

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Agenda - Final

Wednesday, September 7, 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

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

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.

IV. AGENDA APPROVAL

V. CONSENT CALENDAR

V-A [ID 22-1185](#) March 17, 2021 Planning Commission Regular Meeting Minutes

Sponsors: Planning and Development Department

Attachments: [Exhibit A - March 17, 2021 DRAFT Planning Commission M](#)

- V-B [ID 22-1120](#) November 17, 2021 Planning Commission Regular Meeting Minutes.
Sponsors: Planning and Development Department
Attachments: [Exhibit A - November 17, 2021 DRAFT Planning Commission](#)
- V-C [ID 22-1121](#) December 1, 2021 Planning Commission Regular Meeting Minutes
Sponsors: Planning and Development Department
Attachments: [Exhibit A - December 1, 2021 DRAFT Planning Commission](#)
- V-D [ID 22-1428](#) April 20, 2022 Planning Commission Regular Meeting Minutes
Sponsors: Planning and Development Department
Attachments: [Exhibit A - April 20, 2022 DRAFT Planning Commission Mi](#)
- V-E [ID 22-1115](#) June 15, 2022 Planning Commission Regular Meeting Minutes
Sponsors: Planning and Development Department
Attachments: [Exhibit A - June 15, 2022, DRAFT Planning Commission M](#)

V-F [ID 22-1418](#)

Consideration of request for a discretionary two-year extension of time to the expiration date for Vesting Tentative Tract Map No. 5756 pertaining to approximately 19.17 acres of property located on the south side of West Ashlan Avenue between North Polk and North Hayes Avenues. (Council District 1).

1. APPROVE the request for a discretionary two-year extension of time for the expiration date for Vesting Tentative Tract Map No. 5756, subject to compliance with the original conditions of approval as contained in Planning Commission Resolution No. 12802, and the attached Development Impact Fees dated September 01, 2022.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Vicinity Map](#)

[Exhibit B - Aerial Map](#)

[Exhibit C - Planning Commission Resolution No. 12802](#)

[Exhibit D - Tentative Tract Map No. 5756 \[January 04, 200](#)

[Exhibit E - Subdivider Request for Extension of Time \[July](#)

[Exhibit F - Fresno Municipal Code Findings](#)

[Exhibit G - Development Impact Fees \[September 01, 202](#)

VI. REPORTS BY COMMISSIONERS**VII. CONTINUED MATTERS**

VII-A [ID 22-1402](#)

CONTINUED FROM 8/17/22

Consideration of the Official Plan Line (OPL) for the West North Avenue alignment from South Marks Avenue to South Elm Avenue. (Council District 3)

1. RECOMMEND ADOPTION (to the City Council) of Environmental Assessment No. EA-18-004, filed May 18, 2018, resulting in a Mitigated Negative Declaration for purposes of the proposed project.
2. RECOMMEND APPROVAL (to the City Council) of the adoption of the Official Plan Line for the West North Avenue alignment from South Marks Avenue to South Elm Avenue pursuant to the Fresno General Plan Land Use and Circulation Map, and in accordance with Exhibit "D" of the Staff Report to the Planning Commission dated August 17, 2022.

Sponsors:

Public Works Department

Attachments:[Exhibit A - Vicinity Map](#)[Exhibit B - Aerial Photograph](#)[Exhibit C - Public Hearing Notice Mailing List Vicinity Map](#)[Exhibit D - Fresno General Plan Land Use and Circulation](#)[Exhibit E - Official Plan Line for North from Marks to Elm](#)[Exhibit F - Environmental Assessment EA-18-004, Mitigate](#)**VIII. NEW MATTERS**

VIII-A [ID 22-1400](#)

Consideration of Plan Amendment and Rezone Application No. P19-05950 and related Environmental Assessment No. P19-05950, for approximately 1.73 acres of property located on the south side of West Nees Avenue, between North Blackstone and North Ingram Avenues. (Council District 2)

1. RECOMMEND APPROVAL (to the City Council) of the adoption of the Negative Declaration as prepared for Environmental Assessment No. P19-05950, dated July 29, 2022, for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. RECOMMEND APPROVAL (to the City Council) of Plan Amendment Application No. P19-05950 proposing to amend the Fresno General Plan to change the planned land use designation for the subject property from High Density Residential (± 1.73 acres) to Regional Mixed Use (± 1.73 acres).
3. RECOMMEND APPROVAL (to the City Council) of Rezone Application No. P19-05950 proposing to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the RM-3/UGM/Cz (Multi-Family Residential, High Density/Urban Growth Management/conditions of zoning) zone district to the RMX (Regional Mixed Use) zone district in accordance with Plan Amendment Application No. P19-05950.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Operational Statement \[August 30, 2022\]](#)

[Exhibit B - Vicinity Map](#)

[Exhibit C - 2022 Aerial Photograph of Site](#)

[Exhibit D - Existing Fresno General Planned Land Use Map](#)

[Exhibit E - Proposed Plan Amendment](#)

[Exhibit F - Proposed Rezone](#)

[Exhibit G - Fresno Municipal Code Findings](#)

[Exhibit H - Noticing Vicinity Map \(1000 feet\)](#)

[Exhibit I - Environmental Assessment \[July 29, 2022\]](#)

[Exhibit J - Neighborhood Meeting Summary](#)

VIII-B [ID 22-1403](#)

Consideration of Vesting Tentative Tract Map No. 6345; and related Environmental Assessment No.

T-6345/P22-00411/P22-00442 for approximately 36.75 acres of property located on the southeast corner of the East California Avenue alignment and South Willow Avenue (Council District 5).

1. RECOMMEND APPROVAL (to the City Council) of the adoption of the Mitigated Negative Declaration prepared for Environmental Assessment No. T-6345/P22-00411/P22-0442 dated August 12, 2022, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines.

2. RECOMMEND APPROVAL (to the City Council) of Annexation Application No. P22-00411 (for the California-Willow No. 4 Reorganization) proposing detachment from the Kings River Conservation District and Fresno County Fire Protection District and annexation to the City of Fresno.

3. RECOMMEND APPROVAL (to the City Council) of Pre-zone Application No. P22-00442 proposing to pre-zone: approximately 38.37 acres of the subject property from the Fresno County AL20 (Limited Agriculture) zone district to the City of Fresno RS-5 (Single-Family Residential, Medium Density) zone district; approximately 37.90 acres of the subject property from the Fresno County AL20 (Limited Agriculture) zone district to the RS-5/ANX (Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay) zone district; and, approximately 41.70 acres of the subject property from the Fresno County AL20 (Limited Agriculture) zone district to the City of Fresno RM-2/ANX (Multi-Family Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay) zone district.

4. RECOMMEND APPROVAL (to the City Council) of Vesting Tentative Tract Map No. 6345, proposing to subdivide approximately 36.75 acres of the subject property

into a 199-lot conventional single-family residential development subject to compliance with the Conditions of Approval dated September 7, 2022, and contingent upon approval of Annexation No. P22-00411 and Pre-zone Application No. P22-00442 and the related environmental assessment.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Vesting Tentative Tract Map No. 6345 \[May 16,](#)

[Exhibit B - Operational Statement \[April 11, 2022\]](#)

[Exhibit C - Aerial Map](#)

[Exhibit D - Vicinity Map](#)

[Exhibit E - Fresno General Plan Land Use & Zoning Map](#)

[Exhibit F - Proposed Pre-zone Exhibit](#)

[Exhibit G - Proposed Annexation Boundary Exhibit](#)

[Exhibit H - Fresno Municipal Code Findings](#)

[Exhibit I - Public Hearing Notice Radius Map](#)

[Exhibit J - Neighborhood Meeting Minutes](#)

[Exhibit K - Conditions of Approval for Vesting Tentative Tra](#)

[Exhibit L - Comments & Requirements from Responsible A](#)

[Exhibit M - Environmental Assessment No. T-6345/P22-00](#)

VIII-C [ID 22-1427](#)

Consideration of an appeal filed regarding Development Permit Application No. P21-00420 and related Environmental Assessment for property located at 63 West Shaw Avenue on the southeast corner of West Shaw and North Glenn Avenues (Council District 4).

1. APPROVE Environmental Assessment No. P21-00420 dated June 3, 2022, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) Guidelines through a Section 15332/Class 32 Categorical Exemption.

2. DENY the appeal and UPHOLD the action of the Planning and Development Department Director in the approval of Development Permit Application No. P21-00420 authorizing the construction of a connected four- and five-story mixed-use affordable housing building including ground floor retail and live-work units and 123 multi-family dwelling units, subject to the following:
 - a. Development shall take place in accordance with the Conditions of Approval for Development Permit Application No. P21-00420 dated June 24, 2022.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Aerial Map](#)
[Exhibit B - Appeal Letter \[7/8/2022\]](#)
[Exhibit C - Applicant's Representative Letter \[8/29/2022\]](#)
[Exhibit D - Public Hearing Notice Radius Map](#)
[Exhibit E - Fresno Municipal Code Findings](#)
[Exhibit F – Conditions of Approval for Development Permit](#)
[Exhibit G - Operational Statement \[4/6/2022\]](#)
[Exhibit H - Site Plan, Floor Plan, Landscape Plan, and Elev](#)
[Exhibit I - Comments and Requirements from Responsible](#)
[Exhibit J – Environmental Assessment No. P21-00420 \[6/3](#)
[Exhibit K - E-mails \[2/21/2021, 3/19/2021, 3/20/2021, 4/1/2](#)
[Exhibit L - E-mail \[2/21/2021\]](#)
[Exhibit M - E-mail \[2/22/2021\]](#)
[Exhibit N - E-mails \[3/3/2021, 3/17/2021, 8/29/2022, & 8/31](#)
[Exhibit O - E-mails \[3/21/2021 & 3/24/2021\]](#)
[Exhibit P - E-mails \[8/29/2022 & 8/31/2022\]](#)
[Supplemental Exhibit Q - Additional Communication Submi](#)
[Supplemental Exhibit R - Additional Appellant Correspondence](#)

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)