

# **City of Fresno**

*City Hall Council Chambers  
2600 Fresno Street*



## **Meeting Minutes - Final**

**Wednesday, August 7, 2019**

**6:00 PM**

**Regular Meeting**

**City Hall Council Chambers  
2600 Fresno Street**

## **Planning Commission**

***Chairperson Serop Torossian***

***Vice Chair Kathy Bray***

***Commissioner Vacant***

***Commissioner Raj K. Sodhi-Layne***

***Commissioner Debra McKenzie***

***Commissioner Peter Vang***

***Commissioner Brad Hardie***

The Planning Commission met in regular session in the City Council Chambers, City Hall, at 6:01 p.m. on the date listed above.

**I. ROLL CALL**

*STAFF: Badhesha, Sloan, Kolluri, Avedisian-Favini (City Attorney's Office); Sanchez, Emerson, Kachadourian, Lang, Olsen, George, Young, Horton, Zack (Planning and Development); Benelli (Public Works); Gray (Public Utilities).*

**Present** 6 - Commissioner Brad Hardie, Chairperson Serop Torossian, Commissioner Kathy Bray, Commissioner Debra McKenzie, Commissioner Raj K. Sodhi-Layne, and Commissioner Peter Vang

**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 the Planning and Development Department, requested the following changes:*

- 1. Item VIII A will be heard after Reports by Commissioners (Item VI)*
- 2. Item VIII D will be continued to the 9/4/2019 Planning Commission Meeting*
- 3. Item VIII E will be continued and consented to the 9/4/2019 Planning Commission Meeting*

*MOTION TO MOVE ITEM VIII A, CONTINUE ITEM VIII D, AND CONTINUE AND CONSENT ITEM VIII E AND APPROVE THE AGENDA.*

**On motion of Commissioner Bray, seconded by Commissioner McKenzie, that the above be approved. The motion carried by the following vote:**

**Aye:** 6 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, and Commissioner Vang

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

#### **V. CONSENT CALENDAR**

*Commissioner Bray acknowledged Commissioner Sodhi-Layne for her recent recognition on the Top 10 Business Women of the Year.*

*MOTION TO APPROVE THE CONSENT CALENDAR.*

**On motion of Commissioner McKenzie, seconded by Commissioner Hardie, that the above be approved. The motion carried by the following vote:**

**Aye:** 6 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, and Commissioner Vang

- A. Minutes
- B. Communications
- C. Entitlements

#### **VI. REPORTS BY COMMISSIONERS**

*No reports were made by the Commission.*

#### **VII. CONTINUED MATTERS**

- A.**     [ID19-1972](#)     Consideration of Plan Amendment and Rezone Application No. P18-03582, Conditional Use Permit Application No. P18-03583 and Environmental Impact Report (EIR) State Clearinghouse (SCH) No. 2018111043 as part of a City-initiated Plan Amendment and Rezone pursuant to Fresno Municipal Code (FMC) Section 15-5803. (Council District 3)

- 1. RECOMMEND CERTIFICATION** (to the City Council) of Final EIR SCH No. 2018111043 for the Relocation of the Darling Rendering Plant; and,

- a. ADOPT Findings of Fact as required by Public Resources Code

Section 21082(a) and CEQA Guidelines, Section 15091; and,

- b. APPROVE a Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15092; and,
  - c. ADOPT the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines, Section 15093.
- 2. **RECOMMEND APPROVAL** (to the City Council) of Plan Amendment Application No. P18-03582 proposing to amend the Fresno General Plan from the Public Facilities planned land use designation to the Heavy Industrial planned land use designation
  - 3. **RECOMMEND APPROVAL** (to the City Council) of Rezone Application No. P18-03582 proposing to amend the Official Zone Map to reclassify the subject property from the PI/UGM (*Public and Institutional/Urban Growth Management*) zone district to the IH (*Heavy Industrial*) zone district
  - 4. **RECOMMEND APPROVAL** (to the City Council) of Conditional Use Permit Application No. P18-03583 proposing the construction of a new rendering facility on a vacant 40 acre portion of land located approximately 1200 feet south and 1800 feet west of the intersection of South Cornelia and West Jensen Avenues, subject to the Conditions of Approval dated August 7, 2019
  - 5. **RECOMMEND APPROVAL** (to the City Council) of the Disposition Agreement and Development Agreement between the City of Fresno and Darling Ingredients Inc., pertaining to relocation and the transfer and development of real property to the southwest of the intersection of Jensen and Cornelia Avenues

*Chris Lang, Planner III, presented the proposed project.*

*Sydney Coatsworth, Ascent Environmental, spoke on behalf of the environmental review and supporting documents.*

*No one spoke in support or opposition of the proposed project.*

*Chair Torossion brought the item back up to the dais for consideration.*

*MOTION TO APPROVE STAFF RECOMMENDATION.*

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

**Aye:** 6 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, and Commissioner Vang

**VIII. NEW MATTERS****A. [ID19-11103](#)** Election of Chair and Vice Chair.

*Commissioner Bray nominated Chair Torossian as Chair of the Planning Commission and Commissioner Vang seconded.*

*Commissioner Hardie nominated Commissioner Bray as Vice Chair of the Planning Commission and Commissioner McKenzie seconded.*

*MOTION TO ELECT CHAIR TOROSSIAN AS CHAIR AND COMMISSIONER BRAY AS VICE CHAIR.*

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

**Aye:** 6 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, and Commissioner Vang

**B. [ID19-11062](#)**

Actions pertaining to Fresno County Airport Land Use Compatibility Plan:

1. Recommend Approval (to the City Council) of the proposed environmental Finding of No Possibility pursuant to Section 15061 (b) (3) of the California Environmental Quality Act Guidelines.
2. Recommend Approval (to the City Council) of the proposed RESOLUTION - Finding of Consistency between the City of Fresno's Land Use Plans and Regulations and the December 2018 Fresno County Airport Land Use Compatibility Plan

3. Recommend Approval (to the City Council) of the proposed Text Amendment Application No. P19-01036 amending sections 15-104-B-4; 15-5206; 15-5306; 15-5506-D; 15-5811-A; 15-5905-A; 15-6006-A; and 15-6104-B of the Fresno Municipal Code (FMC) regarding the Fresno County Airport Land Use Compatibility Plan

*Daniel Zack, Assistant Director of Planning and Development, presented the proposed project.*

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

*Chair Torossian brought the item back to the dais for consideration.*

*Commissioner McKenzie asked clarifying questions regarding noticing of proposed project. Kevin Meikle, Director of Aviation at Fresno Yosemite International Airport, answered the Commissioner's question.*

**MOTION TO APPROVE STAFF RECOMMENDATION.**

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

**Aye:** 5 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner Sodhi-Layne, and Commissioner Vang

**No:** 1 - Commissioner McKenzie

- C.** [ID19-11056](#) Consideration of Conditional Use Permit Application No. P18-02804 pertaining to an existing restaurant at 608 E Weldon Avenue located between North Wishon and North Echo Avenues in the historic Fresno High neighborhood within the Tower District (Council District 1).

1. **Adopt** Environmental Assessment No. P18-02804 dated June 5, 2018, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 1 Categorical Exemption.
2. **Approve** Conditional Use Permit Application No. P18-02804 authorizing a State of California Alcoholic Beverage Control Type 41 alcohol license (Restaurant - sale of beer and wine for consumption on or off the premises where sold) for the existing restaurant.

*Commissioner Hardie recused himself due to conflict of interest.*

*Ralph Kachadourian, Supervising Planner, presented the proposed project.*

*James Clark, member of the public, spoke in support of the project but requested to amend alcohol serving time from 4:30 p.m. to 5:00 p.m.*

*No one spoke in opposition of the project.*

*Commissioner Bray asked a question regarding over concentration of alcohol uses.*

*Staff answered the question.*

*Chair Torossian brought the item back to the dais for consideration.*

**MOTION TO APPROVE STAFF RECOMMENDATION.**

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

**Aye:** 5 - Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, and Commissioner Vang

**Recused:** 1 - Commissioner Hardie

- D.**     [ID19-11058](#) Consider the appeal of Conditional Use Permit Application Nos. P18-02233 and P19-00458, located at the northeast corner of South Orange and East North Avenues. (Council District 3) - Planning and Development Department.

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

1. **ADOPT** Mitigated Negative Declaration prepared for Environmental Assessment No. P18-02233 dated May 22, 2019.
2. **APPROVE** Conditional Use Permit Application No. P18-02233 to authorize the construction, in two phases:  
Phase 1

1) Development of a 3,062-square foot convenience retail and service station with 12 fueling positions.

2) Development of a 2,227-square foot restaurant without alcohol sales, with a drive-through facility.

Phase 2

1) Development of a 5,000 square-foot retail building with one drive-through facility.

2) Development of a 3,000 square foot fast food building with one drive-through facility.

3. **DENY** the appeal and **UPHOLD** the Director's Approval of Conditional Use Permit Application No. P19-00458 to authorize a 3,062 square foot service station to establish a State of California Alcohol and Beverage Control Type 21 alcohol license, subject to compliance with the Conditions of Approval dated August 7, 2019.

*Commissioner Hardie rejoined the commission.*

*MOTION TO OFFICIALLY WITHDRAW ITEM FROM AGENDA AND CONTINUE TO 9/4/2019.*

**On motion of Commissioner McKenzie, seconded by Commissioner Hardie, that the above Action Item be continued. The motion carried by the following vote:**

**Aye:** 6 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, and Commissioner Vang

- E. [ID19-11060](#) (CONTINUE TO SEPTEMBER 18, 2019) Consider the appeal of Development Permit Application No. P19-00359 and Variance Application No. P19-02282, located on the west side of North Howard Street between Herndon and Alluvial Avenues. (Council District 6) - Planning and Development Department.

1. **ADOPT** Environmental Assessment No. P19-00359 / P19-02282 dated August 7, 2019, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 3 Categorical Exemption; and,
2. **DENY** the applicant's appeal and **UPHOLD** the action of the Planning and Development Department Director to:
  - a. Approve Development Permit Application No. P19-00359, which proposed to develop a 14-foot high by 48-foot wide



- digital LED, double-sided billboard; and,
- b. Deny Variance Application No. P19-02282, requesting to vary height standards to allow for an 86-foot tall, 14-foot high by 48-foot wide double-sided digital LED billboard.

*MOTION TO CONTINUE THE ITEM AND PLACE ON THE CONSENT CALENDAR ON THE 9/4/2019 MEETING AGENDA.*

**On motion of Commissioner McKenzie, seconded by Commissioner Vang, that the above Action Item be continued as noted. The motion carried by the following vote:**

**Aye:** 6 - Commissioner Hardie, Chairperson Torossian, Commissioner Bray, Commissioner McKenzie, Commissioner Sodhi-Layne, and Commissioner Vang

**IX. REPORT BY SECRETARY**

*Mike Sanchez informed the Commission of a full agenda for the next meeting on 9/4/2019 and reminded of two items will be continued to 9/4/2019.*

**X. SCHEDULED ORAL COMMUNICATIONS**

*No scheduled oral communications.*

**XI. UNSCHEDULED ORAL COMMUNICATIONS**

*A member of the public commended Fresno for its redevelopment efforts and informed the Commission of an upcoming train/high speed rail summit.*

**XII. ADJOURNMENT AT 6:57 P.M.**