is required.
  2. **DENY** the appeal and **UPHOLD** the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-10-231 subject to the following:
    - a. Development shall take place in accordance with one of the Design Options selected by the Planning Commission;
    - b. Development shall take place in accordance with the Conditions of Approval dated March 7, 2012.
    - c. Development shall take place in accordance with Exhibit A dated October 12, 2011 and Exhibits E, and O dated July 7, 2011; as revised to conform with the selected Design Option;
  3. **RECOMMEND** to City Council that a city policy be developed to guide future proposed shared uses of Open Space.
    - Woodward Area Community Plan
    - Council District 6 (Councilmember Brand)
    - Staff Recommendation: Deny appeal, uphold Director's decision
    - Staff Member: Sophia Pagoulatos
    - May be considered by Council if appealed

**VIII. NEW MATTERS (Continued)**

B. Consider Variance Application No. V-12-001 and Conditional Use Permit Application No. C-12-009, filed by Craig S. Kendall, requesting authorization to reduce the required street side yard setback, upgrade the State of California Alcoholic Beverage Control license, request to be a night club for the purpose of occasional dancing by patrons of Sequoia Brewing Company, and construct an outdoor dining patio. The property is located at 707 East Olive Avenue which is the on the northeast corner of East Olive and North Linden Avenues in the Tower District.

1. APPROVE the finding of a Class 1 and 32 Categorical Exemption for Environmental Assessment No. V-12-001/C-12-009 dated February 24, 2012.
2. APPROVE Variance Application No. V-12-001 to reduce the required street side yard setback from five feet to zero feet.
3. APPROVE Conditional Use Permit Application No. C-12-009 to upgrade the State of California Alcoholic Beverage Control license from a Type 23 (*Small Beer Manufacturer – brew pub or micro-brewery*) to a Type 75 (*On Sale General, Brew Pub – sale of beer, wine, and distilled spirits for consumption on a bona fide eating place plus a limited amount of brewing of beer*), be a night club for the purpose of occasional dancing by patrons of Sequoia Brewing Company, and construct an outdoor dining patio with seating for 36 customers on the north side of the building, approximately 750 square feet in size, subject to the following conditions:
  - a. Development shall comply with Exhibits A, E-1, E-2, E-3, and F dated January 17, 2012;
  - b. Development shall comply with the operational statement for the project dated January 31, 2012;
  - c. Development shall comply with the Conditions of Approval dated March 7, 2012

- Fresno High-Roeding Park Community Plan
- Council District 1 (Councilmember Xiong)
- Staff Recommendation: Recommend Approval
- Staff Member: McKencie Contreras
- May be considered by Council if appealed

**VIII. NEW MATTERS (Continued)**

C. Consider Plan Amendment Application No. A-11-14, Rezone Application No. R-11-020, and Environmental Assessment No. A-11-14/ R-11-020/C-11-180, pertaining to 3.57 acres located at 1321 East Nees Avenue, on the south side of East Nees Avenue West of North Cedar Avenue (Assessor's Parcel No. 404-200-23)

1. **Recommend Approval of Environmental Assessment Application No. A-11-14/R-11-020/C-11-180 to the City Council**, which recommends that a Mitigated Negative Declaration be adopted for the following plan amendment and rezone applications and for related Conditional Use Permit Application No. C-11-180 which requests authorization to develop foot self-storage facility with a total of 69,725 square feet of storage units distributed among 20 buildings (see attached exhibits), which would function as a satellite facility to a previously-developed Derrel's Mini Storage located at 1191 E. Nees Avenue, approximately 500 feet to the west of the subject property.
2. **Recommend Approval of Plan Amendment Application No. A-11-14 to the City Council**, which proposes to amend the 2025 Fresno General Plan and Woodward Park Community Plan from the Medium Density Residential planned land use designation to the Office Commercial land use designation.
3. **Recommend Approval of Rezone Application No. R-11-020 to the City Council** which proposes to reclassify the subject property from the R-1/UGM (*Single Family Residential District/Urban Growth Management Area*) zone district to the S-L/UGM (*Storage/Limited, Mini Storage Facility District/Urban Growth Management Area*) zone district.
  - Woodward Park Community Plan
  - Council District 6 (Councilmember Brand)
  - Staff Recommendation: Recommend Planning Commission recommend Council approval of the Plan Amendment, Rezoning, and Mitigated Negative Declaration
  - Staff Member: Sandra Brock
  - Will be considered by 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)***