



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

Deputy City Attorney
TALIA KOLLURI-BARBICK

The Planning Commission welcomes you to this meeting.

May 16, 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.**

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 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 – Meeting Minutes of April 18, and May 2, 2012
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

A. CONTINUED FROM MAY 2, 2012

[Consider Conditional Use Permit Application No. C-11-176 and Environmental Assessment No. A-11-011/R-11-017/C-11-176, filed by Steven Spencer on behalf of John Allen, and pertains to approximately 10.12 acres of property located on the easterly side of North Figarden Drive between North Gates and North Verba Avenues.](#)

1. **APPROVE Environmental Assessment No. A-11-011/R-11-017/C-11-176** recommending the Planning Commission approve the Mitigated Negative Declaration prepared for the proposed conditional use permit application, contingent upon City Council approval of Plan Amendment Application No. A-11-011, Rezone Application NO. R-11-017 and the related environmental assessment.
2. **APPROVE Conditional Use Permit Application No. C-11-176** requesting authorization for the development of a 160 unit multiple family residential gated community with garages, pool, a community building, and a minor rear yard encroachment of 10 feet and is contingent upon City Council approval of Plan Amendment Application No. A-11-011, Rezone Application No. R-11-017, and the related environmental assessment.

Related Plan Amendment and Rezone applications were recommended for approval to the City Council at the May 2, 2012 Planning Commission hearing.

- Bullard Community Plan
- Council District 2 (Councilmember Borgeas)
- Staff Recommendation: Recommend Approval
- Staff Member: McKencie Contreras
- Conditional Use Permit may be considered by the City Council on appeal

B. CONTINUED FROM APRIL 4, 2012; REFER BACK TO STAFF

[Consider Conditional Use Permit Application No. C-11-178 and Vesting Tentative Tract Map No. 6003/UGM, filed by The McCaffrey Group \(Ciao Properties, LLC\) and pertains to approximately 13.83 net acres of property located on the southeast corner of the intersection of East Copper and North Maple Avenues.](#)

1. **APPROVE Environmental Assessment No. A-11-012/R-11-018/C-11-178/T-6003** recommend the Planning Commission approve the Mitigated Negative Declaration prepared for the proposed project including those modifications attached thereto which have been provided in accordance with Section 15073.5 of the CEQA Guidelines, for purposes of the proposed conditional use permit and vesting tentative tract map applications.
2. **APPROVE Conditional Use Permit Application No. C-11-178** requests authorization for the development of a 118-unit single family residential, gated, private street planned development with modified property development standards at an overall density of approximately 8.53 dwelling units per acre.
3. **APPROVE Vesting Tentative Tract Map No. 6003/UGM** proposes to subdivide the subject property for the purposes of creating 118 single family residential lots and an additional two Outlots for private street and common open space purposes within the proposed planned development.

- Woodward Community Plan
- Council District 6 (Councilmember Brand)
- Staff Recommendation: Recommend Approval
- Staff Member: Will Tackett
- Conditional Use Permit and Vesting Tentative Tract Map may be considered by the City Council on appeal.

VIII. NEW MATTERS

A. [Consider Text Amendment Application No. TA-11-001 and related environmental finding for Environmental Assessment No. EA-11-001 prohibiting the outdoor cultivation of marijuana](#)

1. **RECOMMEND APPROVAL (to the City Council)** of the environmental finding of exemption from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) of the CEQA Guidelines which exempts projects that clearly will have no significant effect on the environment.
2. **RECOMMEND APPROVAL (to the City Council)** of Text Amendment Application No. TA-11-001.
 - Citywide Application
 - Council Districts 1-7
 - Staff Recommendation: Recommend Approval
 - Staff Member: Lt. David Newton, Police Department
 - 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)