

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Agenda - Final

Wednesday, October 4, 2023

6:00 PM

Regular Meeting

**In Person and/or Electronic
City Hall Council Chambers**

Planning Commission

Chairperson – Peter Vang

Vice Chair – Brad Hardie

Commissioner – David Criner

Commissioner – Haley M Wagner

Commissioner – Kathy Bray

Commissioner – Monica Diaz

Commissioner – Jacqueline Lyday

THE PLANNING COMMISSION WELCOMES YOU TO COUNCIL CHAMBERS, LOCATED AT CITY HALL, 2600 FRESNO STREET, FRESNO, CALIFORNIA 93721.

PUBLIC PARTICIPATION – Any interested person may appear at the public hearing and present written testimony or speak in favor or against the matters scheduled on the agenda. Public participation during Fresno City Planning Commission meetings is always encouraged and can occur in one of the two following ways:

- 1. Participate In Person: Council Chambers, City Hall, 2nd Floor, 2600 Fresno Street, Fresno, CA 93721**
 - a. To speak during a Commission meeting in person: You may approach the speaker podium upon the Chair’s call for public comment.**
- 2. Participate Remotely via Zoom:**
https://zoom.us/webinar/register/WN_I18M0bh8TbSGAo27i5ze1Q
 - a. The above link will allow you to register in advance for remote participation in the meeting via the Zoom platform. After registering, you will receive a confirmation email containing additional details about joining the meeting.**
 - b. To speak during a Commission meeting while attending remotely in the Zoom application, click on the icon labeled “Participants” at the bottom of the screen. Then select “Raise Hand” at the bottom of the Participants window. Your digital hand will now be raised. You will be asked to “unmute” when your name is called to speak. You will not be visible via video and there will be no opportunity to share your screen.**

All public speakers will have up to 3 minutes to address the Commission pursuant to Rule No. 13 of the Planning Commission Bylaws of the City of Fresno (available in the City Clerk’s Office).

SUBMIT DOCUMENTS / WRITTEN COMMENTS –

- 1. E-mail – Agenda related documents and comments can be e-mailed to PublicCommentsPlanning@fresno.gov. Unless otherwise required by law to be accepted by the City at or prior to a Commission meeting or hearing, no documents shall be accepted for Commission review unless they are submitted to the Planning and Development Department at least 24 hours prior to the commencement of the Commission meeting at which the associated agenda item is to be heard.**
 - a. Attendees may also email comments to be read during the meeting. Please include the agenda date and item number you wish to speak**

on in the subject line of your email. Include your name and address for the record, at the top of the body of your email.

b. Emails will be a maximum of 450 words.

c. All comments received at least 24 hours prior will be distributed to the Planning Commission prior and during the meeting and will be a part of the official record.

VIEWING PLANNING MEETINGS (non-participatory) – For your convenience, there are ways to view Planning Commission meetings live:

1. Community Media Access Collaborative website: <https://cmac.tv/>
2. Cable Television: Comcast Channel 96 and AT&T Channel 99

Should any of these viewing methods listed above experience technical difficulties, the Commission meeting will continue uninterrupted. Commission meetings will only be paused to address verifiable technical difficulties for all users participating via Zoom or in the Chambers.

The City of Fresno's goal is to comply with the Americans with Disabilities Act (ADA). Anyone requiring reasonable ADA accommodations, including sign language interpreters, or other reasonable accommodations such as language translation, should contact the office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. To help ensure availability of these services, you are advised to make your request a minimum of 48 hours prior to the scheduled meeting.

I. ROLL CALL**II. PLEDGE OF ALLEGIANCE****III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ**

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, ethnicity, economic status, national origin, or any other classification protected under state or federal law in a derogatory manner shall be deemed 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 or before the close of the hearing.

IV. AGENDA APPROVAL**V. CONSENT CALENDAR**

- V-A** [ID 23-1447](#) August 2, 2023 Planning Commission Regular Meeting Minutes
- Sponsors:** Planning and Development Department
- Attachments:** [Exhibit A - August 2, 2023 DRAFT Planning Commission M](#)

V-B [ID 23-1452](#)

CONTINUED TO OCTOBER 18, 2023

Consideration of Vesting Tentative Tract Map No. 6346 and the related Environmental Assessment No. T-6346 pertaining to approximately 4.97 acres of property located on the northeast corner of North Fowler and East Princeton Avenues (Council District 7).

1. **ADOPT** Environmental Assessment No. T-6346 dated August 16, 2023, a determination that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15315/Class 15 (Minor Land Divisions) of CEQA Guidelines.
2. **APPROVE** Vesting Tentative Tract Map No. 6346 which requests authorization to subdivide the subject property into a one-lot subdivision for condominium purposes, subject to compliance with the Conditions of Approval dated October 4, 2023.

Sponsors: Planning and Development Department

VI. REPORTS BY COMMISSIONERS**VII. CONTINUED MATTERS****VIII. NEW MATTERS**

VIII-A [ID 23-1438](#)

Consideration of Development Permit Application No. P22-04122, and related Environmental Assessment No. P22-04122 pertaining to approximately 8.0 acres of property located on the east side of North Abby Street, between East Minarets/East Alluvial and East Spruce Avenues (Council District 6) - Planning & Development Department.

1. **RECOMMEND ADOPTION** (to the City Council) of Environmental Assessment P22-04122, dated May 5, 2023, a Mitigated Negative Declaration for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines; and,

2. **DENY** the appeals and **UPHOLD** the action of the Planning and Development Department Director to approve Development Permit Application P22-04122, authorizing the construction of an approximately 104,867 square-foot furniture showroom, subject to compliance with the Conditions of Approval dated July 24, 2023.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Vicinity Map](#)

[Exhibit B - General Plan Land Use & Zoning Map](#)

[Exhibit C - Appeal Letter \[8-8-2023\]](#)

[Exhibit D - Response to Appeal Letter \[06-15-2023\]](#)

[Exhibit E - Exhibits](#)

[Exhibit F - Fresno Municipal Code Findings](#)

[Exhibit G - Public Hearing Notice Radius Map \(1,000 feet\)](#)

[Exhibit H - Conditions of Approval \[7-24-2023\]](#)

[Exhibit I - Environmental Assessment P22-04122 \[5-5-2023\]](#)

[Exhibit J - Notice of Intent to Adopt Environmental Assessment](#)

[Exhibit K - Notice of Action \[7-24-2023\]](#)

[Supplemental Exhibit L – Public Comment Received After](#)

VIII-B [ID 23-1432](#)

Consideration of an appeal filed regarding the denial of Conditional Use Permit Application (CUP) No. P23-00593, requesting authorization to upgrade from a State of California Alcoholic Beverage Control Type 20 alcohol license (Off-Sale beer and wine) to a Type 21 alcohol license (Off-Sale beer, wine, and distilled spirits) for a ±2,576 square-foot Johnny Quik Food Store currently under construction located at 6940 West Barstow Avenue, on the northeast corner of West Barstow and North Grantland Avenues. (Council District 2)

1. **DENY** the Appellant's appeal and **UPHOLD** the action of the Planning and Development Department Director to deny CUP Application No. P23-00593 requesting authorization to upgrade from a State of California Alcoholic Beverage Control (ABC) Type 20 alcohol license (Off-Sale beer and wine) to a Type 21 alcohol license (Off-Sale beer, wine, and distilled spirits) for an existing Johnny Quik Food Store.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Vicinity Map](#)

[Exhibit B - Aerial Photograph](#)

[Exhibit C - Zoning Map](#)

[Exhibit D - Project Information Tables](#)

[Exhibit E - Noticing Map, NOITTA, NOA, NOPH](#)

[Exhibit F - Master App. & Owner Authorization](#)

[Exhibit G - Operational Statement](#)

[Exhibit H - Exhibits \(Site Plan, Elevations, Floor Plan\)](#)

[Exhibit I - Appeal Letter](#)

[Exhibit J - Draft Conditions of Approval \[10/4/2023\]](#)

[Exhibit K - Fresno Municipal Code Findings](#)

[Exhibit L - Denial Letter](#)

[Exhibit M - Policy & Procedure C-005](#)

[Exhibit N - Environmental Assessment P23-00593](#)

VIII-C [ID 23-1456](#)

Consideration of an appeal filed regarding Conditional Use Permit Application No. P23-00244, and related Environmental Assessment for property located at 3045 West Bullard Avenue on the southwest corner of West Bullard and North Marks Avenues (Council District 2).

1. **ADOPT** Environmental Assessment No. P23-00244, dated July 1, 2023, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through Section 15301/Class 1 Categorical Exemption.
2. **DENY** the appeal and **UPHOLD** the action of the Planning and Development Department Director to approve Conditional Use Permit Application No. P23-00244 authorizing the extension of the hours of operation for an existing restaurant with alcohol sales with a State of California Alcoholic Beverage Control (ABC) Type 47 alcohol license (On-Sale General - Eating Place), subject to the Conditions of Approval dated August 7, 2023.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Vicinity Map](#)

[Exhibit B - Aerial Photograph](#)

[Exhibit C - Zoning Map](#)

[Exhibit D - Project Information Tables](#)

[Exhibit E - Noticing Map.pdf](#)

[Exhibit F - Owner's Letter of Authorization](#)

[Exhibit G - Operational Statement](#)

[Exhibit H - Exhibits \(Site Plan, Elevation Photos, Floor Plan\)](#)

[Exhibit I - Appeal Letter](#)

[Exhibit J - Department & Agency Comments](#)

[Exhibit K - Fresno Municipal Code Findings](#)

[Exhibit L - Environmental Assessment](#)

[Exhibit M - Conditions of Approval \[8-7-2023\]](#)

[Supplemental Exhibit N – Public Comments](#)

VIII-D [ID 23-1431](#)

Hearing to consider Development Permit Application No. P21-02699, Vesting Tentative Parcel Map No. 2021-09, and related Final Environmental Impact Report (FEIR), State Clearinghouse (SCH) No. 2022050265, regarding an Office/Warehouse Project located on approximately \pm 48.03 acres of property at the northeast intersection of North Marks and West Nielsen Avenues (Council District 3)

1. **CERTIFY** Final Environmental Impact Report (SCH No. 2022050265), for the proposed Office/Warehouse Project;
 - a. Adopt the Water Supply Assessment (WSA) attached to the FEIR as Appendix K in compliance with Section 10910 of the California Water Code and Section 15155 of the CEQA Guidelines, and adopt the WSA as a technical addendum to the Environmental Impact Report; and,
 - b. Adopt Findings of Fact pursuant to CEQA Guidelines Section 15091; and,
 - c. Adopt a Mitigation Monitoring and Reporting Program (MMRP) pursuant to CEQA Guidelines section 15097; and,
2. **APPROVE** Development Permit Application No. P21-02699 which request authorization to construct four office/warehouse buildings with a total gross floor area of approximately \pm 901,438 square feet, subject to compliance with the Conditions of Approval dated October 4, 2023; and,
3. **APPROVE** Vesting Tentative Parcel Map No. 2021-09 which request authorization to subdivide the subject property into four parcels: Parcel A \pm 11.68 acres, Parcel B \pm 5.38 acres, Parcel C \pm 5.14 acres, Parcel D \pm 26.15 acres, subject to compliance with the Conditions of Approval dated October 4, 2023.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A – Vicinity Map & Aerial Photo](#)
[Exhibit B – Zoning Map & Planned Land Use Map](#)
[Exhibit C – Project Information Tables](#)
[Exhibit D - Project Site Plan Rendering](#)
[Exhibit E - Project Elevations Renderings](#)
[Exhibit F-1 - Draft EIR](#)
[Exhibit F-2 - Draft EIR Appendices Volume 1 \(A-I\)](#)
[Exhibit F-3 - Draft EIR Appendices Volume 2 \(J-M\)](#)
[Exhibit G - Draft EIR Response to Comments](#)
[Exhibit H - Draft EIR Mitigation Monitoring & Reporting Pro](#)
[Exhibit I - Draft EIR Findings of Fact](#)
[Exhibit J - SB 610 Water Supply Assessment](#)
[Exhibit K - Errata to the Final EIR](#)
[Exhibit L - Notice of Public Hearing](#)
[Exhibit M - Fresno Municipal Code Findings](#)
[Exhibit N - Conditions of Approval for Dev. Permit P21-026](#)
[Exhibit O - Conditions of Approval for Vesting Tentative Pa](#)
[Exhibit P - EIR Certification Resolution](#)
[Supplemental Exhibit Q – Comments Received After Agen](#)

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 (telephone: 559-621-8277) at least 10 days before the desired appearance date.

XII. ADJOURNMENT