

Regular Council Meeting

March 21, 2024

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FRESNO CITY COUNCIL



CITY OF FRESNO
CITY CLERK'S OFFICE

Supplement Packet

ITEM(S)

9:15 A.M. (ID 24-355)

Hearing to consider Conditional Use Permit Application No. P23-00835, Planned Development Permit Application No. P23-02080, and related Environmental Assessment; regarding a phased, multi-tenant commercial community development project with Starbucks Café and drive-through located on approximately \pm 2.98 acres of property located on the southwest corner of the intersection of South Martin Luther King Boulevard and East Church Avenue. (Council District 3) - Planning & Development Department.

Contents of Supplement: PowerPoints

Item(s)

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):

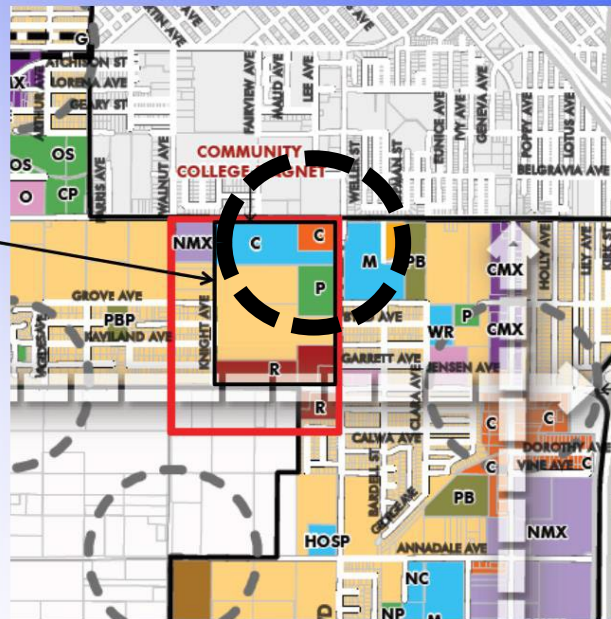
The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call 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.

**CONSIDERATION OF:
CONDITIONAL USE PERMIT APPLICATION
NO. P23-00835, PLANNED DEVELOPMENT
PERMIT APPLICATION NO. P23-02080, AND
RELATED ENVIRONMENTAL ASSESSMENT**

Project Site Planned Land Use

Southwest Fresno Specific Plan

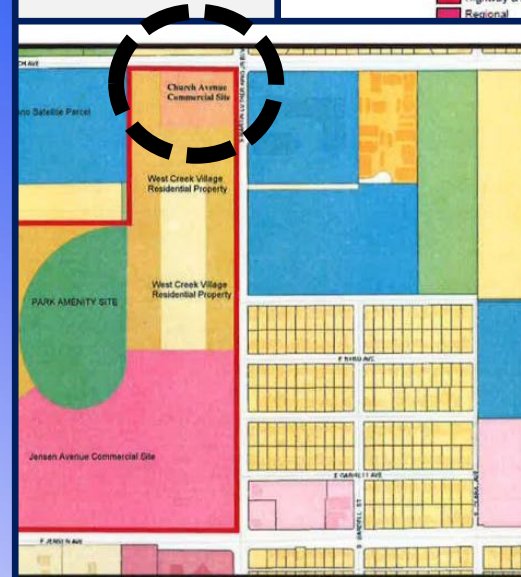
Project Site



Source: SWFSP CC Presentation (2017)

City Council Hearing
August 24, 2017

- CC- Community Commercial
- CR - Regional Commercial
- RM-1 - Residential Multi Family
- PR - Park and Recreation
- RS-5 - Residential Single Family



Source: West Creek Village
Development Agreement (2020)

Proposed General Plan Land Use Map

LEGEND

RESIDENTIAL

- Low Density (1-3.5 D.U./acre)
- Medium Low Density (3.5-6 D.U./acre)
- Medium Density (5.0-12 D.U./acre)
- Medium High Density (12-18 D.U./acre)
- Urban Neighborhood (18-30 D.U./acre)
- High Density (30-45 D.U./acre)

COMMERCIAL

- Main Street
- Community
- Recreation
- General
- Highway & Auto
- Regional

MIXED USE

- Neighborhood Mixed Use
- Corridor/Center Mixed Use
- Regional Mixed Use

DOWNTOWN

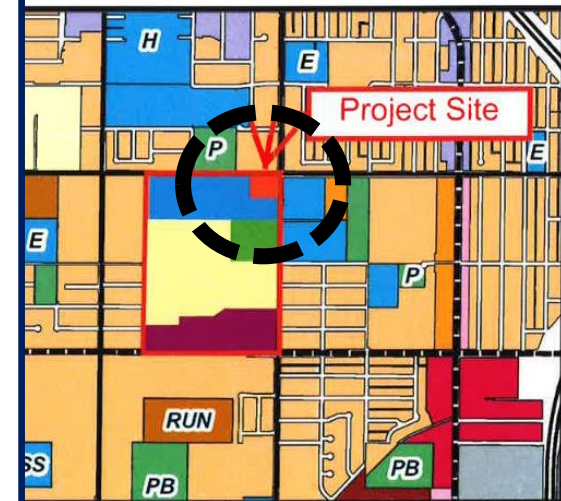
- Downtown Core
- Downtown General
- Downtown Neighborhood

OPEN SPACE

- Clear Zone
- Commercial-Recreational
- Community Park
- Flood Control Project
- Golf Course
- Lake, Pond
- Multi-Use
- Neighborhood Park
- Outdoor Environmental Education Area
- Open Space
- Ponding Basin
- Ponding Basin (Park use)
- Regional Park

PUBLIC FACILITIES

- Public/Quasi-public Facility
- Special School
- Elementary School
- Elementary & Middle School
- Elementary, Middle & High School
- Middle School
- High School
- College
- School with Park
- Airport
- Cemetery
- Church
- Community Activity Center
- Convalescent Hospital
- Fairgrounds
- Fire Station
- Government Offices
- Hospital
- Medical Center
- Neighborhood Center
- PG & E Substation
- Police Dressing Station
- Water Recharge Basin
- Waste Water Treatment Facility



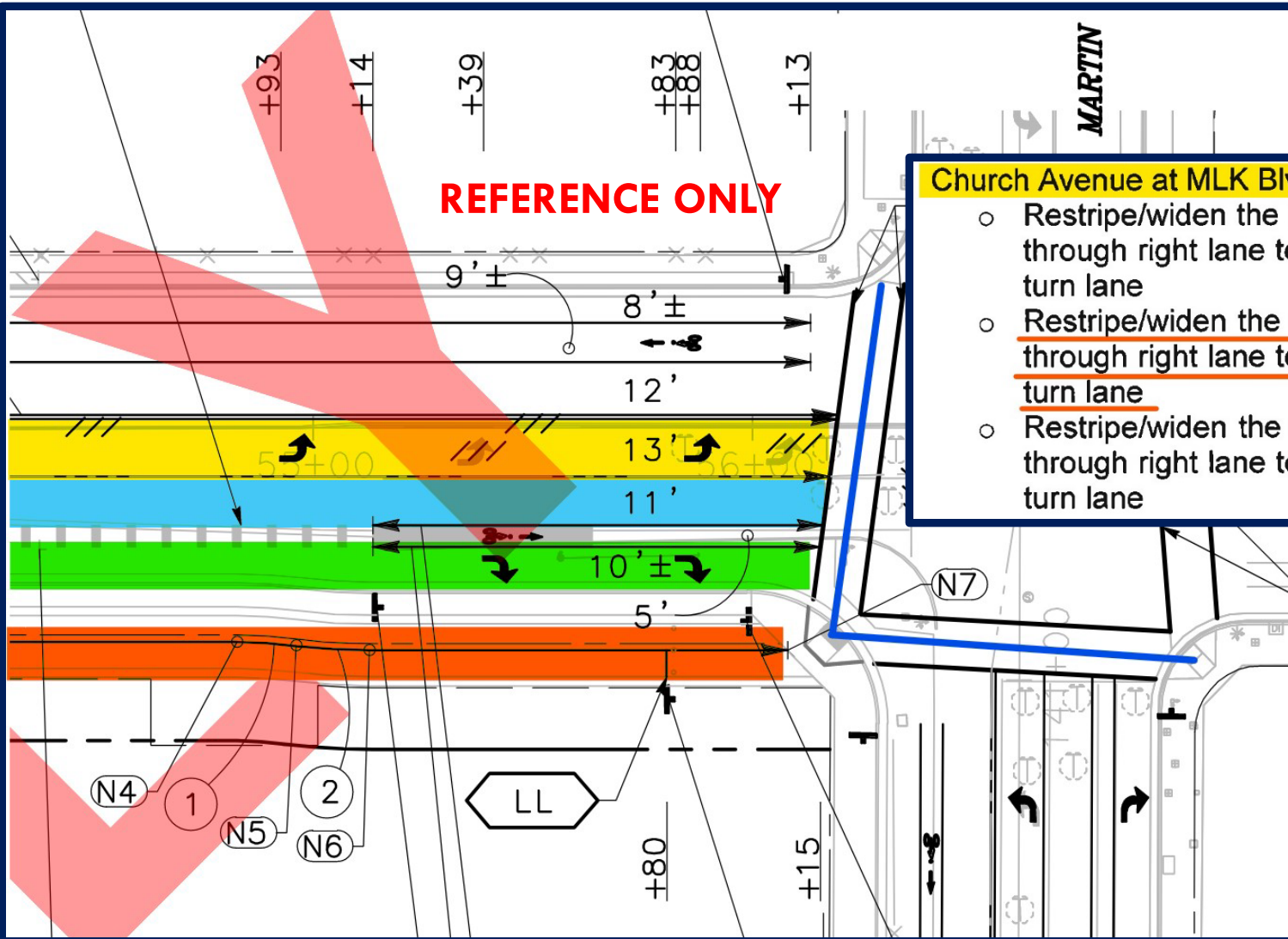
on project site:
.63 acres)

Source: WCV Annexation MND (2017)

residential (54.48 acres)
al (22.52 acres)
ercial (2.40 acres)

Figure I-3
Proposed General Plan Map

MLK & Church Off-Site Improvements



Church Avenue at MLK Blvd.

- Restripe/widen the southbound approach from one (1) left-turn lane and a shared through right lane to one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
- Restripe/widen the westbound approach from one (1) left-turn lane and a shared through right lane to one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
- Restripe/widen the eastbound approach from one (1) left-turn lane and a shared through right lane to one (1) left-turn lane, one (1) through lane and one (1) right-turn lane

Staff Recommendation

1. ADOPT Environmental Assessment No. P23-00835/P23-02080 dated January 3, 2024, an Addendum to the Southwest Fresno Specific Plan Final Program EIR (the “Program EIR”), prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.
2. DENY the appeal submitted by Councilmember Arias on January 17, 2024, and UPHOLD the action of the Planning and Development Department Director approving Conditional Use Permit Application No. P23-00835 and Planned Development Permit Application No. P23-02080 authorizing the construction of a \pm 5,781 square foot multi-tenant shell building with Starbucks Café with drive-thru; and full development of the site with associated parking lot, landscaping, trash enclosures, and pad for a future building to be entitled under separate permit.

**CONSIDERATION OF:
CONDITIONAL USE PERMIT APPLICATION
NO. P23-00835, PLANNED DEVELOPMENT
PERMIT APPLICATION NO. P23-02080, AND
RELATED ENVIRONMENTAL ASSESSMENT**

FOLLOWING SLIDE(S) ONLY TO
BE UTILIZED IF NEEDED.

Southwest Fresno Specific Plan EIR

SOUTHWEST FRESNO SPECIFIC PLAN DRAFT EIR
CITY OF FRESNO

TRANSPORTATION AND TRAFFIC

Impact TRANS-7.1: The addition of proposed Plan traffic to the roadway network, in combination with traffic generated by reasonably foreseeable projects, results in unacceptable roadway operations on City of Fresno study roadway segments under cumulative conditions.

Significance Without Mitigation: Significant.

Mitigation Measure TRANS-7.1: Provide transportation improvements consistent with General Plan Policy MT-1-j in the Plan Area that would encourage non-vehicular transportation and reduce auto traffic levels. These improvements shall be consistent with the goals and policies in the proposed Plan, which require the implementation of complete streets, bikeways, trails, sidewalks, and enhanced transit service to support transit use, biking, and walking as viable modes of travel. By supporting and encouraging these non-auto modes in lieu of auto travel, future traffic levels would be reduced.

The City of Fresno shall also apply General Plan Policy MT-1-o, which allows LOS E or F conditions outside of identified multimodal districts if provisions are made to sufficiently improve the overall transportation system and promote non-vehicular transportation. With the application of General Plan policy MT-1-o, the LOS F conditions on Church Avenue and LOS E conditions on North Avenue would be considered acceptable. Therefore, this impact would be *less than significant*.

Significance With Mitigation: Less than significant.

Both Church Avenue and North Avenue are planned to be two-lane roadways with a center two-way left-turn lane (TWLTL). The proposed Plan intentionally includes fewer travel lanes on these roadways to place a limit on vehicular traffic capacity and encourage walking and biking along these corridors.

In addition to providing access to Gaston Middle School, the segment of Church Avenue between Walnut Avenue and Elm Avenue that is projected to operate at LOS F will serve the planned Community College Magnet, which includes a community college, neighborhood mixed-use, community commercial, and medium-density residential uses. Given the nature of these uses, providing wide sidewalks, attractive bikeways, and transit facilities along this corridor in accordance with the Complete Streets Guidelines, and policies in the proposed Plan will encourage non-vehicular travel for this pedestrian activity center. Furthermore, the Fresno ATP shows that a Class I bike path is planned along this segment of Church Avenue to further support walking and biking. As such, it is justified for the City to accept a lower LOS for this corridor and provide fewer travel lanes for vehicular traffic to maintain and prioritize pedestrian, bicycle, and transit modes.

In addition to providing access to Gaston Middle School, the segment of Church Avenue between Walnut Avenue and Elm Avenue that is projected to operate at LOS F will serve the planned Community College Magnet, which includes a community college, neighborhood mixed-use, community commercial, and medium-density residential uses. Given the nature of these uses, providing wide sidewalks, attractive bikeways, and transit facilities along this corridor in accordance with the Complete Streets Guidelines, and policies in the proposed Plan will encourage non-vehicular travel for this pedestrian activity center. Furthermore, the Fresno ATP shows that a Class I bike path is planned along this segment of Church Avenue to further support walking and biking. As such, it is justified for the City to accept a lower LOS for this corridor and provide fewer travel lanes for vehicular traffic to maintain and prioritize pedestrian, bicycle, and transit modes.

Southwest Fresno Specific Plan EIR (Continued)

SECTION 10 STATEMENT OF OVERRIDING CONSIDERATIONS

The City Council of the City of Fresno adopts and makes the following Statement of Overriding Considerations regarding the significant, unavoidable impacts of the Plan and the anticipated benefits of the Plan.

The Council has carefully balanced the benefits of the Plan against any adverse impacts identified in the EIR that could not be feasibly mitigated to a level of insignificance. Notwithstanding the identification and analysis of impacts that are identified in the EIR as being significant and which have not been eliminated, lessened or mitigated to a level of insignificance, the Council, acting pursuant to CEQA

- G. The Plan would rezone existing parcels zoned for industrial use to non-industrial use which will, over time, phase out industrial uses within the Plan Area. This will contribute to a healthier environment by improving air quality in the area by encouraging the relocation of industrial uses to areas of the City more suitable for such uses and away from residential land uses. Policies that support this benefit include Policy LU-8.1, Policy LU-8.4, and Policy LU-8.5.
- H. The Plan includes policies and mitigation measures, enforceable through the MMRP.
- I. The Plan would attract needed retail, such as department stores, restaurants, and grocery stores, in order to serve resident needs with fewer, shorter vehicle trips. Policies that support this benefit include Policy LU-1.1, Policy LU-2.3, Policy LU-2.5, Policy LU-2.6, and Policy LU-2.7.

Social Benefits

- J. The Plan would create a healthy community that offers a positive physical, social, natural and economic environment to support the health and wellbeing of all its members. Policies that support this benefit include Policy LU-3.1, Policy LU-3.2, Policy LU-6.4, Policy T-1.1, and Policy T-1.5.
- K. The Plan serves to attract high quality new development while protecting existing neighborhoods by encouraging revitalization of existing corridors by attracting new development that follows enhanced designs standards aimed at retaining the unique character of the existing corridors, and by encouraging programs that will fund the rehabilitation of older neighborhoods while maintaining their residential character. Goals and their subsequent policies that support this benefit include Goal LU-2, Goal LU-3, and Goal LU-4.
- L. The Plan provides a mix of high quality housing types, with an emphasis on single-family housing that is compatible with community character and located close to amenities such as parks, schools, transit, services, shopping and employment. Policies that support this benefit include Policy LU-1.1, Policy LU-2.4, Policy LU-2.5, and Policy LU-2.7.
- M. The Plan provides quality open space and recreational opportunities by improving existing parks and creating new parks within walking distance (1/2 mile) of all residences. Specifically, the Plan calls for first improving the condition of existing amenities in parks, and then renovating existing parks to provide new amenities, as well as transforming vacant or underutilized parcels into park uses. The Policies that support this benefit are Policy PF-2.1, Policy PF-2.1, and Policy 2.3.
- N. The Plan improves the quality of life in Southwest Fresno through high quality investment, compatible land uses, increased park and recreational opportunities and a multi-modal and connected transportation system. Specifically, the Plan calls for installation of new sidewalks and improvement of existing sidewalks to current Development Code standard to provide a sufficiently wide path for travel; enhancement of streetscapes with lighting, outdoor seating, and planters; implementation of bicycle facilities contemplated in the ATP, as well as secure bicycle parking; and creation of a scenic and well-connected trail system. Goals and their subsequent policies that support this benefit include Goal T-1, Goal T-2, Goal T-3, Goal T-4, and Goal T-5.

Economic Benefits

- A. The Plan would promote a vibrant economy by supporting a diversity of business and employment opportunities. Policies that support this benefit include Policy LU-2.3, Policy LU-2.6, Policy LU-6.1, and Policy LU-7.3.
- B. The Plan will increase economic and educational opportunity through programs, services and facilities to prepare, mentor and train Southwest Fresno residents to access high quality employment opportunities by specifically identifying two magnet cores to accommodate regional retail as well as educational and/or medical facilities and by encouraging both new educational and job training programs within the plan area and by encouraging coordination with existing programs. Policies that support this benefit include Policy LU-1.1, Policy LU-7.2, Policy PF-6.1, and Policy PF-7.1.
- C. The Plan provides for more commercial development compared to the Plan Area under the General Plan, which would support increased property and sales tax revenues. Policies that support this benefit include Policy LU-2.7, Policy LU-6.1, Policy LU-7.1, and Policy LU-7.3.

Environmental Benefits

- D. The Plan is environmentally superior to the existing General Plan, as discussed in Chapter 5 of the Draft EIR. Policies that support this benefit include Policy LU-8.4, and Policy LU-8.6.
- E. The Plan enhances transportation connectivity both within Southwest Fresno and between Southwest Fresno and other Fresno neighborhoods in order to provide more access to economic, social and educational opportunities. Policies that support this benefit include Policy LU-2.1, Policy LU-3.1, and Policy LU-3.2.
- F. The Plan concentrates growth in existing urbanized areas and thereby results in fewer impacts from the construction of new infrastructure, maximizes use of existing impervious surfaces, provides multi-modal transportation opportunities, and reduces vehicle miles traveled, which translates into air quality and greenhouse gas emissions benefits and increases in resources and energy efficiency. Policies that support this benefit include Policy LU-4.3, Policy LU-4.6, Policy PF-1.1, and Policy PF-2.1.



Office of Councilmember
Miguel A. Arias

*Representing the Third
District*

Drive-Thrus Near Schools

West Fresno

ENVIRONMENTAL CONDITIONS

- Worst Pollution in Fresno and in CA
- 56-65 Brown Fields
- Industrial Pollution
- Highest Prenatal Deaths Of African-American Babies
- Shorter Life-Span by 20 Years

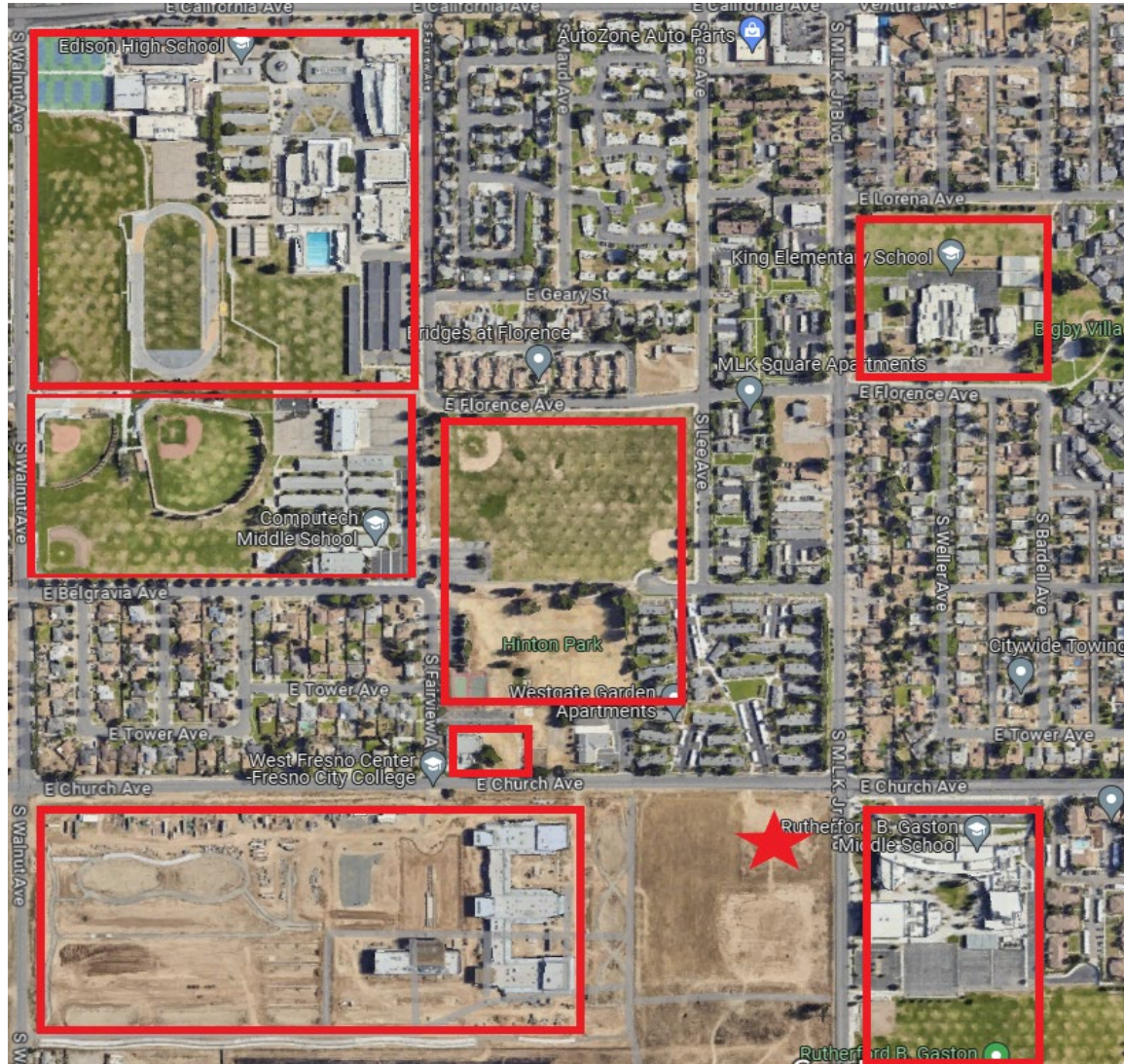
NEW INVESTMENTS

- TCC - New West Fresno College Campus
- 10 Acre Park
- Medical Clinic
- Market-Rate Housing
- AB 617
- Truck Study In Progress

Freeway Traffic Into Residential Neighborhoods



Nearby School Sites



King Elementary School

Gaston Middle School

Computech Middle School

Edison High School

FCC – West Fresno Campus

Hinton Center

Hinton Park

Existing Traffic Congestion



Infrastructure



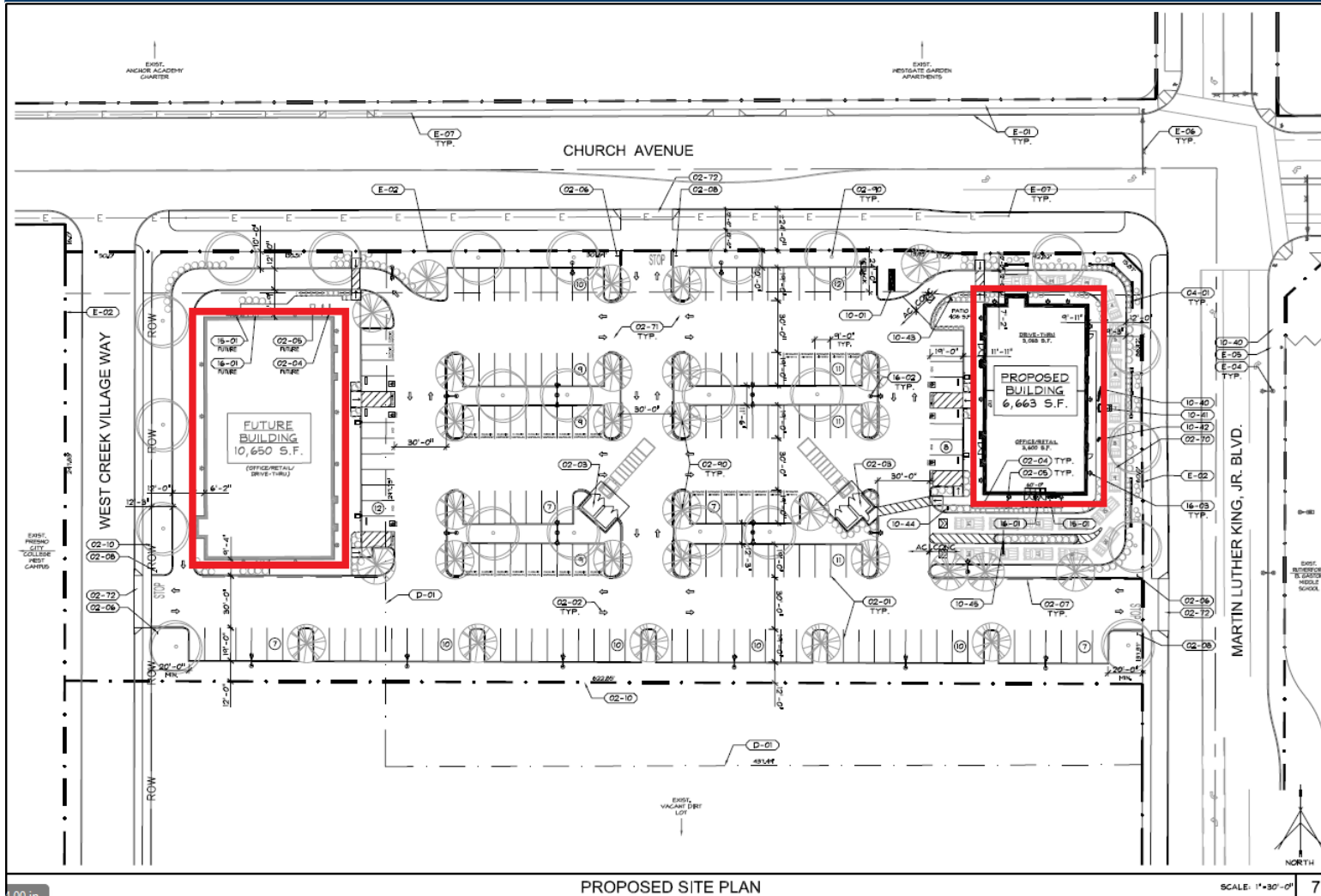
**MLK & Church Avenue
infrastructure project:**

PENDING



New Additional Impacts

From Two Drive-Thru Businesses



Vehicle idling during a bad quality air day, contributes to a hyper-local hotspot of air pollution.

Observations from other similar sites when the drive thru line spills over; vehicles blocking the sidewalk, bike lanes, and street.

Citywide School Sites

TEAGUE ELEMENTARY

no commercial development directly N, E, S, W of school site



Citywide School Sites

Lincoln Elementary School & Kastner Intermediate School



Citywide School Sites

Pinedale Elementary School



Community Feedback

Jensen & MLK

Zoning: Commercial Regional

