



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
KEITH BERGTHOLD
Assistant Director/Planning Commission Secretary

Deputy City Attorney
TALIA KOLLURI-BARBICK

The Planning Commission welcomes you to this meeting.

October 10, 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 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 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 September 5, 2012
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

A. Consider applications pertaining to 18.83-acres of property located at the northwest corner of Herndon and Ingram Avenues and is located at 7065 N. Ingram Avenue.

1. **APPROVE RESOLUTION** - Certifying Final Environmental Impact Report (EIR) No. 10148 (SCH No. 2011031028) for the Fresno North Walmart Expansion Project; and

a. Adopting Findings of Fact as required by Public Resources Code section 21081(a) and CEQA Guidelines, section 15091; and

b. Approving a Mitigation Monitoring Program as required by Public Resources Code sec. 21081.6 and CEQA Guidelines sec. 15097; and

c. Adopting the Statement of Overriding Considerations as required by Public Resources Code, section 21081(b) and CEQA Guidelines, section 15093.

2. **APPROVE RESOLUTION** – Approving Conditional Use Permit Application No. C-10-137 which consists of expanding the existing 159,376 square-foot Walmart store by a maximum of 37,874 square feet, for a total of 197,250 square feet and permitting the sale of liquor (in addition to the wine and beer currently sold) for off-site consumption. The expansion would primarily add space for grocery sales and support and result in a net reduction in general merchandise sales area. The store expansion would entail enlarging the west side of the store into an area currently used for landscaping. The expanded Walmart store would operate 24 hours a day, 7 days a week and sell alcohol (beer, wine, and liquor) for offsite consumption. In accordance with State law, alcohol sales would not occur between the hours of 2 a.m. and 6 a.m. (Note that the existing Walmart store operates between 8 a.m. and 10 p.m., 7 days a week and sells beer and wine for offsite consumption). A conditional use permit is required because the applicant proposes to amend the terms of the existing restrictions on alcohol sales set forth in Conditional Use Permit No. C-02-125.

- Bullard Community Plan
- Council District 2 (Councilmember Borgeas)
- Staff Recommendation: Recommend Approval
- Staff Member: Bonique Emerson
- 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 Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

XII. ADJOURNMENT

UPCOMING MATTERS
(Dates subject to change)