

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Minutes - Draft

Wednesday, January 4, 2023

6:00 PM

Regular Meeting

**Electronic and/or In Person
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. 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

**2. 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.

3. 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

Chair Vang called meeting to order at 6:01pm.

Present 7 - Chairperson Peter Vang, Vice Chair Brad Hardie, Commissioner David Criner, Commissioner Haley M. Wagner, Commissioner Kathy Bray, Commissioner Monica Diaz, and Commissioner Robert A. Fuentes

II. PLEDGE OF ALLEGIANCE

6:01pm

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

6:01pm

Chair Vang read the procedure aloud.

IV. AGENDA APPROVAL

6:03pm

Israel Trejo, Planning Manager, reported no changes to agenda.

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

Aye: 7 - Chairperson Vang, Vice Chair Hardie, Commissioner Criner, Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Fuentes

V. CONSENT CALENDAR

6:04pm

Chair Vang asked about Consent Calendar and Director Clark clarified there was nothing to vote on.

VI. REPORTS BY COMMISSIONERS

N/A

VII. CONTINUED MATTERS

N/A

VIII. NEW MATTERS

VIII-A [ID 22-1897](#) Consideration of Cannabis Conditional Use Permit Application No. P22-01549, and related Environmental Assessment No. P22-01549, pertaining to approximately 1.41 acres of property located on the south side of East Herndon Avenue between North Willow and North Chestnut Avenues (Council District 6).

1. **ADOPT** Environmental Assessment No. P22-01549 dated October 11, 2022, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 1 Categorical Exemption and
2. **APPROVE** Cannabis Conditional Use Permit Application P22-01549 proposing to establish a cannabis retail business within an existing approximately 2,516 sq. ft. commercial tenant suite, subject to compliance with the Conditions of Approval dated January 4, 2023.

6:05pm

Planner, Rob Holt, presented on the process, purpose, zoning, and neighborhood responsibility policy for the project.

Jennifer Ruiz was present for questions on the Commercial Cannabis Business Permits (CCB).

Cyrus Pai (Authentic Fresno Willow LLC), applicant, made a presentation on the background of the company, security details, and their plan.

Commissioners discussed local contribution/ new jobs, delivery security, testing safety of the product, and community engagement with Pai who answered their questions.

Public Comment:

1 person spoke in support and 0 in opposition

On motion of Commissioner Fuentes, seconded by Commissioner Criner , that the above Action Item be APPROVED. The motion carried by the following vote:

Aye: 7 - Chairperson Vang, Vice Chair Hardie, Commissioner Criner , Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Fuentes

VIII-B [ID 23-47](#)

Consideration of Conditional Use Permit Application No. P21-01385 and related Environmental Assessment No. P21-01385/P21-04202 for approximately ±14.57 acres of property located on the northeast corner of East Behymer and North Maple Avenues. (Council District 6) - Planning and Development Department.

1. **CONSIDER** Mitigated Negative Declaration prepared for Environmental Assessment (EA) No. P21-01385/P21-04202, dated September 27, 2021, for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. **DENY** the applicant's appeal and **UPHOLD** the action of the Planning and Development Department Director to approve Conditional Use Permit Application No. P21-01385, a request to construct a commercial development, subject to Conditions of Approval dated December 24, 2021.

6:31pm

Planner, Jose Valenzuela, gave a presentation on the project summary, background, and response to noticing.

To represent the applicant, Bonique Emerson (Precision Engineering) gave a presentation explaining the split of a large parcel (with 2 separate owners & applications). She talked about the proposed development, jobs, outreach, appellant concerns, and goals.

The environmental consultant, Kaitlyn Heck (Stan Tech), was available for questions in regards to any health concerns.

Representing the Developers, Gaurav Sethi was available for comments & questions.

Public Comment:

1 person spoke in support and 2 in opposition (concerned with a lack of outreach, EV stations, size of the service station, lighting, and the quality of life if project is approved)

Commissioners discussed with Sethi, Heck, & Emerson the outreach and progress of the last year, health concerns, and plan for adaptation to the needs of the community with electric vehicles.

On motion of Commissioner Wagner, seconded by Commissioner Bray, that the above Action Item be APPROVED. The motion carried by the following vote:

Aye: 7 - Chairperson Vang, Vice Chair Hardie, Commissioner Criner , Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Fuentes

VIII-C [ID 23-61](#) WORKSHOP - Overview of Cleaner & Greener Overlay District Text Amendment

7:13pm

Director Clark gave a presentation on the timeline, context, feedback, & challenges of the Text Amendment. She asked the Commission what they wanted to see in the overlay, requesting specific feedback on the documents provided before she could move forward with a draft. She noted the feedback could be during the meeting or sent electronically and added as public record.

Vang was in favor of the flexibility and increased checkpoints.

Fuentes voiced concern of the Text Amendment being Citywide. He asked about the community engagement, and thought additional areas should receive attention outside of Southwest Fresno. He recommended reaching out to business owners and private citizens for their feedback. He wasn't confident that a single Text Amendment would work for all of Fresno.

Diaz spoke to Clark about the size of the group of residents that were involved and how it was formed.

Wagner asked for a copy of the General Plan map before 2014 and present. She emphasized focusing on what they wanted and how they wanted the city to look.

Criner praised the work done, originally concerned with limiting research to Southwest Fresno but felt better after the discussion. He was glad Southwest Fresno was given a voice in this project.

Bray agreed with Wagner's focus on what they wanted, not what they didn't want to change. She felt it should be broadened, particularly addressing technology. She felt there was technology that was still unknown and should be considered in proposal.

Hardie had no comment.

Fuentes also asked about how the future was addressed & any potential transition plan, to which Clark explained she would like to see a transitional process.

After the discussion, Clark reminded everyone of the upcoming schedule of presentations.

IX. REPORT BY SECRETARY

N/A

X. SCHEDULED ORAL COMMUNICATIONS

N/A

XI. UNSCHEDULED ORAL COMMUNICATIONS

N/A

XII. ADJOURNMENT

Chair Vang adjourned the meeting at 8:16pm