

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Minutes - Final

Wednesday, July 17, 2024

6:00 PM

Regular Meeting

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

Planning Commission

Chairperson – Peter Vang

Vice Chair - Kathy Bray

Commissioner – David Criner

Commissioner – Monica Diaz

Commissioner – Jacqueline Lyday

Commissioner - Linda M Calandra

Commissioner – Gurdeep Singh Shergill

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 the Planning & Development Department. 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. 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, pursuant to Article 4 (3).

- a. Email comments to PublicCommentsPlanning@fresno.gov.
- b. Emails should 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.

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 the meeting to order at 6:01 p.m.

Also present were Jennifer Clark, Ashley Atkinson, Israel Trejo, Robert Holt, Chris Lang, Janice Monroe, Kari Camino, Heather Thomas (CAO), Harmanjit Dhaliwal (DPW), and Dejan Pavic (DPU).

Present 5 - Chairperson Peter Vang, Commissioner Kathy Bray, Commissioner Monica Diaz, Commissioner Linda Calandra, and Commissioner Gurdeep Singh Shergill

Absent 2 - Commissioner David Criner , and Commissioner Jacqueline G. Lyday

II. PLEDGE OF ALLEGIANCE

6:01 p.m.

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

6:02 p.m.

Chair Vang read the procedures aloud.

IV. AGENDA APPROVAL

6:03 p.m.

Trejo reported no changes to the agenda.

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

Aye: 5 - Chairperson Vang, Commissioner Bray, Commissioner Diaz, Commissioner Calandra, and Commissioner Shergill

Absent: 2 - Commissioner Criner , and Commissioner Lyday

V. CONSENT CALENDAR

6:04 p.m.

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

Aye: 5 - Chairperson Vang, Commissioner Bray, Commissioner Diaz, Commissioner Calandra, and Commissioner Shergill

Absent: 2 - Commissioner Criner , and Commissioner Lyday

V-A [ID 24-937](#) June 19, 2024 Planning Commission Regular Meeting Minutes

VI. REPORTS BY COMMISSIONERS

6:04 p.m.

None

VII. CONTINUED MATTERS

VII-A [ID 24-949](#) **CONTINUED FROM JULY 3, 2024**

Consideration of an appeal regarding 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. **APPROVE** Environmental Assessment No. TPM-2023-13 dated February 6, 2024, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) Guidelines through a Section 15315/Class 15 Categorical Exemption.
2. **DENY** the appeal and **UPHOLD** the action of the Planning and Development Department Director in the approval of Tentative Parcel Map No. 2023-13 authorizing the subdivision of approximately 2.67 acres of property into a two-lot subdivision, subject to the following:
 - a. Development shall take place in accordance with the Conditions of Approval for Tentative Parcel Map No. 2023-13 dated July 3, 2024.

6:05 p.m.

Vice Chair Bray recused herself from Item VII-A ID 24-949 due to potential business conflicts.

Holt made a presentation including the general location, land use, zoning, Fresno Municipal Code, the conditions of approval for Tentative Parcel Map 2023-13, appeal letters received, findings, and Staff recommendations.

Todd Sheller (Applicant/Appellant) gave a brief background of the Lyles Corporation, their support of the Fresno Chaffee Zoo, Fresno Municipal Code, and the conditions of approval. He further explained that the conditions of approval should not apply to the project due to a lack improvements, development, design, or impacts.

Commissioners requested justification for requirements asked of the Applicant. Trejo clarified the property is developed, however, conditions to bring the property up to ADA standards and current code are required for any Tentative Parcel Map. Dhaliwal (DPW) also elaborated on the required conditions, and added that the developer is responsible for the improvements.

Public Comment:

3 members of the public spoke in opposition of the project. They voiced concerns about information not being available to the public, and lack of community notification, especially in District 3. Trejo explained the steps Staff took to share the information with the public.

Commissioners discussed with Staff the impact High Speed Rail and Caltrans would have on improvements made in this project.

Chair Vang made a motion to allow the Applicant to speak after the hearing was closed.

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

Aye: 4 - Chairperson Vang, Commissioner Diaz, Commissioner Calandra, and Commissioner Shergill

Absent: 2 - Commissioner Criner , and Commissioner Lyday

Recused: 1 - Commissioner Bray

Sheller explained the unmerging of parcels did not qualify because the Parcel was merged after the time period required under the Subdivision Map Act.

Chair Vang motioned to continue the item to a date certain (08/07/24), to allow more time for the information to be shared with the public, and the opportunity for the Applicant to talk further with City Staff.

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

Aye: 4 - Chairperson Vang, Commissioner Diaz, Commissioner Calandra, and Commissioner Shergill

Absent: 2 - Commissioner Criner , and Commissioner Lyday

Recused: 1 - Commissioner Bray

VIII. NEW MATTERS

VIII-A [ID 24-940](#)

Consideration of Conditional Use Permit Application No. P23-03676 and related Environmental Assessment No. P23-03676 pertaining to approximately 0.75 acres of property at 1261 North Ninth Street, located on the west side of North Ninth Street, between East Olive Avenue and East Floradora Avenue.

1. **ADOPT** Environmental Assessment No. P23-03676 dated June 10, 2024, a determination that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332/Class 32 (Infill Development) of CEQA Guidelines.
2. **APPROVE** Conditional Use Permit Application No. P23-03676 which requests authorization to construct a new eight-unit apartment building on a site with an existing single-family residence, subject to compliance with the Conditions of Approval dated July 17, 2024.

6:49 p.m.

Vice Chair Bray returned to Council Chambers at 6:50 p.m.

Lang made a presentation on the project including location, land use, zoning, public outreach, and Staff recommendations.

Commissioners asked about how this project will help the area, green space, and if it would be considered affordable housing.

Nicholas Crawford (Applicant) stated the project will be market rate housing, and he was available for questions.

No public comment was given.

Chair Vang requested the Applicant have a more thorough presentation emphasizing the effects on the Community next time he was before the Dias.

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

Aye: 5 - Chairperson Vang, Commissioner Bray, Commissioner Diaz, Commissioner Calandra, and Commissioner Shergill

Absent: 2 - Commissioner Criner , and Commissioner Lyday

VIII-B [ID 24-948](#) Hearing to consider Vesting Tentative Tract Map No. 6192; Planned Development Permit Application No. P23-03377; and related Environmental Assessment No. T-6192/P23-03377 for approximately 15.82 acres of property located on the northeast corner of North Blythe and West Dayton Avenues (Council District 1) - Planning & Development Department.

1. ADOPTION of the Mitigated Negative Declaration prepared for Environmental Assessment No. T-6192/P23-03377 dated June 27, 2024, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines.
2. APPROVAL of Vesting Tentative Tract Map No. 6192 proposing to subdivide approximately 15.82 acres of the subject property into a 128-lot single-family residential development, subject to compliance with the Conditions of Approval dated July 17, 2024.
3. APPROVAL of Planned Development Permit Application No. P23-03377 proposing to modify the RS-5 (*Single-Family Residential, Medium Density*) zone district development standards to allow for an increase in maximum lot coverage, and a reduction in the minimum lot size, front yard, rear yard, street side and garage from primary facade setbacks subject to compliance with the Conditions of Approval dated July 17, 2024.

6:57 p.m.

Holt made a presentation on the project including location, land use, zoning, proposed tract map, concerns from neighbors, and Staff recommendations.

Commissioners had questions regarding fencing, wall heights, green space, affordable housing, and traffic.

Bonique Emerson (representing the Applicant) stated the residential development would be market rate. She appreciated Staff's work on the project, and was available for questions.

*Public Comment:
No public comment was given.*

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

Aye: 5 - Chairperson Vang, Commissioner Bray, Commissioner Diaz, Commissioner Calandra, and Commissioner Shergill

Absent: 2 - Commissioner Criner , and Commissioner Lyday

VIII-C [ID 24-361](#) Workshop on Updated Housing Law

7:08 p.m.

Commissioner Diaz excused herself at 7:08 p.m.

Assistant Director Atkinson gave a brief introduction of herself, and made a presentation on the Updated Housing Law. She gave an overview of key housing laws, such as the Permit Streamlining Act, the Housing Accountability Act (HAA), the Housing Crisis Act of 2019 (HCA), and the findings of the State in enacting the HCA. She elaborated on HAA definitions of Housing Development Project and objective. She discussed HCA provisions to increase residential development, expedite permit processing, and protect existing housing inventory. She concluded with the HCA Amendments (SB8 and AB1218) and other laws approved this year (AB1633, SB423, and AB1485).

Commissioners asked what defines affordable housing and if the City is ready to implement the measures discussed today.

IX. REPORT BY SECRETARY

7:40 p.m.

Chair Vang asked about the changes being made regarding Public Comment on Zoom. Director Clark explained that Planning Commission will follow with the Resolution passed by City Council and will not allow Public Comment from Zoom starting on August 7, 2024. Meetings will continue to be broadcasted by Zoom and CMAC, but Public Comment will only be in person.

Director Clark also spoke about information being available to the public. According to the Master Fee Schedule, Agendas can be mailed out quarterly or annually for a fee. However, this fee does not account for attachments and exhibits, which are 5 cents per page.

X. SCHEDULED ORAL COMMUNICATIONS

N/A

XI. UNSCHEDULED ORAL COMMUNICATIONS

7:43 p.m.

None

XII. ADJOURNMENT

Chair Vang adjourned the meeting at 7:43 p.m.