City of Fresno

City Hall Council Chambers
2600 Fresno Street

Meeting Minutes - Draft

Wednesday, March 5, 2025

6:00 PM

Regular Meeting

City Hall Council Chambers
2600 Fresno Street

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 by attending a meeting in the Council Chambers, City Hall, 2nd Floor, 2600 Fresno Street, Fresno, CA 93721. When called to speak during a meeting, you may approach the speaker podium upon the Chair's call for public comment.

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.

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1. **Community Media Access Collaborative website: https://cmac.tv/**
2. **Cable Television: Comcast Channel 96 and AT&T Channel 99**
3. **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.

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Zoom or in the Chambers.

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I. ROLL CALL

Chair Vang called the meeting to order at 6:03 p.m.

Also present were Jennifer Clark, Ashley Atkinson, Phillip Siegrist, Israel Trejo, Ralph Kachadourian, Sophia Pagoulatos, Adrienne Asadoorian-Gilbert, Robert Holt, John George, Kari Camino, Heather Thomas (CAO), Dejan Pavic (DPU), Denise Soria (DPU), and Jill Gormley (DPW).

Camino made an announcement about translation services that were available online.

Present 7 - Chairperson Peter Vang, Commissioner David Criner , Commissioner Kathy Bray, Commissioner Monica Diaz, Commissioner Jacqueline G. Lyday, Commissioner Linda Calandra, and Commissioner Gurdeep Singh Shergill

II. PLEDGE OF ALLEGIANCE

6:04 p.m.

III. PROCEDURES

6:05 p.m.

Chair Vang read the procedures aloud.

IV. AGENDA APPROVAL

6:05 p.m.

Trejo reported no changes to the agenda and advised the public that speaker cards were available to sign up for public comment.

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

Aye: 7 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, Commissioner Lyday, Commissioner Calandra, and Commissioner Shergill

V. CONSENT CALENDAR

6:06 p.m.

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

Aye: 7 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, Commissioner Lyday, Commissioner Calandra, and Commissioner Shergill

V-A ID 25-238 February 5, 2025 Planning Commission Regular Meeting Minutes

V-B ID 25-309 February 19, 2025 Planning Commission Regular Meeting Minutes

VI. REPORTS BY COMMISSIONERS

6:06 p.m.

Commissioner Lyday expressed her opinion about following decorum and that prior to any motions being made that they deliberate and give their insights especially when it comes to recommendations or motions that may potentially change the lives of citizens or business owners.

Commissioner Shergill attended a community meeting in West Fresno. Stated he spoke to many residents and they all expressed they would like an update on the West Area Neighborhood Specific Plan.

VII. CONTINUED MATTERS

VII-A ID 25-250 **CONTINUED FROM FEBRUARY 19, 2025**

Consideration of Text Amendment Application No. P23-03472 and related environmental determination, amending Section 15-6703 and Article 68 of the Fresno Municipal Code (FMC) relating to Hospitals and Sub-Acute Care Facilities and Terms and Definitions.

1. **RECOMMEND ADOPTION** (to the City Council), of the environmental determination that Text Amendment Application No. P23-03472 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

2. **RECOMMEND APPROVAL** (to the City Council), of Text Amendment Application No. P23-03472, to amend Section 15-6703 and Article 68 of the FMC to define a Sub-Acute Care Facility and to include Sub-Acute Care Facilities in the description for Hospitals.

6:09 p.m.

Kachadourain made a presentation explaining that under the current Code, a Sub-Acute Care Facility is not defined, described, or included in a particular use classification. The proposed Text Amendment would add Sub-Acute Care Facilities as a term and definition to the Fresno Municipal Code to provide patient care when a patient does not require hospital acute care, but does require, more intensive, licensed skilled care. He went on to give the background of the proposed Text Amendment, recommendations from the District Project Review Committees, public outreach and Staff's recommendations.

Dirk Poeschel, on behalf of the Applicant(s), explained that recommending adoption to the City Council will move his clients closer to being able to perform surgery services and then provide sub-acute care in the same office. He was available for any questions.

No public comment was given.

On motion of Commissioner Calandra, seconded by Vice Chair Bray, that the above Action Item be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:

Aye: 7 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, Commissioner Lyday, Commissioner Calandra, and Commissioner Shergill

VII-B ID 25-245 **CONTINUED FROM FEBRUARY 19, 2025**

Consideration of Text Amendment Application No. P24-00794 and related Environmental Finding for Environmental Assessment No. P24-00794, amending Sections 15-1302, 15-4907, 15-5102, 15-6702, 15-6802 of the Fresno Municipal Code, repealing Section 15-1106 of the Fresno Municipal Code, and establishing Section 15-2742.5 of the Fresno Municipal Code, to permit ministerial approval of housing projects.

1. **RECOMMEND ADOPTION** (to the City Council), of Mitigated Negative Declaration Sch No. 2024110662 for Text Amendment Application No. P24-00794.

2. **RECOMMEND ADOPTION** (to the City Council), of Text Amendment Application No. P24-00794, to amend Sections 15-1302, 15-4907, 15-5102, 15-6702, 15-6802 of the Fresno Municipal Code, repeal Section 15-1106 of the Fresno Municipal Code, and establish Section 15-2742.5 of the Fresno Municipal Code, to permit ministerial approval of housing projects in the following instances as noted below:
   a. Ministerial approval of office to dwelling conversions in the Office zone district; and
   b. Ministerial approval of multi-unit residential development in the RM-1, RM-2, and RM-3 zone districts on parcels within one-half mile of an existing bus stop; and
   c. Ministerial approval of multi-unit residential uses in the NMX, CMX, RMX, CMS and CR zone districts on parcels within the City's Infill Priority Area; and
   d. Ministerial approval of new multi-unit residential development in the Office zone district.

6:19 p.m.

Asadoorian-Gilbert gave a presentation on a Text Amendment that proposes to amend Sections 15-1302, 15-4907, 15-5102, 15-6702, 15-6802 of the Fresno Municipal Code, repeal Section 15-1106, and establish Section 15-2742.5 of the Fresno Municipal Code to permit ministerial approval of housing projects. She explained that in April of 2022, the Mayor prepared and presented the One Fresno Housing Strategy, which called for provisions of the Fresno Municipal code, along with a designation from the California Department of Housing and Community Development to commit to amend the Development Code to permit housing in non-residential districts, which would make the City eligible to receive grant funding for a variety of housing

projects and initiatives. She further described the background, environmental analysis, the ministerial approval process, public comments and concerns, recommended modifications to address traffic and safety, and Staff's recommendations.

Commissioners had questions and concerns regarding Zone Clearances, the appeal process, how this will benefit Fresno, and the bypass of the Planning Commission on certain projects. Asadoorian-Gilbert clarified that there will be a clear set of standards that would be added to the Development Code, and Staff would have to review those standards to ensure the project does comply.

Public Comment:

1 member of the public spoke in favor of the Text Amendment, citing the current housing crisis necessitates a more streamlined ministerial approval process.

19 members of the public spoke in opposition of the Text Amendment, citing concerns of traffic, noise, public safety, air pollution, lack of green space, and a strain on public services. They also voiced concerns of streamlining the ministerial approval process and not providing notice to the public regarding projects in the vicinity of their homes.

Asadoorian-Gilbert further explained that this is a City-wide Text Amendment and does not propose development of a housing project, but rather establishes the framework for future development projects, as instructed by City Council to address citywide housing shortages. Commissioners had additional questions and Director Clark clarified that every project needs to meet the standards and the findings in the Development Code.

Roll Call vote was taken.

On motion of Vice Chair Bray, seconded by Commissioner Calandra, that the above Action Item be RECOMMENDED FOR DENIAL. The motion carried by the following vote:

Aye: 7 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, Commissioner Lyday, Commissioner Calandra, and Commissioner Shergill

VIII. NEW MATTERS

VIII-A ID 25-236 Consideration of Vesting Tentative Tract Map No. 6475; Planned Development Permit Application No. P24-02520; and related Environmental Assessment No. T-6475/P24-02520 for approximately 5.42 acres of property located on the north side of the East McKinley Avenue alignment between North Armstrong and North Laverne Avenues (Council District 7) - Planning and Development Department.

1. **ADOPTION** of the Mitigated Negative Declaration prepared for Environmental Assessment No. T-6475/P24-02520 dated February 10, 2025, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines.

2. **APPROVAL** of Vesting Tentative Tract Map No. 6475 proposing to subdivide approximately 5.42 acres of property into a 53-lot single-family residential development, subject to compliance with the Conditions of Approval dated March 5, 2025.

3. **APPROVAL** of Planned Development Permit Application No. P24-02520 proposing to modify the RS-5 zone district development standards to allow for a reduction in the minimum rear yard setbacks and lot size, subject to compliance with the Conditions of Approval dated March 5, 2025.

From 7:58 p.m. to 8:06 p.m. the Planning Commission was on a brief break.

8:07 p.m.

Holt made an announcement that revisions were made to two exhibits. He continued with a presentation on the project including the location, land use, zoning, proposed tract map, open space requirements, development standards, and Staff recommendations.

Walter Diamond on behalf of the Applicant (Lennar Homes) stated he was excited to move forward with this project that started 6 years ago. In response to Commissioners questions about pricing, he stated it was still early in the design process, but hoping to be affordable options for first-time home buyers.

No public comment was given.

On motion of Commissioner Shergill, seconded by Commissioner Calandra, that the above Action Item be APPROVED. The motion

carried by the following vote:

Aye: 7 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, Commissioner Lyday, Commissioner Calandra, and Commissioner Shergill

VIII-B ID 25-285 Consideration of an appeal regarding the denial of Variance Application No. P24-01598 requesting a variance from the maximum allowable height for a flagpole located at 3028 South Cherry Avenue on the southeast corner of East North and South Cherry Avenues. (Council District 3) - Planning and Development Department.

1. **DENY** the Appellant's appeal and **UPHOLD** the action of the Planning and Development Department Director to deny Variance Application No. P24-01598 requesting the granting of a variance from the maximum allowable flagpole height.

8:19 p.m.

George made a presentation on the project including location, definition and examples of a variance, required findings, public outreach, and Staff's recommendations.

Commissioners had questions regarding other flag poles within the City limits, cause for the relocation of the existing flagpole, and how tall the new Sikh Temple was. Commissioner Shergill explained the significance of the Nishan Sahib, and that the height needs to be prominent signifying the presence of a Sikh Temple (Gurdwara) in the neighborhood, and research he completed related to findings. Director Clark stated that Federal Laws forbid the Planning and Development Department from treating Religious Institutions differently than any other businesses, and Staff was unable to make the required findings.

Applicant spoke of the importance of the Nishan Sahib, stating it is traditionally higher than the roof-line of the Gurdwara to signal to the public that there is a place of refuge, shelter, and meals regardless of religion choice. Commissioners asked if there was any way to attach the Nishan Sahib to the structure, so it would not be a stand-alone fixture.

Public Comment:

7 members of the public, spoke in favor of the appeal citing the Nishan Sahib is a symbol of unity, shelter, food, counseling, and anything smaller would not suit the building.

After much deliberation, the Commissioners felt as though the appeal could be granted based on the findings such as the property is to large, an elevated roadway restricts the visibility of the sign in a heavy industrial area; flat topography; and access issues to the property.

Roll Call Vote was taken.

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

Aye: 7 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, Commissioner Lyday, Commissioner Calandra, and Commissioner Shergill

IX. REPORT BY SECRETARY

9:34 p.m.

Director Clark gave an update on the West Area Neighborhood Specific Plan, stating it is anticipated to be published in March. It would then have a comment period, response to comments and then the Final Environmental Impact Report (EIR) and Plan can go before the Planning Commission and City Council. She also informed the Commissioners that there will be a lot of items coming up in the next couple of meetings, including a Workshop on the Citizen Participation Plan, and the Southeast Development Area Specific Plan EIR and Vehicle Miles Traveled (VMT) report.

X. SCHEDULED ORAL COMMUNICATIONS

N/A

XI. UNSCHEDULED ORAL COMMUNICATIONS

9:37 p.m.

None

XII. ADJOURNMENT

Chair Vang adjourned the meeting at 9:38 p.m.