

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Minutes - Final

Wednesday, July 19, 2023

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 6:01pm

Commissioners Criner and Wagner arrived at 6:03pm

Also present were Clark, Trejo, Siegrist, Monroe, Quijano, Tran, Lieng, Veatch, Pagoulatos, Gray, and Benelli.

Present 7 - Chairperson Peter Vang, Vice Chair Brad Hardie, Commissioner David Criner, Commissioner Haley M. Wagner, Commissioner Kathy Bray, Commissioner Monica Diaz, and Commissioner Jacqueline G. Lyday

II. PLEDGE OF ALLEGIANCE

6:03pm Chair Vang called for the pledge of allegiance.

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

Vang read procedures a loud

IV. AGENDA APPROVAL

Trejo reported no changes to the agenda at that time, but added additional material of public comments that were made available.

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

Aye: 7 - Chairperson Vang, Vice Chair Hardie, Commissioner Criner, Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

V. CONSENT CALENDAR

N/A

VI. REPORTS BY COMMISSIONERS

N/A

VII. CONTINUED MATTERS

N/A

VIII. NEW MATTERS

VIII-A [ID 23-1106](#) Consideration of Conditional Use Permit Application P22-03146, and related Environmental Assessment P22-03146 pertaining to ±1.38 acres of property located on the south side of West Bullard Avenue, between North Van Ness Boulevard and North Forkner Avenue (Council District 2) - Planning & Development Department.

1. **RECOMMEND ADOPTION** (to the City Council) of Environmental Assessment P22-03146, dated May 24, 2023, a determination of Categorical Exemption, Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines; and,
2. **DENY** the appeals and **UPHOLD** the action of the Planning and Development Department Director to approve Conditional Use Permit Application P22-03146, authorizing the adaptive reuse of an existing residence to be used as a new residential respiratory care facility (congregate living health facility), subject to compliance with the Conditions of Approval dated June 2, 2023.

6:05pm Commissioner Wagner recused herself due to conflict of interest.

Thomas Veatch (Planner) discussed the conditional use permit. His presentation covered the project's location, land use, zoning, scope of work (including phases), background, outreach, and staff recommendations. He also talked about the outreach done, addressing each concern brought forward.

Bray asked staff to clarify the definition of Residential Care Facility, proposed parking lot, and how the proposal was primarily non medical.

Cesar Rodriguez (consultant at CR consulting group) briefly explained the process to remodel the building. He continued with explaining visiting hours, condition of patients, and clarified 24-hour care for the patients.

Larry Meza (applicant, and prior owner of a 12 unit facility) explained the definition of Residential Care Facility. Meza elaborated on the future clientele. (critical needed patients, medical driven, and in need of 24-hour care).

Public Comment

No one in the public spoke in favor. 7 people spoke in opposition.

Several doctors spoke in opposition of the project, voicing concern that the patients will require 24-hour care.

Multiple residents spoke in opposition reporting concern about increased traffic, lighting, noise, and a negative influence to neighboring school.

Irvin Marquez (applicant) addressed the concerns of the public and attempted to define Residential Care Facility. He also explained why they chose a residential area.

Bray requested the public and applicant come together to figure out an overall solution. She moved to continue this matter to a date certain, September 6.

On motion of Commissioner Bray, seconded by Commissioner Lyday, that the above Action Item be CONTINUED to September 6. The motion carried by the following vote:

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

Recused: 1 - Commissioner Wagner

VIII-B [ID 23-1111](#) Consideration of Plan Amendment and Rezone Application No. P22-04389, Development Permit Application No. P22-02376, and related Environmental Assessment No. P22-04389/P22-02376 pertaining to ±4.39 acres of property located on the east side of North Armstrong Avenue between East Clinton and East Shields Avenues (Council District 7) - Planning & Development Department.

1. **RECOMMEND ADOPTION** (to the City Council) of the Mitigated Negative Declaration as prepared for Environmental Assessment No. P22-02376/P22-04389, dated June 16, 2023, for the proposed project pursuant to the State of California Environmental Quality Act (CEQA); and,
2. **RECOMMEND APPROVAL** (to the City Council) of Plan Amendment Application No. P22-04389, requesting authorization to amend the Fresno General Plan and McLane Community Plan to change the planned land use designation for

the subject property from Low Density Residential to Medium High Density Residential; and

3. **RECOMMEND APPROVAL** (to the City Council) of Rezone Application No. P22-04389, requesting authorization to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the RS-1 (Residential Single-Family, Extremely Low Density) (±4.39 acres) zone district to RM-1 (Residential Multi-Family, Medium High Density) (±4.39 acres) zone district in accordance with the Plan Amendment Application; and
4. **RECOMMEND APPROVAL** (to the City Council) of Development Permit Application No. P22-02376, requesting authorization to construct a 64-unit, two-story multi-family residential development including a community building.

Hardie recused himself from item and reported he would not be returning.

Steven Lieng (Planner) started his presentation by explaining the proposed applications (Plan Amendment and Rezone Application, Development Permit Application, and Related Environmental Assessment). He then gave a brief overview of the plans and designs for the project. Lieng mentioned there was a meeting conducted by the applicant, but no one showed up from the community. He also reported that SB330 encourages this type of project for the city's demand for housing.

Diaz asked how many notices were sent out. Lieng explained the 1,000 foot radius that received no response and no participation in the community meeting.

Scott Vincent (applicant/design architect) spoke about the proposed design, plan for parking and the added privacy he felt the project would give. He also talked about the attempted outreach and why he chose the location.

Diaz asked if the nearby school is opposed to the development, and none was reported

Public Comment

No one spoke in favor.

2 members of the public spoke in opposition, citing concerns with mailed notices, traffic, property values of their homes as a result, and other negative impacts to the area during construction.

Vincent (applicant) then responded to the public by addressing traffic concerns, crime, and property values.

Jenna Chillingierian (Environmental consultant) advised several studies were done such as student generation, a noise study, trip generation, Vehicle Miles Traveled (VMT) are significantly less impactful.

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

Aye: 6 - Chairperson Vang, Commissioner Criner , Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

Recused: 1 - Vice Chair Hardie

VIII-C [ID 23-1123](#) WORKSHOP - Multi-Jurisdictional Housing Element

Chair Vang requested a break from 7:27pm to 7:33pm

Sophia Pagoulatos (Planning Manager) introduces Chelsea Payne, Director of Urban Planning.

Payne reported on the Housing Element overview, outreach, the Regional Housing Needs Allocation (RHNA), Assessment for Fair Housing AB686, housing element programs, (including goals and objectives) and the next steps for the project.

Wagner asked how distributions were divvied up. Payne listed several factors, noting that state law determines many of them.

No one in public had comments.

Director Clark reminded the commission no motion was needed for this

item.

IX. REPORT BY SECRETARY

N/A

X. SCHEDULED ORAL COMMUNICATIONS

N/A

XI. UNSCHEDULED ORAL COMMUNICATIONS

Commissioners and Staff sang happy birthday to commissioner Criner's daughter.

XII. ADJOURNMENT

8:11pm Meeting is adjourned by Chair Vang