

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13296**

The Fresno City Planning Commission at its regular meeting on July 2, 2014 adopted the following resolution relating to Rezone No. R-14-006:

WHEREAS, Rezone Application No. R-14-006 has been filed with the City of Fresno by Dirk Poeschel of Dirk Poeschel Land Development Services, representing property owner Wells Fargo Bank N.A. and successor in interest Property Multipliers LLC, and pertains to approximately 4.24 acres of property located at 6350, 6360, 6370, and 6380 North Figarden Drive (Assessors Parcels Nos. 506-320-59S and 506-320-60S), which lie on the southeast side of North Figarden Drive north of West Bullard Avenue and on the southwest side of the Burlington Northern and Santa Fe Railroad and are depicted in Exhibit A, attached; and,

WHEREAS, Rezone Application No. R-14-006 is a request to amend the conditions of zoning for previously approved Rezone No. R-01-037, which was approved by the Fresno City Council as Ordinance Bill No. 2001-91 to amend the Official Zone Map of the City of Fresno to reclassify the subject property to the M-1/BA-20/UGM/cz (*Light Manufacturing/Boulevard Area-20 Feet/Urban Growth Management Area/conditions of zoning*) zone district; and

WHEREAS, if approved by the Fresno City Council, Rezone Application No. R-14-006 would preserve all of the previously approved conditions of zoning pertaining to the subject parcels except the prohibition on schools, and would specify certain commercial uses which would be permissible at the subject property as incidental to and directly related to and supporting the site's permitted industrial uses, as allowable under Fresno Municipal Code Section 12-226.1-B-10; and,

WHEREAS, during its July 2, 2014 meeting, the Fresno City Planning Commission considered the staff report and related information regarding the rezone application and the related finding of mitigated negative declaration prepared for environmental assessment No. R-14-006, including its consistency with the 2025 Fresno General Plan and the Bullard Community Plan; and

WHEREAS, at the above-noted public hearing, the Planning Commission solicited public testimony with respect to the proposed rezone application and the proposed environmental finding for this rezone; and

WHEREAS, no public testimony or correspondence opposing the proposed rezone and its associated environmental finding were received;

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission finds there is no substantial evidence in the record that the proposed rezone will have a significant effect on the environment and hereby approves the adoption of Mitigated Negative Declaration for Environmental Assessment No. R-14-006, dated May 30, 2014.

BE IT FURTHER RESOLVED, that the Fresno City Planning Commission hereby recommends to the City Council that the conditions of zoning for the subject property be amended as follows, with preservation of M-1/BA-20/UGM/cz (*Light Manufacturing/Boulevard Area-20 Feet/Urban Growth Management Area/conditions of zoning*) zoning for the subject parcels, in accordance with staff's recommendation.

This [rezone] ordinance shall be conditioned upon the record owners of the property properly executing, and causing to be recorded, a covenant running with the land guaranteeing the following conditions on the subject property:

- a. The City of Fresno shall require the dedication of an avigation easement and agreement as called for in the Sierra Sky Park Land Use Policy Plan.
- b. No structure, tree or other object shall be permitted to exceed the height limits established in accordance with Part 77, Subpart C, of the Federal Aviation Regulations.
- c. The maximum building height on the subject property shall not exceed 50 feet.
- d. Development of the subject property shall be in accordance with the M-1-P zone district standards and shall be in conformance with site, circulation, and landscape design elements depicted in Conditional Use Permit No. C-01-144, dated November 26, 2001, as well as the building square footage, parking area, and landscape planting areas depicted in the corrected "Exhibit A" (site plan) approved for Conditional Use Permit No. C-06-090 on December 3, 2007.
- e. The development of hospitals, nursing homes or similar uses shall be prohibited on the subject property.
- f. The sale of pornographic material shall be prohibited on the subject property.
- g. Car washes, mortuaries, and service stations shall be prohibited on the subject property.
- h. Drive-through uses shall be prohibited on the subject property.
- i. The following commercial uses shall be permitted by right on the subject property, pursuant to a determination that they are incidental to directly related to and serving the permitted industrial uses on the property and adjacent light industrial land, and pursuant to compliance with project-

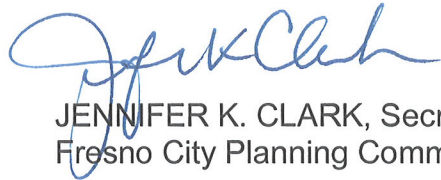
- (1) Retail appliance sales
- (2) Retail stereo and sound system store
- (3) Retail sale of tools and lawn & garden equipment
- (4) Retail sale of bathroom, kitchen, bedding, and related products
- (5) Retail sale of paint, lighting, and home décor items
- (6) Retail sale of carpet
- (7) Retail bakery
- (8) Retail meat market
- (9) Retail sale of health foods
- (10) Retail ice cream store, with no drive-through
- (11) Retail bicycle sales and servicing
- (12) Retail clothing store, limited to uniforms/protective clothing, and sporting apparel
- (13) Day spa and salon
- (14) Retail laundry and dry cleaning
- (15) Photocopying, binding, blueprinting, promotional mailing, retail stationery sales and related business services
- (16) Retail telephone/communication equipment and business machine sales and service
- (17) Retail florist
- (18) Retail jewelry sales and repair
- (19) Yoga and martial arts training
- (20) Music and dance instruction
- (21) Beauty college and vocational school

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The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Hansen-Smith, seconded by Commissioner Vasquez.

VOTING: Ayes: - Hansen-Smith, Vasquez, Medina, Reed, Torossian,
 Noes: - None
 Not Voting: - None
 Absent: - Holt

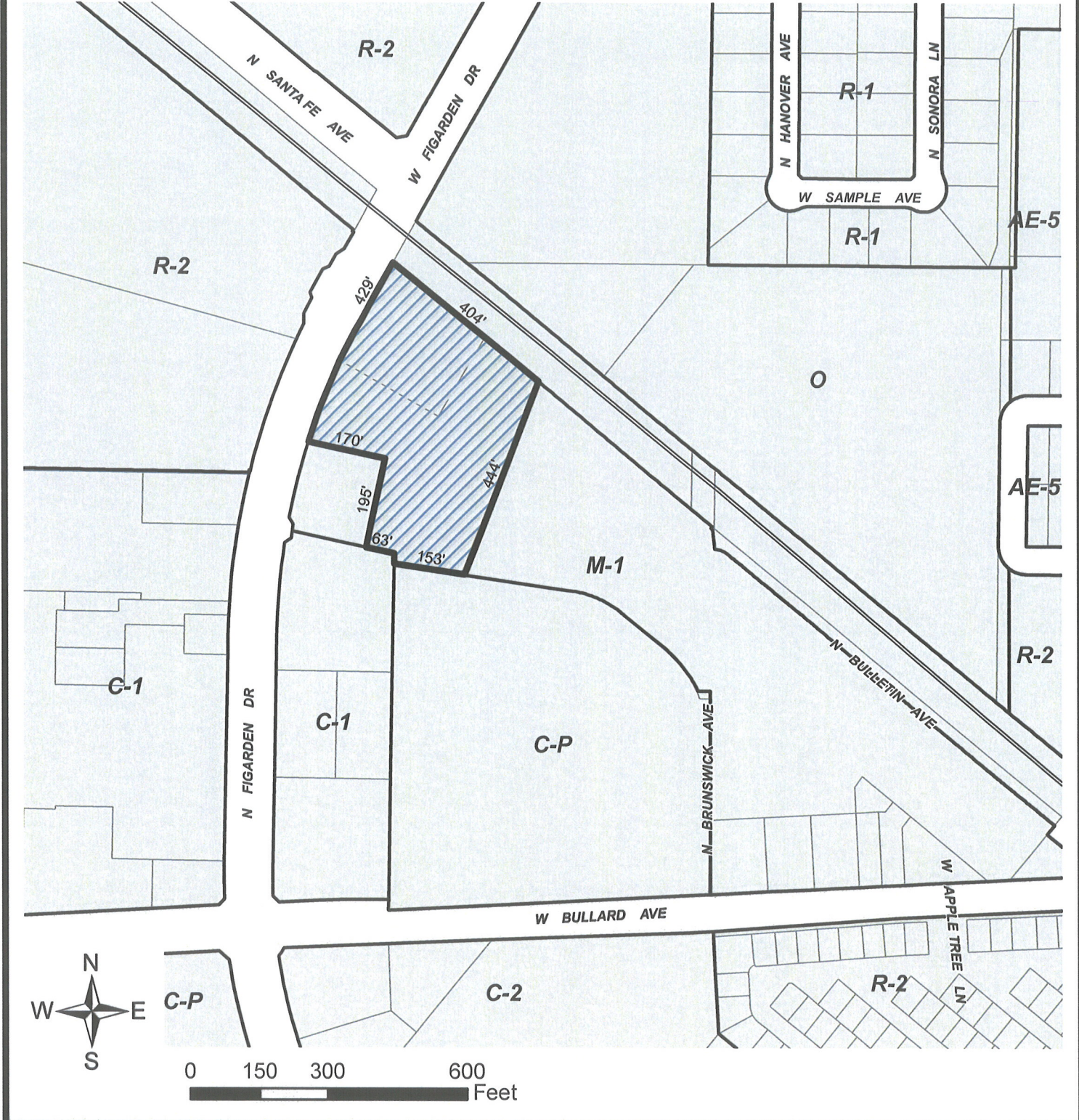
DATED: July 2, 2014



JENNIFER K. CLARK, Secretary
Fresno City Planning Commission

Resolution No. 13296
Rezone Application No. R-14-006
Filed by: Dirk Poeschel Land Development
 Services on behalf of Wells Fargo Bank, N.A./
 Property Multipliers LLC
Commission Action: Recommend Approval
APNs 506-320-59S and 506-320-60S

EXHIBIT A



R-14-006
APN: 506-320-59 and 60
6350, 6360, 6370, and 6380 North Figarden Drive

 M-1/BA-20/UGM/cz, 4.24 Acres