

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Minutes - Draft

Wednesday, March 6, 2024

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

Chair Vang called the meeting to order at 6:02 p.m.

Commissioner Criner arrived at 6:03 p.m.

Also present were Jennifer Clark, Phillip Siegrist, Israel Trejo, Rob Holt, Saul Perez, Luke Risner, Erik Young, Janice Monroe, Kari Camino, Kristi Costa (CAO), Heather Thomas (CAO), Harmanjit Dhaliwal (DPW), Dejan Pavic (DPU), & Theodore Semonious (FIRE).

Present 6 - Chairperson Peter Vang, Commissioner David Criner , Vice Chair Brad Hardie, Commissioner Kathy Bray, Commissioner Monica Diaz, and Commissioner Jacqueline G. Lyday

Absent 1 - Commissioner Haley M. Wagner

II. PLEDGE OF ALLEGIANCE

6:02 p.m.

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

6:02 p.m.

Chair Vang read procedures aloud.

Commissioner Criner arrived at 6:03 p.m.

IV. AGENDA APPROVAL

6:03 p.m.

Trejo reported no changes to the agenda.

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

Aye: 6 - Chairperson Vang, Commissioner Criner , Vice Chair Hardie, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

Absent: 1 - Commissioner Wagner

V. CONSENT CALENDAR

6:04 p.m.

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

Aye: 6 - Chairperson Vang, Commissioner Criner , Vice Chair Hardie, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

Absent: 1 - Commissioner Wagner

V-A [ID 24-180](#) February 7, 2024 Planning Commission Regular Meeting Minutes

VI. REPORTS BY COMMISSIONERS

6:04 p.m.

None

VII. CONTINUED MATTERS

VII-A [ID 24-325](#) CONTINUED FROM FEBRUARY 7, 2024
Consideration of an appeal related to Zoning Inquiry No. P23-02357 for Bauer’s Towing located on approximately 0.71 acres between West Voorman and West Nielsen Avenues, west of North Thorne Avenue in Fresno, California (Council District 3) - Planning and Development Department.

1. **DENY** the appeal and **UPHOLD** the determination that Bauer’s Towing is not in conformance with Policy and Procedure No. C-002 as reflected in the Zoning Inquiry response dated September 26, 2023, as prepared by the Planning and Development Department Director; and
2. **Deny** the appeal and **UPHOLD** the determination in the Zoning Inquiry response dated September 26, 2023, that Bauer’s Towing is a legal non-conforming use and, absent any expansion and/or change in use, could continue to operate indefinitely.

6:05 p.m.

Vice Chair Hardie recused himself from Items 24-325 and 24-291.

Siegreest made a presentation summarizing the background, timeline, vicinity, and Staff recommendations.

Chair Vang and Director Clark clarified the role of the Planning Commission for the Zoning Inquiry, including parameters and limitations of the materials before them.

Chair Vang requested a Roll Call Vote.

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

Aye: 3 - Chairperson Vang, Commissioner Criner , and Commissioner Lyday

No: 2 - Commissioner Bray, and Commissioner Diaz

Absent: 1 - Commissioner Wagner

Recused: 1 - Vice Chair Hardie

VIII. NEW MATTERS

VIII-A [ID 24-291](#) Consideration of Conditional Use Permit Application No. P23-02068 and related Environmental Assessment No. P23-02068 pertaining to approximately 0.71 acres of property located on the east side of North Van Ness Avenue and west side of North College Avenue, adjacent of the existing canal south of East Elizabeth Street (Council District 3) - Planning & Development Department.

1. **ADOPT** Environmental Assessment No. P23-02068 dated December 27, 2023, a determination that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332/Class 32 (Infill Development) of CEQA Guidelines.
2. **APPROVE** Conditional Use Permit Application No. P23-02068 which requests authorization to convert existing office spaces into 16 multi-family residential dwelling units, subject to compliance with the Conditions of Approval dated March 6, 2024.

6:15 p.m.

Vice Chair Hardie recused from this item as previously stated.

Luke Risner (Planner) made a presentation on the project including location, background, zoning, applicable Fresno Municipal Code, outreach, and Staff recommendations.

Orlando Ramirez (Applicant) gave a brief background on the project and was available for questions and comments.

No public comment was given.

On motion of Commissioner Diaz, seconded by Commissioner Bray, 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 Lyday

Absent: 1 - Commissioner Wagner

Recused: 1 - Vice Chair Hardie

VIII-B [ID 24-322](#) Consideration of an appeal regarding the denial of Conditional Use Permit Application No. P21-06064, requesting authorization to establish a State of California Alcoholic Beverage Control Type 20 alcohol license (Off-Sale beer and wine) within a proposed ±5,500 square-foot Arco AM/PM combination automobile service station and convenience store located at 4390 West Shaw Avenue, on the northeast corner of West Ashlan and North Blythe Avenues (Council District 1) - Planning & Development.

1. **DENY** the Appellant's appeal and **UPHOLD** the action of the Planning and Development Department Director to deny Conditional Use Permit Application No. P21-06064 requesting authorization to establish a State of California Alcoholic Beverage Control Type 20 alcohol license (Off-Sale beer and wine) for a proposed Arco AM/PM combination automobile service station and convenience store.

6:21 p.m.

Erik Young (Supervising Planner) began by making a correction to his Staff Report (on page 1 it states the address as 4390 W. Shaw Avenue, instead of the correct address of 4390 W. Ashlan Avenue).

He then made a presentation on the project including topics such as location, zoning, background, definitions of FMC Use Classification, outreach, timeline and Staff recommendations.

He discussed the application analysis, particularly Census Tract 38.09, focusing on exceptions and restrictions as well as the FMC Findings needed.

Vice Chair Hardie asked Staff for clarification on the Cancel and Transfer

Option.

Paige Gosney (Applicant) expressed his excitement for the project, focusing on the benefits and struggles he has overcome.

Public comment:

One person spoke in denial of the appeal, citing the over-concentration and flexibility for options at this site.

Gosney had no additional comments in response.

Vice Chair Hardie spoke of his support of the project, but not the appeal.

Chair Vang requested a Roll Call Vote.

On motion of Vice Chair Hardie, seconded by Commissioner Lyday, that the above Action Item be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairperson Vang, Commissioner Criner, Vice Chair Hardie, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

Absent: 1 - Commissioner Wagner

IX. REPORT BY SECRETARY

6:50 p.m.

None

X. SCHEDULED ORAL COMMUNICATIONS

N/A

XI. UNSCHEDULED ORAL COMMUNICATIONS

6:51 p.m.

None

XII. ADJOURNMENT

Chair Vang adjourned the meeting at 6:52 p.m.