

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Agenda - Final

Wednesday, November 2, 2022

6:00 PM

Regular Meeting

**City Hall Council Chambers
2600 Fresno Street**

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 22-1119](#) July 6, 2022 Planning Commission Regular Meeting Minutes

Sponsors: Planning and Development Department

Attachments: [Exhibit A - July 6, 2022, DRAFT Planning Commission Min](#)

V-B [ID 22-827](#) July 20, 2022 Planning Commission Regular Meeting Minutes

Sponsors: Planning and Development Department

Attachments: [Exhibit A – July 20, 2022 DRAFT Planning Commission Mi](#)

V-C [ID 22-310](#) August 3, 2022 Planning Commission Regular Meeting Minutes

Sponsors: Planning and Development Department

Attachments: [Exhibit A - August 3, 2022 DRAFT Planning Commission M](#)

V-D [ID 22-1719](#)

Consideration of Development Permit Application No. P22-01298 and related Environmental Assessment No. P22-01298 pertaining to ±3.30 acres of property located on the south side of Herndon Avenue between North Fresno Street and North First Street (Council District 6).

1. CONSIDER Environmental Assessment No. P22-01298, dated November 2, 2022, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 32 Categorical Exemption; and,
2. APPROVE Development Permit Application P22-01298, proposing to construct a ±50,000 square foot two floor, multi-tenant medical office building and parking lot with 77 standard parking stalls, 131 compact parking stalls and 14 electric vehicle charging station stalls on a vacant lot, subject to compliance with the Conditions of Approval dated November 2, 2022.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Vicinity Map](#)

[Exhibit B - Aerial Photograph](#)

[Exhibit C - Zoning Map](#)

[Exhibit D - Project Information Tables](#)

[Exhibit E - Master Application/ Owner's Letter of Authorizat](#)

[Exhibit F - Operational Statement](#)

[Exhibit G - Exhibits \(Site Plan, Elevation Photos, Floor Plan](#)

[Exhibit H - Department/Agency Comments](#)

[Exhibit I - Public Hearing Notice](#)

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

[Exhibit K - Environmental Assessment](#)

[Exhibit L – Ordinance 2005-100 & Statement of Covenants](#)

[Exhibit M - Conditions of Approval \[11-2-2022\]](#)

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

VIII. NEW MATTERS

VIII-A [ID 22-1605](#)

Consideration of an appeal filed regarding Cannabis Conditional Use Permit Application No. P22-01492 and related Environmental Assessment for property located at 1704 East Belmont Avenue on the southeast corner of East Belmont and North Blackstone Avenues (Council District 3).

1. APPROVE Environmental Assessment No. P22-01492 dated August 1, 2022, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) Guidelines through a Section 15301/Class 1 Categorical Exemption.
2. DENY the appeal and UPHOLD the action of the Planning and Development Department Director in the approval of Cannabis Conditional Use Permit Application No. P22-01492 authorizing the establishment of a cannabis retail business in an approximately 4,645 sq. ft. existing commercial building, subject to the following:
 - a. Development shall take place in accordance with the Conditions of Approval for Cannabis Conditional Use Permit Application No. P22-01492 dated September 20, 2022.

Sponsors:

Planning and Development Department

Attachments:

[Exhibit A - Aerial Map](#)
[Exhibit B - Appeal Letter \[October 4, 2022\]](#)
[Exhibit C - Public Hearing Notice Radius Map](#)
[Exhibit D - Fresno Municipal Code Findings](#)
[Exhibit E - Conditions of Approval for P22-01492 \[September 20, 2022\]](#)
[Exhibit F - Operational Statement \[June 14, 2022\]](#)
[Exhibit G - Site Plan, Floor Plan, & Landscape Plan](#)
[Exhibit H - Comments & Requirements from Responsible A](#)
[Exhibit I - Environmental Assessment P22-01492 \[August 1, 2022\]](#)
[Exhibit J - Neighborhood Responsibility Plan \[June 14, 2022\]](#)
[Exhibit K - Commercial Cannabis Business Permit Packet](#)
[Exhibit L - Emails \[October 27, 2022\]](#)

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)