

3. SCHEDULED COUNCIL HEARINGS AND MATTERS **CONTINUED**

3:00 P.M. CONTESTED CONSENT CALENDAR

No items were moved to the Contested Consent Calendar.

Councilmember Brand exited the Council Chamber at 5:13 P.M. and returned at 7:54 P.M.

5:00 P.M.

- [ID16-1002](#) CONTINUED HEARING to consider Plan Amendment Application No. A-16-006, Rezone Application No. R-16-007, Development Code Text Amendment Application No. TA-16-001 and related environmental finding filed by the Development and Resource Management Department Director pertaining to 316.09 acres of property as follows:
1. ADOPT Environmental Assessment No. A-16-006, R-16-007, TA-16-001, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 for the Fresno General Plan and Development Code, pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164;
 2. RESOLUTION - Approving Plan Amendment Application No. A-16-006, pertaining to 249.06 acres, to amend the Fresno General Plan (Figure LU-1: Land Use and Circulation Map, and Figure LU-2: Dual Designation Diagram), the Bullard, Fresno High, McLane, Roosevelt, West Area, and Woodward Park Community Plans, the Tower District Specific Plan, the Fresno Yosemite Airport Land Use Compatibility Plan and the Sierra Sky Park Land Use Policy Plan, as described in Exhibit A (with Errata);
 3. BILL - (For introduction and adoption) Approving Rezone Application No. R-16-007, to amend the City of Fresno Zoning Map to effect technical changes to zoning on properties that were inadvertently omitted from the zoning map update. The rezones are requested to attain consistency with the approved general plan land use designation, and are further described in Exhibit A (with Errata);
 4. BILL - (For introduction) - Approving Text Amendment Application No. TA-16-001 for minor changes to the

Development Code in order to improve functionality, clarity, and internal consistency. Proposed amendments affect the following standards and/or procedures: rear setbacks, private open space, fencing, signage, hours of operation for establishments serving alcohol, design standards within mixed use districts, the apartment house overlay, intersection visibility; the addition of produce stands, urban farms and large family day care to certain zone districts; the deletion of the airport environs and planned development overlay districts (due to redundancy); and posting requirements, among others (see Exhibit B for complete text amendment). The affected sections are 15-404-F, 15-904-A, 15-1004-C-1, 15-1004-D-1-a, 15-1104-D-1, 15-2006-F, 15-2305-C-2, 15-2609-B, 15-2610-E-2, 15-2611-G, 15-2735-G, 15-2741-A-7-a, Table 15-2744-A, 15-2744-C-1, 15-2747, Table 15-751-G, 15-4906-D-1, 15-4906-H, 15-5003-A, 15-5302-D, 15-5602-A, 15-6703, 15-104-A, Table 15-107-B, 15-313, Table 15-902, Table 15-1002, Table 15-1102, 15-1104-G.1, Table 15-1202, Table 15-1302, Table 15-1402, 15-1601, 15-1602, 15-1609-B, 15-2006-F, Table 15-2015-B.4, 15-2018, 15-2102-A, 15-2707, 15-2754, 15-5007-C, 15-5810-A.

The above hearing was called to order at 5:00 P.M. The item was introduced to Council by Development and Resources Management, Assistant Director Zack. [Assistant Director Zack clarified that the items for approval included an additional 180 day extension for property owners to have their properties revert back to previous land use designations, as discussed at the previous workshop.]

Upon call for public comment, the following people addressed Council:

Laura P. Kalchik - spoke in support of the staff recommendation.

Mark Kalchik - requested Council approve the staff recommendation.

George Goehing - stated that apartments were not a good fit for his parcels on the Southwest corner of Shaw and Bryan Avenues. Assistant Director Zack clarified that the proposed zoning was for mixed use which would allow commercial, residential or a combination of the two.

Dirk Poeschel - represented the owners of the property on the Southwest corner of Fruit and Shields Avenues and supported the staff recommendation.

Tom Thomas - stated he was a resident of Clovis and wanted to laud Assistant Director Zack for the professional manner in which he dealt with an issue in the Shaw and Bryan area.

George Beal - asked that his property on the Southwest corner of Van Ness and Belmont be removed from the current action.

Patience Milrod - spoke in support of the staff recommendation and discussed agreements made in January.

Ashley Werner of the Leadership Counsel for Justice and Accountability - requested that densities not be reduced or the city comply with Government Code section 65863(b). She said many of the sites to be re-zoned were included in the city's Housing Element Sites Inventory. Government Code section 65863(b) required the City to make specific findings before reducing the density of sites in the sites inventory or before changing sites to non-residential. Ms. Werner noted the staff materials did not include the findings required by the Government Code. She also noted the Fresno Bee notice stating the related material were ready for public viewing was posted early because when she arrived to view them, she was told they were not ready.

Sarah Pilibos of Stephen Investments - spoke in support of the staff recommendation to keep the zoning consistent for all contiguous properties at Cedar and Gettysburg.

Public comment was closed at 5:21 P.M.

The hearing was closed at 5:45 P.M.

Councilmember Brandau motioned to approve the staff recommendation with an amendment to remove site three from the action and to remove the Beal property (Southwest corner of Van Ness and Belmont) from the action.

RESOLUTION 2016-166 ADOPTED

**BILL B-34 INTRODUCED AS AMENDED AND ADOPTED AS
ORDINANCE 2016-31**

BILL B-35 INTRODUCED AS AMENDED AND LAID OVER

On motion of Councilmember Brandau, seconded by Councilmember Baines III, the above item was approved as amended [including an additional 180 days for owners to request previous land use designations.] The motion carried by the following vote:

Aye: 6 - Caprioglio, Quintero, Baines III, Brandau, Olivier and Soria

Absent: 1 - Brand

RECESSED 5:45 P.M. to 6:17 P.M.

6:00 P.M.

[ID16-1007](#) ***RESOLUTION - Recognizing the November 1984 Anti-Sikh Violence in India as Genocide

The above item was introduced to Council by Councilmember Olivier.

At the request of Councilmember Soria, Deputy City Attorney Badesha provided summarized translations of Punjabi to English and English to Punjabi for the duration of the meeting. President Caprioglio took an informal survey by a show of hands and determined that nearly every member of the public in the overflowing council chamber was in support of the resolution and no one opposed it.

Upon call for public comment, the following people addressed Council in support of the resolution: Bill Nijjer; Raj Beasla; Doctor Kanwar Gill; Mangal Kaur; Naindeep Singh; Gurdeep Shergill; Tadeh Iskhanian; Mayor Pro Tem Ruby Dhaliwal, and; Mohinder S. Kahlon.

President Caprioglio announced the meeting would be recessed for several minutes to allow time for Councilmember Brand to return for the vote on this item.

RECESSED 7:26 P.M. to 7:54 P.M.

RESOLUTION 2016-167 ADOPTED

On motion of Councilmember Olivier, seconded by Councilmember Baines III, the above item was approved. The motion carried by the following vote:

Aye: 5 - Baines III, Brand, Brandau, Olivier and Soria

Abstain: 2 - Caprioglio and Quintero