

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Minutes - Draft

Wednesday, January 15, 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.

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

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.

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 6:00 p.m.

Commissioner Criner arrived at 6:08 p.m.

Also present were Jennifer Clark, Ashley Atkinson, Israel Trejo, Phillip Siegrist, Robert Holt, Juan Lara, Kari Camino, Heather Thomas (CAO), Dejan Pavic (DPU), Denise Soria (DPU), Jill Gormley (DPW), and Jairo Mata (DPW).

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

6:00 p.m.

III. PROCEDURES

6:01 p.m.

Chair Vang read the procedures aloud.

IV. AGENDA APPROVAL

6:02 p.m.

Trejo reported no changes to the agenda.

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

Aye: 6 - Chairperson Vang, Commissioner Bray, Commissioner Diaz, Commissioner Lyday, Commissioner Calandra, and Commissioner Shergill

Absent: 1 - Commissioner Criner

V. CONSENT CALENDAR

6:03 p.m.

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

Aye: 6 - Chairperson Vang, Commissioner Bray, Commissioner Diaz, Commissioner Lyday, Commissioner Calandra, and Commissioner Shergill

Absent: 1 - Commissioner Criner

- V-A [ID 25-37](#) November 20, 2024 Planning Commission Regular Meeting Minutes
- V-B [ID 25-38](#) December 4, 2024 Planning Commission Regular Meeting Minutes
- V-C [ID 25-79](#) December 18, 2024 Planning Commission Regular Meeting Minutes

VI. REPORTS BY COMMISSIONERS

6:03 p.m.

None

VII. CONTINUED MATTERS

N/A

VIII. NEW MATTERS

VIII-A [ID 25-77](#)

Consideration of Annexation Application No. P22-03846, Pre-zone Application No. P22-04069 and the related Environmental Assessment No. P22-03846/P22-04069 pertaining to approximately 20.23 acres of property on the north and south sides of West Ashlan Avenue between North Polk and North Gregory Avenues (Council District 1) - Planning and Development Department.

1. **RECOMMEND ADOPTION** (to the City Council) of the Negative Declaration prepared for Environmental Assessment No. P22-03846/P22-04069 dated December 6, 2024, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines and Addendum dated January 15, 2025.
2. **RECOMMEND APPROVAL** (to the City Council) of Annexation Application No. P22-03846 (for the Ashlan-Polk Nos. 3 and 4 Reorganization) proposing detachment from the Kings River Conservation District and North Central Fire Protection District and annexation to the City of Fresno.
3. **RECOMMEND APPROVAL** (to the City Council) of Pre-zone Application No. P22-04069 proposing to pre-zone: approximately 9.54 acres of the subject property from the County of Fresno RR/NB (*Rural Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5/ANX (*Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay*) zone district; and approximately 9.78 acres of the subject property from the RR/NB (*Rural Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5/cz (*Single-Family Residential, Medium Density/conditions of zoning*) zone district.

6:04 p.m.

Commissioner Criner arrived at 6:08 p.m.

Lara made a presentation including the general location, planned land use, Annexation proposal, Pre-Zone Application, and Staff recommendations. He explained that there was a previous recommended approval from the Planning Commission on June 19, 2024, however, a recent court ruling on the General Plan Program Environmental Impact Report (PEIR) necessitated revisions to the Environmental Assessment and Addendum to ensure compliance with the ruling. Tract 5756 was approved on March 25, 2008 and Lara noted that at that time, no Annexation Application was

submitted for the western portion of the Tract Map. The property will be Pre-Zoned, with a required condition of zoning to annex the property into Central Fire District 18 to offset Police and Fire costs associated with the Annexation.

Commissioners asked about traffic, road conditions, community outreach, and any proposed changes to the existing properties. In response, Lorren Smith (Applicant) stated due to the Conditions of Approval, street repairs will be completed, there was a neighborhood meeting no one attended, and the existing properties will remain the same.

No public comment was given.

On motion of Chair Vang, seconded by Commissioner Diaz, 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

VIII-B [ID 25-84](#)

Consideration of Tentative Tract Map No. 6468; Planned Development Permit Application No. P23-04061; and related Environmental Assessment No. T-6468/P23-04061 for approximately 7.82 acres of property located on the west side of South Crystal Avenue between West Hawes and West Orleans Avenues (Council District 3) - Planning and Development Department.

1. **ADOPT** the Mitigated Negative Declaration prepared for Environmental Assessment No. T-6468/P23-04061 dated December 16, 2024, for the proposed project, pursuant to California Environmental Quality Act (CEQA) Guidelines.
2. **APPROVE** Tentative Tract Map No. 6468 proposing to subdivide approximately 7.82 acres of property into an 84-lot single-family residential development, subject to compliance with the Conditions of Approval dated January 15, 2025.
3. **APPROVE** Planned Development Permit Application No. P23-04061 proposing to modify the RS-5 zone district development standards to allow for private streets and a reduction of the minimum setbacks, lot width, depth, and area, subject to compliance with the Conditions of Approval dated January 15, 2025.

6:14 p.m.

Holt made a presentation on the project including the general location, land use, zoning, proposed tract map, planned development, and Staff recommendations.

Commissioners asked about community outreach, the size of the lots, setbacks, privacy, and pricing of homes in the development.

JP Gentry (Applicant) stated the developer was excited to give the residents of Southwest Fresno an opportunity to purchase a good product at an obtainable price. He explained the lots were smaller, but the community would benefit from the opportunity to purchase a home, and the homes would be market rate housing, targeted towards the residents of Southwest Fresno.

Public Comment:

One person spoke in favor of the project, citing he owns a lot in the area, and is excited that the development will add value to the neighborhood.

4 people spoke in opposition, voicing concerns about smaller lot sizes, high density housing, developing on farmland, and financial security for the development. They also voiced frustration about not being notified or allowed to comment on the project.

Holt, Gentry, and Terance Frazier (Applicant) addressed the concerns of the community regarding public noticing, high density housing, zoning, and financial plans for the development.

On motion of Commissioner Shergill, seconded by Commissioner Criner, 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-C [ID 25-36](#)

Consideration of Text Amendment Application No. P23-03410 and related Environmental Finding for Environmental Assessment No. P23-03410, amending Sections 15-2761 and 15-6802 of the Citywide Development Code, relating to Tobacco and Vapor Sales, Smoke Shops, and Definitions.

1. **RECOMMEND ADOPTION** (to the City Council), of a finding set forth in Environmental Assessment No. P23-03410 dated January 15, 2025, that Text Amendment Application No. P23-03410 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

2. **RECOMMEND APPROVAL** (to the City Council) of Text Amendment Application No. P23-03410, to amend Sections 15-2761 and 15-6802 of the Citywide Development Code, relating to Tobacco and Vapor Sales, Smoke Shops, and Definitions.

7:12 p.m.

Siegrist made a presentation to amend Sections 15-2761 and 15-6802 of the Citywide Development Code, relating to Tobacco and Vapor Sales, Smoke Shops, and Definitions. The purpose of the Amendment is to require new Smoke Shops to obtain a Conditional Use Permit (CUP) and Business Tax License, establish regulations and operational requirements, annual inspections, fines, as well as amortize existing Smoke Shops, and only allow up to 7 establishments per City Council District. It would also provide public notice of available permits, and implement location restrictions near sensitive areas.

Commissioners asked questions regarding the cost and process to obtain a CUP, and concerns about closing 33 businesses by only allowing up to 7 establishments per City Council District. Director Clark clarified that the Text Amendment was initiated by City Council with specific goals in mind. Erica Camarena (CAO) spoke about a special Code Task Force that was created to sweep the City. She shared that they found over 100 illegal smoke shops and many other code violations such as illegal tobacco, loaded weapons, gambling, cannabis, and large amounts of cash. She also explained that Code Enforcement could not shut down the illegal shops, but remove the illegal product to cause them a loss in revenue.

Public Comment:

No one spoke in favor of the Amendment.

4 spoke in opposition of the Amendment voicing concerns of the Amortization of existing smoke shops, the cost of a Conditional Use Permit, signed lease agreements, and unobtainable rules to follow.

Commissioners spoke of not being able to recommend this Amendment to City Council. They asked Staff to meet with the existing Smoke Shop owners and community to reach an Amendment that is not as restrictive and find a middle ground.

On motion of Chair Vang, seconded by Vice Chair Bray, that the above Action Item be CONTINUED TO MARCH 19, 2025. 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

8:15 p.m.

None

X. SCHEDULED ORAL COMMUNICATIONS

N/A

XI. UNSCHEDULED ORAL COMMUNICATIONS

8:15 p.m.

None

XII. ADJOURNMENT

Chair Vang adjourned the meeting at 8:16 p.m.