



PLANNING COMMISSION ACTION / MINUTES

October 12, 2016

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SEROP TOROSSIAN, Chair

Commission Members
ROJELIO VASQUEZ, Vice Chair
LAWRENCE GARCIA
CARY CATALANO
LUISA MEDINA
RANDY REED
JAIME HOLT

Development and Resource Management
Director/Commission Secretary
JENNIFER K. CLARK

Deputy City Attorney
MARY RATERMAN-DOIDGE

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I. ROLL CALL

The meeting was called to ordered by Chair Torossian at 6:03 p.m.

PRESENT: Catalano, Holt, Medina, Reed, Vasquez, Torossian

ABSENT: Garcia

STAFF: Clark, Zack, Sanchez, Pagoulatos, Lang, Olsen (DARM), Raterman-Doidge (City Attorney's Office), Pavic (Public Utilities, Water), Davis (Airports), Quan (Mayor and City Manager's Office)

II. PLEDGE OF ALLEGIANCE

Recital of the pledge of allegiance was led by Commissioner Vasquez.

III. PROCEDURES

Chair Torossian outlined the meeting procedures for the benefit of the public.

IV. AGENDA APPROVAL

A. Consent Calendar Requests – None

B. Continuance Requests – None

C. Other Agenda Changes - Dan Zack stated there were two errata that needed to be applied.

*Commissioner Holt moved to approve the agenda with the aforementioned errata.
Commissioner Vasquez seconded the motion.*

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VOTING: Ayes- Holt, Vasquez, Catalano, Medina, Reed, Torossian
Noes- None
Not Voting- None
Absent- Garcia

ACTION: *APPROVED. Motion carried 6 yes, 0 no.*

V. CONSENT CALENDAR

- A. Consent Calendar Requests – None
- B. Continuance Requests – None
- C. Entitlements – None

VI. REPORTS BY COMMISSIONERS

None.

VII. CONTINUED MATTERS

None.

VIII. NEW MATTERS

- A. Public hearing to consider adoption of the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan, the Downtown Development Code and related Final Program Environmental Impact Report (FPEIR), State Clearinghouse (SCH) # 2012041009. Applications have been filed by the City of Fresno Development and Resource Management Department Director pertaining to approximately 7,290 acres in the Downtown Planning Area.
 - 1. Recommend the City Council review and consider Program Environmental Impact Report (PEIR SCH No. 2012041009), apply the Council's independent judgment and analyses to the review, and then certify the PEIR as having been completed in compliance with CEQA, based on the Commission's recommendations on the proposed Final Program EIR and comments thereon.
 - a. Recommend the City Council adopt an appropriate Mitigation Monitoring and Reporting Program (MMRP) as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097; and,
 - b. Recommend the City Council find that based upon testimony presented by staff, there are significant, unavoidable, environmental impacts which have not been mitigated to a level below significant. Therefore, the City Council should consider an appropriate statement of overriding considerations.
 - 2. Recommend the City Council approve Plan Amendment Application No. A-16-009 which proposes to repeal the Central Area Community Plan, pertaining to approximately

1,701 acres located in the Downtown Planning Area.

3. Recommend the City Council approve Plan Amendment Application No. A-16-010 which proposes to repeal the Fulton-Lowell Specific Plan, pertaining to approximately 495 acres located in the Downtown Planning Area.
4. Recommend the City Council approve Plan Amendment Application No. A-16-011 which proposes to adopt the July 27, 2016 draft as amended by the October 2016 changes of the Downtown Neighborhoods Community Plan, pertaining to approximately 7,290 acres located in the Downtown Planning Area.
5. Recommend the City Council approve Plan Amendment Application No. A-16-012, which proposes to adopt the July 27, 2016 draft as amended by the October 2016 changes of the Fulton Corridor Specific Plan, pertaining to approximately 655 acres and located within the boundaries of the Downtown Planning Area.
6. Recommend the City Council approve Plan Amendment Application No. A-16-008, which proposes to update the text and Land Use Map (Figure LU-1) of the Fresno General Plan to incorporate the Downtown Neighborhoods Community Plan and the Fulton Corridor Specific Plan as well as to correspondingly amend the Edison, Roosevelt and West Area Community Plans and the Fresno Chandler Executive Airport Land Use Compatibility Plan and the Fresno-Chandler Downtown Airport Master and Environs Specific Plan.
7. Recommend the City Council approve Text Amendment Application No. TA-16-002 which proposes amendments to the Citywide Development Code to incorporate the updated October 2016 draft of the Downtown Development Code. This code includes form-based zoning requirements for development within the DNCP and FCSP plan areas. New sections proposed to be added to the Citywide Development Code include standards for three new Downtown zones: Downtown Core, Downtown General and Downtown Neighborhood (Article 15 of Chapter 15 of the FMC) along with provisions related to Parking and Loading (Section 15-2407-A). In addition, an Urban Campus Overlay District is added in Section 15-1610 and a Neighborhood Revitalization Overlay District is added in Section 15-1611. Amended sections include Determining Frontage Coverage (Section 15-317), Fences, Walls and Hedges (Section 15-2006), Summary of Primary Planning Permits and Actions (Table 15-4907), Zone Clearance Applicability (Section 15-5102), Apartment Overlay District, (Section 15-1609), Signs (Sections 15-2608 and 15-2610), and Terms and Definitions (Sections 15-5501 and 15-5502).
8. Recommend the City Council approve Rezone Application No. R-16-011, which proposes to rezone all of the property within the Downtown Neighborhoods Community Plan and the Fulton Corridor Specific Plan areas to be consistent with the planned land use. The rezone covers approximately 7,290 acres. This action would necessitate repealing Resolution 2016-28, which created interim zoning in the Downtown Planning Area until such time as the final proposed zoning could be adopted.

Dan Zack and Sophia Pagoulatos presented Program Environmental Impact Report (PEIR SCH No. 2012041009), Plan Amendment Application No. A-16-009, Plan Amendment Application No. A-16-010, Plan Amendment Application No. A-16-011, Plan Amendment

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Application No. A-16-012, Plan Amendment Application No. A-16-008, Text Amendment Application No. TA-16-002, and Rezone Application No. R-16-011.

Commissioner Medina asked several questions of staff, to which Dan Zack answered.

Commissioner Catalano raised a point of order. Commissioner Holt seconded. Motion failed 3 yes, 3 no, 1 absent.

Commissioner Medina and Reed asked several questions of staff, to which Dan Zack and Sophia Pagoulatos answered.

The following individuals spoke in support of the project:

- *Jonathan Miller*
- *Zachary Antoyan*
- *Craig Scharton*
- *Becky Foore-Hayden*
- *Donovan Byrn*
- *Stephanie Soto*
- *Rod McNeely*
- *Carolyn Ocheltra*
- *Jeff Roberts*

The following individuals spoke in opposition of the project:

- *Cynthia Guzman*
- *Estela Ortega*
- *Dominga Duran*
- *Graciela Helles*
- *Ashley Werner*
- *Earl White*

Chair Torossian called for a five (5) minute recess.

Dan Zack and Consultant Mary Bean of First Carbon Solutions responded to comments.

Commissioner Holt moved to recommend City Council do the following:

1. *Review, consider and adopt Program Environmental Impact Report (PEIR SCH No. 2012041009); and,*
2. *Approve the following:*
 - a. *Plan Amendment Application No. A-16-009;*
 - b. *Plan Amendment Application No. A-16-010;*
 - c. *Plan Amendment Application No. A-16-011;*
 - d. *Plan Amendment Application No. A-16-012;*
 - e. *Plan Amendment Application No. A-16-008;*
 - f. *Text Amendment Application No. TA-16-002; and,*
 - g. *Rezone Application No. R-16-011.*

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Commissioner Vasquez seconded the motion.

VOTING: Ayes- Holt, Vasquez, Catalano, Reed, Torossian
Noes- Medina
Not Voting- None
Absent- Garcia

ACTION: APPROVED. Motion carried 5 yes. 1 no. 1 absent. Resolution Nos. 13413, 13414, 13415, 13416, 13417, 13418 and 13419.

IX. REPORT BY SECRETARY

None.

X. SCHEDULED ORAL COMMUNICATIONS

None.

XI. UNSCHEDULED ORAL COMMUNICATIONS

None.

XII. ADJOURNMENT

Meeting adjourned at 8:10 p.m.

Approval Date: _____

Jennifer Clark, Director
Fresno City Planning Commission