

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Minutes - Final

Wednesday, April 3, 2024

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

Chair Vang called meeting to order at 6:00 p.m.

Also present were Jennifer Clark, Israel Trejo, Phillip Siegrist, Rob Holt, Ralph Kachadourian, Thomas Veatch, Steven Martinez, Saul Perez, Janice Monroe, Kari Camino, Heather Thomas (CAO), Harmanjit Dhaliwal (DPW), and Dejan Pavic (DPU).

Present 6 - Chairperson Peter Vang, Commissioner David Criner , Vice Chair Brad Hardie, Commissioner Kathy Bray, Commissioner Monica Diaz, and Commissioner Jacqueline G. Lyday

Absent 1 - Commissioner Haley M. Wagner

II. PLEDGE OF ALLEGIANCE

6:01 p.m.

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

6:02 p.m.

Chair Vang read procedures aloud.

IV. AGENDA APPROVAL

6:03 p.m.

Trejo asked to continue item ID 24-449 (VIII-B) until April 17, 2024 Planning Commission Meeting. Chair Vang clarified with Staff that item ID 24-455 (VIII-A) was being Referred Back to Staff as stated on agenda. Trejo confirmed no other changes to the agenda.

On motion of Commissioner Bray, seconded by Commissioner Diaz, the AGENDA was APPROVED AS AMENDED. The motion carried by the following vote:

Aye: 6 - Chairperson Vang, Commissioner Criner , Vice Chair Hardie, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

Absent: 1 - Commissioner Wagner

V. CONSENT CALENDAR

6:04 p.m.

On motion of Commissioner Criner , seconded by Commissioner Diaz,that the CONSENT CALENDAR was APPROVED. The motion carried by the following vote:

Aye: 6 - Chairperson Vang, Commissioner Criner , Vice Chair Hardie, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

Absent: 1 - Commissioner Wagner

V-A [ID 24-441](#) March 20, 2024 Planning Commission Regular Meeting Minutes

VI. REPORTS BY COMMISSIONERS

6:05 p.m.

None

VII. CONTINUED MATTERS

N/A

VIII. NEW MATTERS

VIII-A [ID 24-455](#) **(REFER BACK TO STAFF)**

Hearing to Consider Tentative Parcel Map No. 2023-13 and related Environmental Assessment No. TPM 2023-13 for approximately 2.91 acres of property located on the northeast corner of North West and West Olive Avenues (Council District 3) - Planning and Development Department.

1. **ADOPT** Environmental Assessment No. TPM-2023-13 dated April 3, 2024, 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. **DENY** the Appellant's appeal and **UPHOLD** the action of the Planning and Development Department Director based on the Conditions of Approval for the Tentative Parcel Map No. 2023-13, dated February 6, 2024.

Item referred back to Staff as noted.

VIII-B [ID 24-449](#)

Hearing to Consider Tentative Tract Map No. 6411 and related Environmental Assessment No. T-6411 for approximately 7.95 acres of property located on the northwest corner of West Church and South Thorne Avenues (Council District 3) - Planning and Development Department.

1. **ADOPTION** of the Mitigated Negative Declaration prepared for Environmental Assessment No. T-6411 dated February 16, 2024, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines.
2. **APPROVAL** of Tentative Tract Map No. 6411 proposing to subdivide approximately 7.95 acres of the subject property into a 58-lot single-family residential conventional development, subject to compliance with the Conditions of Approval dated April 3, 2024.

Item continued as noted during Agenda Approval.

VIII-C [ID 24-437](#)

Consideration of an appeal related to Development Permit Application No. P21-01833, which proposes to establish and construct a truck parking facility with approximately 374 parking stalls, a 5,400 square-foot Truck Repair Service Center with office, a 5,400 square-foot Truck Wash facility, and associated infrastructure and circulation improvements on the approximately 18.87-acre project site located on the northeast corner of West Barstow and North Contessa Avenues (Council District 2) - Planning & Development Department.

1. **CONSIDER** the Mitigated Negative Declaration as prepared for Environmental Assessment No. P21-01833, dated September 5, 2023, for the proposed project pursuant to the State of California Environmental Quality Act (CEQA); and,
2. **DENY** the appeal and **UPHOLD** the action taken by the Planning and Development Department Director in approval of the Development Permit Application No. P21-01833 conditionally authorizing construction of a Truck Repair Service Center with office, and Truck Wash facility with accessory truck parking, consistent with the Conditions of Approval as dated September 5, 2023.

6:06 p.m.

Veatch made a presentation on the project including location, background, zoning, applicable Fresno Municipal Code, public outreach, and Staff recommendations. He also read aloud an email from a resident who was in opposition of the project.

Dirk Poeschel, on behalf of the Applicant (Inderjit Sangha), gave a presentation on the location, site plan, noise contours, Health Risk Assessment, compliance with Conditions of Approval, uses by right, and public outreach. The environmental consultant was available for comments & questions.

Commissioners asked for clarification on issues brought up in the neighborhood meeting and the actions taken to fix them. Poeschel reconfirmed the reduced parking stalls, installation of a storage area, and landscaping.

Director Clark clarified the necessary options for Commissioners and stated the Air Pollution Control District letter is from 2021, not 2001, as mistakenly stated by Poeschel. Siegrist also added clarification on the mini-storage mentioned by Poeschel.

No one spoke in support of the project.

Eleven spoke in opposition voicing concern about increased traffic, noise, health concerns, safety, air pollution, West Area Specific Plan inconsistencies, and decreased property values.

Poeschel stated that his client has met with the neighbors and they are continuing to make changes to the project to resolve the concerns presented. He explained the project is not a truck stop, despite many references as one and that the project is a by right use for the area. He reported that many of the concerns mentioned by the public were impacts that occurred with or without his project.

Hardie left the room from 6:51-6:52p.m.

Commissioner Diaz asked if the Applicant lived near the proposed project, to which he reported his residence as well as additional family in the area.

Commissioner Lyday asked about a sharp turn in the area that was mentioned during public comment. Dhaliwal (DPW) confirmed that Shaw is not a designated truck route and that Veteran's Boulevard would be a better option, adding that he was unable to confirm when the Shaw planned upgrades would begin.

Commissioner Bray voiced her concerns about this project not making a Neighborhood complete.

Chair Vang motioned to have the item referred back to Staff to assess the revised proposal.

On motion of Chairperson Vang, seconded by Commissioner Lyday, that the above Action Item be REFERRED TO STAFF. The motion carried by the following vote:

Aye: 6 - Chairperson Vang, Commissioner Criner, Vice Chair Hardie, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

Absent: 1 - Commissioner Wagner

VIII-D [ID 24-440](#)

Consideration of an appeal regarding the denial of Conditional Use Permit Application No. P22-03906, requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 21 (Off-Sale Beer, Wine, & Distilled Spirits) alcohol license for Circle "D" Food & Liquor store located at 2520 East Olive Avenue on the southeast corner of North Fresno Street and East Olive Avenue. (Council District 7)

1. **DENY** the Appellant's appeal and **UPHOLD** the action of the Planning and Development Department Director to deny CUP Application No. P22-03906 requesting authorization to establish a State of California Alcoholic Beverage Control Type 21 (Off-Sale Beer, Wine, & Distilled Spirits) alcohol license for a Circle "D" Food & Liquor store.

7:11 p.m.

Martinez made a presentation on the project including location, zoning/land use, background, project elevations, floor plan, and Staff recommendations. He also discussed the Responsible Neighborhood Market Act compliance & restrictions, Fresno Municipal Code 15-404 (F)(3), and an analysis of the Appeal.

Poeschel, on behalf of the Applicant, gave a presentation outlining the background, elevations, history of the business, facility improvements, public support, and how they felt they met the definition of Neighborhood Market.

No public comment was given.

When making his motion, Chair Vang reported sympathy with the Applicant as a small business owner, but couldn't make the necessary exceptions to support the Appeal.

On motion of Chairperson Vang, seconded by Commissioner Criner , that the above Action Item be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairperson Vang, Commissioner Criner , Vice Chair Hardie, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

Absent: 1 - Commissioner Wagner

IX. REPORT BY SECRETARY

7:26 p.m.

None

X. SCHEDULED ORAL COMMUNICATIONS

N/A

XI. UNSCHEDULED ORAL COMMUNICATIONS

7:26 p.m.

None

XII. ADJOURNMENT

Chair Vang adjourned the meeting at 7:27 p.m.