



# 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  
KEITH BERGTHOLD  
Assistant Director/Planning Commission Secretary

Senior Deputy City Attorney  
SHANNON L. CHAFFIN

*The Planning Commission welcomes you to this meeting.*

**November 16, 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](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 oqhab, thiab muaj tibneeg txhaislus rau cov uas xav tau kev pabcuam. Yog thov kev pabcuam rau cov tibneeg xiam oqhab, 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 pab 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. 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 November 2, 2011
- B. Communications
- C. Entitlements

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

#### **VII. CONTINUED MATTERS**

## VIII. NEW MATTERS

### A. **CONTINUE TO DECEMBER 7, 2011**

[Consider Plan Amendment Application No. A-11-007, Rezone Application No. R-11-009 and Official Plan Line, filed by Trident Realty Partners, LLC and Sol Development Associates, LLC, on behalf of Leslie and Marjorie Sassano Family Trust, Sarkisian Family Trust, and D & M Farms, Inc. pertaining to approximately 37.79 acres of property \(4 parcels\) located on the northwest corner of East Herndon and North Willow Avenues.](#)

1. **Recommend the City Council Approve Environmental Assessment No. A-11-007/R-11-009/OPL/TPM2007-28** recommending that a Mitigated Negative Declaration be adopted for the entire project, which includes (1) The proposed amendment to the 2025 Fresno General Plan and Bullard Community Plan planned land use designation for the subject property; (2) The proposed rezoning of the subject property consistent with the proposed plan amendment; (3) The proposed official plan line; and (4) Tentative Parcel Map Application No. 2007-28 on the subject property.
2. **Recommend the City Council Approve Plan Amendment Application No. A-11-004** which proposes to amend the 2025 Fresno General Plan and Woodward Park Community Plan from the commercial business park planned land use designation to the community commercial land use designation. The application also proposes to amend the definition of an “expressway” street as defined in Policy E-1-A of the 2025 Fresno General Plan as follows: Four- to six-lane divided roadways primarily servicing through and crosstown traffic, with no direct access to abutting property and at-grade intersections located at approximately half-mile intervals [with additional signalized “jughandle” intersections as determined where necessary by the Public Works Director in order to mitigate level of service at major intersections along the expressway. The “jughandle” must occur in multiple quadrants of the intersection and will not be permitted in a single quadrant of a major intersection with the expressway.]
3. **Recommend the City Council Approve Official Plan Line Application** which proposes an alignment of a planned major street (Arterial) segment to accommodate two travel lanes in each direction with a raised median island. The proposed segment begins at the intersection of North Willow and West Spruce Avenues extending west and south connecting to Herndon Avenue.
4. **Recommend the City Council Approve Rezone Application No. R-11-004** which proposes to reclassify the subject property from the AE-5/UGM (Five Acre Agricultural/Urban Growth Management) to the C-2/EA/UGM (Community Shopping Center/Expressway Area/Urban Growth Management) zone district to allow for the development of the property with retail shopping center.
  - Woodward Park Community Plan
  - Council District 6 (Councilmember Brand)
  - Staff Recommendation: Recommend Approval
  - Staff Member: Kevin Fabino
  - Will be considered by the City Council

**VIII. NEW MATTERS (Continued)**

- B. [Consider Plan Amendment Application No. A-11-009 and Rezone Application No. R-11-012, filed by Dan Diebert of Mercey Properties LP, the subject property is approximately 4.78 acres in area and is located on the west side of North Blythe Avenue between West Ashlan and West Dakota Avenues, in the City and County of Fresno, California.](#)
1. **Recommend the City Council Approve Environmental Assessment No. A-11-009/R-11-012** recommending that a Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-009/ R-11-012 for the purpose of the proposed plan amendment and rezone applications be adopted.
  2. **Recommend the City Council Approve Plan Amendment Application No. A-11-009** which proposes to amend the 2025 Fresno General Plan and West Area Community Plan from the medium-low density residential planned land use designation to the medium-high density residential land use designation.
  3. **Recommend the City Council Approve Rezone Application No. R-11-012** which proposes to reclassify the subject property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-2/UGM (*Low Density Multiple Family Residential/ Urban Growth Management*) zone district.
    - West Area Community Plan
    - Council District 1 (Councilmember Xiong )
    - Staff Recommendation: Recommend approval
    - Staff Member: McKencie Contreras
    - Will be considered by Council

**VIII. NEW MATTERS (Continued)**

**C. RECOMMEND REFERAL BACK TO STAFF**

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. **APPROVE Conditional Use Permit Application No. C-10-231** which was filed by Amber Adams of Quad Knopf on behalf of Yosemite Ranch Investors, LLC. The applicant requests authorization to expand the existing 7,320 square foot Yosemite Ranch Restaurant by approximately 2,408 square feet. The expansion is proposed to be courtyard style on the south side of the building. Constructed primarily within the 60-foot wide Sugar Pine Trail corridor, it would encroach into the northern half of the trail by ±30 feet, leaving approximately ±12 feet clear between its southernmost wall and the paved bicycle/pedestrian trail. The applicant has a State of California Alcoholic Beverage Control Type 47 license (*sale of beer, wine, and distilled spirits for consumption on the licensed premises*). The project description includes a licensing agreement requiring approval by the City Council for the proposed use of the Sugar Pine Trail.

- 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)**

D. [Consider an amendment to the conditions of approval issued for Tentative Parcel Map No. 2006-08](#) filed by R.W. Greenwood Associates, Inc., on behalf of Jim Courtis, property owner. This application pertains to approximately 1.93 acres of property located on the west side of South Minnewawa Avenue between East Orleans and East Townsend Avenues.

1. **APPROVE Amendment to Conditions of Approval for Tentative Parcel Map No. 2006-08** proposing that a condition of approval requiring the removal of existing accessory structures and a swimming pool on a portion of the subject property be amended to include provisions wherein the property owner would have the option to either remove the respective accessory structures, construct a primary residence on the portion of the property to be subdivided, or enter into a covenant with the City of Fresno providing for the securing, maintenance, utility services, and terms for any necessary remediation respective to the accessory structures prior to recordation of the approved subdivision map.

- Roosevelt Area Community Plan
- Council District 5 (Councilmember Quintero )
- Staff Recommendation: Recommend Approval
- Staff Member: Will Tackett
- May be considered by Council if appealed

**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)***