



## Legislation Details (With Text)

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<b>On agenda:</b>	12/2/2020	<b>Final action:</b>		12/2/2020	
<b>Title:</b>	<p>Consideration of Conditional Use Permit Application No. P20-02171 and related Environmental Assessment No. P20-02171, filed by Mehdi Momen of Concept Design Group. The subject property pertains to ±0.20 acres of property located at 728 West Vassar Avenue; located on the north side of West Vassar Avenue between North Teilman Avenue and North Delno Avenue. (Council District 1)</p> <p>1. ADOPT Environmental Assessment No. P20-02171 dated December 2, 2020, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through Section 15332/Class 32 Categorical Exemption.</p> <p>2. APPROVE Conditional Use Permit Application No. P20-02171 requesting authorization to construct a duplex in the RS-5 (Residential Single-Family, Medium Density) zone district.</p>				
<b>Sponsors:</b>	Planning and Development Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Exhibit A - Vicinity Map, 2. Exhibit B - Aerial Photograph, 3. Exhibit C - Zoning Map, 4. Exhibit D - Noticing Map, 5. Exhibit E - Project Information Table, 6. Exhibit F - Operational Statement (Exhibit O), 7. Exhibit G - Exhibits (Site Plan, Floor Plan, Elevation, and Landscape Plan), 8. Exhibit H - Neighborhood Meeting Documents, 9. Exhibit I - Public Hearing Notice dated November 20, 2020, 10. Exhibit J - Categorical Exemption, 11. Exhibit K - Fresno Municipal Code Findings, 12. Exhibit L - Conditions of Approval dated December 2, 2020				

Date	Ver.	Action By	Action	Result
12/2/2020	2	Planning Commission	approved	Pass

## REPORT TO THE PLANNING COMMISSION

**December 2, 2020**

**FROM:** DANIEL ZACK, Assistant Director  
Development Services Division

**THROUGH:** MCKENCIE PEREZ, Supervising Planner  
Development Services Division

**BY:** KAO VANG, Planner  
Development Services Division

## SUBJECT

Consideration of Conditional Use Permit Application No. P20-02171 and related Environmental Assessment No. P20-02171, filed by Mehdi Momen of Concept Design Group. The subject property

pertains to ±0.20 acres of property located at 728 West Vassar Avenue; located on the north side of West Vassar Avenue between North Teilman Avenue and North Delno Avenue. (Council District 1)

1. **ADOPT** Environmental Assessment No. P20-02171 dated December 2, 2020, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through Section 15332/Class 32 Categorical Exemption.
2. **APPROVE** Conditional Use Permit Application No. P20-02171 requesting authorization to construct a duplex in the RS-5 (*Residential Single-Family, Medium Density*) zone district.

## EXECUTIVE SUMMARY

Conditional Use Permit Application No. P20-02171 was filed by Mehdi Momen of Concept Design Group and pertains to ±0.20 acres of property located at 728 West Vassar Avenue on the north side of West Vassar Avenue between North Teilman Avenue and North Delno Avenue. The applicant proposes to construct a duplex in the RS-5 (*Residential Single Family, Medium Density*) zone district. Duplexes are permitted in the RS-5 zone district subject to approval of a Conditional Use Permit.

Pursuant to Section 15-906-B of the Fresno Municipal Code (FMC), when a Duplex is proposed in the RS-5 zone district, the Planning Commission shall approve, conditionally approve, or deny applications for Conditional Use Permits following a public hearing.

## BACKGROUND/ANALYSIS

The subject property is zoned RS-5 (*Residential Single Family, Medium Density*). Pursuant to Table 15-902 of the FMC, a Conditional Use Permit is required when a Duplex is proposed in the RS-5 zone district. Duplexes proposed in the RS-5 zone districts shall comply with the property development standards of the RM-1 (*Residential Multiple Family, Medium High Density*) zone district, unless otherwise stated in FMC Section 15-906 or by the Review Authority.

The subject property is currently vacant but is located on a developed block of single-family homes. The properties north, south, east, and west of the subject site are zoned RS-5. The property north of the subject site is an existing church, the properties west and south of the subject site are existing single-family homes, and east of the subject site is a vacant lot.

The project proposes to construct a duplex totaling 3,327 square feet. Each unit is proposed to be approximately 1,226 square feet with three bedrooms and two baths. The duplex is also proposing to include a 533 square foot two car garage, a 157 square foot porch which will be shared by the two tenants, and a 185 square foot covered patio along with yard space. Approximately 77 percent of the lot would be landscaped (bark, turf, plants, and shrubs) and 23 percent will be built out for the units. The front yard setbacks on this street block face range between 20 feet to 25 feet with an average of 22.5 feet. The project will be required to provide a 20 feet driveway setback.

## Housing Element

The subject property is located on a site listed in the 2013-2023 Regional Housing Needs Allocation (RHNA) Housing Element Sites Inventory. The 2013-2023 RHNA obligation for above-moderate income level housing is 10,116 and the existing surplus capacity is 5,254 for a total existing capacity of 15,370 units. This project proposes the construction of two units, representing an increase of one above-moderate unit to the Sites Inventory, resulting in a surplus capacity of 5,255 units. Since there

is a surplus of the 2013-2023 RHNA, the project is consistent with the Housing Element.

### **Density (FMC 15-906-D)**

Pursuant to Section 15-906-D of the FMC, the allowable density range is a minimum of five dwelling units to a maximum of 12 dwelling units per acre. The project proposes two dwelling units on 0.20 acres, which would result in a density of 10 dwellings units per acre on the subject site. Therefore, the proposed project is consistent with the planned land use and allowable density on the subject property.

### **Neighborhood Meeting**

Pursuant to Section 15-906-A of the FMC, a neighborhood meeting is required prior to submittal of the project application and shall be conducted in accordance with Section 15-5006 of the FMC for Neighborhood Meetings. On October 26, 2020, a neighborhood meeting was conducted via Zoom Webinar. Three members of the public participated in the meeting and were able to ask questions in regard to the project. One attendee asked whether the duplex would be available for affordable housing at which the applicant answered that the duplex would not be for affordable housing. Another attendee asked about the design of the home and the applicant was able to show images of the proposed project for the attendees to view **(See Exhibit H - Neighborhood Meeting Documents)**.

## **OTHER AGENCIES**

### **District 1 Project Review Committee**

On September 3, 2020, the District 1 Project Review Committee reviewed Conditional Use Permit Application No. P20-02171 and recommended approval of the project.

### **Other Agencies**

All comments received from the applicable agencies have been incorporated into the conditions of approval for Conditional Use Permit Application No. P20-02171. The project will comply with all zoning requirements including setbacks, landscaping and parking requirements, as incorporated into the conditions of approval.

## **NOTICE OF PLANNING COMMISSION HEARING**

The Planning and Development Department mailed notices of this Planning Commission hearing to surrounding property owners within 1,000 feet of the subject property on November 20, 2020. No responses have been received in response to the public notice **(See Exhibit I - Public Hearing Notice)**.

## **LAND USE PLANS AND POLICIES**

The Fresno General Plan designates the subject property for Residential - Medium Density planned land uses and provides objectives to guide in the development of this project. Residential - Medium Density is intended to provide a variety of residences, enhance the character of the City's neighborhoods, ensure new development is compatible with existing neighborhoods, provide neighborhood serving amenities, and implement the Medium Density Residential land use classification.

As proposed, the project would be consistent with the Fresno General Plan goals and objectives related to residential land use and the urban form:

Objective LU-2: Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Policy LU-2-a: Promotes development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs.

Policy LU-5-c: Medium Density Residential Uses. Promote medium density residential uses to maximize efficient use of residential property through a wide range of densities.

Policy LU-5-g: Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

Policy D-1-A: Requires all new multi-family residential development along pedestrian-oriented streets (collector and local), to provide direct pedestrian street access and to promote walkable connectivity, individualization, family-friendly development, identity, and street safety to the maximum extent reasonably feasible.

The proposed project would generate development on an existing undeveloped property within the City of Fresno and promotes multi-dwelling unit residential development and reinvestment within the City. It also preserves and protects resources within the City by expanding opportunities for development on infill properties.

### **Fresno High-Roeding Community Plan**

The subject property is designated for Medium Density Residential planned land uses by the Fresno High-Roeding Community Plan. Upon reviewing the policies contained plan, staff has determined that the following policies apply:

Goal 1: provide for a diversity of housing types and housing opportunities to meet the needs of all ages and income levels.

Goal 1-5: Promote the visual enhancement of existing neighborhoods and developing areas.

Goal 1-6: Plan for the diversity of residential types, densities and locations necessary to achieve the plan concept and accomplish the plan goals to provide for adequate housing opportunities, balanced urban grow

The development of the project will bring a diversity of housing types and density into the area. The subject site has been vacant for a long time. The development of this project will visually enhance the empty lot within the city.

### **ENVIRONMENTAL FINDINGS**

The California Environmental Quality Act (CEQA) permits a public agency to determine whether a particular project is exempt from CEQA. A determination of a Categorical Exemption Section

15332/Class 32 of the CEQA Guidelines was made and Environmental Assessment No. P20-02171 was completed for this project on December 2, 2020 (**see Exhibit J - Categorical Exemption**).

## **FRESNO MUNICIPAL CODE FINDINGS**

Based upon analysis of the application, staff concludes that the required findings of FMC Section 15-5306 can be made for the proposed project (**see Exhibit K- Fresno Municipal Code Findings**).

## **CONCLUSION**

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Fresno High-Roeding Community Plan and Fresno General Plan; its compatibility with surrounding existing or proposed uses; and, its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that the proposed Conditional Use Permit Application No. P20-02171 is appropriate for the project site.

### **Attachments:**

- Exhibit A - Vicinity Map
- Exhibit B - Aerial Photograph
- Exhibit C - Zoning Map
- Exhibit D - Noticing Map
- Exhibit E - Project Information Table
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