



PLANNING COMMISSION AGENDA

JAIME HOLT, Chair

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

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

Deputy City Attorney
TALIA KOLLURI-BARBICK

The Planning Commission welcomes you to this meeting.

November 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.**

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 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 May 16, 2012
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

A. [Consider the following applications, Plan Amendment Application No. A-11-06, Rezone Application No. R-11-08, Conditional Use Permit No C-11-088 and related Environmental Impact Report \(EIR\) No. 10147\(SCH# 2011061087\), filed by Scott Mommer, on behalf of Gunner Andros Investments, LLC, pertaining to approximately 4.69 acres of property located on the south side of West San Jose Avenue between North Colonial and North Maroa Avenues.](#)

1. **RECOMMEND TO THE CITY COUNCIL CERTIFICATION OF THE FINAL Environmental Impact Report (EIR) No. 10147(SCH# 2011061087):** A Draft Environmental Impact Report has been prepared for the proposed project (plan amendment, rezone, conditional use permit and tentative parcel map applications) and circulated to the public for comment pursuant to the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed Final EIR or relevant portions thereof and the appropriateness and adequacy of the document or relevant portions thereof. Comments received on the Draft EIRs, the responses to those comments, and other information added in compliance with CEQA.
2. **RECOMMEND APPROVAL TO THE CITY COUNCIL Plan Amendment Application No. A-11-06** which requests to amend the 2025 Fresno General Plan and the Bullard Community Plan to change the planned land use designation for the approximately 4.69 acre subject property from the Medium-High and Medium-Low Density Residential planned land use designation to the Office Commercial planned land use designation.
3. **RECOMMEND APPROVAL TO THE CITY COUNCIL OF Rezone Application No. R-11-08** which requests to rezone the approximately 4.69-acre subject property from the R-2 (*Low Density Multiple Family Residential*) and R-1-AH (*Single Family Residential [Horses]*) zone districts to the C-P (*Administrative and Professional Office*) zone district.
4. **APPROVE Conditional Use Permit Application No C-11-088** requesting authorization to construct an approximate 104,593 square-foot four story office building with at-grade parking and a subterranean parking structure beneath the office building; also proposed is the removal of the existing 44 dwelling units and all on-site structures on the subject property. This approval is predicated upon City Council approval of item Numbers 1, 2, and 3 (above).
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Recommendation: Recommend Approval
 - Staff Member: Mike Sanchez
 - Will be considered by the City Council

VIII. NEW MATTERS

A. [Consider an appeal of the Development and Resource Management Director's action to approve, with conditions, Conditional Use Permit Application No. C-12-015 and its related environmental finding. The application pertains to a 17.96-acre parcel located at 3570 West Ashlan Avenue, on the north side of West Ashlan Avenue west of North Valentine Avenue. This parcel is zoned M-3, Heavy Manufacturing District, and is located within the Bullard Community Plan area of the corporate City of Fresno area subject to the 2025 Fresno General Plan.](#)

1. **APPROVE Environmental Assessment (EA) No. C-12-015** which recommends that a Finding of Conformity with Master Environmental Impact Report No. 10130 (SCH No. 2001071097) certified for the 2025 Fresno General Plan and Mitigated Negative Declaration (SCH No. 2009-051016) adopted for Plan Amendment No. A-09-02 (the Air Quality Update to the General Plan) be made for Conditional Use Permit Application No. C-12-015 pursuant to Public Resources Code Section 21157.6(b)(1).
2. **DENY** the appeal and **UPHOLD** the Director's Action to approve Conditional Use Permit Application No. C-12-015 filed by Cesar Aranda on behalf of Vulcan Materials. The applicant requests authorization to improve the site, a former bulk concrete and asphalt product plant and delivery trucking facility, and use it for production of hot- and warm-mix asphalt concrete at a maximum sales rate of 500,000 tons per year with the acceptance and processing of recycled asphalt for use compounding paving materials. The facility will be comprised of an asphalt-concrete production system, lab, offices, shop, material stockpile areas, off-loading facility with embankment fill truck ramp, scale/scale house, haul truck staging area, entrance/exit roads, internal circulation roads, parking areas, appurtenant and ancillary facilities and landscaped area along West Ashlan Avenue.
 - Bullard Community Plan
 - Council District 1 (Councilmember Xiong)
 - Staff recommendation: Deny appeal, uphold Director's decision
 - Staff Member: Sandra Brock
 - May be considered by the City Council

VIII. NEW MATTERS (Continued)

- B. [Consider an appeal of the Development and Resource Management Director's action to approve, with conditions, Conditional Use Permit Application No. C-12-109, and the related environmental findings filed by Elias Saliba. The application pertains to a 0.51 acre parcel located at 4211 North First Street, on the northwest corner of North First Street and East Ashlan Avenue. This parcel is zoned C-2/cz \(Community Shopping Center District/conditions of zoning\) and is consistent with the community commercial planned land use designation of the Hoover Community Plan and the 2025 Fresno General Plan.](#)
1. **APPROVE Environmental Assessment No. C-12-109** dated August 30, 2012, which determined the project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15332 of the CEQA Guidelines.

 1. **DENY** the appeal and **UPHOLD** the Director's Action to approve Conditional Use Permit Application No. C-12-109 requesting authorization to remove the existing lube and auto repair shop uses and expand the existing convenience store. The applicant also requests authorization to establish a State of California Alcoholic Beverage Control Type 20 license (package store– sale of beer and wine for consumption off the premises where sold) and operate seven days a week, 24 hours a day.
 - Hoover Community Plan
 - Council District 4 (Councilmember Westerlund)
 - Staff recommendation: Deny appeal, uphold Director's decision
 - Staff Member: McKencie Contreras
 - May 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, (559) 621-8277, at least 10 days before the desired appearance date.

XII. ADJOURNMENT

UPCOMING MATTERS
(Dates subject to change)

November 14, 2012 – Planning Commission Workshop on General Plan
Urban Form, Land Use and Design, and SEGA Draft GP Chapters