

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Minutes - Final

Wednesday, January 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 6:02pm

Also present were Jennifer Clark, Phillip Siegrist, Janice Monroe, Saul Perez, Brittany Martin, Kristi Costa (CAO), Heather Thomas (CAO), Harmanjit Dhaliwal (DPW), & John Martin (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

6:03pm

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

6:03pm

Chair Vang read procedures aloud.

IV. AGENDA APPROVAL

6:05pm

Siegrist requested item VIII-A (ID 23-1721) be continued to February 7, 2024. Staff notified applicant/appelant & they agreed to the continuation.

On motion of Commissioner Criner , 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

6:06pm

On motion of Commissioner Bray, seconded by Commissioner Diaz,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 24-54](#) November 15, 2023 Planning Commission Regular Meeting Minutes

V-B [ID 24-55](#) December 6, 2023 Planning Commission Regular Meeting Minutes

VI. REPORTS BY COMMISSIONERS

N/A

VII. CONTINUED MATTERS

VIII. NEW MATTERS

VIII-A [ID 23-1721](#) Consideration of an appeal related to Zoning Inquiry No. P23-02357 for Bauer’s Towing located on approximately 0.71 acres between West Voorman and West Nielsen Avenues, west of North Thorne Avenue in Fresno, California.

- 1. **DENY** the appeal and **UPHOLD** the Zoning Inquiry response dated September 26, 2023, as prepared by the Planning and Development Department Director.

Continued as noted to date certain (2/7/2024).

VIII-B [ID 23-1785](#) Hearing to consider Conditional Use Permit Application No. P23-00835, Planned Development Permit Application No. P23-02080, and related Environmental Assessment; regarding a phased, multi-tenant commercial community development project with Starbucks Café and drive-through located on approximately ± 2.98 acres of property located on the southwest corner of the intersection of South Martin Luther King Boulevard and East Church Avenue. (Council District 3)

Based upon the evaluation contained in this report and the appeal received from the appellant, staff recommends that the Planning Commission take the following actions:

- 1. **CONSIDER and APPROVE** Environmental Assessment No. P23-00835/P23-02080 dated January 3, 2024, an Addendum to the Southwest Fresno Specific Plan Final Program EIR (the “Program EIR”), prepared in accordance with Section 15164 of the California

Environmental Quality Act (CEQA) Guidelines.

2. **DENY** the appeal submitted by Councilmember Arias on November 20, 2023, and **UPHOLD** the action of the Planning and Development Department Director approving Conditional Use Permit Application No. P23-00835 and Planned Development Permit Application No. P23-02080 authorizing the construction of a ± 5,781 square foot multi-tenant shell building with Starbucks Café with drive-thru; and full development of the site with associated parking lot, landscaping, trash enclosures, and pad for a future building to be entitled under separate permit.

6:07pm

Steven Martinez (Planner) made a presentation on an overview of the project, including scope of work and details on the proposed Community Store. He talked about the location, zoning, and planned land use of project site, showing maps, site plans, and elevations. He also presented on the analysis of the appeal letter, addressing the 5 main concerns, with an emphasis on pedestrian needs.

Bray clarified with Staff if there was a drive-through near any other schools as stated in the provided letter.

Chair Vang asked about sharing provisions with the public and Martinez stated he was open to communication with any public looking for information.

Criner requested clarification on the entrance and exit of the drive-through, and details of path of travel to which Martinez used visual aides explaining his answers.

Lyday received answers from Staff on the plan for street widening as a result of the larger project, not just for Starbucks development.

On behalf of the applicant, Jim Shehadey & Sylvester Hall, were present and available for questions.

Shehadey talked about the Master Plan and the first phase of the design plan. He mentioned meeting with appellants and encouraging them to communicate with Staff on their concerns.

Hall discussed his background, the Master Plan, and his passion for

Southwest Fresno & its future development.

Criner asked for clarification on shut-downs when entering phase two and three of the project but was assured by the applicant that Starbucks (in phase one) would remain open.

Public Comment:

Two people spoke in favor of the project citing passion for growth in Southwest Fresno.

Two people spoke in opposition of the project, explaining they were not opposed to Starbucks but wanted it to be relocated to Jensen Avenue, referencing safety of school children as their motivation.

Applicant Rebuttal:

Hall talked about the community benefits of the project and explained that the suggested location of Jensen and MLK would be an site with higher traffic and more dangerous for pedestrians in comparison. Shehadey added the benefits of having Starbucks walking distance from the college verses driving to the suggested location.

Chair Vang praised the applicant for making the accommodations noted in the presentation and stated the area would benefit from a store that is similar to a Community Center.

Criner explained his choice not to recuse from the item after participating in a commercial October 2022 that promoted the project and stated for the record he does not have any bias in his decision. He thanked Staff for answering his questions and talked about his passion for improvements in Southwest Fresno before making a motion to deny the appeal and approve the Environmental Assessment per Staff's recommendations.

On motion of Commissioner Criner , seconded by Commissioner Diaz, 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

7:03pm

None

X. SCHEDULED ORAL COMMUNICATIONS

XI. UNSCHEDULED ORAL COMMUNICATIONS

N/A

XII. ADJOURNMENT

Chair Vang adjourned the meeting at 7:04pm