



Legislation Details (With Text)

File #: ID 21-945 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 11/22/2021 **In control:** City Council

On agenda: 12/9/2021 **Final action:** 12/9/2021

Title: HEARING to consider Plan Amendment and Rezone Application No. P19-00417 and the Addendum to Final Environmental Impact Report (EIR) State Clearinghouse (SCH) No. 2020039061 for the proposed "Parc West" development on the northwest corner of North Grantland and West Ashlan Avenues. (Council District 1) - Planning and Development Department

1. ADOPT the Addendum to Final Environmental Impact Report SCH No. 2020039061 dated September 28, 2021, for the proposed project pursuant to the California Environmental Quality Act (CEQA).

2. RESOLUTION - Approving Plan Amendment Application No. P19-00417 proposing to amend the Fresno General Plan from the Community Commercial (±7.33 acres) planned land use designation to the Medium Density Residential (±7.33 acres) planned land use designation.

3. BILL (for introduction and adoption) - Approving Rezone Application No. P19-00417 proposing to amend the Official Zone Map to reclassify an ±7.33-acre portion of the subject property from the CC/UGM/cz (Commercial - Community/Urban Growth Management/conditions of zoning) zone district to the RS-5/UGM/cz (Single Family Residential, Medium Density/Urban Growth Management/conditions of zoning) zone district.

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: 1. Exhibit A - Operational Statement, 2. Exhibit B - 2021 Aerial Photograph of Site, 3. Exhibit C - Existing Fresno General Plan Planned Land Use Map, 4. Exhibit D - Proposed Planned Land Use Map, 5. Exhibit E - Proposed Rezone Exhibit, 6. Exhibit F - Fresno Municipal Code Findings, 7. Exhibit G - Noticing Vicinity Map (1000 feet), 8. Exhibit H - Addendum to Final EIR SCH No. 2020039061, 9. Exhibit I - Planning Commission Resolution No. 13701 (Plan Amendment Application No. P19-00417), 10. Exhibit J - Planning Commission Resolution No. 13702 (Rezone Application No. P19-00417), 11. Exhibit K - City Council Resolution for Plan Amendment Application No. P19-00417, 12. Exhibit L - City Council Ordinance Bill for Rezone Application No. P19-00417

Date	Ver.	Action By	Action	Result
12/9/2021	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

DECEMBER 9, 2021

FROM: JENNIFER CLARK, Director
Development Services Division

THROUGH: ISRAEL TREJO, Supervising Planner

Development Services Division

BY: CHRIS LANG, Planner
Development Services Division

SUBJECT

HEARING to consider Plan Amendment and Rezone Application No. P19-00417 and the Addendum to Final Environmental Impact Report (EIR) State Clearinghouse (SCH) No. 2020039061 for the proposed "Parc West" development on the northwest corner of North Grantland and West Ashlan Avenues. (Council District 1) - Planning and Development Department

- 1. ADOPT** the Addendum to Final Environmental Impact Report SCH No. 2020039061 dated September 28, 2021, for the proposed project pursuant to the California Environmental Quality Act (CEQA).
- 2. RESOLUTION** - Approving Plan Amendment Application No. P19-00417 proposing to amend the Fresno General Plan from the Community Commercial (± 7.33 acres) planned land use designation to the Medium Density Residential (± 7.33 acres) planned land use designation.
- 3. BILL** (for introduction and adoption) - Approving Rezone Application No. P19-00417 proposing to amend the Official Zone Map to reclassify an ± 7.33 -acre portion of the subject property from the CC/UGM/cz (*Commercial - Community/Urban Growth Management/conditions of zoning*) zone district to the RS-5/UGM/cz (*Single Family Residential, Medium Density/Urban Growth Management/conditions of zoning*) zone district.

RECOMMENDATIONS

Staff recommends that the City Council take the following actions:

- 1. ADOPT** the Addendum to Final Environmental Impact Report SCH No. 2020039061 dated September 28, 2021, for the proposed project pursuant to the California Environmental Quality Act (CEQA).
- 2. ADOPT RESOLUTION** approving Plan Amendment Application No. P19-00417 proposing to amend the Fresno General Plan from the Community Commercial (± 7.33 acres) planned land use designation to the Medium Density Residential (± 7.33 acres) planned land use designation.
- 3. INTRODUCE AND ADOPT BILL** approving Rezone Application No. P19-00417 proposing to amend the Official Zone Map to reclassify an ± 7.33 -acre portion of the subject property from the CC/UGM/cz (*Commercial - Community/Urban Growth Management/conditions of zoning*) zone district to the RS-5/UGM/cz (*Single Family Residential, Medium Density/Urban Growth Management/conditions of zoning*) zone district.

EXECUTIVE SUMMARY

Gary Giannetta Civil Engineering and Land Surveying, on behalf of GVM Investments, LLC., has filed Plan Amendment and Rezone Application No. P19-00417 pertaining to a total ± 7.33 acres of property located on the northwest corner of North Grantland and West Ashlan Avenues.

Plan Amendment No. P19-00417 proposes to amend the Fresno General Plan and West Area Community Plan to change the planned land use designation for a ±7.33-acre portion of the subject property (located at the northwest corner of the intersection of North Grantland Avenue and the West Ashlan Avenue alignment) from Community Commercial to Medium Density Residential (5.0-12 dwelling units per acre), as shown in Exhibit F.

Rezone Application No. P19-00417 proposes to amend the Official Zoning Map of the City of Fresno to rezone the same 7.33-acre portion of the subject property from the CC/UGM/cz (*Community Commercial/Urban Growth Management/conditions of zoning*) zone district to the RS-5/UGM/cz (*Residential Single Family, Medium Density/Urban Growth Management/conditions of zoning*) zone district in accordance with the proposed plan amendment.

There are no development projects associated with the proposed application at this time. Future applications and development of the subject property shall be consistent with the Fresno General Plan, West Area Community Plan, and the Fresno Municipal Code (FMC).

BACKGROUND / ANALYSIS

Plan Amendment and Rezone Applications P19-00417 were previously considered by the City Council in respect to the Fresno General Plan circulation and trail maps as well as previous conditions of zoning applicable to the subject property. The Plan Amendment Application proposed the modification of previously existing road and trail alignments to serve the proposed layout of the new Parc West project design and was approved by the City Council. Previous conditions of zoning on the subject property were related to the construction of road improvements and infrastructure for the previous Westlake project, such as installation of traffic signals and street dedications applicable to the previous project, which proposed development on a much larger scale than the proposed “Parc West” project. The City Council approved the removal and replacement of the conditions of zoning as part of Rezone Application No. P19-00417 on January 28, 2021.

The proposed Plan Amendment and Rezone initially requested to amend the entire 11.97-acre portion of land located at the northwest corner of North Grantland and West Ashlan Avenues from Community Commercial to Medium Density Residential. This proposal was analyzed within the Final EIR SCH NO. 2020039061 and received a recommendation of approval from the Planning Commission. Prior to being considered by City Council however, the applicant revised the Plan Amendment and Rezone proposal to reduce the acreage of land to be amended from 11.97 acres to 7.33 acres and to maintain approximately 4.64 acres of property planned for Community Commercial uses located at the northwest corner of North Grantland and West Ashlan Avenues.

Additionally, the applicant requested that the consideration of the proposed Plan Amendment and Rezone relative to the commercially designated portion of property be delayed in order to comply with SB 330 for a separate project located in northeast Fresno (Copper River Ranch). SB 330 requires that projects which will result in the reduction of residential density be processed concurrently with projects which increase residential density to prevent a net loss of residential capacity. The subject application will result in a net increase of approximately 88 residential units. Additionally, a separate project, commonly referred to as the “Bliss” project, filed pursuant to Plan Amendment and Rezone Application No. P21-01202, will result in a net increase in approximately 95 residential units.

Said increases in density will offset the loss of density of approximately 72 residential units proposed

for the “Copper River Ranch” project filed pursuant to Plan Amendment and Rezone Application No. P21-01875.

Adjacent Property

The subject property was annexed in 2015 and was most recently used for agricultural purposes. The immediate vicinity of the subject property is primarily rural residential and agricultural in nature. Property directly to the east and south is located within the boundaries of the City of Fresno. The property to the south is currently being used for agricultural purposes, and directly to the east are several Central Unified School District facilities (Kooligian Education Complex), which include Harvest Elementary School, Glacier Point Middle School, the Deran Kooligian Stadium and high school. Properties to the west of North Garfield Avenue and north of the West Gettysburg Avenue alignment all remain in the County of Fresno. Property directly to the north of the west Gettysburg Avenue alignment is developed with a rural residential neighborhood consisting of approximately 30 homes, and property to the west of North Garfield Avenue contains agricultural uses.

Tribal Consultation

The City is required to notify various tribes of the opportunity to conduct consultation when preparing an environmental assessment for which a Notice of Preparation is filed. Notification letters were sent to local tribes by certified mail on March 20, 2020. The City received no letters in response.

Council District Project Review Committee

The project was reviewed by the District 1 Project Review Committee on December 1, 2020, and the committee recommended approval of the project with a vote of 4-0-1.

Neighborhood Meeting and Public Response

Due to the Covid-19 pandemic, the neighborhood meeting was held online via webinar. The Scoping Meeting for the EIR also served as a neighborhood meeting and was held on June 29, 2020. The meeting was noticed in the Fresno Bee, and notices of the meeting were also sent to interested parties. One member of the public was present; however, they had no comments.

City of Fresno Planning Commission

The City of Fresno Planning Commission held a public hearing to consider the proposed project on December 2, 2020. The Planning Commission considered the initial Plan Amendment and Rezone proposal of amending the entire 11.97 acres of property from Community Commercial to Single Family Residential, and recommended approval with a vote of 6-0-1.

Notice of City Council Hearing

The Planning and Development Department mailed notices of this City Council hearing to surrounding property owners within 1,000 feet of the subject property (see attached Noticing Vicinity Map - **Exhibit I**).

ENVIRONMENTAL FINDING

Final Environmental Impact Report (EIR) SCH No. 2020039061 was prepared for the overall project which analyzed the future construction of 844 single family residential units and included the analysis of a proposed Plan Amendment and Rezone to amend approximately 11.97 acres of property from the Community Commercial land use to Medium Density Residential. The applicant has modified the proposal to only amend approximately 7.33 acres of property from Community Commercial to Medium Density Residential uses, resulting in a reduction of the total amount of property affected by the proposal.

When a proposed project is changed or there are changes in environmental setting, a determination must be made by the Lead Agency as to whether an Addendum or Subsequent EIR or Mitigated or Negative Declaration is prepared. CEQA Guidelines Sections 15162 and 15164 sets forth criteria to assess which environmental document is appropriate. The criteria for determining whether an Addendum may be prepared are outlined below. If the criteria below are true, then an Addendum is appropriate:

- No new significant impacts will result from the project or from new mitigation measures.
- No substantial increase in the severity of environment impact will occur.
- No new feasible alternatives or mitigation measures that would reduce impacts previously found not to be feasible have, in fact been found to be feasible.

Per Section 15164 of the CEQA Guidelines, the addendum will not introduce any new significant environmental effects or substantially increase the severity of previously identified environmental effects. The EIR initially analyzed the impacts of amending 11.97 acres of property from Community Commercial to Medium Density Residential. With the addendum, only 7.33 acres of property are being amended from Community Commercial to Medium Density Residential. This is a net reduction of 4.64 acres of property being amended, and the change in acreage is less than what was originally environmentally assessed. By reducing the acreage of property to be amended, associated impacts such as the number of future residential units previously analyzed may be reduced, resulting in an impact which is less intense than what was initially analyzed, and will not result in new or modified mitigation measures.

Therefore, an Addendum is appropriate, and been prepared to address the environmental effects of the Project (Exhibit K).

LAND USE PLANS AND POLICIES

As proposed, the project will be consistent with the Fresno General Plan goals and objectives related to residential land use and the urban form:

- 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.
- Plan for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities.
- 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.
- Improve Fresno's visual image and enhance its form and function through urban design strategies and effective maintenance.
- Encourage the development of 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. Healthy communities demonstrate efficient development patterns providing for: Sufficient affordable housing development in appropriate locations; A mix of land uses and a built environment that supports walking and biking; Multimodal, affordable transportation choices; and Safe public spaces for social interaction.

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.

Likewise, 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.

The Strategic Sequencing of Development policies included within the Implementation Element of the Fresno General Plan state that the City will focus on infill development as well as new development within Growth Area 1 (as depicted in Figure IM-2: Sequencing of Development of the General Plan) based on planned infrastructure expansion, public service capacity, and fiscal considerations.

The General Plan notes that while roughly one-half of the City's development will be within infill areas through 2035, the other one-half or so of the City's development will be in growth areas, which include unincorporated land planned for urban use. However, there will be no incentives or public financial assistance programs for new development that would not otherwise qualify for aid in these areas, and development projects in the growth areas will be obligated to pay their fair share and proportional payment of fees and all development mitigation costs. Public and private development that in these growth areas will proceed under the supportive sequencing detailed in the Implementation Element of the General Plan.

Policy UF-1-f directs utilization of the Complete Neighborhood design concepts and development standards to achieve the development of Complete Neighborhoods and the residential density targets of the General Plan. The intent of the Complete Neighborhoods concept is to enable Fresnoans to live in communities with convenient services, employment, education and recreation

within walking distance. The retention of commercial designated acreage within the boundary of the subject property contributes to facilitating availability of commercial services within proximity to new residential development within the Parc West project area and vicinity.

The project site is located within City of Fresno with proximity to regional transportation, multiple elementary schools, public facilities, and land designated for industrial, office, research and development, and flexible commercial uses, which are intended to strengthen the city's economic base and provide a range of employment opportunities for the current and future population of the City and the region.

Policy MT-6 identifies establishment of a network of multi-purpose pedestrian and bicycle paths, as well as limited access trails, to link residential areas to local and regional open spaces and recreation areas and urban Activity Centers in order to enhance Fresno's recreation amenities and alternative transportation options. The project proposes to construct an internal network of bicycle and pedestrian trails to connect future subdivisions to a proposed Neighborhood Park, as well as external connections to a trail along North Grantland Avenue.

Given these circumstances, the proposed project supports and is consistent with the goals, objective and policies of the Fresno General Plan as referenced herein above.

West Area Community Plan

The goals of the West Area Community Plan include developing the West Area as a planned community with a complete range of services and facilities for the needs of the community residents, in adherence to a set of specific standards for residential, commercial, industrial, and public infrastructure development, with special emphasis on minimization of land use conflict between agriculture and urban uses.

Objective W-1 of the West Area Community Plan supports this goal by promoting compatibility between areas planned for, or committed to, active farming operations and areas planned for urban development.

Objective W-3 of the West Area Community Plan encourages providing streetscapes which create a positive image of the West Area and contribute to the West Area Community's quality of life.

Objective W-4 of the West Area Community Plan also encourages the establishment and maintenance of safe, attractive, and stable residential neighborhoods; to preserve the long-term integrity of the community.

This project supports the above-mentioned policies in that the density and intensity of any future development will conform to the applicable Medium Density Residential and Community Commercial land use designations of the Fresno General Plan and West Area Community 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.

FRESNO MUNICIPAL CODE FINDINGS

Based upon analysis of the applications, staff concludes that the required findings for Plan Amendments and Rezones contained within Sections 15-3309 and 15-5812 et seq. of the Fresno Municipal Code can be made. These findings are attached as **Exhibit F**.

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 West Area Community Plan; 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. Upon consideration of this evaluation, it can be concluded that Plan Amendment Application No. P19-00417 and Rezone Application No. P19-00417, 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: Operational Statement
- Exhibit B: 2021 Aerial Photograph of Site
- Exhibit C: Existing Fresno General Plan Planned Land Use Map
- Exhibit D: Proposed Planned Land Use Map
- Exhibit E: Proposed Rezone Exhibit
- Exhibit F: Fresno Municipal Code Findings
- Exhibit G: Noticing Vicinity Map (1000 feet)
- Exhibit H: Addendum to Final EIR SCH No. 2020039061
- Exhibit I: Planning Commission Resolution No. 13701 (Plan Amendment Application No. P19-00417)
- Exhibit J: Planning Commission Resolution No. 13702 (Rezone Application No. P19-00417)
- Exhibit K: City Council Resolution for Plan Amendment Application No. P19-00417
- Exhibit L: City Council Ordinance Bill for Rezone Application No. P19-00417