City of Fresno

City Hall Council Chambers
2600 Fresno Street

Meeting Agenda - Final

Wednesday, February 5, 2020

6:00 PM

Regular Meeting

City Hall Council Chambers
2600 Fresno Street

Planning Commission

Chairperson - Kathy Bray
Vice Chair Raj K. Sodhi-Layne
Commissioner - Vacant
Commissioner Debra McKenzie
Commissioner Peter Vang
Commissioner Brad Hardie
Commissioner Monica Diaz

The Planning Commission welcomes you to the City Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

The City of Fresno's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. The meeting room is physically accessible. If, as an attendee or participant at the meeting, you need additional accommodations such as interpreters, signers, assistive listening devices, or the services of a translator, please contact the Office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. To ensure availability, you are advised to make your request at least 48 hours prior to the meeting. The agenda and related staff reports are available at www.fresno.gov, as well as in the Office of the City Clerk.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets.

La Comisión de Planificacion le da la bienvenida a la cumara del conseso (City Council Chambers), ubicada en la Alcaldía (City Hall), do piso, 2600 Fresno Street, Fresno, California 93721.

El objetivo de la Ciudad de Fresno es cumplir con la Ley de Americanos con Discapacidades (ADA) en todo aspecto. La sala para juntas es físicamente accesible. Si usted, como asistente o participante de la junta, necesita acomodaciones adicionales como intérpretes, lenguaje de señas, aparatos auditivos, o los servicios de un traductor, por favor comuníquese con la Oficina del Secretario Municipal llamando al (559) 621-7650 o al el clerk@fresno.gov. Para asegurarse de la disponibilidad, se le recomienda llamar y hacer su petición por lo menos 48 horas antes de la junta. La agenda y los reportes de personal correspondientes están disponibles en www.fresno.gov, o también en la Oficina del Secretario Municipal.

El estacionamiento con parquímetros está implementado a través del centro de la ciudad. El público en general que desea asistir a la junta de la Comisión de Planificación se puede(n) estacionar después de las 5:00 p.m. en el estacionamiento en la esquina noroeste de las calles Tulare y "P".

Tso Planning Commission tos txais koj rau City Council Chambers, nyob rau hauv City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

Lub hom phiaj ntawm nroog Fresno yuav ua kom tau txhua yam raw li txoj cai American with Disabilities Act (ADA) kom fwm txhua tus. Lub rooj sab laj txhua tus yuav tsum muaj feem koom kom tau, txawm yog cov tuaj koom, cov muaj feem rau lub rooj sab laj, yuav tsum kom muaj kev pab rau sawv daws xws li txhais lus, piav tes, tej twj mloog pob ntseg los yog ib tug txhais lus, thov hu rau Office of the City Clerk ntawm (559) 621-7650 los sis clerk@fresno.gov. Yuav kom paub tseeb tias npaj tau rau koj, koj yuav tsum tau hais ua ntej 48 xuab moos ntawm lub rooj sab laj. Daim ntawv kom tswj thiab tej ntaub ntawv cov ua dej num yuav coj los ceeb tshaj muaj nyob rau ntawm www.fresno.gov, los sis ntawm Office of the City Clerk.

Metered nres tsheb muaj nyob thoob plaw plawv nroog Fresno. Cov uas xav tuaj koom lub rooj sab laj Planning Commission nyob rau ntawm City Hall nres tau rau hauv lub parking lot sab hnub tuaj pem toj ntawm txoj kev Tulare thiab P street tom qab 5:00 PM.

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.

Por cada asunto que es considerado por la Comisión, se dará una presentación del personal, seguida par una presentación del solicitante del proyecto. Después, se escuchará testimonio de los que apoyen el proyecto seguido por testimonio de los que se oponen. El solicitante tendrá el derecho a una presentación final cómo refutación antes de concluir la audiencia pública.

De acuerdo con la sección 13 del Articulo 2 de las Reglas y Reglamentos de la Comisión de Planificación que gobierna la largura del debate público, todo testimonio público de aquellos que apoyen o se opongan al proyecto, será limitado a tres minutos por persona. Las tres luces en el atril junto al micrófono indicarán el tiempo que le quede al orador. La luz verde se prenderá cuando el orador empiece. La luz amarilla se prenderá con un suave timbrar de campana cuando quede un minuto. El orador debería estar concluyendo su testimomo cuando la luz roja prenda junto con La campana final indicando que se acabo el tiempo. Todo testimonio público debe ser presentado a la Comisión desde el atril. Cualquier declaración que mencione raza, religion, etnicidad, estado económico, origen, u cualquier otra dasificacion protegida bajo las leyes federales o estatales, las cuales se hagan de una manera derogatoria, serán consideradas irrelevantes y no serán consideradas por el comité al hacer determinaciones con respecto al uso de terreno.

Si usted ha objetado a estos asuntos del uso de la tierra en la corte, tal vez se le limite a plantar estas causas, que usted a alguien más plantó, en testimonio verbal o por escrito, o antes de que concluya la audiencia.

Txhua nge laj txheej pom zoo los ntawm cov Commission, ua ntej yuav tsum muaj tus staff los cej luam, dhau ntawd mam cej luam los ntawm tus tswv rooj ncauj lug. Ntxiv mus mam cia cov txhawb los piav, tom qab ntawd mam tso cov tsis txau siab los hais. Tus tswv rooj ncauj lug muaj cai los txhab txhais ntxiv ua ntej lub rooj sab laj yuav xaus.

Raws li txoj cai nqe 13 ntawm tsab 2 txoj kev tswj fwm lub sij hawm rau tsoom pej xeem txog txoj kev sib cav txog ntawm lub Hom Phiaj txhim kho (Planning Commission). rau txhua tus uas muaj suab los ntawm cov pom zoo thiab cov tsis txau siab rau tej kev txhim kho (project) ib leeg tsuas muaj peb(3) nas this. Yuav muaj peb(3) lub teeb nyob ntawm lub podium ntawm lub microphone ib sab rau tus neeg yuav los tawm suab. Lub teeb ntsuab yuav cig thaum tus neeg pib hais lus. Lub teeb daj yuav cig thiab yuav muaj lub tswb nrov thaum tshuav ib(1) nas this. Tus neeg tawm suab nws yuav tsum hais kom xaus thaum lub teeb liab cig thiab lub tswb nrov ghia tias sij hawm tag lawm. Txhua tus pej xeem yuav tawm suab yuav tsum ceeb qhia rau tus Commission ntawm lub podium. Tej lu thu khdwv ud 5 his tog haiv neeg, key ritseeg, horn neeg, tus muj los txom nyem, haiv neegtuaj qhov twg tuaj, los sis lwm yam sib xws tau tiv thiv los ntwm lub xeev thib tseem fwv txoj cai los txwv tus cwj pwrn sdiLJ ish taU5 lwm IeeJ lwm tus yuai tswm tsis pub kom tshwrn sirn thb yuv tsis tso cai los ntwm Commision key txiav txirn nyob rau dim luaj pua.

Yog hais tias koj yuav tawm tsam tej av(land) los sis siv tej xwm txheej hais nyob rau hauv xam(court) tsuas pub koj hais tau yam uas koj los sis lwm tus twb ua ncauj lug hais los yog sau ua ntaub ntawv ua ntej thaum yuav luag pib lub rooj ncauj lug.

IV. AGENDA APPROVAL

A. Consent Calendar Requests

B. Continuance Requests

C. Other Agenda Changes

V. CONSENT CALENDAR

All consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which events the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

A. Minutes

1. ID 20-00119 Approval of Minutes from Regular Meeting on January 8, 2020.

2. ID 20-00167 Approval of Minutes from Regular Meeting on January 22, 2020.

B. Communications

C. Entitlements

1. ID 20-00185 Consideration of a request for a two-year time extension for the filing of the subsequent phases of Vesting Tentative Tract Map No. 6131/UGM pertaining to approximately 74.31 acres of property located on the southeast corner of North Fowler and East Dakota Avenues. (Council District 4)

1. **APPROVE** the request for a two-year time extension to October 5, 2020, for the filing of the subsequent phases of Vesting Tentative Tract Map No. 6131/UGM, subject to compliance with the original conditions of approval as contained in Planning Commission Resolution No. 13412, and the attached Development Impact Fees dated February 5, 2020.

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

A. ID 20-00110 Hearing to consider Plan Amendment Application No. P18-03290, Rezone Application No. P18-03290, Development Agreement, and related Environmental Assessment No. P18-3290 filed by Daniel J. Zoldak of Lars Andersen & Associates on behalf of Sylvesta Hall of 2500 MLK, LLC, which proposes to re-designate ±89.68 acres of existing land, previously analyzed under approved Plan Amendment Application No. A-17-007. The proposed development is entitled "West Creek Village Mixed-Use Project." (Council District 3)

1. **RECOMMEND APPROVAL** (to the City Council) of the adoption of an addendum to the previously adopted Mitigated Negative Declaration prepared for Environmental Assessment No. A-17-007/R-17-010/ANX-17-005/TPM-2017-06, dated August 2, 2017.

2. **RECOMMEND APPROVAL** (to the City Council) of Plan Amendment Application No. P18-03290 proposing to amend the Fresno General Plan and the Southwest Fresno Specific Plan to the following designations on the subject parcel:

Community Park for 9.51 acres, College for 6.48 acres, Medium Density for 50.18 acres, Regional Commercial for 21.08 acres, and Community Commercial for 2.43 acres to Medium Density Residential for 26.58 acres, Medium High Density Residential for 21.32 acres, Community Park for 11.74 acres, Community Commercial for 3.08 acres, and Regional Commercial for 26.96.

3. **RECOMMEND APPROVAL** (to the City Council) of Rezone Application No. P18-03290 proposing to amend the Official Zone Map to rezone the subject property as follows: from 50.18 acres of RS-5 (Residential Single-Family), 21.08 acres of CR (Regional Commercial), 6.48 acres of PI (Public & Institutional), 2.43 acres of CC (Community Commercial), and 9.51 acres of PR (Park and Recreation) to 26.58 acres to RS-5 (Residential Single-Family), 21.32 acres to RM-1 (Residential Multi-Family), 3.08 acres to CC (Community Commercial), 11.74 acres to PR (Park and Recreation), and 26.96 acres to CR (Regional Commercial).

4. **RECOMMEND APPROVAL** (to the City Council) of the Development Agreement between the City of Fresno and 2500 MLK LLC, pertaining to future development of real property situated on the northwest corner of East Jensen Avenue and South Martin Luther King, Jr., Boulevard.

VIII. NEW MATTERS

A. ID 20-00112 Consideration of Tentative Tract Map No. 6270; and, related Environmental Assessment No. T-6270 for approximately 2.08 net acres of property located on the west side of South Willow Avenue between East Laurel and East Fillmore Avenues (Council District 7).

1. **ADOPT** Environmental Assessment No. T-6270 dated December 12, 2019, 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 of the CEQA Guidelines.

2. **APPROVE** Tentative Tract Map No. 6270 which requests authorization to subdivide the subject property into 18 single family residential lots subject to compliance with the Conditions of Approval, included within the Planning Staff Report to the Planning Commission dated February 5, 2020.

B. ID 20-00106 Consider the appeal of Conditional Use Permit Application No.

P19-04266, amending Conditional Use Permit No. C-11-121. The application requests a modification to a California Alcoholic Beverage Control Type 47 alcohol license (Restaurant - sale of beer and wine for consumption on or off the premise where sold), to extend alcohol serving hours until 2:00 a.m. for an existing restaurant, and further requests to expand an existing outdoor patio area. The restaurant is located at 9455 North Fort Washington Road, Suite 101 (Council District 6).

1. **ADOPT** Environmental Assessment P19-04266, dated September 23, 2019, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 1 "Existing Facilities" and Class 11 "Accessory Structures" Categorical Exemption.

2. **DENY** the applicant's appeal and **UPHOLD** the action of the Planning and Development Department Director to:
    a. APPROVE Conditional Use Permit Application No. P19-04266, subject to the conditions of approval, dated November 26, 2019; and
    b. DENY the applicant's request to extend alcohol sales, service, and consumption hours to 2:00 a.m.

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

UPCOMING MATTERS (dates subject to change)