

City of Fresno

*City Hall Council Chambers
2600 Fresno Street*



Meeting Minutes - Final

Wednesday, May 3, 2023

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 – Jacqueline Lyday

THE PLANNING COMMISSION WELCOMES YOU TO COUNCIL CHAMBERS, LOCATED AT CITY HALL, 2600 FRESNO STREET, FRESNO, CALIFORNIA 93721.

PUBLIC PARTICIPATION – Any interested person may appear at the public hearing and present written testimony or speak in favor or against the matters scheduled on the agenda. Public participation during Fresno City Planning Commission meetings is always encouraged and can occur in one of the two following ways:

- 1. Participate In Person: Council Chambers, City Hall, 2nd Floor, 2600 Fresno Street, Fresno, CA 93721**
 - a. To speak during a Commission meeting in person: You may approach the speaker podium upon the Chair’s call for public comment.**
- 2. Participate Remotely via Zoom:**
https://zoom.us/webinar/register/WN_I18M0bh8TbSGAo27i5ze1Q
 - a. The above link will allow you to register in advance for remote participation in the meeting via the Zoom platform. After registering, you will receive a confirmation email containing additional details about joining the meeting.**
 - b. To speak during a Commission meeting while attending remotely in the Zoom application, click on the icon labeled “Participants” at the bottom of the screen. Then select “Raise Hand” at the bottom of the Participants window. Your digital hand will now be raised. You will be asked to “unmute” when your name is called to speak. You will not be visible via video and there will be no opportunity to share your screen.**

All public speakers will have up to 3 minutes to address the Commission pursuant to Rule No. 13 of the Planning Commission Bylaws of the City of Fresno (available in the City Clerk’s Office).

SUBMIT DOCUMENTS / WRITTEN COMMENTS –

- 1. E-mail – Agenda related documents and comments can be e-mailed to PublicCommentsPlanning@fresno.gov. 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.**
 - 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 at least 24 hours prior will be distributed to the Planning Commission prior and during the meeting and will be a part of the official record.**

VIEWING PLANNING MEETINGS (non-participatory) – For your convenience, there are ways to view Planning Commission meetings live:

- 1. Community Media Access Collaborative website: <https://cmac.tv/>**
- 2. Cable Television: Comcast Channel 96 and AT&T Channel 99**

Should any of these viewing methods listed above experience technical difficulties, the Commission meeting will continue uninterrupted. Commission meetings will only be paused to address verifiable technical difficulties for all users participating via Zoom or in the Chambers.

The City of Fresno’s goal is to comply with the Americans with Disabilities Act (ADA). Anyone requiring reasonable ADA accommodations, including sign language interpreters, or other reasonable accommodations such as language translation, should contact the office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. To help ensure availability of these services, you are advised to make your request a minimum of 48 hours prior to the scheduled meeting.

I. ROLL CALL

Chair Vang called meeting to order 6:03pm

Present 6 - Chairperson Peter Vang, Commissioner David Criner ,
Commissioner Haley M. Wagner, Commissioner Kathy Bray,
Commissioner Monica Diaz, and Commissioner Jacqueline
G. Lyday

Absent 1 - Vice Chair Brad Hardie

II. PLEDGE OF ALLEGIANCE

6:03pm

III. PROCEDURES - PROCEDIMIENTOS - KEV SAB LAJ

6:03pm

Vang read procedures aloud

IV. AGENDA APPROVAL

6:05pm

Availability of Hmong & ASL Translation services were announced.

No changes to the agenda were made by Staff or Commission

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

Aye: 6 - Chairperson Vang, Commissioner Criner , Commissioner
Wagner, Commissioner Bray, Commissioner Diaz, and
Commissioner Lyday

Absent: 1 - Vice Chair Hardie

V. CONSENT CALENDAR

**On motion of Commissioner Bray, seconded by Commissioner Criner,
the above CONSENT CALENDAR was APPROVED. The motion carried
by the following vote:**

Aye: 6 - Chairperson Vang, Commissioner Criner , Commissioner
Wagner, Commissioner Bray, Commissioner Diaz, and
Commissioner Lyday

Absent: 1 - Vice Chair Hardie

V-A [ID 23-546](#) March 15, 2023 Planning Commission Regular Meeting Minutes

V-B [ID 23-549](#) April 5, 2023 Planning Commission Regular Meeting Minutes

VI. REPORTS BY COMMISSIONERS

N/A

VII. CONTINUED MATTERS

VII-A [ID 23-712](#) CONTINUED FROM MARCH 15, 2023
 Consideration of Development Permit Application No. P22-01346 and related Environmental Assessment No. P22-01346 for approximately ±0.69 acres of property located on the northwest corner of East McKinley and North Fine Avenues. (Council District 4) - Planning and Development Department.

1. **CONSIDER** Categorical Exemption Class 32 (In-Fill Development Project) prepared for Environmental Assessment (EA) No. P21-01346, dated December 8, 2022, for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. **DENY** the appellant’s appeal and **UPHOLD** the action of the Planning and Development Department Director to approve Development Permit Application No. P22-01346, a request to construct a carwash, subject to Conditions of Approval dated December 8, 2022.

6:06pm

Valenzuela reminded the Commission of the project and Staff's recommendations.

Commissioner Bray confirmed property lines and Siegrist also explained the parking regulations for the situation.

Applicant representatives reported on the April meeting, outreach, and results of communication with the neighboring property. They reminded the Commission that the use proposed is a permitted. Their legal representation also spoke to the permitted use, parking restrictions, noise study, and categorical exemption eligibility.

Vang asked for clarification on information in opposition letter regarding discussions of purchasing property. The applicant explained that the parties could not agree on pricing and that they would not be moving forward with that route. Vang followed up with whether or not the applicant was open to another type of business, but they explained why they wanted to continue with the Car Wash.

Wagner and the property owner discussed details of the purchasing agreement, including the size and placement, as well as work completed and next steps.

Bray asked for clarification on the ADA parking stall compromise that was previously discussed

A vote was taken to open this item to public comment and passed. The public was then allowed to speak:

No one spoke in favor of the item

5 people spoke opposed to the item. They talked about the humanity aspect of the situation, the eligibility of exemption status to the categorical exemption due to unique circumstances, and the impact on clientele (particularly the negative influence of the noise). A neighboring property owner reported disappointment with the previous process of zone changing in 2016 and losing parking spaces.

Upon completion of public comment, staff spoke to the land use before and after the rezone that was mentioned, explaining the limited change and influence for the current situation.

Clark explained to the Commission the required findings to be met if they decided to move forward contrary to staff's recommendations.

Wagner asked for clarification on the timeline for the proposed project, but

the property owner was unsure.

Commissioners admitted to being conflicted. Wagner made a motion to uphold staff's recommendations, with the requirement of engagement with residents in the process, to allow for education from the ground up.

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

Aye: 4 - Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

No: 2 - Chairperson Vang, and Commissioner Criner

Absent: 1 - Vice Chair Hardie

Public Comment was closed on this item on March 15, 2023 when originally in front of the Planning Commission.

A motion was made to open to Public Comment, passing.

On motion of Chairperson Vang, seconded by Commissioner Criner ,the above ITEM was APPROVED to open for Public Comment. The motion carried by the following vote:

Aye: 6 - Chairperson Vang, Commissioner Criner , Commissioner Wagner, Commissioner Bray, Commissioner Diaz, and Commissioner Lyday

Absent: 1 - Vice Chair Hardie

VIII. NEW MATTERS

N/A

IX. REPORT BY SECRETARY

6:56pm

Director Clark reported a schedule of events available for May's Historic Preservation Month and challenged Planning Commissioners to take on Historic Preservation Commissioners at the pub quiz. Staff will email Commissioners the complete list.

X. SCHEDULED ORAL COMMUNICATIONS

N/A

XI. UNSCHEDULED ORAL COMMUNICATIONS

N/A

XII. ADJOURNMENT

Meeting adjourned at 6:59pm