



City of Fresno
Meeting Minutes – Draft
Planning Commission

City Hall Council
Chamber
2600 Fresno Street

Wednesday, August 2, 2017

6:00 PM

City Hall Council Chamber
2600 Fresno Street

Regular Meeting

The Planning Commission met in regular session in the City Council Chambers, City Hall, at 6:00 p.m. on the date listed above.

I. ROLL CALL

City Staff: Raterman-Doidge (City Attorney's Office), Kolluri, Clark (DARM), Sanchez, Emerson, Barnes, Trejo, Elgin, Piona, Pagoulatos, Benelli (Public Works), Gray (Public Utilities).

Present 6 - Chairperson Serop Torossian, Vice Chair Rojelio Vasquez, Commissioner Lawrence Garcia, Commissioner Kathy Bray, Commissioner Raj K. Sodhi-Layne, and Commissioner Debra McKenzie

II. PLEDGE OF ALLEGIANCE

Recital of the pledge.

III. PROCEDURES – PROCEDIMIENTOS – KEV SAB LAJ

Chair Torossian outlined the meeting procedures for the benefit of the public.

IV. AGENDA APPROVAL

Mike Sanchez, Assistant Director of DARM, reported no changes to the agenda.

MOTION TO APPROVE.

On a motion of Commissioner Garcia, seconded by Commissioner Vasquez, that the above be approved. The motion carried by the following vote:

Aye: 6 - Chairperson Serop Torossian, Vice Chair Rojelio Vasquez, Commissioner Lawrence Garcia, Commissioner Kathy Bray, Commissioner Raj K. Sodhi-

Layne, and Commissioner Debra McKenzie

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

V. CONSENT CALENDER

No items on the Consent Calendar.

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

VI. REPORTS BY COMMISSIONERS

No reports were made by the Commission.

VII. CONTINUED MATTERS

No continued items were heard.

VIII. NEW MATTERS

- A. ID17-1063 Consideration of Plan Amendment Application No. A-17-007, Prezone Application No. R-17-010, Annexation Application No. 17-005 Tentative Parcel Map Application No. TPM-17-06, and related Environmental Assessment No. A-17-007/ R-17-010/ANX-17-005/TPM-17-06 pertaining to approximately ± 115.95 acres of property located on the northwest corner of East Jensen Avenue and South Martin Luther King Jr. Boulevard (Council District 3).
 - 1. RECOMMEND APPROVAL (to the City Council) of the adoption of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-17-007/ R-17-010/ ANX-17-005/ TPM-17-06 dated August 2, 2017 for the proposed project.
 - 2. RECOMMEND APPROVAL (to the City Council) of Annexation Application No. ANX-17-005 proposing detachment from the Fresno county Fire Protection District and the Kings River Conservation District and annexation to the City of Fresno.

3. RECOMMEND APPROVAL (to the City Council) of Plan Amendment Application No. A-17-007, which proposes to amend the Fresno General Plan and Edison Community Plan from the following designations: Medium Density Residential for 19.25 acres, Urban Neighborhood for 29.44 acres, Community Commercial for 10.11 acres, Office for 37.69 acres and Community Park for 19.09 acres to Medium Density Residential for 54.48 acres, Community Commercial for 2.4 acres, Regional Commercial for 22.52 acres, Park for 9.63 acres and Public Facility - College designation for 26.55 acres.
4. RECOMMEND APPROVAL (to the City Council) of Prezone Application No. R-17-010 to amend the Official Zone Map to reclassify the subject property from the Fresno County AL-20 (Limited Agriculture) to the City of Fresno zone districts to designated as follows: RS-5 (Residential Single Family) for 54.48 acres, CC (Community Commercial) for 2.4 acres, CR (Community-Regional) for 22.52 acres, PR (Parks and Recreation for 9.63 acres, and PI (Public and Institutional) for 26.55 acres.
5. RECOMMEND APPROVAL (to the City Council) of Tentative Parcel Map Application No. TPM-17-06 for the establishment of four parcels on 115.949 acres.

Sophia Pagoulatos presented the proposed project.

Sylvester Hall, Blue Ocean Development America (applicant), spoke in support of the project.

The following members spoke in support: Grecia Elenes, Ivanka Saunders, Claire Smith, and Will Scott.

The following members spoke in opposition: Keeza McCoy, Brunette Harris, Amina Mohammad, and Audrey Scott.

Pagoulatos addressed concerns to traffic, land acquisition, neighborhoods around the proposed project.

Talia Kolluri addressed questions regarding the Housing Element.

Commissioner McKenzie spoke to widening of roads.

Commissioner Bray spoke to walkable streets.

Commissioner Sodhi-Layne spoke to the type of college.

Commissioner Garcia asked the applicant of other organizations involved in this development.

Andrew Benelli addressed concerns to road widening, imminent domain and complete streets with trails.

Mr. Hall spoke to the vision of the development.

Chair Torossian spoke in support.

Commissioner Vasquez spoke in support

MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF STAFF'S RECOMMENDATION.

On a motion of Commissioner Vasquez, seconded by Commissioner Bray, that the above Action Item be recommended for approval. The motion carried by the following vote:

Aye: 6 - Chairperson Serop Torossian, Vice Chair Rojelio Vasquez, Commissioner Lawrence Garcia, Commissioner Kathy Bray, Commissioner Raj K. Sodhi-Layne, and Commissioner Debra McKenzie

- B. ID17-1061 Consideration of Text Amendment Application No. TA-17-002 and related Environmental Finding for Environmental Assessment No. TA-17-002, to modify zoning and use regulations for California Redemption Value (CRV) Recycling Centers within the City of Fresno.
1. RECOMMEND APPROVAL (to the City Council) of the Finding of No Possibility of Significant Adverse Effect as prepared for Environmental Assessment No. TA-17-002 dated July 26, 2017.
 2. RECOMMEND APPROVAL (to the City Council) of Text Amendment Application No. TA-17-002, to modify zoning and use regulations for California Redemption Value (CRV) Recycling Centers within the City of Fresno.

Bonique Emerson presented the proposed project.

Commissioner Sodhi-Layne spoke in regards to the letters received in opposition.

Commissioner Vasquez spoke in clarification to recycling centers within the stores.

Commissioner Torossian spoke to grants received from the State.

Commissioner McKenzie spoke to Police Department service calls to recycling facilities.

Emerson, Raterman-Doidge, and Clark answered the commissioner's questions.

No members from the public spoke in support.

The following members spoke in opposition: Ricardo Hernandez Jr., Garth Zambrana, Joe Perez, Aaron Moreno, Leonard Lang, Meagan Oxalson, and Randy Tolsun.

Emerson addressed questions and concerns presented by the public.

Chair Torossian and Commissioner Garcia spoke to existing facilities that would remain after ordinance would take effect.

Commissioner Sodhi-Layne spoke to supermarkets that pay the daily fee.

Commissioner Vasquez spoke to making modification to the ordinance.

Clark answered questions and concerns regarding to Council initiated ordinance.

Chair Torossian, Commissioner Bray, Commissioner Garcia, Commissioner McKenzie, and Commissioner Sodhi-Layne spoke in opposition.

Motion made by Chair Torossian to refer back to staff, continue the dialog with the stakeholders, and pending state legislation.

Raterman-Doidge spoke to the possible outcome of the presented motion.

Chair Torossian retracted his motion.

MOTION TO DENY STAFF'S RECOMMENDATION AND REQUEST TO FURTHER LOOK INTO THE EFFECTS OF THE ORDINANCE AND TAKE PENDING STATE LEGISLATION INTO CONSIDERATION.

On a motion of Commissioner Bray, seconded by Commissioner McKenzie, that the above Action Item be recommended for denial. The motion carried by the following vote:

Aye: 6 - Chairperson Serop Torossian, Vice Chair Rojelio Vasquez, Commissioner Lawrence Garcia, Commissioner Kathy Bray, Commissioner Raj K. Sodhi-Layne, and Commissioner Debra McKenzie

- C. ID16-1245 Consideration of Text Amendment Application No. TA-17-006 and the related environmental finding to address recreational marijuana operations, dispensaries, sales, and public consumption by prohibiting them in all zone districts within the City.

1. RECOMMEND APPROVAL to the City Council of

Environmental Assessment No. TA-17-006 prepared for this matter approving a Finding of No Possibility pursuant to Section 15061 (b)(3) of the Environmental Quality Act Guidelines.

2. RECOMMEND APPROVAL to the City Council of the adoption of Text Amendment Application No. TA-17-006.

The Commission took a break at 8:09 p.m. and reconvened at 8:17 p.m.

Commissioner Garcia recused himself from this item.

Bruce Barnes presented the project.

No members from the public spoke in support.

The following members form the public spoke in opposition: Michael Green, Andrea Lomascola, Nicolas Cardella, and Brock Caughell.

Commissioner Vasquez addressed Secretary Clark to how this text amendment was initiated.

Clark provided clarification to the City Council initiated text amendment.

Raterman-Doidge provided clarification to the current regulation as presented in the Fresno Municipal Code, State law, and Federal law for both medical and recreational marijuana.

Chair Torossion, Commissioner Bray, and Commissioner Sodhi-Layne spoke in support of staff's recommendation.

MOTION TO RECOMMEND APPROVAL OF STAFF'S RECOMMENDATION TO THE CITY COUNCIL.

On a motion of Chair Torossion, seconded by Commissioner Bray, that the above Action Item be recommended for approval. The motion carried by the following vote:

Aye: 4 - Chairperson Serop Torossian, Commissioner Kathy Bray, Commissioner Raj K. Sodhi-Layne, and Commissioner Debra McKenzie

Nay: 1 - Vice Chair Rojelio Vasquez

Abstain: 1 - Commissioner Lawrence Garcia

- D. ID17-1059 Consider Text Amendment Application No. TA-17-005, initiated by City Council Resolution on December 17, 2015, and the related environmental finding. The purpose of this text amendment is to bring establishments that sell alcoholic beverages for off-site consumption into compliance with the current development code (Section 15-

2706), primarily in regards to locational restrictions and operational requirements. (Citywide).

1. RECOMMEND APPROVAL (to the City Council) of the environmental finding approving a Finding of No Possibility pursuant to Section 15061 (b)(3) of the Environmental Quality Act Guidelines.
2. RECOMMEND APPROVAL (to the City Council) of Text Amendment Application No. TA-17-005, amending section 15-2706 of the Fresno Municipal Code.

Clark provided background on the presented item. This text amendment was initiated by City Council in 2015 after it was requested by community advocates. City Staff request that the Commission refer the item back to staff after hearing public testimony for further discussion with City Council and members of the public.

Commissioner Garcia did not return to the dais for the rest of the evening.

Emerson presented the proposed project.

Commissioner Bray asked about existing establishments and craft beer.

Clark answered the questions regarding craft beer.

Commissioner McKenzie spoke to questions regarding existing locations.

Commissioner Bray spoke to concentrations throughout the City.

Chair Torossian asked about cost for applicants to go through the review.

Clark answered questions regarding to application cost.

Commissioner Sodhi-Layne asked about locational restrictions and exceptions.

Emerson spoke to address questions and concerns.

No member from the public spoke in support of the proposed project.

The following members from the public spoke: Ajit Gill, Andy Chhikara (Small Businesses representing a group of approximately 40 people), Serge Haitayan, George Beal, Bill Burnell, Un-named Man, Harpinder Loi, Anuprit Kaur, and Rajinder Brar.

Clark addressed the Commission to the Staff's recommendation to refer back to staff.

Commissioner Sodhi-Layne spoke to concerns with cost to business owners.

Commissioner Vasquez spoke to the need of code enforcement and the need to find a balance between business owners and the City's well-being.

Chair Torossian spoke to the need of dialog between business owners and staff.

MOTION TO REFER BACK TO STAFF.

On a motion of Commissioner Vazquez, seconded by Commissioner McKenzie, that the above Action Item be referred back to staff. The motion carried by the following vote:

Aye: 5 - Chairperson Serop Torossian, Vice Chair Vasquez, Commissioner Kathy Bray, Commissioner Raj K. Sodhi-Layne, and Commissioner Debra McKenzie

Absent: 1 - Commissioner Lawrence Garcia

IX. REPORT BY SECRETARY

Clark welcomed the new Commissioners and informed that an additional Commissioner will be present at the next meeting. Clark informed the Commission of the next items coming ahead, such as: Parks Master Plan, Southwest Specific Plan, and other long range planning items in the future.

X. SCHEDULED ORAL COMMUNICATIONS

No scheduled oral communications.

XI. UNSCHEDULED ORAL COMMUNICATIONS

No unscheduled oral communications.

XII. ADJOURNMENT

Adjourned at 9:58 p.m.