City of Fresno

City Hall Council Chambers
2600 Fresno Street

Meeting Agenda - Final

Wednesday, August 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 - David Criner
Commissioner Debra McKenzie
Commissioner Peter Vang
Commissioner Brad Hardie
Commissioner Monica Diaz

PUBLIC ADVISORY:

THE CITY COUNCIL CHAMBERS AND CITY HALL WILL NOT BE OPEN TO THE PUBLIC

While Emergency Order No. 2020-12 is in effect, City of Fresno public meetings will be conducted electronically and telephonically only. No one will be physically present in the Chambers, and the Chambers will not be open to the public. City Hall remains closed to the public.

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

1. Join online webinar on Zoom.

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/92232852704.

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

OR

2. Join by phone
1-669-900-9128
Webinar ID: 922 3285 2704

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

3. Email: to Kao.Vang@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.

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.

ASESORIA PÚBLICA:

LAS CÁMARAS DEL CONSEJO MUNICIPAL Y LA ALCALDÍA NO ESTRAN ABIERTOS AL PÚBLICO.

Mientras que la Orden de Emergencia No. 2020-12 esté en efecto, las reuniones públicas de la Ciudad de Fresno se llevarán a cabo solo por vía electrónica y por teléfono. Nadie estará físicamente presente en las Cámaras, y las Cámaras no estarán abiertas al público. La Alcaldía permanecerá cerrada al público.

COMENTARIO PÚBLICO: Las siguientes opciones están disponibles para los miembros del público que desean dirigirse al Consejo de la Ciudad:

1. Únase en línea por Zoom.

a) Si desea hablar sobre un tema del agenda, puede acceder a la reunión de forma remota desde una PC, Mac, iPad, iPhone o dispositivo Android: utilice este enlace https://zoom.us/j/92232852704.

b) Aquellos que se dirijan al Consejo deben indicar su nombre para el registro.

OR

2. Únase por Teléfono.
Join by phone
1-669-900-9128
Webinar ID: 922 3285 2704

a) Aquellos que se dirijan al Planning Commission deben indicar su nombre para el registro.

3) Correo electrónico: Kao.Vang@fresno.gov.

a) Los residentes también pueden enviar comentarios por correo electrónico para ser leídos durante la reunión. Incluya la fecha del agenda y el número de artículo sobre el que desea hablar en la línea de asunto de su correo electrónico.

b) Los correos electrónicos tendrán un máximo de 450 palabras.

c) Todos los comentarios recibidos se distribuirán al Planning Commission antes y durante la reunión y formarán parte del registro oficial.

Todos los participantes estarán en silencio hasta que se les elija, en cuyo punto se

desactivara el silenciador. Para evitar que los participantes tengan su video encendido, eliminaremos la opción de mostrar su video.

En conformidad con la Orden Ejecutiva, y en conformidad con la Ley de Estadounidenses con Discapacidades, si necesita asistencia especial para participar en la reunión del Consejo de la Ciudad, comuníquese con la Oficina de Planning Division de la Ciudad, al 559-621-8277 con 48 horas de anticipo a la reunión.

La Ciudad de Fresno le agradece de antemano por tomar todas las precauciones para evitar la propagación del virus COVID-19.

COV LUS TSHAJ TAWM RAU COV PEJ XEEM:

PEB YUAV TSIS QHIB LUB TSEV SIB THAM RAU COV PAB PAWG TSWJ XYUAS LUB NROOG THIAB LUB TSEV CITY HALL RAU COV PEJ XEEM TUAJ.

Thaum lub sijhawm uas Cov Lus Khoo Xwm Txheej Ceev Lej 2020-12 tseem ua haujlwm tswj mus, Lub Nroog Fresno yuav tuav cov rooj sib tham rau cov pej xeem hauv istawsnev thiab xovtooj nkaus xwb. Peb yuav tsis muaj neeg tuaj rau tim Lub Tsev Sib Tham Rau Pab Pawg Tswj Xyuas Lub Nroog, thiab peb yuav tsis qhib Lub Tsev Sib Tham Rau Pab Pawg Tswj Xyuas Lub Nroog rau cov pej xeem tuaj. Lub City Hall yuav kaw twj ywm mus tsis pub rau cov pej xeem tuaj.

LUS LOS NTAWM COV PEJ XEEM : Peb muaj cov kev ntawm no rau cov pej xeem uas xav hais lus rau Pab Pawg Tswj Xyuas Lub Nroog:

1. Mus koom hauv istawsnev nrog Zoom.

a) Yog tias koj xav tham txog ib yam ntawm qhov lawv teem los tham txog, koj saib tau lub rooj sib tham qhov twg los tau hauv koj lub PC, Mac, iPad, iPhone, lossis xovtooj Android: Thov siv qhov URL ntawm no https://zoom.us/j/92232852704.

b) Cov uas hais lus rau Pab Pawg Tswj Xyuas Lub Nroog yuav tsum qhia lawv lub npe rau peb muab ntaus cia.

OR

2. Koom hauv Xovtooj
Join by phone
1-669-900-9128
Webinar ID: 922 3285 2704

a) Cov uas hais lus rau Pab Pawg Tswj Xyuas Lub Nroog yuav tsum qhia lawv lub npe rau peb muab ntaus cia.

3. Email: Kao.Vang@fresno.gov.

a) Cov tib neeg uas nyob hauv lub nroog kuj email tau lawv cov lus tuaj rau peb nyeem thaum peb tuav lub rooj sib tham los tau thiab. Thov sau lub hnub tim ntawm lub rooj sib tham thiab tus lej ntawm qhov koj xav tham txog uas koj xav hais lus rau ntawm kab subject line (kab qhia txog cov ntsiab lus ntawm tsab email) rau koj qhov email.

b) Peb tsuas pub koj sau mus txog 450 cov lus rau hauv koj qhov email xwb.

c) Tagnrho cov lus yuav muab faib rau Pab Pawg Tswj Xyuas Lub Nroog pom ua ntej thiab thaum lwv tseem tuav lub rooj sib tham thiab peb yuav khaws tseg tagnrho cov lus hais rau peb cov ntaub ntawv.

Peb yuav tua kom txhob hnov cov neeg koom lub suab hais txog txij lawv hu nws lub npe ces thaum ntawd mam li taws pub hnov nws hais lus. Kom peb pab tiv thaiv kom tsis txhob pom cov neeg koom, peb yuav tua qhov pom tus neeg.

Raws li Cov Lus Khoo Los Ntawm Cov Nom Tswv, thiab kom peb ua tau raws li Txoj Cai Tiv Thaiv Cov Neeg Asmesliskas Uas Muaj Tej Yam Kev Xiam Oob Qhab, yog tias koj yuav tsum tau kev pab tshwj xeeb los koom nrog Pab Pawg Tswj Xyuas Lub Nroog lub rooj sib tham, thov hu rau Lub Nroog Tus Kws Khiav Ntaub Ntawv Lub Chav Haujlwm, Planning Division 559-621-8277 ua ntej 48 teev ua ntej lub rooj sib tham.

Lub Nroog Fresno xav ua tsaug rau koj ua ntej los xyuam xim tiv thaiv kom tus kab mob COVID-19 tsis txhob kis tau ntxiv.

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 20-00967 Approval of Minutes from Regular Meeting on July 22, 2020.

B. Communications

C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

A. **ID 20-00968**

CONTINUE TO AUGUST 19, 2020

Consideration of Text Amendment Application No. P20-02212 and related Environmental Finding for Environmental Assessment No. P20-02212, sections 15-2706, 15-6801 and 15-6802 of the Fresno Municipal Code, relating to the use regulations for alcohol sales

B. **ID 20-00969**

CONTINUE TO SEPTEMBER 2, 2020

Consideration of Text Amendment Application No. P20-02213 and related Environmental Finding for Environmental Assessment No. P20-02213, to add section 15-1614 to Chapter 15 of the Fresno Municipal Code creating the Focused Infill (FI) Overlay District in the City of Fresno.

C. ID 20-00970

Consideration of Annexation Application No. P19-06059; Plan Amendment Application No. P19-06060; Pre-zone Application No. P19-06060; Development Permit Application No. P19-06061; and, related Environmental Assessment No. P19-06059/P19-06060/P19-06061 for ±8.48 acres of property located on the southwest corner of East Tulare Street and South Peach Avenue (Council District 5 or 7).

1. **RECOMMEND APPROVAL** (to the City Council) of the adoption of the Mitigated Negative Declaration prepared for Environmental Assessment No. P19-06059/P19-06060/P19-06061 dated June 5, 2020 for the proposed project pursuant to the California Environmental Quality Act (CEQA).

2. **RECOMMEND APPROVAL** (to the City Council) of Annexation Application No. P19-06059 to initiate annexation proceedings for

the Tulare-Peach No. 3 Reorganization proposing incorporation of the subject property within the City of Fresno; and, detachment from the Kings River Conservation District and Fresno County Fire Protection District.

3. **RECOMMEND APPROVAL** (to the City Council) of Plan Amendment Application No. P19-06060 proposing to amend the Fresno General Plan and the Roosevelt Community Plan to change the planned land use designation for a ±4.38 acre portion of the subject property from Medium Density Residential to Urban Neighborhood Residential.

4. **RECOMMEND APPROVAL** (to the City Council) of Pre-zone Application No. P19-06060 proposing to pre-zone: ±4.38 acres of the subject property from the Fresno County RA NB (*Single Family Residential Agriculture/Neighborhood Beautification*) zone district to the City of Fresno RM-2 *(Residential Multi-Family, Urban Neighborhood)* zone district; ±2.19 acres from the Fresno County RA NB (*Single Family Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5 (*Residential Single-Family, Medium Density*) zone district; ±0.52 acres from the Fresno County AL20 (*Limited Agriculture*) zone district to the City of Fresno RS-5 (*Residential Single-Family, Medium Density*) zone district; ±0.26 acres from the Fresno County C1 (*Neighborhood Shopping Center*) zone district to the City of Fresno CC (*Commercial - Community*) zone district; and, ±0.18 acres from the Fresno County R2 NB (*Low Density Multiple Family Residential*) zone district to the City of Fresno RS-5 (*Residential Single-Family, Medium Density*) zone district.

5. **RECOMMEND APPROVAL** (to the City Council) of Development Permit Application No. P19-06061, requesting authorization to construct a 129-unit multi-family development in the RM-2 (*Residential Multi-Family, Urban Neighborhood*) zone district, subject to compliance with the Conditions of Approval dated August 5, 2020, and contingent upon City Council approval of Annexation Application No. P19-06059, Plan Amendment Application No. P19-06060, Pre-zone Application No. P19-06060 and the related environmental assessment.

D. ID 20-00971 Consideration of Conditional Use Permit Application No. P20-00808, a request to upgrade an existing Type 20 alcohol license (Package Store - sale of beer and wine for consumption off the premises where sold) to a Type 21 alcohol license *(*Package Store - sale of beer, wine,

and distilled spirits for consumption off the premises where sold*)* for the existing Tower Beer & Wine mini mart located at 441 West Olive Avenue at the southeast corner of West Olive and North Fruit Avenues (Council District 3) - Planning & Development Department.

Based upon the evaluation contained in this report and appeal received from the applicant, staff recommends that the Planning Commission take the following action:

1. **CONSIDER** Environmental Assessment No. P20-00808, dated August 5, 2020, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 1 (Existing Facilities) Categorical Exemption; and,

2. **DENY** the applicant's appeal and **UPHOLD** the action of the Planning and Development Department Director to deny Conditional Use Permit Application No. P20-00808 requesting to upgrade the Tower Beer & Wine Type 20 Off-Sale Beer & Wine alcohol sales license to a Type 21 Off-Sale General License to include distilled spirits.

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)