



## Legislation Details (With Text)

---

<b>File #:</b>	ID 20-001324	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	9/29/2020	<b>In control:</b>		City Council	
<b>On agenda:</b>	10/15/2020	<b>Final action:</b>		10/15/2020	
<b>Title:</b>	<p>HEARING to Consider Plan Amendment Application No. P20-00577; Rezone Application No. P20-00577; Planned Development Application No. P20-00845; Vesting Tentative Tract Map No. 6299/UGM; and related Environmental Assessment No. P20-00577/P20-00845/T-6299 for ±22 acres of property located on the southeast corner of East Belmont and North Armstrong Avenues (Council District 5).</p> <ol style="list-style-type: none"><li>1. ADOPT Environmental Assessment No. P20-00577/P20-00845/T-6299, dated June 26, 2020, a Mitigated Negative Declaration for the proposed project pursuant to the California Environmental Quality Act (CEQA).</li><li>2. RESOLUTION - Approving Plan Amendment Application No. P20-00577 proposing to amend the Fresno General Plan and the Roosevelt Community Plan to change the planned land use designation for the subject property from Low Density Residential to Medium Density Residential and the realignment of a planned trail to be relocated to the east side of North Armstrong Avenue between East Belmont Avenue and the existing trail alignment directly south of East Fancher Creek Drive.</li><li>3. BILL - (For introduction and adoption) - Approving Rezone Application No. P20-00577 proposing to rezone the subject property from the RS-3/UGM (Residential Single-Family, Low Density/Urban Growth Management) zone district to the RS-5/UGM (Residential Single-Family, Medium Density/Urban Growth Management) zone district.</li><li>4. APPROVE - Planned Development Application No. P20-00845 proposing to modify the RS-5 (Residential Single-Family, Medium Density) zone district development standards to allow for reduced setbacks, reduced lot sizes, and reduced lot depths for the proposed detached single-family residences.</li><li>5. APPROVE - Vesting Tentative Tract Map No. 6299/UGM, proposing to subdivide ±22 acres of the subject property into a 218-lot single-family residential development subject to compliance with the Conditions of Approval dated September 16, 2020, and contingent upon approval of Plan Amendment Application No. P20-00577, Rezone Application No. P20-00577 and the related environmental assessment.</li></ol>				
<b>Sponsors:</b>	Planning and Development Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Exhibit A - Vesting Tentative Tract Map No. 6299/UGM dated June 24, 2020, 2. Exhibit B - Planned Development Site Plan dated July 15, 2020, 3. Exhibit C - Operational Statement, 4. Exhibit D - Aerial Map, 5. Exhibit E - Vicinity Map, 6. Exhibit F - Fresno General Plan Land Use & Zoning Map, 7. Exhibit G - Proposed Planned Land Use Map, 8. Exhibit H - Proposed Rezone Exhibit, 9. Exhibit I - Fresno Municipal Code Findings, 10. Exhibit J - Public Hearing Notice Radius Map, 11. Exhibit K - Neighborhood Meeting Minutes dated February 27, 2020, 12. Exhibit L - Conditions of Approval for Vesting Tentative Tract Map No. 6299/UGM dated September 16, 2020, 13. Exhibit M - Conditions of Approval for Planned Development Application No. P20-00845 dated September 16, 2020, 14. Exhibit N - Comments and Requirements from Responsible Agencies, 15. Exhibit O - Environmental Assessment No. P20-00577/P20-00845/T-6299 dated June 26, 2020, 16. Exhibit P - Planning Commission Resolution No. 13679 (Plan Amendment Application No. P20-00577), 17. Exhibit Q - Planning Commission Resolution No. 13680 (Rezone Application No. P20-00577), 18. Exhibit R - Planning Commission Resolution No. 13681 (Planned Development Application No. P20-00845), 19. Exhibit S - Planning Commission Resolution No. 13682 (Vesting Tentative Tract Map No. 6299/UGM), 20. Exhibit T - City Council Resolution for Plan Amendment Application No. P20-00577, 21. Exhibit U -				

City Council Ordinance Bill for Rezone Application No. P20-00577, 22. Exhibit V - City Council Hearing PowerPoint Presentation

Date	Ver.	Action By	Action	Result
10/15/2020	1	City Council	adopted	Pass

**REPORT TO THE CITY COUNCIL**

**October 15, 2020**

**FROM:** JENNIFER K. CLARK, Director  
Planning and Development Department

**THROUGH:** DAN ZACK, Assistant Director  
Development Services Division

WILL TACKETT, Planning Manager  
Development Services Division

**BY:** ROB HOLT, Planner III  
Development Services Division

**SUBJECT**

HEARING to Consider Plan Amendment Application No. P20-00577; Rezone Application No. P20-00577; Planned Development Application No. P20-00845; Vesting Tentative Tract Map No. 6299/UGM; and related Environmental Assessment No. P20-00577/P20-00845/T-6299 for ±22 acres of property located on the southeast corner of East Belmont and North Armstrong Avenues (Council District 5).

- 1. ADOPT** Environmental Assessment No. P20-00577/P20-00845/T-6299, dated June 26, 2020, a Mitigated Negative Declaration for the proposed project pursuant to the California Environmental Quality Act (CEQA).
- 2. RESOLUTION** - Approving Plan Amendment Application No. P20-00577 proposing to amend the Fresno General Plan and the Roosevelt Community Plan to change the planned land use designation for the subject property from Low Density Residential to Medium Density Residential and the realignment of a planned trail to be relocated to the east side of North Armstrong Avenue between East Belmont Avenue and the existing trail alignment directly south of East Fancher Creek Drive.
- 3. BILL - (For introduction and adoption)** - Approving Rezone Application No. P20-00577 proposing to rezone the subject property from the RS-3/UGM (*Residential Single-Family, Low Density/Urban Growth Management*) zone district to the RS-5/UGM (*Residential Single-Family, Medium Density/Urban Growth Management*) zone district.
- 4. APPROVE** - Planned Development Application No. P20-00845 proposing to modify the RS-5 (*Residential Single-Family, Medium Density*) zone district development standards to allow for reduced setbacks, reduced lot sizes, and reduced lot depths for the proposed detached single-family residences.
- 5. APPROVE** - Vesting Tentative Tract Map No. 6299/UGM, proposing to subdivide ±22 acres of

the subject property into a 218-lot single-family residential development subject to compliance with the Conditions of Approval dated September 16, 2020, and contingent upon approval of Plan Amendment Application No. P20-00577, Rezone Application No. P20-00577 and the related environmental assessment.

## RECOMMENDATIONS

1. **ADOPT** Environmental Assessment No. P20-00577/P20-00845/T-6299, dated June 26, 2020, a Mitigated Negative Declaration for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. **ADOPT RESOLUTION** approving Plan Amendment Application No. P20-00577 proposing to amend the Fresno General Plan and the Roosevelt Community Plan to change the planned land use designation for the subject property from Low Density Residential to Medium Density Residential and the realignment of a planned trail to be relocated to the east side of North Armstrong Avenue between East Belmont Avenue and the existing trail alignment directly south of East Fancher Creek Drive.
3. **INTRODUCE AND ADOPT BILL** approving Rezone Application No. P20-00577 proposing to rezone the subject property from the RS-3/UGM (*Residential Single-Family, Low Density/Urban Growth Management*) zone district to the RS-5/UGM (*Residential Single-Family, Medium Density/Urban Growth Management*) zone district.
4. **APPROVE** Planned Development Application No. P20-00845 proposing to modify the RS-5 (*Residential Single-Family, Medium Density*) zone district development standards to allow for reduced setbacks, reduced lot sizes, and reduced lot depths for the proposed detached single-family residences.
5. **APPROVE** Vesting Tentative Tract Map No. 6299/UGM, proposing to subdivide ±22 acres of the subject property into a 218-lot single-family residential development subject to compliance with the Conditions of Approval dated September 16, 2020, and contingent upon approval of Plan Amendment Application No. P20-00577, Rezone Application No. P20-00577 and the related environmental assessment.

## EXECUTIVE SUMMARY

Bonique Emerson of Precision Civil Engineering, Inc., on behalf of Valley Premier Land Group, has filed Plan Amendment Application No. P20-00577, Rezone Application No. P20-00577, Planned Development Application No. P20-00845, and Vesting Tentative Tract Map No. 6299/UGM pertaining to ±22 acres of property located on the southeast corner of East Belmont and North Armstrong Avenues.

Plan Amendment Application No. P20-00577 proposes to amend the Fresno General Plan and the Roosevelt Community Plan to change the planned land use designation for the subject property from Low Density Residential to Medium Density Residential and the realignment of a planned trail to be relocated along the east side of North Armstrong Avenue between East Belmont Avenue and the existing trail alignment directly south of East Fancher Creek Drive.

Rezone Application No. P20-00577 proposing to rezone the subject property from the RS-3/UGM (*Residential Single-Family, Low Density/Urban Growth Management*) zone district to the RS-5/UGM (*Residential Single-Family, Medium Density/Urban Growth Management*) zone district.

Planned Development Application No. P20-00845 proposing to modify the RS-5 (*Residential Single-Family, Medium Density*) zone district development standards to allow for reduced setbacks, reduced lot sizes, and reduced lot depths for the proposed detached single-family residences.

Vesting Tentative Tract Map No. 6299/UGM, proposing to subdivide ±22 acres of the subject property into a 218-lot single-family residential development subject to compliance with the Conditions of Approval dated September 16, 2020, and contingent upon approval of Plan Amendment Application No. P20-00577, Rezone Application No. P20-00577 and the related environmental assessment.

The subject property is located within the boundaries of the Fresno General Plan and Roosevelt Community Plan.

#### Fresno City Planning Commission Action

On September 16, 2020, the Planning Commission considered the item as presented by staff, followed by a presentation by the applicant. No letters and/or e-mails were received in opposition or support of the project. After a complete hearing, the Planning Commission voted and recommended the City Council approve the plan amendment, rezone, planned development, vesting tentative tract map, and related environmental assessment, 5 votes to 0. The Planning Commission Resolutions (**Exhibits P, Q, R, and S**) are attached for more information.

#### **BACKGROUND/PROJECT ANALYSIS**

The subject property has been historically utilized for agricultural uses. The site is located adjacent to State Route 180 that seems to divide land uses with primarily rural residences to the east and single-family residential neighborhoods to the west. The majority of the properties directly west and south of the subject property are located within the city of Fresno. Property located directly east and north of the subject property are located within the unincorporated area of the County of Fresno.

Plan Amendment Application No. P20-00577 proposes to amend the Fresno General Plan and the Roosevelt Community Plan to change the planned land use designation for the subject property from Low Density Residential to Medium Density Residential and the realignment of a planned trail to be relocated along the east side of North Armstrong Avenue between East Belmont Avenue and the existing trail alignment directly south of East Fancher Creek Drive. Rezone Application No. P20-00577 proposes to reclassify the subject property from the RS-3/UGM (*Residential Single-Family, Low Density/Urban Growth Management*) zone district to the RS-5/UGM (*Residential Single-Family, Medium Density/Urban Growth Management*) zone district.

Planned Development Application No. P20-00845 proposes to modify the RS-5 (*Residential Single-Family, Medium Density*) zone district development standards to allow for: 1) reduced lot sizes to 2,750 sq. ft.; 2) reduced depth lengths of lots abutting State Route 180 from 120 feet to 80 feet; 3) front setback reduction from 13 feet to 10 feet; and, 4) garage setback reduction from primary façade from 4 feet to 2 feet.

Vesting Tentative Tract Map No. 6299/UGM proposes to subdivide ±22 acres into a 215-lot single-family residential development. A 22,565 square foot open space area is proposed at the central

area of the proposed subdivision. Additionally, two pedestrian paseos are proposed that connect to the proposed realigned trail; one at the northwest corner of the proposed subdivision connecting to the trail along North Armstrong Avenue and the other at the southern end of the proposed permanent ponding basin connecting to the planned trail.

### California Housing Shortage

Since about 1970, California has been experiencing an increasing housing shortage, such that by 2018, California ranked 49th among the United States in housing units per resident. This shortage has been estimated to be 3-4 million housing units (20-30% of California's housing stock, 14 million as of 2017). Experts say that California needs to double its current rate of housing production (85,000 units per year) to keep up with expected population growth and prevent prices from further increasing, and needs to quadruple the current rate of housing production over the next 7 years in order for prices and rents to decline. Approval of the subject project, including tentative tract map, would help contribute to fulfilling the housing needs of the region.

### **Land Use Plans and Policies**

The project is consistent with the following Fresno General Plan goals and objectives related to land use and the urban form:

- Increase opportunity, economic development, business, and job creation.
- 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.
- Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.
- Improve Fresno's visual image and enhance its form and function through urban design strategies and effective maintenance.

These goals contribute to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Objective LU-1 of the Fresno General Plan.

Policy UF-1-d further emphasizes provisions for a diversity and variation of building types, densities, and scale of development in order to reinforce the identity of individual neighborhoods, foster a variety of market-based options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.

Policy UF-1-e promotes and protects unique neighborhoods and mixed use areas throughout Fresno that respect and support various ethnic, cultural and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnans.

Objective LU-5 of the General Plan calls for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities; and, Implementing Policy LU-5-c promotes medium density residential use to maximize efficient use of residential property through a wide range of densities.

Much of Fresno has been built as discrete residential tracts bordered by strip retail centers, many of which are not accessible from the adjacent homes due to security walls or other barriers. By contrast, the Complete Neighborhoods concept will enable Fresnoans to live in communities with convenient services, employment, and recreation within walking distance.

The defining characteristic of a Complete Neighborhood is a neighborhood that is mostly self-sufficient, walkable, and interconnected. It provides residents with most all they need on a daily basis nearby. In other words, a Complete Neighborhood anticipates and plans in advance all amenities needed in a neighborhood to ensure quality and lasting property values before the residential units are built instead of trying to piecemeal those amenities after the fact. This convenient and healthy lifestyle is the benefit of a Complete Neighborhood. While total self-sufficiency or even completeness is unlikely to be accomplished in each neighborhood, some of the defining characteristics of a Complete Neighborhood include: Parks and public schools within or near the neighborhood, public plaza/civic space; access to public transit, neighborhood-serving retail and a range of employment opportunities.

An approximate 22,565 sq. ft. dual park/basin area is proposed at the central area of the proposed subdivision. Additionally, two pedestrian paseos are proposed that connect to the proposed realigned trail; one at the northwest corner of the proposed subdivision connecting to the trail along North Armstrong Avenue and the other at the southern end of the proposed permanent ponding basin connecting to the planned trail.

Although only partially developed, there is a nearby commercial center at the southwest corner of East Belmont and North Temperance Avenues that will provide neighborhood-serving retail to the proposed subdivision. Future employment opportunities will be provided immediately north of the proposed subdivision and current employment opportunities are provided with warehouse uses immediately west of State Route 180 and North Armstrong Avenue.

The plan amendment proposes to change the planned land use designation for the subject property from Residential - Low Density to Residential - Medium Density. Although low density is being amended, there is still much opportunity for lower density development as the majority of land east of the subject property is planned for Low Density development in the Fresno General Plan.

Upon reviewing the policies contained in the Roosevelt Community Plan, staff has determined that there are no policies that are applicable or are more restrictive than those contained in the FMC or the Fresno General Plan.

Therefore, it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno.

## **Public Services**

### Fire Department

The Fire Department offers a full range of services including fire prevention, suppression, emergency medical care, hazardous materials, urban search and rescue response, as well as emergency preparedness planning and public education coordination within the Fresno City limit, in addition to having mutual aid agreements with the Fresno County Fire Protection District and the City of Clovis Fire Departments.

Based on the conditions received from the Fire Department dated April 9, 2020, the subject property will be served by Fire Station 15, which is located at 5630 East Park Circle Drive (approximately 3.0 miles away).

### Public Utilities

The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the project site subject to implementation of the Fresno General Plan policies and the mitigation measures of the related Master Environmental Impact Report; and, the construction and installation of public facilities and infrastructure in accordance with Department of Public Works standards, specifications and policies.

For sanitary sewer service these infrastructure improvements and facilities include the construction of a 8-inch sanitary sewer main located in East Belmont Avenue, as well as typical requirements including the construction and extension of sanitary sewer mains and branches within the interior of future proposed tract. The proposed project will also be required to provide payment of sewer connection charges.

For water service, required infrastructure improvements and facilities include installation of water mains within the interior of the proposed tract, providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area. The developer will be required to provide improvements which will convey surface drainage to a temporary storage facility (until permanent facilities are available) and will, therefore, not create flooding.

### **Mobility and Transportation**

The Fresno General Plan designates East Belmont Avenue as an arterial street and North Armstrong Avenue as a scenic collector street. The proposed project will be required to dedicate and construct improvements along all major street frontages and on all interior local streets within the proposed subdivision. Direct vehicular access will be relinquished along all major street frontages of single family residential lots. The subdivision design includes major street entryways to the interior of the subdivision from East Belmont Avenue. Interior local streets are proposed to be dedicated in accordance with the City Standard 50-foot right-of-way which will provide for parking and sidewalks on both sides of all streets.

An approximate 22,565 sq. ft. dual park/basin area is proposed at the central area of the proposed subdivision. Additionally, two pedestrian paseos are proposed that connect to the proposed realigned trail; one at the northwest corner of the proposed subdivision connecting to the trail along



North Armstrong Avenue and the other at the southern end of the proposed permanent ponding basin connecting to the planned trail.

The proposed project is located within Traffic Impact Zone III pursuant to Figure MT-4 of the Fresno General Plan, which generally represents areas near or outside the City Limits but within the Sphere of Influence (SOI) as of December 31, 2012. In accordance with Policy MT-2-i of the Fresno General Plan, when a project includes a General Plan amendment that changes the General Plan Land Use Designation, a Transportation Impact Study (TIS) is required in order to assess the impacts of new development projects on existing and planned streets. Therefore, a Traffic Impact Study was prepared (JLB Traffic Engineering, Inc. dated March 31, 2020) to assess the impacts of the new development on existing and planned streets.

The analysis of traffic operations within the MEIR was conducted based on roadway segments representative of the City overall transportation network. Traffic volumes on the selected roadway segment analysis are based on traffic counts taken at a single location. Traffic operations on the study roadway segments were measured using a qualitative measure called Level of Service (LOS). LOS is a general measure of traffic operating conditions whereby a letter grade, from "A" (the best) to "F" (the worst), is assigned. These grades represent the perspective of drivers and are an indication of the comfort and convenience associated with driving, as well as speed, travel time, traffic interruptions, and freedom to maneuver. The threshold established by the Fresno General Plan in TIZ III is Level of Service "D" representing a high-density, but stable flow. Users experience severe restriction in speed and freedom to maneuver, with poor levels of comfort and convenience.

Applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, the proposed project would generate 2,058 Average Daily Trips (ADT), with 161 vehicle trips occurring during the morning peak hour travel period (7 to 9 a.m.) and 216 vehicle trips occurring during the evening peak hour travel period (4 to 6 p.m.). This is an increase from the existing planned land use which currently would generate 727 ADT, with 57 total a.m. peak-hour trips and 76 p.m. peak-hour trips. As such, the proposed project is expected to result in an increase of 1,331 ADT over the life of the project.

The TIS evaluated the impacts of the project by analyzing the following 4 study intersections in the vicinity of the project during the AM and PM peak hours for the five traffic analysis scenarios required by the City of Fresno. These scenarios include: (1) Existing Conditions; (2) Existing plus Project Conditions; (3) Near Term (Existing plus Approved/Pending Projects plus Proposed Project) Conditions; (4) Year 2035 No Project Conditions - Current land use and, (5) Cumulative Year 2035 plus Project Conditions.

#### Study Intersections:

1. North Armstrong & East Olive Avenues
2. North Fowler & East Belmont Avenues
3. North Armstrong & East Belmont Avenues
4. North Temperance & East Belmont Avenues

In summary, based on the analyses included in the TIS, the study intersections are currently operating and/or projected to operate below the City of Fresno TIZ III LOS D standard.

The analyses included in the TIS show the following locations, by scenario and time period, are



projected to operate below either the City of Fresno TIZ III LOS D standard or the Caltrans LOS C/D standard:

Cumulative Year 2035 plus Project

- North Armstrong Avenue at East Olive Avenue - AM and PM peak hours (LOS F)
- North Fowler Avenue at East Belmont Avenue - AM peak hour (LOS E)
- North Armstrong Avenue at East Belmont Avenue - AM peak hour (LOS E)
- North Temperance Avenue at East Belmont Avenue - AM and PM peak hours (LOS F)

The intersection of North Armstrong Avenue at East Olive Avenue will need the addition of an eastbound right-turn lane, second westbound through lane, westbound right-turn lane, northbound left-turn and right-turn lanes, southbound left-turn lane, and signalization of the intersection with protective left-turn phasing in all directions. Modifications include changing the eastbound through-right lane to a through lane, westbound through-right lane to a through lane, northbound left-through-right lane to a through lane, and southbound left-through lane to a through lane. This will reduce the delay at the intersection to a LOS D.

The intersection of North Fowler Avenue at East Belmont Avenue will need the addition of an eastbound right-turn lane. This intersection will need to implement overlap phasing of the northbound right-turn with the westbound left-turn phase and prohibit westbound-to-eastbound U-turns, and the southbound right-turn with the eastbound left-turn phase and prohibit eastbound-to-westbound U-turns. Modifications include changing the eastbound through-right lane to a through lane and the traffic signal to accommodate the added lane and phasing overlaps. This will reduce the delay at the intersection to a LOS D.

The intersection of North Armstrong Avenue at East Belmont Avenue will need the addition of a westbound right-turn lane, second eastbound through lane with a receiving lane east of North Armstrong Avenue, and a second westbound through lane and stripe a receiving lane west of North Armstrong Avenue. Modifications include changing the westbound through-right lane to a through lane and the traffic signal to accommodate the added lanes. This will reduce the delay at the intersection to a LOS D.

The intersection of North Temperance Avenue at East Belmont Avenue will need the addition of an eastbound left-turn lane, westbound left-turn lane, northbound left-turn, right-turn lanes and two through lanes with receiving lanes north of East Belmont Avenue, southbound left-turn, right-turn and two through lanes with receiving lanes south of East Belmont Avenue, and signalization of the intersection with protective left-turn phasing in all directions. Modifications include changing the eastbound left-through lane to a through lane, westbound left-through lane to a through lane, northbound left-through-right lane to a through lane, and southbound left-through-right lane to a through lane. This will reduce the delay at the intersection to a LOS D.

In order to mitigate the impacts at the aforementioned intersections, the developer is required to pay applicable impact fees including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, and the Fresno Major Street Impact (FMSI) Fee as noted within the memoranda from the Traffic

Engineering Division dated April 23, 2020.

Although some study intersections have been projected to operate below the TIZ III LOS D standard under various scenarios, it must be noted that the General Plan accepts lower LOS values. This reflects a change in policy for the City of Fresno to acknowledge that transportation planning based solely on roadway LOS, which considers only driver comfort and convenience, is not desirable since it fails to acknowledge other users of the circulation system and other community values. In evaluating the roadway system, a lower LOS may be desired when balanced against other community values related to resource protection, social equity, economic development, and consideration of pedestrians, bicyclists, and transit users. In addition, roadway LOS is directly linked to roadway infrastructure costs. A higher LOS results in greater expenditure of infrastructure for wider roadways that do not necessarily serve all users of the circulation system and may compete with other policies of the General Plan.

The Fresno General Plan utilizes and encourages strategic initiatives in compliance with the California Complete Streets Act, which provides priority and emphasis on a multi-modal transportation system; more transportation options result in fewer traffic jams and the overall capacity of the transportation network increases. Therefore, providing more transportation options will allow the City to meet its future travel demands without solely relying on motorized vehicles.

Furthermore, in 2014, through passage of Council Resolution No. 2014-225, the City of Fresno adopted Findings of Fact related to Significant and Unavoidable Effects as well as Statements of Overriding Considerations in order to certify Master Environmental Impact Report SCH No. 2012111015 for purposes of adoption of the Fresno General Plan.

In keeping with the strategic initiatives and with consideration to balancing the roadway system against other community values, the adopted Statements of Overriding Considerations for the MEIR addressed Findings of Significant Unavoidable Impacts within the categories/areas of Transportation and Traffic; citing specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers as project goals, each and all of which were deemed and considered by the Fresno City Council to be benefits, which outweighed the unavoidable adverse environmental effects attributed to development occurring within the City of Fresno Sphere of Influence (SOI), consistent with the land uses, densities, and intensities set forth in the Fresno General Plan.

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the proposed applications and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the requirements stipulated within the memoranda from the Traffic Engineering Division dated April 23, 2020. These requirements generally include: (1) The provision of a minimum two points of vehicular access to major streets for any phase of the development; (2) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems) and, (3) Payment of applicable impact fees, including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, the Fresno Major Street Impact (FMSI) Fee and the Regional Transportation Mitigation Fee (RTMF).

Additionally, the proposed project shall install a traffic signal with protected left-turn phasing at the intersection of Temperance and Belmont Avenues prior to issuance of the 100<sup>th</sup> building permit.

Therefore, the Public Works Department/Traffic Engineering Division has determined that, based upon the proposed traffic yield from and the expected traffic generation of the proposed project for the subject property, the proposed project will not adversely impact the existing and projected circulation system based upon implementation of the mitigation measures included within the MEIR and based upon compliance with the project specific mitigation measures referenced herein (**Exhibit N**).

## Landscaping/Walls

Given the proposed subdivision is located along major streets, including East Belmont and North Armstrong Avenues, and within the boundaries of the Roosevelt Community Plan, the development will be required to install landscaping and irrigation within a minimum 20-foot wide landscape strip along East Belmont Avenue and a relocated trail alignment along North Armstrong Avenue. A six-foot high concrete/masonry wall is required to be constructed at the rear of the landscaped areas along the major streets. Major street entryways into the subdivision will incorporate enhanced 10-foot wide landscaped easements along the street side yards of adjacent lots. Interior end-blocks will incorporate a minimum 5-foot landscape strip in accordance with Section 15-4105-G-2-b of the Fresno Municipal Code.

The developer is required to provide street trees on all public street frontages per Fresno Municipal Code. Street trees shall be planted at the minimum rate of one tree for each 60' of street frontage or one tree per home (whichever is greater) by the Developer. Furthermore, the developer is required to provide irrigation for all street trees.

Additionally, as referenced herein above, an approximate 22,565 sq. ft. dual park/basin area is proposed at the central area of the proposed subdivision. Additionally, two pedestrian paseos are proposed that connect to the proposed realigned trail; one at the northwest corner of the proposed subdivision connecting to the trail along North Armstrong Avenue and the other at the southern end of the proposed subdivision connecting to the planned trail.

The applicant is proposing to relocate the planned trail from its existing location on the subject property to be located along the east side of North Armstrong Avenue between East Belmont Avenue and the existing trail running east-west just south of East Fancher Creek Drive. The applicant has stated that the purpose for this relocation is for four reasons, as follows:

1. The trail, at its current location, will result in a trail being adjacent to an elevated freeway, which could result in a lack of visibility and create a safety issue with an excess of trash and maintenance.
2. The proposed trail relocation along North Armstrong Avenue allows the development of a walkway on the east side of the street where it would otherwise remain as dirt due to the adjacent use being an existing ponding basin with no future development.
3. The proposed trail relocation along North Armstrong Avenue will provide better accessibility to the public rather than being hidden within the subdivision. The proposed subdivision proposes several pedestrian connections to this trail relocation and the future trail to the south.
4. If the site were developed in its current location on the subject property, the site would lose the 26-foot strip for the trail and the construction of a street with only one row of houses facing

onto it, further reducing the developable area of the site. Relocating the trail along North Armstrong Avenue is a more efficient use of land and allows for increased density on the site.

The amount of open space provided within the tract map is 22,565 sq. ft. which meets the requirement of Fresno Municipal Code 12-4.705 which requires a minimum of 17,891 sq. ft.

An Acoustical Analysis was completed and requires installation of a 7-foot masonry wall along the rear property lines of lots along the East Belmont and North Armstrong Avenues' frontages, and the southern subdivision boundary closest to State Route 180.

### **Planned Development**

The developer is proposing modifications to the RS-5 (*Residential Single-Family, Medium Density*) zone district development standards to allow for: 1) reduced lot sizes to 2,730 sq. ft.; 2) reduced depth lengths of lots abutting State Route 180 from 120 feet to 70 feet; 3) front setback reduction from 13 feet to 10 feet; and, 4) garage setback reduction from primary façade from 4 feet to 2 feet.

### **Neighborhood Meeting**

A neighborhood meeting was held to discuss the proposed single-family residential subdivision on February 14, 2020 at Temperance-Kutner Elementary School. A total of 5 residents attended the meeting. The residents had concerns regarding an increase in traffic, access to McKenzie only be allowed for Emergency Vehicle Access (EVA), and the wall height along the property line abutting State Route 180 be as high as possible (**Exhibit K**).

The applicant hired a consultant to complete a traffic impact study that resulted in the requirement for a traffic signal at East Belmont and North Temperance Avenues, and bollards at the EVA point. The access to East McKenzie Avenue has been limited as a dead-end street only to be used for EVA into the proposed subdivision. Based on the Acoustical Analysis completed for the proposed project, the wall height will be 7 feet along rear properties abutting East Belmont and North Armstrong Avenues.

### **Council District Project Review Committee**

The Council District 5 Project Review Committee reviewed the proposed project at their regular meeting on June 22, 2020 and voted to recommend approval of the project, 4 votes to 0. The Committee did not have any recommendations for the proposed project.

### **Airport Land Use Commission**

The Airport Land Use Commission (ALUC) reviewed the proposed project at their regular meeting on June 1, 2020, and voted to recommend approval of the project, 4 votes to 0. The Commission did not have any recommendations for the proposed project.

### **Notice of City Council Hearing**

The Planning and Development Department mailed notices of this City Council hearing to all surrounding property owners within 1000 feet of the subject property, pursuant to Section 15-5007 of the FMC (**Exhibit J**).

Additionally, the applicant posted public notices of this City Council hearing on the subject property, pursuant to the requirements within Section 15-5007.C of the Fresno Municipal Code.

## **ENVIRONMENTAL FINDINGS**

An environmental assessment 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 environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the Roosevelt Community Plan area, including the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015). 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 proposed project has been determined to be a subsequent project that is not fully within the scope of the MEIR SCH No. 2012111015 as provided by the CEQA, as codified in the Public Resources Code (PRC) Section 21157.1(d) and the CEQA Guidelines Section 15177(c). Therefore, the Planning and Development Department proposes to adopt a Mitigated Negative Declaration for the proposed project, which is tiered off the Fresno General Plan Master Environmental Impact Report (MEIR No. 2012111015)

It has been further determined that all applicable mitigation measures of SCH No. 2012111015 have been applied to the project, together with project specific mitigation measures, as necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by SCH No. 2012111015 as provided by CEQA Section 15178(a). In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), staff has determined that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Therefore, 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 Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

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. P20-00577/P20-00845/T-6299 (**Exhibit O**) was published in the Fresno Bee on June 26, 2020, with no comments received to date.

## **FRESNO MUNICIPAL CODE FINDINGS**

Based upon analysis of the applications, staff concludes that the required findings contained within

Section 15-3309, 15-5812, and 5905 et seq. of the Fresno Municipal Code. These findings are attached as **Exhibit I**.

## **GROUNDINGS FOR DENIAL OF TENTATIVE MAP**

The Subdivision Map Act (California Government Code §§ 66410, *et seq.*) provides that approval of a proposed subdivision map shall be denied if any of the following findings are made.

1. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451 of the SMA.
2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
3. That the site is not physically suitable for the type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access of or use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Staff has reviewed the proposed vesting tentative tract map and has determined that none of the findings above apply to the project and, therefore, has recommended approval subject to the conditions of approval.

## **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 Roosevelt 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. The proposed project does not meet the findings for denial per the Subdivision Map Act (California Government Code 66400, *et seq.*) and staff concludes that the required findings contained within Section 15-3309, 15-5812 and 15-5905 et seq. of the FMC can be made. Upon consideration of this evaluation, it can be concluded that the proposed projects are 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 and Development Department.

### Attachments:

- Exhibit A: Vesting Tentative Tract Map No. 6299/UGM dated June 24, 2020
- Exhibit B: Planned Development Site Plan dated July 15, 2020
- Exhibit C: Operational Statement
- Exhibit D: Aerial Map
- Exhibit E: Vicinity Map
- Exhibit F: Fresno General Plan Land Use & Zoning Map
- Exhibit G: Proposed Planned Land Use Map
- Exhibit H: Proposed Rezone Exhibit
- Exhibit I: Fresno Municipal Code Findings
- Exhibit J: Public Hearing Notice Radius Map
- Exhibit K: Neighborhood Meeting Minutes dated February 27, 2020
- Exhibit L: Conditions of Approval for Vesting Tentative Tract Map No. 6299/UGM dated September 16, 2020
- Exhibit M: Conditions of Approval for Planned Development Application No. P20-00845 dated September 16, 2020
- Exhibit N: Comments and Requirements from Responsible Agencies
- Exhibit O: Environmental Assessment No. P20-00577/P20-00845/T-6299 dated June 26, 2020
- Exhibit P: Planning Commission Resolution No. 13679 (Plan Amendment Application No. P20-00577)
- Exhibit Q: Planning Commission Resolution No. 13680 (Rezone Application No. P20-00577)
- Exhibit R: Planning Commission Resolution No. 13681 (Planned Development Application No. P20-00845)
- Exhibit S: Planning Commission Resolution No. 13682 (Vesting Tentative Tract Map No. 6299/UGM)
- Exhibit T: City Council Resolution for Plan Amendment Application No. P20-00577
- Exhibit U: City Council Ordinance Bill for Rezone Application No. P20-00577
- Exhibit V: City Council Hearing PowerPoint Presentation