

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Agenda - Final

Wednesday, December 6, 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

II. PLEDGE OF ALLEGIANCE

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

In accordance with section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all public testimony from those in support and in opposition of the project will be limited to three minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating time has expired. All public testimony must be presented to the Commission at the podium. Any testimony that references race, religion, ethnicity, economic status, national origin, or any other classification protected under state or federal law in a derogatory manner shall be deemed irrelevant and will not be considered by the Commission in making its land use determinations.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony or before the close of the hearing.

IV. AGENDA APPROVAL

V. CONSENT CALENDAR

- V-A [ID 23-711](#) Consideration of the Fresno City Planning Commission Meeting Schedule for Calendar Year 2024
- Sponsors:** Planning and Development Department
- Attachments:** [Exhibit A - 2024 PLANNING COMMISSION MEETING SC](#)

- V-B [ID 23-1770](#) August 16, 2023 Planning Commission Regular Meeting Minutes
Sponsors: Planning and Development Department
Attachments: [Exhibit A - August 16, 2023 DRAFT Planning Commission](#)
- V-C [ID 23-83](#) November 1, 2023 Planning Commission Regular Meeting Minutes
Sponsors: Planning and Development Department
Attachments: [Exhibit A - November 1, 2023 DRAFT Planning Commissic](#)

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

VIII-A [ID 23-1711](#)

Consideration of Annexation Application No. P23-03757; Pre-zone Application No. P23-03758; and related Environmental Assessment No. P23-03757/P23-03758 for approximately 141 acres of property generally located along the north and south sides of West Ashlan Avenue between North Bryan and North Polk Avenues.

1. **RECOMMEND ADOPTION** (to the City Council) of the Mitigated Negative Declaration prepared for Environmental Assessment No. P23-03757/P23-03758 dated November 10, 2023, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines.
2. **RECOMMEND APPROVAL** (to the City Council) of Annexation Application No. P23-03757 (for the Ashlan-Hayes Nos. 2, 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. P23-03758 proposing to pre-zone: approximately 97.55 acres of property from the Fresno County 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; approximately 18.65 acres of property from the Fresno County RR/NB (*Rural Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-1/ANX (*Single-Family Residential, Low Density/Annexed Rural Residential Transitional Overlay*) zone district; approximately 14.13 acres of property from the Fresno County RR/NB (*Rural Residential/Neighborhood Beautification*) zone district to the City of Fresno RM-2/ANX (*Multi-Family Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay*) zone district; and, approximately 1.76 acres of property from the Fresno County RR/NB (*Rural Residential/Neighborhood Beautification*) zone district to the City of Fresno OS/ANX (*Open Space/Annexed Rural Residential Transitional Overlay*) zone district.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Aerial Map](#)

[Exhibit B - Vicinity Map](#)

[Exhibit C - Fresno General Plan Land Use Map](#)

[Exhibit D - Proposed Annexation Exhibit](#)

[Exhibit E - Proposed Pre-zone Exhibit](#)

[Exhibit F - Fresno Municipal Code Findings](#)

[Exhibit G - Public Hearing Notice Radius Map](#)

[Exhibit H - Environmental Assessment P23-03757/P23-037](#)

[Exhibit I - Tax Sharing Agreement](#)

VIII-B [ID 23-1719](#)

Consideration of an appeal related to Conditional Use Permit Application No. P19-04757, which requests to establish a State of California Alcoholic Beverage Control Type 21 (off-sale general: beer, wine, and distilled spirits for consumption off the premises where sold) alcohol license for a proposed combination service station and general market with detached car wash located south of West Ashlan Avenue, between State Route 99 and North Golden State Boulevard (Council District 1) - Planning & Development Department.

1. **DENY** the applicant's appeal and **UPHOLD** the action of the Planning and Development Department Director to deny Conditional Use Permit Application No. P19-04757 requesting to establish a State of California Alcoholic Beverage Control Type 21 (off-sale general: beer, wine, and distilled spirits for consumption off the premises where sold) alcohol license for a proposed service station and general market.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Vicinity Map & Aerial Photograph](#)

[Exhibit B - Planned Land Use & Zoning](#)

[Exhibit C - Operational Statement](#)

[Exhibit D - Exhibits](#)

[Exhibit E - Conditions of Approval for P23-02136 \[10/20/20\]](#)

[Exhibit F - Comment Letters](#)

[Exhibit G - Public Hearing Notice & Noticing Map](#)

[Exhibit H - Table and Map of Existing Licenses & Map](#)

[Exhibit I - Fresno Municipal Code Findings](#)

[Exhibit J - Notices of Action](#)

[Exhibit K - Appeal letter](#)

[Exhibit L - Draft Conditions of Approval for P19-04757/P23](#)

[Exhibit M - Additional Letter Received](#)

IX. REPORT BY SECRETARY**X. SCHEDULED ORAL COMMUNICATIONS****XI. UNSCHEDULED ORAL COMMUNICATIONS**

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission Agenda should contact the Planning and Development Department (telephone: 559-621-8277) at least 10 days before the desired appearance date.

XII. ADJOURNMENT