

# **City of Fresno**

*City Hall Council Chambers  
2600 Fresno Street*



## **Meeting Minutes - Final**

**Wednesday, July 20, 2022**

**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 – Robert Fuentes***

**PUBLIC ADVISORY**

**THE CITY COUNCIL CHAMBERS AND CITY HALL WILL BE OPEN TO THE PUBLIC AT LIMITED CAPACITY**

**THE PLANNING COMMISSION WELCOMES YOU TO COUNCIL CHAMBERS, LOCATED AT CITY HALL, 2600 FRESNO STREET, FRESNO, CALIFORNIA 93721.**

**The meeting can also be viewed live at 6:00 P.M. on Comcast Channel 96 and AT&T channel 99.**

**Members of the public are encouraged to participate electronically because of reduced capacity of seating in the Chambers to allow for social distancing. Masks will be required for the vaccinated and unvaccinated.**

**Pursuant to the Executive Order, and in compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Commission meeting, please contact the City Clerk’s Office, 559-621-7650 within 48 hours of the meeting.**

**PUBLIC COMMENT:**

**The following options are available for members of the public who want to address Planning Commission:**

**1. eComment at <https://fresno.legistar.com/Calendar.aspx>.**

**a) eComments is a tool for citizens to use to make comments on agenda items. It will be closed at the start of the meeting and will be a part of the official record. The User Agreement and Procedures document for eComment can be accessed by the URL <https://www.fresno.gov/cityclerk/>**

**b) eComments will be a maximum of 450 words.**

**OR**

**2. You are invited to a Zoom webinar.**

**a) If you would like to speak on an agenda item, you can access the meeting remotely from a PC, Mac, iPad, iPhone, or Android device:**

**Please use this URL <https://zoom.us/j/98135780878>**

b) Those addressing Commission must state their name for the record.

**OR**

**3. Join by phone: 1-669-900-9128**

**Webinar ID: 981 3578 0878**

a) Those addressing the Commission must state their name and address for the record.

**4. Email to: [PublicCommentsPlanning@fresno.gov](mailto:PublicCommentsPlanning@fresno.gov)**

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 will be distributed to the Planning Commission prior and during the meeting and will be a part of the official record.

d) Notwithstanding subsection c) above, 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 participants will be on mute until they are called upon at which point they will be unmuted. To prevent participants from having their video on, we will remove the option to show their video.

Pursuant to the Executive Order, and in compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Planning Commission meeting, please contact the Planning Division, 559-621-8277 within 48 hours of the meeting.

The City of Fresno thanks you in advance for taking all precautions to prevent spreading COVID-19 virus.

**I. ROLL CALL**

*Meeting was called to order by Chair Vang at 6:02 p.m.*

*STAFF: Clark, Pagoulatos, Perez, Trejo, Wilson, Zumwalt, Holt, Lara, Lauderdale, M. Martinez, Young (Planning and Development) Badhessa (City Attorney's Office) A.Benelli (Public Works) Gray (Public Utilities)*

**Present** 6 - Chairperson Peter Vang, Vice Chair Brad Hardie, Commissioner Haley M. Wagner, Commissioner Kathy Bray, Commissioner Monica Diaz, and Commissioner Robert A. Fuentes

**Absent** 1 - Commissioner David Criner

**II. PLEDGE OF ALLEGIANCE**

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

*Chair Vang outlined the meeting procedures for the benefit of the public.*

**IV. AGENDA APPROVAL**

*Director Clark stated (2) corrections into the record for item VIII-B: Mixed Use Text Amendment Section 15-1502 E6, Subsection D in the Text Amendment, should change from the word "or" to "and", clarifying CEQA and Infrastructure Standards are required for ministerial approval. Subsection E should be added, requiring compliance with Fresno County Airport Land Use Compatibility Plan for ministerial approval.*

*Commissioner Hardie stated he needed to recuse himself from item V-A (ID 22-1172).*

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

**Aye:** 6 - Chairperson Vang, Vice Chair Hardie, Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Fuentes

**Absent:** 1 - Commissioner Criner

**V. CONSENT CALENDAR**

*Commissioner Hardie recused himself from item V-A (ID 22-1172).*

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

**Aye:** 6 - Chairperson Vang, Vice Chair Hardie, Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Fuentes

**Absent:** 1 - Commissioner Criner

**V-A** [ID 22-1172](#) (CONTINUED FROM JULY 6, 2022)  
Consideration of Vesting Tentative Tract Map No. 6410; and related Environmental Assessment No. T-6410 for approximately 11.23 acres of property located on the north side of East Church Avenue, east of South Peach Avenue (Council District 5).

1. **ADOPT** the Mitigated Negative Declaration prepared for Environmental Assessment No. P22-00958/T-6410 dated May 20, 2022, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines.
2. **APPROVE** Planned Development Permit Application No. P22-00958, proposing to allow for a density transfer and the entirety of the proposed subdivision to be developed consistent to the RS-5 zone district development standards.
3. **APPROVE** Vesting Tentative Tract Map No. 6410, proposing to subdivide approximately 11.23 acres of the subject property into a 73-lot single-family residential development subject to compliance with the Conditions of Approval dated July 20, 2022.

**V-B** [ID 22-1149](#) Consideration of Vesting Tentative Tract Map No. 6371, and related Environmental Assessment No. T-6371, for property located on East Floradora between North Armstrong and North Temperance Avenues (Council District 7).

1. **ADOPT** Environmental Assessment No. T-6371, dated July 20, 2022, an Addendum to Environmental Assessment No. P19-00801/P19-00843/P19-00846/T-6201/T-6235 , in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.

2. **APPROVE** Vesting Tentative Tract Map No. T-6371 proposing to subdivide the approximate 4.18 net acres property into a 27-lot single-family residential development, subject to compliance with the Conditions of Approval dated July 20, 2022, and the related environmental assessment.

**VI. REPORTS BY COMMISSIONERS**

N/A

**VII. CONTINUED MATTERS**

N/A

**VIII. NEW MATTERS**

**VIII-A** [ID 22-1129](#) Public hearing to consider the adoption of the West Area Neighborhoods Specific Plan and related Final Environmental Impact Report (FEIR), State Clearinghouse (SCH No. 2019069117). The following applications have been filed by the Fresno City Council and pertain to approximately 7,077 acres in the Development Area-1 West Development Area:

1. **RECOMMEND APPROVAL** (to the City Council), of the findings set forth in the Final Environmental Impact Report (EIR SCH No. 2019069117) (see Exhibits I, J, and K).
  - a. **RECOMMEND ADOPTION** (to the City Council) of an appropriate Mitigation Monitoring and Reporting Program (MMRP) as required by Public Resources Code Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097; and,
  - b. **RECOMMEND ADOPTION** (to the City Council) of findings based upon testimony presented by staff that there are significant, unavoidable, environmental impacts which have not been mitigated to a level below significant. Therefore, the City Council should adopt the findings of fact and consider an appropriate statement of overriding considerations.
2. **RECOMMEND APPROVAL** (to the City Council) of Plan Amendment Application P22-01351 which proposes to repeal the West Area Community Plan, pertaining to approximately 12,341 acres located in the Development Area-1 West Development Area, and the portion of the Highway City Neighborhood Specific Plan that overlaps the West Area Neighborhoods Specific Plan Boundary, approximately 455 acres (see Exhibit B).
3. **RECOMMEND APPROVAL** (to the City Council) of Plan Amendment Application P22-01352 which proposes to adopt the

West Area Neighborhoods Specific Plan and accompanying Planned Land Use Map (see Exhibits C and F.1).

4. **RECOMMEND APPROVAL** (to the City Council) of Plan Amendment Application P22-01353 which proposes to update the Planned Land Use Map (Figure LU-1) of the Fresno General Plan to incorporate the land use changes proposed in the West Area Neighborhoods Specific Plan (see Exhibit D).
5. **RECOMMEND APPROVAL** (to the City Council) of Rezone Application P22-01353 which proposes to rezone approximately 1,172 acres of property within the West Area Neighborhoods Specific Plan area to be consistent with the planned land uses proposed in the Plan (see Exhibit E).
6. **RECOMMEND APPROVAL** (to the City Council) of staff-recommended Land Use Change Requests for a follow-up amendment to the West Area Neighborhoods Specific Plan to include land use change requests and an updated dual land use map (Exhibit N).

*Long Range Planner, Casey Lauderdale, presented the item.*

*Public comment: (8) spoke in favor. Bonique Emerson, with Precision Civil Engineering (consultant) was available for comments and questions. She stated they opposed the land use change to include RMX & CMX designations, recommending an environmental review.*

*At 7:05 p.m. Chair Vang announced the Commission would take a (5) minute break, returning at 7:14 p.m., offering Staff enough time to gather information needed to respond to Public Comment.*

*The Commission & Staff clarified the CMX & RMX land use exception. They continued the discussion on potential conditions within a motion and the flexibility of making a motion for referral to City Council with this item.*

*Commissioner Fuentes thanked everyone involved with the development of the Plan and made a motion to adopt Staff recommendations with the condition that proposed land use changes are environmentally accessed so Staff can determine if said use is consistent with the Specific Plan.*

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

**Aye:** 6 - Chairperson Vang, Vice Chair Hardie, Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Fuentes

**Absent:** 1 - Commissioner Criner

**VIII-B** [ID 22-1176](#) Consideration of Development Code Text Amendment Application No. P22-02413 and related Environmental Finding for Environmental Assessment No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-510-E to the Fresno Municipal Code, and corresponding General Plan Text Amendment relating to mixed use development:

1. **RECOMMEND ADOPTION** (to the City Council), of a finding set forth in Environmental Assessment No. P22-02413 dated July 6, 2022, of a Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15168(d)
2. **RECOMMEND APPROVAL** (to the City Council) of Development Code Text Amendment Application No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-510-E to the Fresno Municipal Code, relating to mixed-use development
3. **RECOMMEND APPROVAL** (to the City Council) of General Plan Text Amendment Application No. P22-02413 amending Chapter 3, the Urban Form, Land Use, and Design Element, Table 3-1, and pages 3-41 and 3-42 consistent with the Development Code Text Amendment described above

*Long Range Planning Manager, Sophia Pagoulatos, presented the item.*

*Commissioner Bray asked about occupancy at The Link project and inquired why some district committees were not supportive of ministerial approach.*

*Public comment: (2) members had questions pertaining to height limitations and community review (1) spoke in opposition, complaining about ministerial approval and the resulting consequences.*

*Pagoulatos responded to questions about height limitations and the community review process and provided a final statement to the*

*Commission.*

*Commissioner Bray made a motion to accept staff's recommendations as corrected during the Agenda Approval.*

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

**Aye:** 6 - Chairperson Vang, Vice Chair Hardie, Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Fuentes

**Absent:** 1 - Commissioner Criner

### **IX. REPORT BY SECRETARY**

*No reports by Secretary.*

*Director Clark thanked the Commission for their time, patience, and attention to detail in reading the documents for the Planning Commission.*

*Chair Vang and Director Clark discussed inviting the retired Planning Commissioners who left during COVID to acknowledge their service.*

### **X. SCHEDULED ORAL COMMUNICATIONS**

N/A

### **XI. UNSCHEDULED ORAL COMMUNICATIONS**

N/A

### **XII. ADJOURNMENT**

*Chair Vang adjourned the meeting at 8:03pm.*