

Agenda Item: ID18-0101 (5:00 P.M.)

Date: 1/11/18

FRESNO CITY COUNCIL



Supplemental Information Packet

Agenda Related Item(s) – ID18-0101 (5:00 P.M.)

Contents of Supplement: Exhibit N- (PowerPoint Presentation)

Item(s)

CONTINUED HEARING to consider Supplemental Environmental Impact Report (SEIR) No. 10151 (State Clearinghouse (SCH) No. 2017031030), Rezone Application No. R-17-021, Development Permit No. D-16-088 and Variance Application No. V-17-01 for the Producers Dairy Project located on the south side of E. Belmont Avenue between N. Ferger and N. Roosevelt Avenues in the City of Fresno. (Council District 3)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
UPDATING THE OFFICIAL ZONING MAP AS DESCRIBED BY
SECTION 15-108 OF THE FRESNO MUNICIPAL CODE, AND
PURSUANT TO THE PROCEDURES SET FORTH IN
ARTICLE 58, CHAPTER 15 OF THE FRESNO MUNICIPAL
CODE

WHEREAS, Rezone Application No. R-17-021 has been filed by Jeff Cazaly, on behalf of Producers Dairy, with the City of Fresno to rezone property as described herein below; and,

WHEREAS, pursuant to the provisions of Article 58, Chapter 15, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 3rd day of January, 2018, to consider Rezone Application No. R-17-021 and related Supplemental Environmental Impact Report No. 10151 (SCH No. 2017031030), during which the Commission considered the environmental document, related mitigation measures, Findings of Fact and Statement of Overriding Consideration and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 135204 of the rezone application to amend the Official Zone Map to rezone the approximately 1.83 acre subject property from the IL (Industrial Light/conditions of zoning) zone district to the IL (Industrial Light/conditions of zoning) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 11th day of January 2018, received the recommendation of the Planning Commission.

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: MCD

Ordinance No.

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the adoption of the proposed rezoning is in the best interest of the City of Fresno. In accordance with its own independent judgment, the Council certified Supplemental EIR No. 10151 (SCH 2017031030) by resolution dated January 11, 2018, and the proposed rezoning is part of the project that was assessed by the Supplemental EIR.

SECTION 2. The Council finds the requested IL (Industrial Light/conditions of zoning) zone district is consistent with the proposed Industrial Light planned land use designation of the Fresno General Plan and the Tower District Specific Plan as specified in the Fresno General Plan and Municipal Code.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the IL (Industrial Light/conditions of zoning) zone district to the IL (Industrial Light/conditions of zoning) zone district, as depicted in the attached Exhibit A.

SECTION 4. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 11th day of January 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2018
Mayor Approval/No Return: _____, 2018
Mayor Veto: _____, 2018
Council Override Vote: _____, 2018

YVONNE SPENCE, MMC
City Clerk

By: _____

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Mary Raterman-Doidge Date
Deputy City Attorney

Attachment: Exhibit A

EXHIBIT A

Rezone Application No. R-17-021 (Revised Conditions of Zoning)

- A. ~~The project shall retain the existing building at the southwest corner of East Belmont and North Roosevelt Avenues as depicted on attached Exhibit "L-1".~~
- B. ~~Retention and renovation of the facade of the existing building immediately south of the building at the southwest corner, as shown on Exhibit "L-1", as is physically possible and economically practical. If the facade fails, due to structural distress, it should be rebuilt to resemble the existing historical structure as closely as possible using the remnant bricks from the fallen facade. All precautions in concert with common practices standard to the industry shall be taken to save the facade intact. However, no implicit guarantee can be given that the facade will not fail during the demolition and renovation process.~~
- C. ~~The new construction in the infill areas on the east side of the property shall be compatible with the existing structure as shown on Exhibit "L-2".~~
- D. ~~The new construction contemplated immediately west of the facade described above shall be no higher than the height of the facade for a minimum of twenty feet west of the facade.~~
- E. ~~The new building to be constructed immediately west of the 30' existing building at the northwest corner of the site as shown on Exhibit "L-1" shall be of a height equal to or slightly greater than the westerly portion of said building, but in no case higher than forty feet and shall be compatible with the existing structure to the east as shown on Exhibit "L-2".~~
- F. The owner shall provide and maintain street trees in tree wells in the sidewalk on the west side of the property south to the entry driveway. These trees and major trees planted along the remainder of the west and south sides of the property shall be a species that attain a minimum height of thirty feet (30'0") at maturity.
- G. ~~The future high density frozen storage building proposed for phase three shall be set back a minimum of fifty feet (50' 0") east of Ferger Avenue to the height of sixty feet (60' 0"), or sixty-six feet with a minor deviation as provided by the Fresno Municipal Code.~~
- H. All noise producing equipment on the building shall meet the standards of the City of Fresno. Truck noise shall not exceed the level of forty-five decibels (45db) inside adjacent residences between the hours of 10:00 p.m. and 6:00 a.m. If noise levels exceed that criteria mediation measures shall be imposed by the City of Fresno which could include restrictions on hours of operation.
- I. All truck maneuvering and parking shall take place on site and shall be subject to the requirements of the City of Fresno.

**Supplemental Environmental Impact Report
No. 10151 (SCH 2017031030)
Rezone Application No. R-17-021
Development Permit No. D-16-088
Variance Application No. V-17-01**

filed by Producers Dairy

*City Council Hearing
January 11, 2018*

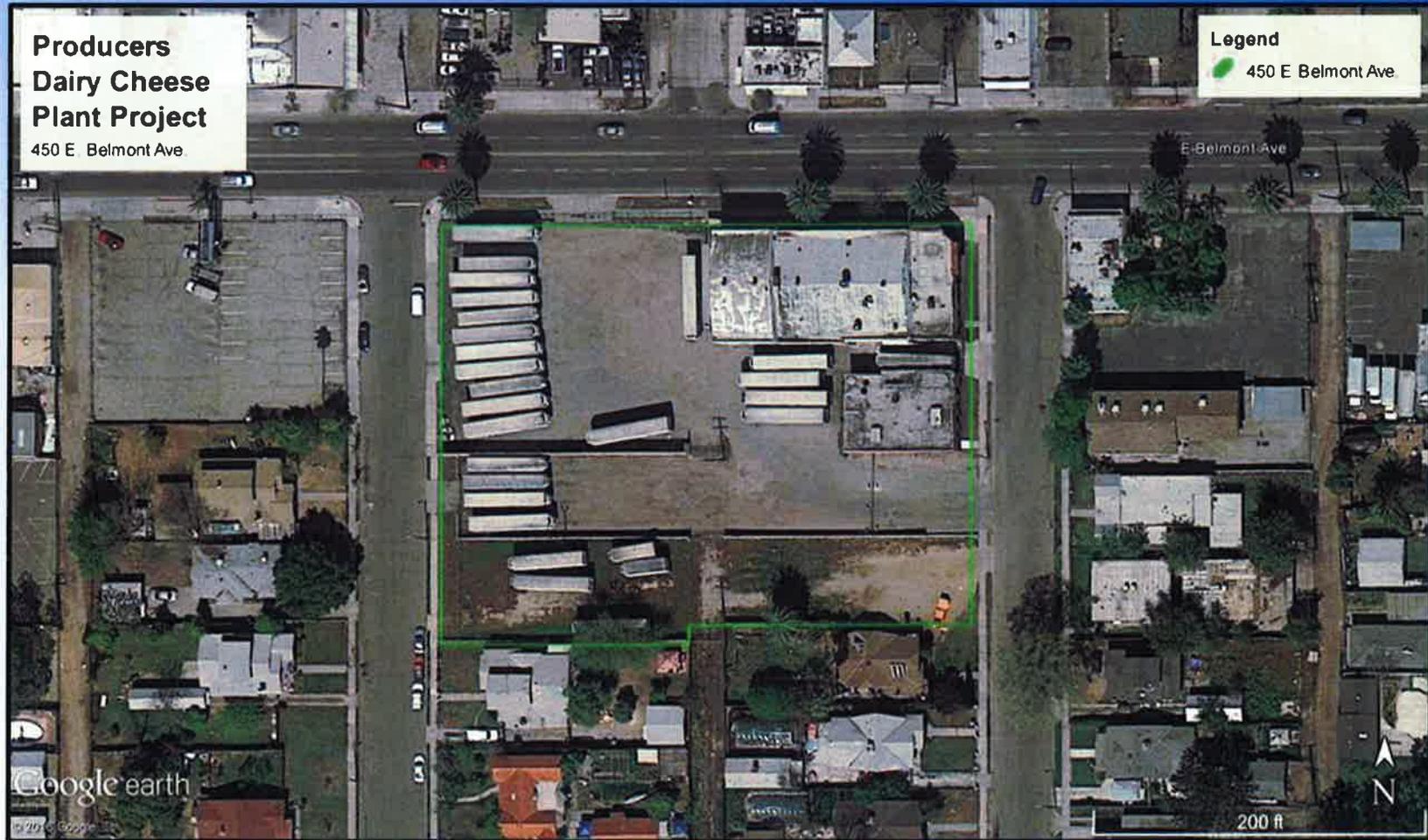
Vicinity Map

1.83 acres of property located on the south side of East Belmont Avenue between North Ferger and North Roosevelt Avenues.



Development Permit App: D-16-088
 Variance App: V-17-001
 Rezone Application No. R-17-021 (Industrial Light/conditions of zoning to Industrial Light/conditions of zoning)
 APN: 469-032-23, 15, 05 - 1.7 Acres
 Address: 450 East Belmont Avenue
 Project Location Belmont Ave and Roosevelt Ave

Aerial of Subject Property



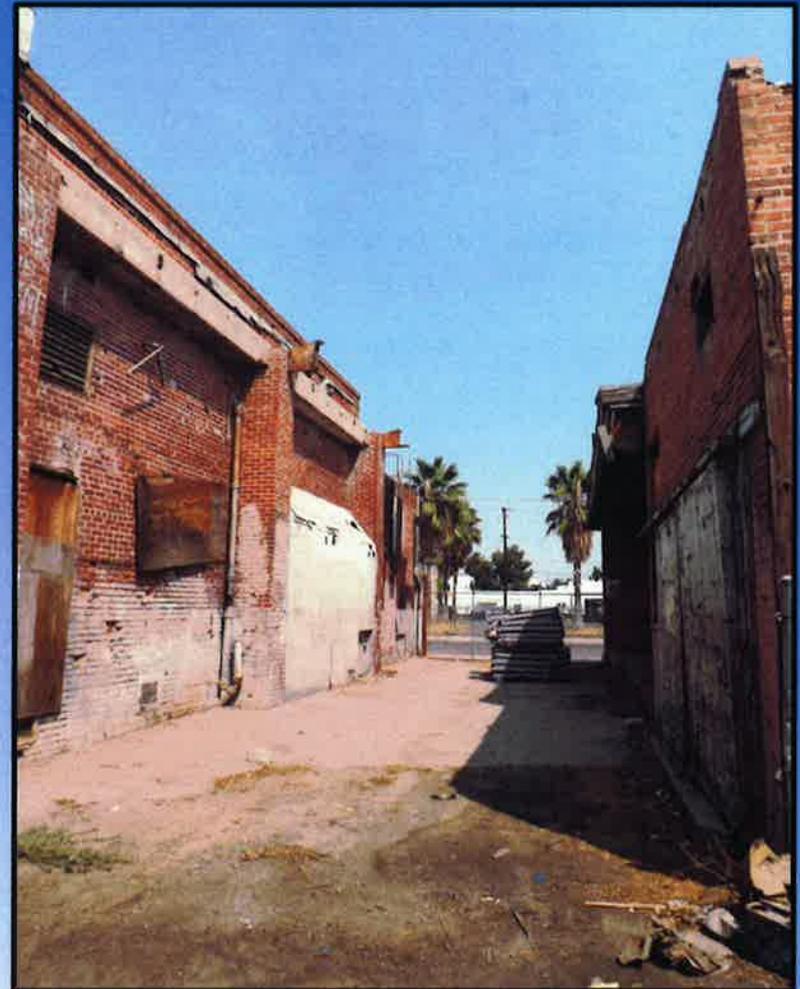
Aerial Looking from North



South Building Partial Demo - 1991



Rear View



Background

- Rezone R-90-49 approved on 12/19/1990.
- February 26, 2016, City Council denied Local Historic Designation request .
- Determination made that SEIR was appropriate course due to existing mitigation measures in Tower District Specific Plan Environmental Impact Report (EIR)
- Project Applicant engaged Soar Environmental to perform work.

Conditions of Zoning

- A. The project shall retain the existing building at the southwest corner of East Belmont and North Roosevelt Avenues as depicted on attached Exhibit "L-1".
- B. Retention and renovation of the facade of the existing building immediately south of the building at the southwest corner, as shown on Exhibit "L-1", as is physically possible and economically practical. If the facade fails, due to structural distress, it should be rebuilt to resemble the existing historical structure as closely as possible using the remnant bricks from the fallen facade. All precautions in concert with common practices standard to the industry shall be taken to save the facade intact. However, no implicit guarantee can be given that the facade will not fail during the demolition and renovation process.
- C. The new construction in the infill areas on the east - side of the property shall be compatible with the existing structure as shown on Exhibit "L-2".
- D. The new construction contemplated immediately west of the facade described above shall be no higher than the height of the facade for a minimum of twenty feet west of the facade.
- E. The new building to be constructed immediately west of the 30' existing building at the northwest corner of the site as shown on Exhibit "L-1" shall be of a height equal to or slightly greater than the westerly portion of said building, but in no case higher than forty feet and shall be compatible with the existing structure to the east as shown on Exhibit "L-2".

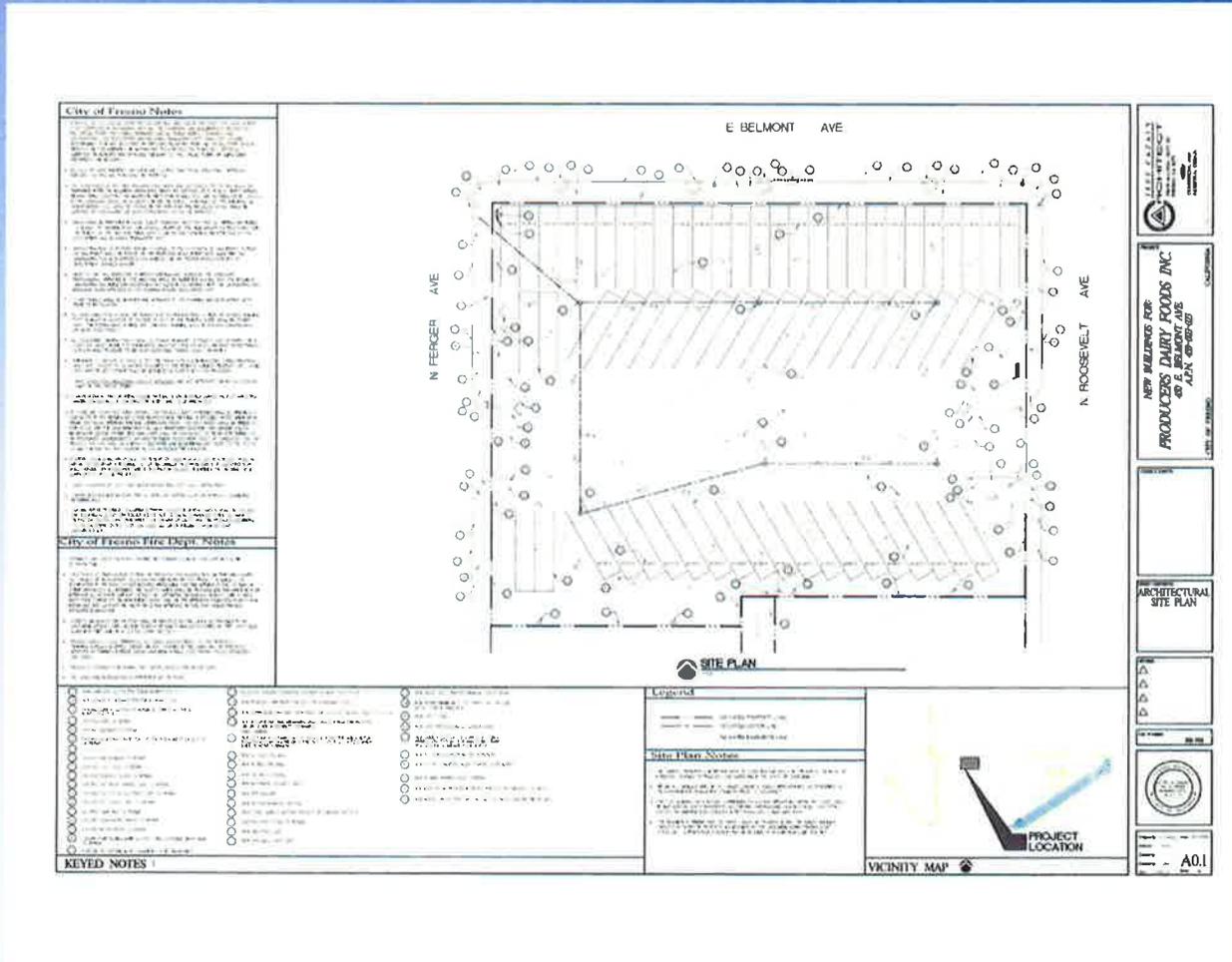
Conditions of Zoning

- F. The owner shall provide and maintain street trees in tree wells in the sidewalk on the west side of the property south to the entry driveway. These trees and major trees planted along the remainder of the west and south sides of the property shall be a species that attain a minimum height of thirty feet (30'0") at maturity.
- G. The future high density frozen storage building proposed for phase three shall be set back a minimum of fifty feet (50'-0") east of Ferger Avenue to the height of: sixty feet (60'-0"), or sixty-six feet with a minor deviation as provided by the Fresno Municipal Code.
- H. All noise producing equipment on the building shall meet the standards of the City of Fresno. Truck noise shall not exceed the level of forty-five decibels (45db) inside adjacent residences between the hours of 10:00 p.m. and 6:00 a.m. If noise levels exceed that criteria, mediation measures shall be imposed by the City of Fresno which could include restrictions on hours of operation.
- I. All truck maneuvering and parking shall take place on site and shall be subject to the requirements of the City of Fresno.

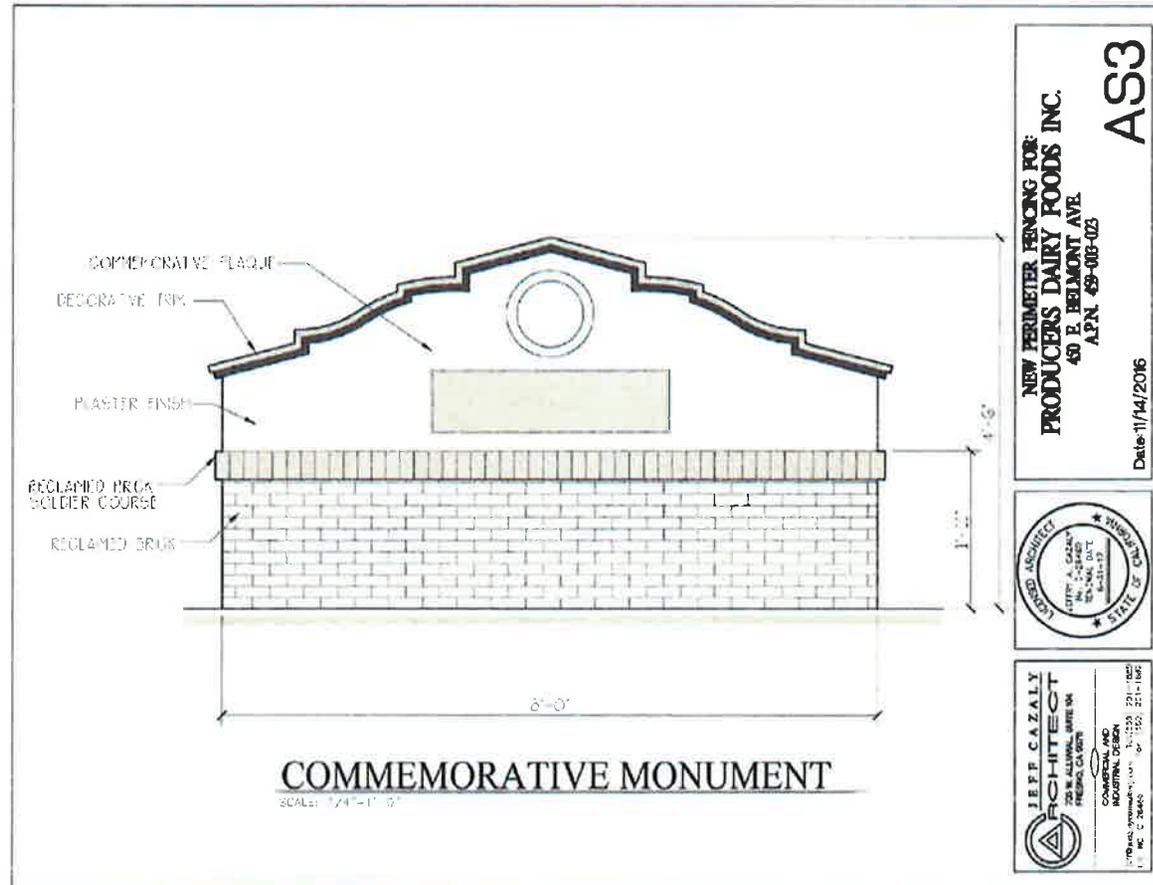
D-16-088 and V-17-001

- The Development Permit is requesting the removal of two older buildings to allow for additional surface parking of truck trailers for Producers Dairy. Approval of the project will allow for up to 67 parking spaces over the existing 30 plus trailers that are stored.
 - Removal will create an additional 14 spaces.
 - Not all 67 spaces will be occupied. Estimate is that 40-50 + trailers will be parked at any given time.
 - Additional access point will added on Ferger Avenue
 - V-17-001 allows for the placement of decorative fence on property line.

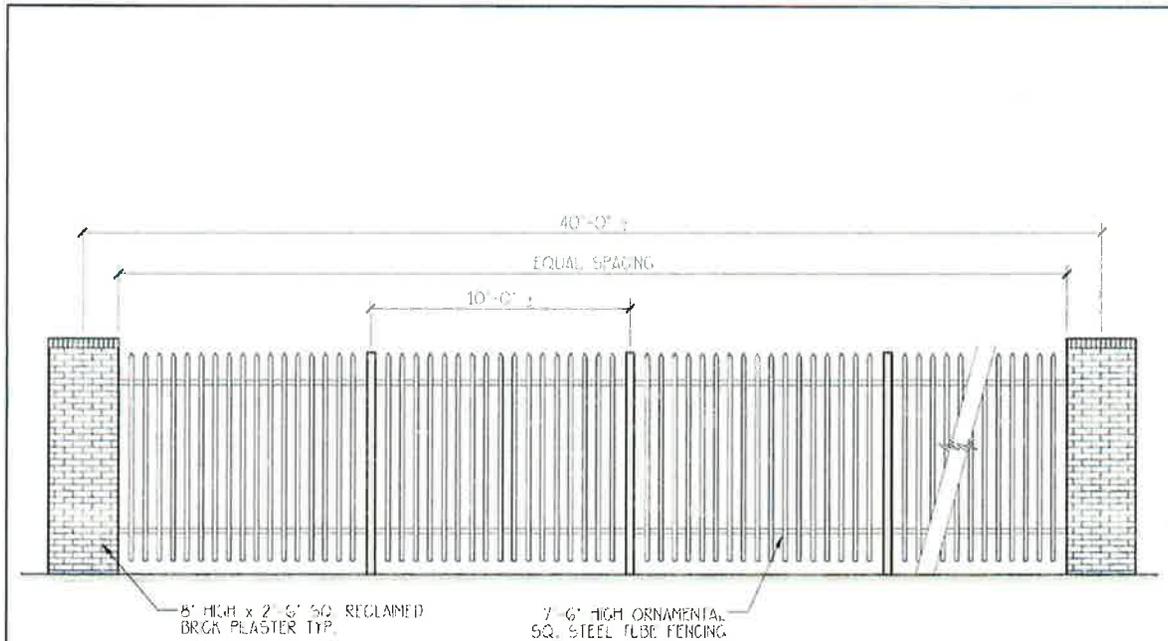
Proposed Site Plan



Commemorative Wall



Proposed Perimeter Fence



TYP. PERIMETER FENCE SECTION

SCALE: 1/4" = 1'-0"

JEFF CAZALY
ARCHITECT
 720 W. ALLIANCE, SUITE 104
 FRESNO, CA 93728

COMMERCIAL AND
 INDUSTRIAL DESIGN

4070-0001@jeffcazaly.com Tel: (559) 261-1002
 Lic. No. C-25650 Fax: (559) 101-1192

REGISTERED ARCHITECT
 JEFFERY A. CAZALY
 No. C-16466
 RENEWAL DATE
 8-31-17

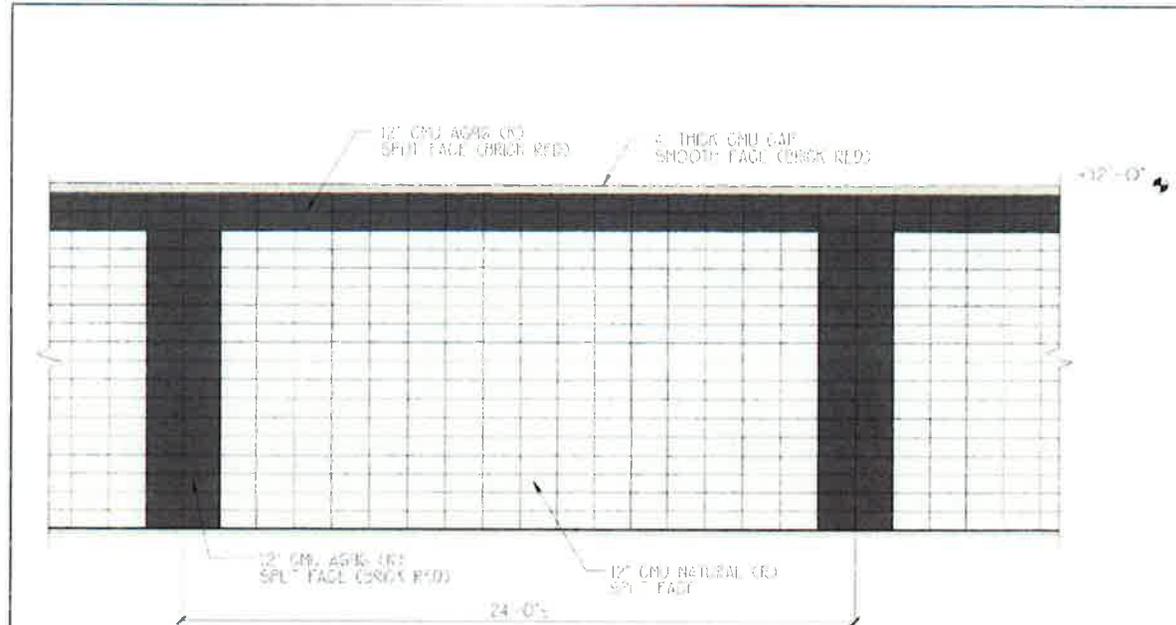
STATE OF CALIFORNIA

NEW PERIMETER FENCING FOR:
PRODUCERS DAIRY FOODS INC.
 450 E. BELMONT AVE.
 A.P.N. 499-009-023

Date: 11/14/2016

AS2

Sound Wall



TYP. PERIMETER CMU SOUND WALL ELEVATION

SCALE: 1/4"=1'-0"



NEW PERIMETER FENCING FOR:
PRODUCERS DAIRY FOODS INC.
 450 E. BELMONT AVE.
 APN. 459-003-023

Date: 11/14/2016

AS4

Environmental Process

- 09/20/16 – Community Outreach Meeting
- 11/30/16 – Notice of Preparation & Initial Study published.
- 12/19/16 – Public Scoping Meeting
- 12/31/16 – NOP ends; 1 written comment.
- 03/10/17 – Notice of Completion filed.
- 04/24/17 – Public Review ends; 1 written comment.

Environmental Process

- 7/30/17 – Revised SEIR sent out due to clarification of operational feature.
- 8/30/17 – Review period ends. 1 comment letter received
- 9/22/17 – Notice of Public Hearing and Final SEIR published.
- 11/27/17 – Revised SEIR recirculated for rezone application

Project Objectives

The primary objectives of the Proposed Project are as follows:

1. Secure additional parking for Producers Dairy delivery trailers, which will necessitate demolition of the two existing buildings on the site.
2. Systematically remove the two existing buildings on site to expand delivery trailer parking on the Proposed Project site.
3. Reuse, to extent feasible, the remaining portions of the buildings and architecturally incorporate the material into an aesthetically appealing wall along the subject property.
4. Reduce public safety hazards by eliminating the risk of fire, structural collapse, personal injury to trespassers, vandalism and crime, and by demolishing structurally unsound buildings that have been abandoned, deteriorated and damaged.
5. Foster economic development in the local area.

Project Alternatives

Project Alternatives Analyzed:

- 1.No Project Alternative
- 2.Preservation of North Building Alternative
- 3.On-Site Re-Use (Façade) Alternative
- 4.North Building Relocation Alternative
- 5.North & South Building
Preservation/Rehabilitation Alternative

Response to Comments

- Comments on the Draft SEIR, including revisions, centered on the following topics:
 - Process
 - Plan Consistency
 - Project Description
 - Noise
 - Air Quality
 - Traffic
 - Alternatives Analysis
 - Cultural Resources

Aerial Looking from North



Fresno Municipal Code Findings

- The mandated findings per Sections 15-5812, 15-5206, and Section 15-5506 can be made to approve R-17-021, D-16-088 and V-17-001 respectively. These are listed on page 16 of the Staff Report.

Staff Recommendation

1. CERTIFY Supplemental Final EIR No. 10151 (SCH No. 2017031030), for the Producers Dairy Project located at 450 East Belmont Avenue; and
 - a) ADOPT Findings of Fact as required by Public Resources Code Section 21081(a) and CEQA Guidelines, Section 15091; and,
 - b) ADOPT the Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097; and,
 - c) ADOPT the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines, Section 15093.

Staff Recommendation

2. APPROVE Rezone Application No. R-17-021 requesting IL, Industrial Light, (conditions of zoning)
3. APPROVE Development Permit Application No. D-16-088 (subject to the attached Conditions of Approval dated October 4, 2017).
4. APPROVE Variance Application No. V-17-001.