



Legislation Details (With Text)

File #: ID 24-326 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 2/26/2024 **In control:** City Council
On agenda: 3/21/2024 **Final action:** 3/21/2024

Title: HEARING to consider Rezone Application No. P23-03475, Development Permit Application No. P23-00186, and related Environmental Assessment No. P23-03475/P23-00186, pertaining to approximately 1.96 acres of property located on the north side of East Gettysburg Avenue between North First and North Second Streets (Council District 4) - Planning and Development Department.
1. ADOPT - Mitigated Negative Declaration as prepared for Environmental Assessment No. P23-03475/P23-00186, dated January 26, 2024, for the proposed project pursuant to California Environmental Quality Act (CEQA); and,
2. BILL - (for Introduction and Adoption) Amending the Official Zoning Map of the City of Fresno to rezone the subject property from the O/cz (Office/conditions of zoning) zone district to the O (Office) zone district in order to remove conditions of zoning pursuant to Article 58, Chapter 15 of the Fresno Municipal Code; and,
3. APPROVE - Development Permit Application No. P23-00186, requesting authorization to construct an approximately 11,360 square foot medical office (clinic) building and one pad for a future 5,010 square foot future medical office (clinic) building on the subject property.

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: 1. Exhibit A - Vicinity Map, 2. Exhibit B - Aerial Photograph, 3. Exhibit C - Planned Land Use, 4. Exhibit D - Zoning Map, 5. Exhibit E - Project Information Tables, 6. Exhibit F - Noticing Map, 7. Exhibit G - Owner's Letter of Authorization, 8. Exhibit H - Operational Statement, 9. Exhibit I - Exhibits (Site Plan, Elevations, Floor Plans, & Landscape Plan), 10. Exhibit J - Statement of Covenants Affecting Land Development, 11. Exhibit K - Conditions of Approval [2-21-2024], 12. Exhibit L - Comments & Requirements from Responsible Agencies, 13. Exhibit M - Public Hearing Notice & Radius Map, 14. Exhibit N - Fresno Municipal Code Findings, 15. Exhibit O - Environmental Assessment P23-03475-P23/00186 [1-26-2024], 16. Exhibit P - Public Correspondence, 17. Exhibit Q - Planning Commission Resolution No. 13829 (Rezone Application No. P23-03475), 18. Exhibit R - Planning Commission Resolution No. 13830 (Development Permit Application No. P23-00186), 19. Exhibit S - City Council Ordinance Bill for Rezone Application No. P23-03475, 20. Exhibit T – City Council Hearing Notice & Noticing Map, 21. Exhibit U – City Council Hearing PowerPoint Presentation

Date	Ver.	Action By	Action	Result
3/21/2024	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

FROM: JENNIFER CLARK, Director
Planning and Development Department

BY: ROB HOLT, Supervising Planner
Planning and Development Department

MICHAEL TRAN, Planner II

Planning and Development Department

SUBJECT

HEARING to consider Rezone Application No. P23-03475, Development Permit Application No. P23-00186, and related Environmental Assessment No. P23-03475/P23-00186, pertaining to approximately 1.96 acres of property located on the north side of East Gettysburg Avenue between North First and North Second Streets (Council District 4) - Planning and Development Department.

1. ADOPT - Mitigated Negative Declaration as prepared for Environmental Assessment No. P23-03475/P23-00186, dated January 26, 2024, for the proposed project pursuant to California Environmental Quality Act (CEQA); and,
2. BILL - (for Introduction and Adoption) Amending the Official Zoning Map of the City of Fresno to rezone the subject property from the O/cz (Office/conditions of zoning) zone district to the O (Office) zone district in order to remove conditions of zoning pursuant to Article 58, Chapter 15 of the Fresno Municipal Code; and,
3. APPROVE - Development Permit Application No. P23-00186, requesting authorization to construct an approximately 11,360 square foot medical office (clinic) building and one pad for a future 5,010 square foot future medical office (clinic) building on the subject property.

RECOMMENDATIONS

1. ADOPT the Mitigated Negative Declaration as prepared for Environmental Assessment No. P23-03475/P23-00186, dated January 26, 2024, for the proposed project pursuant to the State of California Environmental Quality Act (CEQA); and,
2. INTRODUCE AND ADOPT BILL approving Rezone Application No. P23-03475, requesting authorization to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the O/cz (*Office/conditions of zoning*) zone district to the O (*Office*) zone district in order to remove conditions of zoning; and,
3. APPROVE Development Permit Application No. P23-00186, requesting authorization to construct an approximately 11,360 square foot medical office (clinic) building and one pad for a future 5,010 square foot future medical office (clinic) building on the subject property.

EXECUTIVE SUMMARY

Rezone Application No. P23-03475 and Development Permit Application No. P23-00186 were filed by Jared Brandt of Centerline Design, on behalf of Brad Morris of DDYS Investments Granite Park LLC, pertaining to approximately 1.96 acres of property located on the north side of East Gettysburg Avenue between North First and North Second Streets. The subject property is located within the boundaries of the Fresno General Plan and Hoover Community Plan.

Rezone Application No. P23-03475 requests authorization to rezone the subject property from the O/cz (*Office/conditions of zoning*) zone district to the O (*Office*) zone district in order to remove conditions of zoning tied to the approximately 1.96 acres of property located at 3147 East Gettysburg Avenue. The existing conditions of zoning on the subject property relative to development standards were consistent with the previous RP-L (*Residential and Professional Limited Office*) zone district which required larger setbacks than the current O (*Office*) zone district. Additionally, the Fresno Metropolitan Flood Control District required two (2) conditions of zoning as part of the original approval in 1980 that have since been superseded with updated conditions of approval reflecting storm drainage requirements which are based on the current conditions of the vacant subject property and its developed surroundings.

Development Permit Application No. P23-00186 requests authorization to construct an approximately 11,360 square foot medical office (clinic) building and one pad for a future 5,010 square foot future medical office (clinic) building. Additionally, new on- and off-site improvements are proposed including, but not limited to, 97 parking spaces, two trash enclosures, landscaping, one new drive approach, curb, gutter, and sidewalk.

Fresno City Planning Commission Action

On February 21, 2024, the Planning Commission considered the item as presented by staff, followed by a presentation by the applicant. One member of the public spoke in support of the project and no members of the public spoke in opposition of the project. After a complete hearing, the Planning Commission voted and recommended the City Council approve the rezone, development permit, and related environmental assessment. The Planning Commission Resolutions (**Exhibits P and Q**) are attached for more information.

BACKGROUND

The subject property is located within the boundaries of the Fresno General Plan, Hoover Community Plan, and Fresno County Airport Land Use Compatibility Plan. These plans designate the subject property for Employment - Office planned land uses. The underlying O (*Office*) zone district is consistent with the Employment - Office planned land use designation.

Pursuant to Table 15-1302 (Land Use Regulations - Employment Districts) of the Fresno Municipal Code (FMC), Clinics are a permitted use in the O zone district and not subject to specific limitations or additional regulations for special uses pursuant to Article 27 of the FMC.

The subject property is currently an undeveloped vacant infill site surrounded by urban uses. Adjacent to the north is a 90-unit apartment complex, adjacent to the west is convenience retail, general retail, and a service station, adjacent to the south across East Gettysburg Avenue is a small commercial shopping center including retail businesses and restaurants, and adjacent to the east is a pre-school/day care center and single-family residential neighborhood.

The applicant proposes to construct an approximately 11,360 square foot medical office (clinic) building and one pad for construction of an approximately 5,010 square foot future medical office (clinic) building with a floor area ratio (FAR) of 0.19. Additional on- and off-site improvements to be provided include 97 parking spaces, two trash enclosures, landscaping, curb, gutter, and sidewalk. A minimum 15-foot building setback will be provided along East Gettysburg Avenue, and a 15-foot landscape buffer will be provided along the northern and eastern property lines from adjacent single-family and multi-family residential uses.

Vehicular access is proposed to be provided via one (1) new drive approach along East Gettysburg Avenue. In addition, the project will require dedications, vacations, and/or acquisitions for public street rights-of-way as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the proposed development of the subject property.

Applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, 11th Edition, the proposed project (including the future medical office (clinic) building) would generate 47

vehicle trips during the morning peak hour travel period (7:00 to 9:00 a.m.), 62 vehicle trips during the peak hour travel period (4:00 to 6:00 p.m.) and 607 average daily trips (ADT). In accordance with Policy MT-2-i of the Fresno General Plan, this development is located within the Traffic Impact Zone II (TIZ-II) which a Traffic Impact Study is required for all development projected to generate 200 or more peak hour new vehicles trips. With the highest peak-hour vehicle trips at 62 (4:00 to 6:00 p.m.), a Transportation Impact Study is not required for this project as it does not exceed 200 or more peak hour new vehicle trips. Furthermore, pursuant to Section 3.0 (Project Screening) of the City of Fresno's CEQA Guidelines for Vehicle Miles Traveled (VMT) Thresholds, the project screens out because it is located within 0.5 miles of a Transit Priority Area or a High-Quality Transit Area and has a floor area ratio (FAR) less than 0.75, and is located within an area with low VMT as depicted on Figure 7 in the City of Fresno's CEQA Guidelines for VMT Thresholds.

Based upon existing conditions of zoning tied to the property, setbacks and open space requirements from the RP-L/cz zone district prevented the proposed project from being developed to current development code standards. Therefore, the subject rezone application was filed to remove the conditions of zoning and allow for development consistent with the current underlying zone district development standards of the O (*Office*) zone district.

Previous Entitlements/Conditions of Zoning

Rezone Application No. R-6175

Rezone Application No. R-6175 was approved on July 8, 1980, and allowed for the rezone of approximately 1.96 acres of the subject property from the R-1 (*Single Family Residential*) zone district to the RP-L/cz (*Residential & Professional Limited Office/conditions of zoning*) zone district for purposes of facilitating a future medical office development.

It is noted that the subject property was originally designated for medium density residential uses since the adoption of the 1958 Fresno General Plan and within the 1984 Fresno General Plan. Furthermore, at the time of consideration, the area to the north had been developed with apartments and the area to the east had been developed with single family residential homes.

Although office uses were considered to be compatible with the surrounding residential development, it was identified that care needed to be taken in design standards to ensure the project would not result in an adverse impact on the neighborhood. In addition, it was identified that the proposed office commercial development (15,000 square foot medical office building) on 1.96 acres would generate approximately 600 average daily trips (ADT); an increase of three times the traffic generated over the previous residential land use designation. As such, the City of Fresno desired to impose conditions of zoning on the subject property to ensure that the subject property was not developed, used, or maintained in such a way as to adversely affect surrounding properties.

Conditions of Zoning

Statement of Covenants Affecting Land Development was recorded on the subject property, pursuant to the requirements of Rezone Application No. R-6175 as approved by the Fresno City Council on July 8, 1980, under Ordinance No. 80-110 (**Exhibit J**). The Ordinance specified ten (10) conditions of zoning, as follows:

1. Maximum building floor area not to exceed 15,000 square feet.

2. No less than 96 parking spaces are to be provided on the site. Not less than 7 spaces per doctor, nor less than one space for each 200 square feet of floor area.
3. A minimum of 40 percent of the site area shall be open space landscaping.
4. Provision of a leaching system acceptable to the Fresno Metropolitan Flood Control District and the City of Fresno.
5. Minimum building setbacks as follows: Front - 30 feet, side - 20 feet, rear - 30 feet.
6. Provision of a 10-foot minimum landscaped space adjacent to existing single family residential lots.
7. The exterior appearance and character of buildings must substantially conform to that of the residential neighborhood.
8. Provision of a 6-foot decorative colored masonry wall on the property line adjacent to existing single family residential lots.
9. An avigation easement is to be granted to the City of Fresno.
10. Interior noise levels of new development attributable to exterior sources is not to exceed 45 dB CNEL.

Rezone Application No. P23-03475

The subject rezone application requests to remove all ten (10) conditions of zoning for the following reasons:

1. *Maximum building floor area not to exceed 15,000 square feet.*

The primary purpose of this condition of zoning was to allow for additional parking area on the subject property. At the time this application was submitted, for the subject property size in the RP-L zone district, there could be an allowance for up to 30,000 square feet of gross building floor area. Fresno Metropolitan Flood Control District (FMFCD) also had concerns of flooding problems on the site and requested additional open space on the site which required the limitation of gross building floor area.

FMFCD has provided the City of Fresno with updated conditions and written communication (**Exhibit L**) confirming that their current conditions supersede the previous conditions as submitted with Rezone Application No. R-6175. Based on FMFCD's conditions of approval and written communication of said conditions superseding the original conditions of zoning, removal of this condition of zoning would not result in significant flood-related impacts to the subject property or surrounding properties and/or right-of-way.

2. *No less than 96 parking spaces are to be provided on the site. Not less than 7 spaces per doctor, nor less than one space for each 200 square feet of floor area.*

This condition of zoning was created to limit the parking from the original proposal of 120 parking spaces on the site to allow for additional area dedicated for open space to be able to handle the flood issues that were present in 1980 provided in the analysis above.

The current storm drainage (flood) issues have been addressed with FMFCD's conditions of approval (see the analysis provided under Condition of Zoning No. 1 above). Additionally, removal of this condition of zoning would not result in parking issues of the property because pursuant to Section 15-2409 of the Fresno Municipal Code (FMC), the proposed Clinic

buildings would equate to a minimum requirement of 74 parking spaces and the site plan proposes 97 parking spaces, which exceeds the minimum requirement from the existing condition of zoning (96 parking spaces).

3. *A minimum of 40 percent of the site area shall be open space landscaping.*

As explained above, this requirement came from FMFCD due to flooding issues on the site. Pursuant to FMFCD's written communication and updated conditions, the proposed project complies with all flood control requirements allowing those to supersede this condition of approval.

4. *Provision of a leaching system acceptable to the Fresno Metropolitan Flood Control District and the City of Fresno.*

FMFCD has provided the City of Fresno with updated conditions and written communication (**Exhibit L**) confirming that their current conditions supersede the previous conditions as submitted with Rezone Application No. R-6175. Based on FMFCD's conditions of approval and written communication of said conditions superseding the original conditions of zoning, removal of this condition of zoning would not result in significant flood-related impacts to the subject property or surrounding properties and/or right-of-way.

5. *Minimum building setbacks as follows: Front - 30 feet, side - 20 feet, rear - 30 feet.*

Staff's research from all previous documents, including Planning Commission and City Council minutes, staff report, conditions of approval, etc., could not find the intent or purpose of the requirement for a 30-foot front and rear setback, and 20-foot side setback. The minimum requirement for the front setback of the RP-L zone district during 1980 was 15 feet, the side setback was 10 feet, and the rear setback was 10 feet. It could be assumed based on information provided in the staff report and minutes from the previous 1980 project that the additional setbacks were required to provide better compatibility with the adjacent single-family development.

The O zone district setback requirements of Section 15-1303-2 require a minimum 15-foot front setback and a minimum 20-foot side and rear setback for those property lines adjacent to single-family residential uses.

Staff recommends removing this condition of zoning because the project is conditioned to comply with the minimum setback requirements of the current O zone district.

6. *Provision of a 10-foot minimum landscaped space adjacent to existing single family residential lots.*

The landscape buffer requirements pursuant to FMC Section 15-2305-C-1 require a minimum 15-foot landscape buffer from the existing single-family residential lots to the north and east which exceeds the 10-foot minimum requirement of this condition of zoning. This landscape buffer is included within the required 20-foot side and rear yard setback, but the 15-foot portion is required to be landscaped with a certain number of small to medium and large trees for every 100 linear feet.

Due to the current FMC landscape buffer requirements requiring the project to exceed the

original condition of zoning's landscape buffer requirement, staff recommends that this condition of zoning be removed.

- 7. The exterior appearance and character of buildings must substantially conform to that of the residential neighborhood.*

This condition of zoning was based on the intent of the previous RP-L zone district which identified similar architectural styles to surrounding existing single-family development. The proposed project's elevations comply with the façade development standards of the O zone district. Additionally, the nearest building to residential lots will be required to be a minimum 15 feet setback with installation of landscaping to assist in screening the residential uses from the proposed office use. Based on these factors, staff recommends the removal of this condition of zoning.

- 8. Provision of a 6-foot decorative colored masonry wall on the property line adjacent to existing single family residential lots.*

Wall requirements of differing land uses pursuant to Section 15-2008 require a minimum 6-foot wall between the subject property and single-family residential uses. As conditioned in the Conditions of Approval dated February 21, 2024, there is a wall required between the subject property and existing single-family lots. It is recommended this condition of zoning be removed due to the conditions of approval for the project.

- 9. An avigation easement is to be granted to the City of Fresno.*

See explanation under Condition of Zoning No. 10 below.

- 10. Interior noise levels of new development attributable to exterior sources is not to exceed 45 dB CNEL.*

These two conditions of zoning were created to address any noise attenuation issues. The subject property is located in Zone 6 of the Fresno-Yosemite International Airport within the Fresno County Airport Land Use Compatibility Plan. The subject property is located within the area that does not allow uses that exceed 60-64 dB CNEL and Table 3B of the Fresno County Airport Land Use Compatibility Plan identifies that health care service uses are compatible in 60-64 CNEL areas. Furthermore, Table 9-2 of the Fresno General Plan identifies office buildings having interior spaces of 45 dB. The conditions of approval require the proposed project to comply with the noise requirements of the FMC and ALUCP, thus staff recommends the removal of these conditions of zoning.

Fresno Municipal Code

Given the conditions of approval dated February 21, 2024 (**Exhibit K**), Rezone Application No. P23-03475 and Development Permit Application No. P23-00186 meet all of the provisions of the FMC, including but not limited to setbacks, transition standards, parking, and landscaping, and complies with all applicable design guidelines and development standards for Clinic uses in the O (*Office*) zone district.

Other Agencies

All comments received from the applicable agencies (**Exhibit L**) have been incorporated into the conditions of approval for Rezone Application No. P23-03475 and Development Permit Application No. P23-00186. The project will comply with all zoning requirements including setbacks, landscaping and parking requirements, as incorporated into the conditions of approval dated February 21, 2024.

Land Use Plans and Policies

The Fresno General Plan designates the subject property for Employment - Office planned land use and provides objectives to guide in the development of this project. The Office planned land use designation is intended for administrative, financial, business, professional, medical, and public offices. This designation is mainly intended to apply to existing office uses on smaller lots, generally located on arterial roadways. This designation is also considered compatible with existing residential neighborhoods given the smaller level of noise and traffic generated compared to commercial uses. Retail uses would be limited to business services, food services, and convenience goods for those who work in the area.

The Fresno General Plan provides goals, objectives, and policies to guide development. As proposed, the project will be consistent with the following Fresno General Plan goals:

- Increase opportunity, economic development, business, and job creation.
- Make full use of existing infrastructure, and investment in improvements to increase competitiveness and promote economic growth.
- Promote orderly land use development in pace with public facilities and services needed to serve development.
- Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

The following are applicable objectives and policies from the Urban Form, Land Use & Design, and Economic Development elements of the Fresno General Plan:

- Objective LU-1: Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.
 - Policy LU-1-a: Promote Development within the Existing City Limits as of December 31, 2012. Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.
- 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: Infill Development and Redevelopment. Promote 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.
- Objective LU-6: Retain and enhance existing commercial areas to strengthen Fresno's economic base and site new office, retail, and lodging use districts to serve neighborhoods and regional visitors.
 - Policy LU-6-c: Appropriate Office Development. Promote the establishment of development standards for new offices, addressing location, size, and intensity necessary to meet the City's needs. Integrate and support employment in adjacent and proximate neighborhoods
- Objective ED-1: Support economic development by maintaining a strong working relationship with the business community and improving the business climate for current and future businesses.

Hoover Community Plan

The subject property is designated for Employment - Office planned land uses by the Hoover Community Plan which provides for ample commercial office development along major streets. Upon reviewing the policies contained in the Plan staff has determined that there are no policies that are applicable or are no more restrictive than those contained in the Fresno General Plan or the FMC. However, should there be a conflict the FMC shall control pursuant to Section 15-104-D-4 of the FMC.

Fresno County Airport Land Use Compatibility Plan

The proposed project is located within the Airport Influence Area under the Fresno Yosemite International Specific Plan and the Fresno County Airport Land Use Compatibility Plan.

The project site is located within the Fresno Yosemite International Airport's (FYIA) Safety Zone 6 - Precision Approach Zone and Noise Contour 60-64 Community Noise Equivalent Level (CNEL). Listed uses that include hazards to flight are prohibited in Traffic Pattern Zone 6, which generally include buildings over 100 feet in height. The peak height of the proposed medical office building is at 32 feet, which is less than the minimum 100 feet required to be considered a hazard. Therefore, the proposed project is compatible and in compliance with the Airport Land Use Compatibility Plan.

Public Notice and Input

Fresno County Airport Land Use Commission

The Fresno County Airport Land Use Commission (ALUC) reviewed this project on February 5, 2024, and voted to recommend approval of the project 5 votes in support and 0 votes in opposition with no additional comments and/or recommendations.

Council District 4 Project Review Committee

The Council District 4 Project Review Committee reviewed this project on January 4, 2024, and voted to recommend approval of the project 4 votes in support and 0 votes in opposition with no additional comments and/or recommendations.

Notice of Planning Commission Hearing

The Planning and Development Department mailed notices of this Planning Commission hearing to all surrounding property owners within 1000 feet of the subject property on January 26, 2024, pursuant to Section 15-5007 of the FMC (**Exhibit M**). On February 21, 2024, the Fresno Planning Commission voted and recommended the City Council approved the Rezone Application No. P23-03475, Development Permit Application No. P23-00186, and Environmental Assessment No. P22-02376/P22-04389.

Notice of City Council Hearing

In accordance with Section 15-5007 of the FMC, the Planning and Development Department mailed notices of this City Council hearing to surrounding property owners within 1,000 feet of the subject property on March 8, 2024 (**Exhibit T**).

ENVIRONMENTAL FINDINGS

An initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

Preparation of the initial study necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies including the Fresno General Plan Program Environmental Impact Report SCH No. 2019050005 ("PEIR").

These environmental and technical studies have examined projected sewage generation rates of planned urban uses, the capacity of existing sanitary sewer collection and treatment facilities, and optimum alternatives for increasing capacities; groundwater aquifer resource conditions; water supply production and distribution system capacities; traffic carrying capacity of the planned major street system.

The Planning and Development Department recommends adoption of a Mitigated Negative Declaration for the proposed project. It has been determined that all applicable mitigation measures of the Project Specific Mitigation Monitoring Checklist have been applied to the project as necessary to assure that the project will not cause significant adverse cumulative impacts, growth impacts and irreversible significant effects. It has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a Mitigated Negative Declaration is appropriate in accordance with the provisions of CEQA Guidelines Section 15168(d).

Based upon the attached environmental assessment and applicable mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and has prepared a Mitigated Negative Declaration for this project. A public notice

of the attached Mitigated Negative Declaration for Environmental Assessment Application No. P23-03475/P23-00186 (**Exhibit O**) was published in the Fresno Bee on January 26, 2024, with no comments received to date.

FRESNO MUNICIPAL CODE FINDINGS

Based upon analysis of the applications, staff concludes that the required findings contained within Sections 15-5206 (Development Permit Findings) and 15-5812 (Plan Amendment and Rezone Findings) of the Fresno Municipal Code can be made. These findings are attached as **Exhibit N**.

CONCLUSION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Fresno General Plan and the Hoover Community Plan; compliance with the provisions of the FMC; 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 and exhibits. Staff concludes that the required findings contained within FMC Sections 15-5206 and 5812 et seq. can be made. Upon consideration of this evaluation, it can be concluded that the proposed project is appropriate for the project site.

LOCAL PREFERENCE

Local preference was not considered because this project does not include a bid or award of a construction or service contract.

FISCAL IMPACT

Affirmative Action by the Council will result in timely deliverance of the review and processing of the applications as is reasonably expected by the applicant. Prudent financial management is demonstrated by the expeditious completion of this land use application inasmuch as the applicant has paid to the City a fee for the processing of this application and that fee is, in turn, funding the respective operations of the Planning & Development Department.

Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - Aerial Photograph
- Exhibit C - Planned Land Use
- Exhibit D - Zoning Map
- Exhibit E - Project Information Tables
- Exhibit F - Noticing Map
- Exhibit G - Owner's Letter of Authorization
- Exhibit H - Operational Statement
- Exhibit I - Exhibits (Site Plan, Elevations, Floor Plans, and Landscape Plan)
- Exhibit J - Statement of Covenants Affecting Land Development
- Exhibit K - Conditions of Approval [2-21-2024]
- Exhibit L - Comments & Requirements from Responsible Agencies
- Exhibit M - Planning Commission Public Hearing Notice & Radius Map

- Exhibit N - Fresno Municipal Code Findings
- Exhibit O - Environmental Assessment No. P23-03475/P23-00186 [1-26-2024]
- Exhibit P - Public Correspondence
- Exhibit Q - Planning Commission Resolution No. 13829 (Rezone Application No. P23-03475)
- Exhibit R - Planning Commission Resolution No. 13830 (Development Permit Application No. P23-00186)
- Exhibit S - City Council Ordinance Bill for Rezone Application No. P23-03475
- Exhibit T - City Council Hearing Notice & Noticing Map
- Exhibit U - City Council Hearing PowerPoint Presentation