

# **City of Fresno**

*City Hall Council Chambers  
2600 Fresno Street*



## **Meeting Minutes - Final**

**Wednesday, May 15, 2024**

**6:00 PM**

**Regular Meeting**

**City Hall Council Chambers  
2600 Fresno Street**

## **Planning Commission**

***Chairperson – Peter Vang***

***Commissioner – David Criner***

***Commissioner – Haley M Wagner***

***Commissioner – Kathy Bray***

***Commissioner – Monica Diaz***

***Commissioner – Jacqueline Lyday***

***Commissioner - Linda M Calandra***

**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](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 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](mailto: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**

**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](mailto: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 6:01 p.m. He introduced Linda Calandra to the Commissioners. She gave a brief description of her background and expressed her excitement to be part of the Commission.*

*Commissioner Criner arrived at 6:06 p.m.*

*Also present were Jennifer Clark, Israel Trejo, Robert Holt, Kari Camino, Yamilex Nava, Heather Thomas (CAO), Harmanjit Dhaliwal (DPW), Dejan Pavic (DPU), and Theodore Semonious (Fire).*

**Present** 5 - Chairperson Peter Vang, Commissioner David Criner , Commissioner Kathy Bray, Commissioner Monica Diaz, and Commissioner Linda Calandra

**Absent** 2 - Commissioner Haley M. Wagner, and Commissioner Jacqueline G. Lyday

**II. PLEDGE OF ALLEGIANCE**

*6:03 p.m.*

**III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ**

*6:04 p.m.*

*Chair Vang read the procedures aloud.*

**IV. AGENDA APPROVAL**

*6:06 p.m.*

*Commissioner Criner arrived at 6:06 p.m.*

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

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

**Aye:** 5 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, and Commissioner Calandra

**Absent:** 2 - Commissioner Wagner, and Commissioner Lyday

**V. CONSENT CALENDAR**

*6:07 p.m.*

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

**Aye:** 5 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, and Commissioner Calandra

**Absent:** 2 - Commissioner Wagner, and Commissioner Lyday

**V-A**    [ID 24-586](#)    April 17, 2024 Planning Commission Regular Meeting Minutes

**V-B**    [ID 24-647](#)    May 1, 2024 Planning Commission Regular Meeting Minutes

**VI. REPORTS BY COMMISSIONERS**

*6:07 p.m.*

*None*

**VII. CONTINUED MATTERS**

*N/A*

**VIII. NEW MATTERS**

**On motion of Chairperson Vang, seconded by Commissioner Criner, PUBLIC COMMENT was changed to 2 1/2 minutes from 3 minutes. The motion carried by the following vote:**

**Aye:** 5 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, and Commissioner Calandra

**Absent:** 2 - Commissioner Wagner, and Commissioner Lyday

**VIII-A** [ID 24-118](#) Election of Vice Chair

6:07 p.m.

*Chair Vang made a motion to elect Commissioner Bray as Vice Chair.*

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

**Aye:** 5 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, and Commissioner Calandra

**Absent:** 2 - Commissioner Wagner, and Commissioner Lyday

**VIII-B** [ID 24-664](#) **CONTINUED TO JUNE 5, 2024**

Consideration of Tentative Parcel Map No. 2023-13 and related Environmental Assessment No. TPM 2023-13 for approximately 2.91 acres of property located on the northeast corner of North West and West Olive Avenues (Council District 3) - Planning and Development Department.

1. **APPROVE** Environmental Assessment No. TPM-2023-13 dated February 6, 2024, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) Guidelines through a Section 15315/Class 15 Categorical Exemption.
  
2. **DENY** the appeal and **UPHOLD** the action of the Planning and Development Department Director in the approval of Tentative Parcel Map No. 2023-13 authorizing the subdivision of approximately 2.67 acres of property into a two-lot subdivision, subject to the following:
  - a. Development shall take place in accordance with the Conditions of Approval for Tentative Parcel Map No. 2023-13 dated May 15, 2024.

6:08 p.m.

*Item continued to June 5, 2024.*

**VIII-C** [ID 24-651](#) Consideration of an appeal filed regarding Development Permit Application No. P21-00989 and related Environmental Assessment for property located at 7056 North Prospect Avenue on the northeast corner of West Herndon and North Prospect Avenues (Council District 2).

1. **APPROVE** Environmental Assessment No. P21-00989 dated February 9, 2024, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) under Guidelines Section 15332/Class 32 Categorical Exemption.

2. **DENY** the appeal and **UPHOLD** the action of the Planning and Development Department Director in the approval of Development Permit Application No. P21-00989 authorizing the construction of an 82-unit private gated multi-family development, subject to the following:

- a. Development shall take place in accordance with the Conditions of Approval for Development Permit Application No. P21-00989 dated May 15, 2024.

6:09 p.m.

*Chair Vang made a motion that Public Comment be limited to 2 1/2 minutes from 3 minutes in order to accommodate time for every person.*

*Holt made a presentation regarding the Appeal of a Development Permit Application. He discussed the location, conditions of zoning, development standards (which included walls, density, height requirements, open space standards, setbacks, lot coverage, Expressway Area Overlay, and parking), and community outreach. He further explained the appeal process, concerns that were expressed by members of the public, and findings. Staff was available for questions.*

*Commissioners asked questions about proximity to the school, and the difference of zoning types.*

*Scott Vincent, Architect (representing Landvalue Management) made a presentation regarding the proposed project, including the Concept Site Plan and renderings of the project. He also spoke about understanding the difficulties from the traffic circle, lack of parking at the park and school, noise, Section 8 concerns and safety, but assured the public that the*

*impacts from the project are well within the thresholds. He was available for questions.*

*Commissioners asked about a neighborhood meeting and amount of open space planned for the project. Vincent stated the developer was not invited to the meeting, and that they decided to take a step back from community outreach. He stated there is some green space included in the plans by the pool, the dog park and the park across the street is available for use as well. Chair Vang expressed he would encourage the applicant to be more proactive in reaching out and working with the community.*

*Holt answered the Commissioner's questions regarding proximity to the school and the difference of zoning types per the General Plan.*

*Public Comment:*

*No one spoke in favor of the project.*

*29 people spoke in opposition of the project, voicing concerns of safety for the children in the neighborhood, lack of safe walking routes to the school and park, overcrowding of the school, traffic (including the roundabout), lack of parking for the school and park and if project is complete, overflow from the apartments, noise, public safety and access for emergency vehicles and lack of neighborhood outreach by the developers. They spoke of the project not fitting in with the neighborhood and they were unaware of the change in zoning. They also voiced their concerns about the lack of availability of records and supporting documentation available to the public.*

*Semonious (Fire) stated that all projects must go through a review process with their development team. They make notes and until those requirements are met, they will not give approval. There are ways to mitigate the problems to approve the project. Calandra asked if interior residential fire sprinklers would be required, which they are.*

*The Commissioners asked Staff a few more questions regarding withholding records, the Fresno County Airport Land Use Commission Board and Fresno Area Express requirements. Calandra also asked about other four-story*

*apartments in Fresno. Staff answered those questions.*

*Vincent was able to address the concerns from the community. He repeated that traffic will not exceed the threshold found in the City's PEIR, and therefore a traffic analysis is not required, and that schools do create more traffic. He doesn't anticipate that the residents of the complex will park in the park parking lot, they will likely walk to the park and that the project has included a commercial fire sprinkler system that exceeds the requirements of a residential multi-family complex. Chair Vang asked if the developer would be willing to change to a three/two story complex and was told no. Bray spoke of the controversy of a development coming in without the proper infrastructure and community outreach. Chair Vang praised the work of the Planners and expressed the difficult decision they have before them. Calandra asked if a Traffic Study could be completed even though not required. Director Clark said that would be something for the City Attorney's Office to answer.*

*Director Clark clarified the role of the Planning Commission for the appeal and what findings they must find the Environmental Assessment doesn't meet, if any.*

*Chair Vang made a motion to deny the Environmental Assessment and uphold the appeal on the basis of Finding B (the General Plan and any operative plan or policies the City has adopted) that it doesn't meet the General Plan in regards to Urban Neighborhood Residential Planned Land Use.*

*Roll call vote was taken.*

*Director Clark asked Chair Vang for evidence for the record that the Finding does not meet the General Plan. Vang responded that it does not meet the General Plan due to it being completed in 2015 and does not take into account the significant growth within the City of Fresno, especially the traffic that will be detrimental to the public if this project was approved.*

**On motion of Chairperson Vang, seconded by Commissioner Bray, that the above Action Item be REJECTED. The motion carried by the following vote:**

**Aye:** 5 - Chairperson Vang, Commissioner Criner , Commissioner Bray, Commissioner Diaz, and Commissioner Calandra

**Absent:** 2 - Commissioner Wagner, and Commissioner Lyday

**IX. REPORT BY SECRETARY**

*8:14 p.m.*

*Clark made a report about May being Historical Preservation Month, and encouraged everyone to attend at least one of the many activities scheduled throughout the month.*

**X. SCHEDULED ORAL COMMUNICATIONS**

*N/A*

**XI. UNSCHEDULED ORAL COMMUNICATIONS**

*8:15 p.m.*

*None*

**XII. ADJOURNMENT**

*Chair Vang adjourned the meeting at 8:15 p.m.*