



# 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.*

**September 5, 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 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

B. Communications

C. Entitlements

1. Approve resolutions for item VIII-A from the August 15, 2012 Planning Commission Agenda.
  - a. [Affirm Planning Commission Resolution 13171, \*\*DENYING\*\* the Director's Action to deny and \*\*APPROVING\*\* Variance Application No. V-12-005 which requested authorization to install a 6-foot high wrought iron fence within the 10-foot landscape setback required along the street frontage \(Parkway Drive\).](#)
  - b. [Affirm Planning Commission Resolution 13172, \*\*APPROVING\*\* the Minor Revised Exhibit to the already approved Conditional Use Permit Application No. C-10-109, allowing a two month extension to install the 7-foot high block wall required along the southern property line of the subject site. This wall was originally required to be installed prior to occupancy/operation.](#)

**VII. REPORTS BY COMMISSIONERS**

- A. Election of Officers

**VII. CONTINUED MATTERS**

**VIII. NEW MATTERS**

- A. [Consider Plan Amendment Application No. A-12-02, Rezone Application No. R-12-02, Conditional Use Permit Application No. C-12-048, and Environmental Assessment No. A-12-02/R-12-02/C-12-048. These applications have been filed by Elias Saliba of Aesthetics Designs, on behalf of Touyee Yang, and pertains to 0.69 acre of property located on the northeast corner of North Cedar and East Floradora Avenues.](#)

1. **RECOMMEND APPROVAL of Environmental Assessment No. A-12-02/R-12-02/C-12-048** which recommends that a Mitigated Negative Declaration be adopted for the entire project, which includes (1) The proposed amendment to the 2025 Fresno General Plan and McLane Community Plan planned land use designation for the subject property; (2) The proposed rezoning of the subject property consistent with the proposed plan amendment; and (3) The proposed development of a small retail shopping center.
2. **RECOMMEND APPROVAL of Plan Amendment Application No. A-12-02** which proposes to amend the 2025 Fresno General Plan and McLane Community Plan for the subject property from the from medium-high density residential planned land use designation to general heavy commercial planned land use designation.
3. **RECOMMEND APPROVAL of Rezone Application No. R-12-02** which proposes to reclassify the subject property from the M-1 (*Light Manufacturing*) to C-5 (*General Commercial*) zone district.
4. **APPROVE Conditional Use Permit Application No. C-12-048** subject to City Council approval of the above noted rezone and plan amendment applications and subject to the conditions of approval prepared for this application. This application requests authorization to demolish three existing on-site buildings and construct a 3,067 square-foot Asian Market building, and a three-tenant commercial building consisting of two 760 square foot retail stores and one 3,800 square-foot Fat Boy Food Store with a requested State of California Alcoholic Beverage Control Type 20 liquor license (*Package Store – beer and wine for consumption off the premises where sold*).
  - McLane Area Community Plan
  - Council District 7 (Councilmember Olivier)
  - Staff Recommendation: Staff request to continue to September 19, 2012
  - Staff Member: Bonique Emerson
  - Will be considered by the City Council

**VIII. NEW MATTERS (Continued)**

B. [Consider an appeal of the Director's action to approve, with conditions, Conditional Use Permit Application No. C-12-030, and the related environmental findings filed by Dirk Poeschel on behalf of 2 Extreme Arena, LLC, requesting authorization to establish an indoor recreational sports facility that will house wall-to-wall trampolines. The tenant space of 12,000 square feet is within an existing warehouse building. The subject property is located on the southeast corner of East Shields and North Business Park Avenues \(5940 East Shields Avenue, Suite 104\).](#)

1. **APPROVE** the finding that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines.

2. **DENY** the appeal and UPHOLD the Director's Action to approve Conditional Use Permit Application No. C-12-030 subject to the findings included within the Staff Report to the Planning Commission dated September 05, 2012; and, compliance with the Conditions of Approval dated July 5, 2012.

- 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

C. [Consider an appeal of the Director's action on August 03, 2012 to approve Conditional Use Permit Application No. C-11-167, filed by Faith Baptist Church & Academy of Fresno. The conditional use permit application requests authorization for the development and incorporation of a new off-street parking area and fenced game \(basketball/volleyball\) court and playground area on the subject property for use by, and in conjunction with, the existing private/parochial school which is located on adjacent property \(Faith Baptist Academy\) and church activities. The subject property comprises approximately 0.53 acres of property located on the southwest corner of the intersection of East Shields and North Palm Avenues.](#)

1. **APPROVE** the finding that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15303/Class 3, 15311/Class 11, 15314/Class 14 and 15332/Class 32 of the CEQA Guidelines.

2. **DENY** the appeal and UPHOLD the Director's Action to approve Conditional Use Permit Application No. C-11-167 subject to the findings included within the Staff Report to the Planning Commission dated September 05, 2012; and, compliance with the Conditions of Approval dated August 3, 2012.

- Fresno High-Roeding Community Plan
- Council District 1 (Councilmember Xiong)
- Staff Recommendation: Deny appeal, uphold Director's decision to approve project
- Staff Member: Will Tackett
- May be considered by the City Council

**VIII. NEW MATTERS (Continued)**

D. Consider an appeal of the Director's action to approve Site Plan Review Application No. S-12-027, filed by Bill and Toni Woody, on behalf of Public Properties. The site plan review application requests authorization to remodel an existing 11,229 square-foot building for use as a multiple family residential complex consisting of 10 residential studio units comprising approximately 6,038 square feet in total area. A new exterior elevator and stairway are proposed to be installed for accessibility and the basement area is proposed to be converted into storage units for prospective residents. The subject property comprises approximately 0.26 acres of property located on the northeasterly side of Van Ness Avenue between Kern and Inyo Streets (830 Van Ness Avenue).

1. **APPROVE** the finding that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15301/Class 1 and 15332/Class 32 of the CEQA Guidelines.
2. **DENY** the appeal and **UPHOLD** the Director's Action to approve Site Plan Review Application No. S-12-027 subject to the findings included within the Staff Report to the Planning Commission dated September 5, 2012; and, compliance with the Conditions of Approval dated August 10, 2012.
  - Central Area Community Plan
  - Council District 3 (Councilmember Baines)
  - Staff Recommendation: Deny appeal, uphold Director's decision to approve project
  - Staff Member: Will Tackett
  - 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)