



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.

June 20, 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. 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
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

- A. Establishing a Planning Commission Sub-Committee to review Draft General Plan and Policies.
- Staff Member: Keith Bergthold
- B. [Consider Conditional Use Permit Application No. C-12-003 filed by Jin Lin. This application requests authorization for a restaurant and night club, and an upgrade from a Type 41 ABC License \(beer and wine\) to a Type 47 ABC License \(beer, wine, and liquor\).](#)
1. **APPROVE Environmental Assessment No. C-12-003** Determination of a Class 1 and Class 32 Categorical Exemption from the requirements of the California Environmental Quality Act completed on January 12, 2012.
 2. **APPROVE Conditional Use Permit Application No. C-12-003** requesting authorization to establish "Lin's Fusion", a restaurant and nightclub with dancing and a State of California Alcoholic Beverage Control Type 47 license (*restaurant and nightclub – sale of beer, wine, and liquor for consumption on the licensed premises where sold*) for the establishment.
 - Bullard Community Plan
 - Council District 2 (Councilmember Borgeas)
 - Staff Recommendation: Recommend Approval
 - Staff Member: Jack Van Patten
 - May be considered by the City Council
- C. [Consider Conditional Use Permit Application No. C-11-127 filed by Abdul Baker. This application is requesting authorization to establish "Club NVS," an 18 years and over night club with dancing, a banquet hall for all ages for private and public events, and to maintain their State of California Alcoholic Beverage Control Type 48 license \(bar/nightclub-sale of beer and wine for consumption on the licensed premises where sold\) for a portion of the establishment which is for those 21 years old and older. The subject property is located on the east side of North First Street, north of East Shaw Avenue \(5030 North First Street\).](#)
1. **APPROVE Environmental Assessment No. C-11-127** Determination of a Class 1 and Class 32 Categorical Exemption from the requirements of the California Environmental Quality Act was completed on January 12, 2012.
 2. **APPROVE Conditional Use Permit Application No. C-11-127** requesting authorization to establish "Club NVS," an 18 years and over night club with dancing, a banquet hall for all ages for private and public events and to maintain their State of California Alcoholic Beverage Control Type 48 license (*bar/nightclub-sale of beer and wine for consumption on the licensed premises where sold*) for a portion of the establishment which is for those 21 years old and older.
 - Hoover Community Plan
 - Council District 4 (Councilmember Westerlund)
 - Staff Recommendation: Recommend Approval
 - Staff Member: McKencie Contreras
 - May be considered by the City Council

VIII. NEW MATTERS – (Continued)

D. [Consider an appeal of the Development and Resource Management Department Director's action to approve, Conditional Use Permit Application No. C-11-182 for property located at 4305 East Tulare Street. This application requests authorization to convert the rear portion of an existing commercial building into a 1,130 square foot single-family residence under the mixed use ordinance of the Fresno Municipal Code. The subject building is currently occupied by a flower shop and a restaurant; said tenants will remain after the rear portion of the building is converted to a single-family residence. The site is zoned C-5 \(General Commercial District\).](#)

1. **APPROVE Environmental Assessment No. C-11-182** the proposed project is exempt from CEQA through a Class I and Class 32 Categorical Exemption.

2. **DENY the Appeal and UPHOLD the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-11-182** is a request to convert the rear portion of an existing commercial building into a 1,130 square foot single-family residence under the mixed use ordinance of the Fresno Municipal Code.

- Roosevelt Community Plan
- Council District 7 (Councilmember Olivier)
- Staff Recommendation: Deny appeal, uphold Director's decision
- Staff Member: Israel Trejo
- 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)