



## Legislation Details (With Text)

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**Title:** HEARING to consider Rezone Application No. R-15-001 and Related Environmental Assessment which were filed by Christina Husbands of the City of Fresno Housing Authority, and pertains to ±0.37 acre of vacant property located on the east side of N. Glenn Avenue between E. Divisadero Street and E. McKenzie Avenue (Council District 3) (Referred back to staff)

1. Adopt the Class 32 Categorical Exemption prepared for Environmental Assessment No. R-15-001/S-15-001
2. BILL - (For introduction and adoption) - Approving Rezone Application No. R-15-001 requesting authorization to reclassify APN 459-322-18 from the R-1 (Single Family Residential) zone district to the R-4 (High Density Multiple Family Residential) zone district

**Sponsors:** Planning and Development Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 001-R-15-001 S-15-001 Vicinity Map, 2. 002-R-15-001 S-15-001 Aerial, 3. 003-R-15-001 S-15-001 Public hearing notice map, 4. 004-The New Fresno General Plan Land Use Update Designation, 5. 005-R-15-001 S-15-001 ZONE DISTRICT Map, 6. 006-R-15-001 S-15-001 Exhibits, 7. 007- R-15-001 S-15-001-EA Cat Exempt, 8. 008 PC Reso 13314 for R-15-001.pdf, 9. 009-Ordinance Bill R-15-001

Date	Ver.	Action By	Action	Result
2/26/2015	1	City Council	withdrawn	

## REPORT TO THE CITY COUNCIL

**February 26, 2015**

**FROM:** MIKE SANCHEZ, Assistant Director  
Development Services Division

**THROUGH:** BONIQUE EMERSON, AICP, Planning Manager  
Development Services Division

**BY:** CHRISTOPHER PRECIADO, Planner II  
Development Services Division

## SUBJECT

HEARING to consider Rezone Application No. R-15-001 and Related Environmental Assessment which were filed by Christina Husbands of the City of Fresno Housing Authority, and pertains to ±0.37 acre of vacant property located on the east side of N. Glenn Avenue between E. Divisadero Street and E. McKenzie Avenue (Council District 3) (Referred back to staff)

1. Adopt the Class 32 Categorical Exemption prepared for Environmental Assessment No. R-15-

001/S-15-001

2. BILL - (For introduction and adoption) - Approving Rezone Application No. R-15-001 requesting authorization to reclassify APN 459-322-18 from the R-1 (Single Family Residential) zone district to the R-4 (High Density Multiple Family Residential) zone district

## RECOMMENDATIONS

Staff recommends the City Council take the following action:

1. ADOPT the Class 32 Categorical Exemption prepared for Environmental Assessment No. R-15-001/S-15-001
2. ADOPT BILL approving Rezone Application No. R-15-001 requesting authorization to reclassify APN 459-322-18 from the R-1 (Single Family Residential) zone district to the R-4 (High Density Multiple Family Residential) zone district

## EXECUTIVE SUMMARY

Rezone Application No. R-15-001 and related Environmental Assessment No. R-15-001/S-15-001 were filed by Christina Husbands of the City of Fresno Housing Authority, and pertain to ±0.37 acre of vacant property located on the east side of North Glenn Avenue between East Divisadero Street and East McKenzie Avenue in the historic Fulton-Lowell neighborhood in downtown Fresno. Rezone Application No. R-15-001 proposes to amend the Official Zone Map to reclassify a portion of the property from the R-1 (*Single Family Residential*) zone district to the R-4 (*High Density Multiple Family Residential*) zone district. If approved, the Rezone Application will facilitate the development of a multiple family residential complex in accordance with Site Plan Review Application No. S-15-001. Site Plan Review Application No. S-15-001 proposed the construction of two 3,370 square-foot two-story residential buildings for a total of eight dwelling units. The proposed rezone request is consistent with the Neighborhoods land use designation approved for this site by the new Fresno General Plan update, adopted by Fresno City Council on December 18, 2014.

The proposed rezone request is supported by the District 3 Plan Implementation Committee and the Fulton Lowell Committee. In addition, on February 4, 2015, the Planning Commission recommended approval of the rezone request and approved Site Plan Review Application No. S-15-001 contingent upon City Council approval of Rezone Application No. R-15-001.

## BACKGROUND

### Project Information

PROJECT	Rezone Application No. R-15-001 proposes to amend the Official Zone Map to reclassify APN 459-322-18 from the R-1 (Single Family Residential) zone district to the R-4 (High Density Multiple Family Residential) zone district.
APPLICANT	Christina Husbands of the Fresno City Housing Authority

LOCATION	146 North Glenn Avenue, Fresno Located on the east side of North Glenn Avenue between East Divisadero Street and East McKenzie Avenue in Fresno. (APNS: 459-322-17 and 459-322-18) <b>(Council District 3, Councilmember Baines)</b>
SITE SIZE	Approximately 0.37 net acres
PLANNED LAND USE	"Neighborhoods" land use designation approved for this site by the new Fresno General Plan update, adopted by Fresno City Council on December 18, 2014.
ZONING	Existing: R-4 ( <i>High Density Multiple Family Residential</i> ) and R-1 ( <i>Single Family Residential</i> ) Proposed: R-4 ( <i>High Density Multiple Family Residential</i> )
PLAN DESIGNATION AND CONSISTENCY	Pursuant to the Land Use Transition Table prepared for the General Plan Update, the R-4 zone district is consistent with the "Neighborhoods" land use designation.
ENVIRONMENTAL FINDING	This project is exempt under Section 32/Class 32 of the State of California CEQA Guidelines.
PLAN COMMITTEE RECOMMENDATION	The Fulton Lowell Committee met on Monday, January 5, 2015, and approved the project with conditions. The District 3 Plan Implementation Committee also recommended approval of the proposed project.
PLANNING COMMISSION RECOMMENDATION	The Planning Commission recommended approval to the City Council of the rezone request and related environmental finding by a unanimous vote.
STAFF RECOMMENDATION	Approve the rezone request and related environmental assessment.

### Bordering Property Information

	Planned Land Use	Existing Zoning	Existing Land Use
<b>North</b>	Residential Central Area	<b>R-4</b> <i>High Density Multiple Family Residential</i>	Multiple Family Residential
<b>East</b>	Residential Central Area	<b>R-1</b> <i>Single Family Residential</i>	Single Family Residential
<b>South</b>	Residential Central Area	<b>R-1</b> <i>Single Family Residential</i>	Single Family Residential
<b>West</b>	Residential Central Area	<b>R-4</b> <i>High Density Multiple Family Residential</i>	Multiple Family Residential

### Land Use Plans and Policies

The proposed project is consistent with the policies of the General Plan Update, the Central Area Community Plan, and the Fulton Lowell Specific Plan. There is one implementation action Specific Plan that specifically discusses multi-family housing and the restriction of multi-family housing in the area. Implementation Action 1-3-2 states reads as follows: "Restrict multiple-family residential to no more than 40 percent of the residential lots in the designated residential areas and limit new multiple-family developments to the Commercial/Mixed Use designations with compatible zoning and a density limitation of 10.38-18.15 units per acre". Staff conducted an analysis of all residential lots in

the designated Residential Areas in the Fulton-Lowell Community and determined that multi-family developments only comprised 37% of the residential lots in this area. Thus, the addition of the proposed multi-family development will not exceed the allowances called for in the Fulton Lowell Specific Plan. In addition, although the proposed project will exceed the density allowance of 18.15 units to the acre allowed by the Fulton Lowell Specific Plan, the proposed project is within the allowable residential density bonus for affordable housing provided for in Section 12-324 of the Fresno Municipal Code. Thus the proposed project is in full compliance of the policies and implementation actions of the Fulton Lowell Specific Plan. Additionally, quality multi-family housing is allowed within the new "Neighborhoods" land use designation approved for this site by the new Fresno General Plan update adopted by the Fresno City Council on December 18, 2014.

### **Site Plan Review Analysis and Opposition**

Although Site Plan Review Application No. S-15-001 has been approved by the Planning Commission and is not before the City Council, a brief analysis of the related site plan review application has been provided below given that there have been concerns raised regarding the density and parking requirements of the proposed project.

The applicant of Site Plan Review Application No. S-15-001 requested affordable housing incentives to allow for a modification of development standards for reduced parking requirements from twelve (12) parking stalls to nine (9) parking stalls, reduction in front setback from a twenty (20) feet to twelve (12) feet, and a reduction in the tree requirement from twenty (20) medium sized trees to nine (9) medium sized trees and six (6) small trees. The applicant has also requested a density bonus to allow the maximum density to be increased from 18.15 dwelling units per acre to 21.62 dwelling units per acre.

The applicant is utilizing Section 12-324-B of the Fresno Municipal Code to request the modification of three development standards. Whenever an applicant proposes a housing development that sets aside a specific number of dwelling units as affordable for Very-low, Low, and Moderate Income, the project shall be eligible for a Density Bonus above the otherwise maximum allowable residential density permitted by the Zoning Ordinance and/or adopted Plans. In addition, such a project may be eligible for incentives given by the City to make sure the project is economically feasible. The proposed project meets all eligibility requirements for the density bonus and incentives and thus the density bonus and modifications to the property development standards noted above were approved by the Planning Commission.

### **Fulton Lowell Committee**

The Fulton Lowell Committee met on Monday, January 5, 2015, and approved the proposed rezone and related site plan review application with conditions. All relevant conditions were applied to the proposed project.

### **Planning Commission**

The proposed rezone request and related site plan review application was considered by the Planning Commission at the February 4, 2015 meeting. Several members of the public spoke in support and in opposition of the proposed project. The major concerns raised by the opposition were related to density and parking. After some debate, the Planning Commission voted to unanimously approve the Site Plan Review Application and recommend approval to the City Council of the rezone

request and related environmental finding.

## **ENVIRONMENTAL FINDINGS**

Section 15332/Class 32 exempts from the provisions of CEQA, construction of projects characterized as in-fill development meeting the following conditions: a) the project is consistent with the applicable General Plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, b) the proposed development occurs within city limits on a project site of no more than five acres and is substantially surrounded by urban uses, c) the project site has no value as habitat for endangered, rare or threatened species, d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and e) the site can be adequately served by all required utilities and public services.

This site is located within the City limits and is consistent with the new Fresno General Plan update designation, policies, and zoning. The proposed R-4 zone district is consistent with the "Neighborhoods" land use designation approved for this site by the new Fresno General Plan update adopted by the Fresno city Council on December 18, 2014, the Central Community Plan, and the Fulton Lowell Specific Plan. The proposed development occurs on a project site of approximately 0.37 acres, which is less than the five acre maximum, and is substantially surrounded by urban uses. The site has no value as habitat for endangered, rare or threatened species and can be adequately served by all required utilities and public services. No adverse environmental impacts will occur as a result of the proposed project. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Furthermore, the proposed project is not expected to have a significant effect on the environment. Accordingly, a categorical exemption, as noted above, has been prepared for the project.

## **LOCAL PREFERENCE**

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

## **FISCAL IMPACT**

Affirmative action by the Council will result in timely deliverance of the review and processing of the application as is reasonably expected by the applicant/customer. Prudent financial management is demonstrated by the expeditious completion of this land use application inasmuch as the applicant/customer 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 Development and Resource Management Department.

Attachments:

- Vicinity Map
- Aerial Photograph
- Public Hearing Notice Mailing List Vicinity Map
- The New Fresno General Plan Land Use Update Designation
- Zone District Map
- Site Plan and Site Details
- Environmental Assessment No. R-15-001
- Planning Commission Resolution No. 13314

City Council Ordinance Bill for Rezone No. R-15-001