



City of Fresno

City Hall Council
Chambers
2600 Fresno Street

Meeting Minutes Planning Commission

Chairperson Serop Torossian
Vice Chair Lawrence Garcia
Commissioner Kathy Bray
Commissioner Raj K. Sodhi-Layne
Commissioner Debra McKenzie
Commissioner Peter Vang
Commissioner Brad Hardie

Wednesday, December 19, 2018

6:00 PM

City Hall Council Chamber
2600 Fresno Street

Regular Meeting

The Planning Commission met in regular session in the City Council Chambers, City Hall, on the date listed above and the time listed below.

I. ROLL CALL

STAFF PRESENT: Clark (DARM), Sanchez, Emerson, Olsen, Rizzo, Trejo, Williams, Tackett; Raterman-Doidge (City Attorney's Office), Badhesha; Benelli (Public Works); Semonious (Fire Department).

Present 7 - Commissioner Brad Hardie, Chairperson Serop Torossian, Commissioner Kathy Bray, Commissioner Debra McKenzie, Commissioner Raj K. Sodhi-Layne, Commissioner Peter Vang, and Vice Chair Lawrence Garcia

II. PLEDGE OF ALLEGIANCE

Recital of the pledge was led by Commissioner Bray.

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

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

IV. AGENDA APPROVAL

Mike Sanchez, Assistant Director of DARM, requested the Commission place continued item ID18-1581 back on the Consent Calendar because it is being referred back to staff.

MOTION TO APPROVE THE AGENDA WITH ITEM ID18-1581 ON THE CONSENT CALENDAR.

On motion of Commissioner Bray, seconded by Vice Chair Garcia, that the above be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, Commissioner Vang, and Vice Chair Garcia

- A. Consent Calendar Requests
- B. Continuance Requests
VII-A
- C. Other Agenda Changes

V. CONSENT CALENDAR

One motion to approve the following Minutes was made by Chair Torossian:

ID18-1585 - Minutes from June 6, 2018

ID18-1584 - Minutes from August 15, 2018

ID18-1577 - Minutes from October 3, 2018

ID18-1583 - Minutes from October 17, 2018

ID18-1589 - Minutes from November 7, 2018

ID18-1582 - Minutes from December 5, 2018

Commissioner Sodhi-Layne abstained from approving ID18-1583 - Minutes from October 17, 2018 and ID18-1589 - Minutes from November 7, 2018.

Commissioner McKenzie abstained from approving ID18-1589 - Minutes from November 7, 2018.

MOTION TO APPROVE CONSENT CALENDAR.

On motion of Commissioner Vang, seconded by Vice Chair Garcia, that the above be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, Commissioner Vang, and Vice Chair Garcia

A. Minutes

1. **ID18-1585** Approval of Minutes from June 6, 2018 meeting.
2. **ID18-1584** Approval of Minutes from August 15, 2018 meeting.
3. **ID18-1577** Approval of Minutes from October 3, 2018 meeting.
4. **ID18-1583** Approval of Minutes from October 17, 2018 meeting.
5. **ID18-1589** Approval of Minutes from November 7, 2018 Meeting.
6. **ID18-1582** Approval of Minutes from December 5, 2018 meeting.

B. Communications

C. Entitlements

VI. REPORTS BY COMMISSIONERS

There were no reports by Commissioners.

VII. CONTINUED MATTERS

Item ID18-1581 was placed back on the Consent Calendar and is being referred back to staff.

A. ID18-1581 (REFER BACK TO STAFF)

Consideration of Vesting Tentative Tract Map No. 6100, Conditional Use Permit Application No. P18-01267 (Planned Development), and related Environmental Assessment No. T-6100/P18-01267, located on the west side of North Armstrong Avenue between East Dakota and East Farrin Avenues (Council District 4 - Councilmember Caprioglio) - Development and Resource Management Department.

1. ADOPT the Mitigated Negative Declaration as prepared for Environmental Assessment No. T-6100/P18-01267 dated October 26, 2018;
2. APPROVE Vesting Tentative Tract Map No. 6100 subject to compliance with the Conditions of Approval dated December 5, 2018; and

3. APPROVE Conditional Use Permit Application No. P18-01267 (Planned Development) subject to compliance with the Conditions of Approval prepared for Vesting Tentative Tract Map No. 6100 dated December 5, 2018.

VIII. NEW MATTERS

- A. ID18-1574** Consideration of Conditional Use Permit Application No. C-17-028 and Variance Application No. V-17-004, located on the northwest corner of North Cedar and East Ashlan Avenues (Council District 4) - Development and Resource Management Department.

Based upon the evaluation contained in this report, staff recommends that the Planning Commission take the following actions:

1. ADOPT Environmental Assessment No. C-17-028 dated December 19, 2018, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through Class 1 and Class 3 Categorical Exemptions.
2. APPROVE Conditional Use Permit Application No. C-17-028 requesting authorization to redevelop the convenience store from a 2,207-square foot building to a 3,309-square foot building, and the associated site work, subject to compliance with the Conditions of Approval dated December 19, 2018. The approval would also allow continuance of the existing Type 20 license subject to compliance with the conditions referenced above.
3. DENY Conditional Use Permit Application No. C-17-028 requesting authorization to upgrade a State of California Alcoholic Beverage Control (ABC) Type 20 (Package Store - sale of beer and wine for consumption off the premises where sold) alcohol license to an ABC Type 21 (Package Store - sale of beer, wine and distilled spirits for consumption off the premises where sold) license for the existing convenience store located on the subject property.

4. APPROVE Variance Application No. V-17-004 requesting authorization to vary service station driveway standards for the subject property.

Jarred Olsen, Planner II in the Current Planning Division with the City of Fresno, presented this item to the Dias.

The Commissioners inquired about the excess amount of ABC licenses in the area, density of the area to ensure the accuracy of the study performed, how the crime statistics are recorded, and the length of time the applicant has had the license.

Olsen and Planning Manager in the Current Planning Department with the City of Fresno, Bonique Emerson responded to the inquiries.

Hardeep Singh, Applicant, and Mike Hamzy, Applicant Representative, spoke in support of the application.

Chair Torossian, addressed the applicant, asking how the limited hours of operation would be monitored, how many establishments the applicant owned and how many had restrictions.

The applicant responded to Chair Torossian's questions.

Commissioner Vang asked about the differences between ABC license types being applied for.

The applicant described the differences.

Commissioner Sodhi-Layne and Chair Torossian asked if alternatives had been considered.

Jennifer Clark, Director of DARM and Secretary to the Planning Commission, responded to the question.

No one from the public spoke in support or opposition of this project.

MOTION TO APPROVE STAFF'S RECOMMENDATION.

On motion of Commissioner Vang, seconded by Vice Chair Garcia, that the above Action Item be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, Commissioner Vang, and Vice Chair Garcia

- B. ID18-1575** Consideration of Conditional Use Permit Application No. P18-02640, located on the northeast corner of North Willow Avenue and East Kings Canyon Road (Council District 5) - Development and Resource Management Department.

Based upon the evaluation contained in this report, staff recommends that the Planning Commission take the following actions:

1. ADOPT Environmental Assessment No. P18-02640 dated December 19, 2018, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through Class 1 and Class 3 Categorical Exemptions.
2. ADOPT findings pursuant to Government Code Section 65863 that the project is consistent with the Housing Element and that there is substantial evidence in the record that remaining sites identified in the Housing Element can accommodate the City of Fresno's share of the Regional Housing Needs Assessment (RHNA).
3. APPROVE Conditional Use Permit Application No. P18-02640 requesting authorization to develop a 3,052-square-foot convenience store and service station with eight fueling positions, subject to compliance with the Conditions of Approval dated December 19, 2018.
4. DENY Conditional Use Permit Application No. P18-02640 requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 21 (Package Store - sale of beer, wine and distilled spirits for consumption off the premises where sold) alcohol license for the proposed convenience market.

Jarred Olsen, Planner II in the Current Planning Division with the City of Fresno, presented this item to the Commission.

Commissioner Vang requested clarification on whether the applicant had an ABC license or not.

Clarification was given by Kim Barnet, Applicant, who also spoke in support of the project.

No one from the public spoke in support or opposition of the project.

Commissioners Bray and Vang spoke in support of Staff's recommendation.

MOTION TO APPROVE STAFF'S RECOMMENDATION.

On motion of Commissioner Vang, seconded by Chairperson Torossian, that the above Action Item be adopted. The motion carried by the following vote:

Aye: 7 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, Commissioner Vang, and Vice Chair Garcia

- C. ID18-1579** Consideration of Annexation Application No. ANX-18-002, Plan Amendment Application No. A-18-001; Pre-zone Application No. R-18-002; Vesting Tentative Tract Map No. 6198/UGM; and, related Environmental Assessment No. ANX-18-002/A-18-001/R-18-002/T-6198 for approximately 26.92 acres of property located on the northwest corner of West Shaw and North Grantland Avenues (Council District 2) - Development and Resource Management Department.

1. RECOMMEND APPROVAL (to the City Council) of the adoption of the Mitigated Negative Declaration prepared for

Environmental Assessment No.

ANX-18-002/A-18-001/R-18-002/T-6198 dated May 11, 2018.

2. RECOMMEND APPROVAL (to the City Council) of Annexation Application No. ANX-18-002 (for the Shaw-Grantland No. 4 Reorganization) proposing detachment from the North Central Fire Protection District and the Kings River Conservation District and annexation to the City of Fresno.

3. RECOMMEND APPROVAL (to the City Council) of Plan Amendment Application No. A-18-001 proposing to amend the Fresno General Plan and the West Area Community Plan to change the planned land use designations for the subject property from Community Commercial (± 12.66 acres) and Urban Neighborhood (± 14.26 acres) to Medium Density Residential (± 26.92 acres).

4. RECOMMEND APPROVAL (to the City Council) of Pre-zone Application No. R-18-002 proposing to pre-zone the subject property from the Fresno County RR (Rural Residential) zone district to the RS-5/UGM (Residential Single Family/Urban Growth Management) zone district.

5. RECOMMEND APPROVAL (to the City Council) of Vesting Tentative Tract Map No. 6198/UGM, proposing to subdivide approximately 26.05 acres of the subject property into a 163-lot single-family residential development subject to compliance with the Conditions of Approval dated December 19, 2018, and contingent upon approval of Annexation No. ANX-18-002, Plan Amendment Application No. A-18-001, Pre-zone Application No. R-18-002 and the related environmental assessment.

Israel Trejo, Planner III in the Current Planning Division with the City of Fresno, presented the project.

Commissioner Sodhi-Layne asked for clarification on the Fire Station 18 document asking if construction of the fire station will enable the Fresno Fire Department (FFD) to meet the required response time.

Theodore Samonious, Deputy Fire Chief for the FFD, responded to the question.

Chair Torossian inquired about when the fire station would be built.

Samonious reported 18 months.

Commissioner Vang asked about the type of feedback received from the community.

Trejo responded to the Commissioners.

Commissioner Bray inquired about the location of the nearest community commercial zone district.

Trejo responded with the nearest location.

Allison Baker, Applicant with Lennar, spoke in support of the project.

No one from the public spoke in support of the project.

The following members of the public spoke in opposition:

*Carol Jameson
Alisa Biliious*

Will Tackett, Supervising Planner in the Current Planning Division with the City of Fresno, addressed the public's concerns.

Commissioners Bray and Hardie spoke in support of the project but voiced concerns regarding traffic in the area and inquired about when it would get corrected.

Tackett responded to traffic concerns.

Mary Raterman-Doidge, Senior Deputy City Attorney, addressed Commissioners Bray and Hardie's concerns with wanting to provide options

for the church and advised the Commission of its options.

The Commission spoke in support of the project but directed Staff to work with the members of the community.

MOTION TO SUPPORT STAFF'S RECOMMENDATION.

On motion of Commissioner Hardie, seconded by Commissioner Sodhi-Layne, that the above Action Item be approved. The motion carried by the following vote:

Aye: 7 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, Commissioner Vang, and Vice Chair Garcia

D. ID18-1576 Planning Commission Workshop on Quasi-Judicial Act vs. Legislative Acts

Bonique Emerson, Planning Manager in the Current Planning Division with the City of Fresno, conducted the workshop.

Commissioner McKenzie spoke in appreciation for the workshop.

Commissioner Hardie inquired about reminders for future workshops requesting email reminders to be sent.

IX. REPORT BY SECRETARY

Jennifer Clark, Director of DARM and Secretary to the Planning Commission, reported on the release of the West Area Specific Plan draft review. Clark also reported that traffic was a large concern as there was a funding gap but there were plans in place to mitigate.

Clark also informed the Dias there would be no Planning Commission Meeting on January 2, 2019 and wished them happy holidays.

X. SCHEDULED ORAL COMMUNICATIONS

There were no scheduled oral communications.

XI. UNSCHEDULED ORAL COMMUNICATIONS

There were no unscheduled oral communications.

XII. ADJOURNMENT

Adjournment at 7:41 p.m.