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Title: Consider alignment and width of public streets for a revised 28-lot industrial parcel map and initiation of annexation of the Church-East No.1 Reorganization for property located on the north side of East Church Avenue between South East and South Orange Avenues. (HSR Impacted Property)

1. Adopt the Addendum to the Finding of Conformity for Environmental Assessment (EA) No. R-07-002/TPM-2007-02 for Rezone Application No. R-07-002 and Vesting Tentative Parcel Map No. 2007-01, pursuant to CEQA Guidelines Sections 15162 and 15164.
2. RESOLUTION - For the proposed street alignments and widths as shown on the revised Vesting Tentative Parcel Map No. 2007-01, dated September 28, 2015.
3. RESOLUTION - Authorizing the City Manager to initiate annexation of the "Church-East No. 1 Reorganization" with the Fresno Local Agency Formation Commission (LAFCo) for the detachment of an approximately 24.34 net acre site from the Fresno County Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno.

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: 1. Consent Item Attachments (2-4-16).pdf

Date	Ver.	Action By	Action	Result
2/4/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

February 4, 2016

FROM: JENNIFER CLARK, AICP, Director
Development & Resource Management

THROUGH: MIKE SANCHEZ, AICP, Assistant Director
Development Services Division

BY: RALPH KACHADOURIAN, Supervising Planner
Development Services Division

SUBJECT

Consider alignment and width of public streets for a revised 28-lot industrial parcel map and initiation of annexation of the Church-East No.1 Reorganization for property located on the north side of East

Church Avenue between South East and South Orange Avenues. (HSR Impacted Property)

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RECOMMENDATION

Based on preliminary review conducted by the Development Services Division and the Public Works Traffic Engineering Division, it was concluded that the revised street alignments and widths are acceptable and can accommodate the development of a proposed vesting tentative parcel map for an industrial business park subdivision, and subject to annexation to the City of Fresno. It is, therefore, recommended that the City Council take the following actions:

1. ADOPT the Addendum to the Finding of Conformity for Environmental Assessment (EA) No. R-07-002/TPM-2007-02 for Rezone Application No. R-07-002 and Vesting Tentative Parcel Map No. 2007-01, pursuant to CEQA Guidelines Sections 15162 and 15164.
2. ADOPT the Resolution for the proposed street alignments and widths as shown on the revised Vesting Tentative Parcel Map No. 2007-01, dated September 28, 2015.
3. ADOPT the Resolution authorizing the City Manager to initiate annexation of the "Church-East No. 1 Reorganization" with the Fresno Local Agency Formation Commission (LAFCo) for the detachment of an approximately 24.34 net acre site from the Fresno County Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno.

EXECUTIVE SUMMARY

The applicant, Don Pickett & Associates, Inc., proposes a revised vesting tentative parcel map layout to include a new interior street alignment and width for an approximately 24.34 net acre parcel located on the north side of East Church Avenue between South East and South Orange Avenues. This request, if approved, would facilitate the development of a 28-lot industrial business park subdivision. The 64-foot wide public local industrial streets within the boundaries of the proposed map identified as South Second Street, East Belgravia Avenue and South Third Street, were previously considered and approved by the City Council on May 6, 2010 per the attached Resolution No. 2010-84 for the prior vesting tentative parcel map layout.

The recently revised map by the applicant provides an additional roadway that is parallel to Church Avenue providing additional access to the proposed industrial lots. This new roadway alignment was created as a result of the planned overcrossing of Church Avenue by the California High Speed Rail Authority to provide access to Church Avenue from Sunland Avenue going underneath the new roadway overcrossing. The new roadway alignments and widths maintain the same dimensions as

was previously approved by the City Council on May 6, 2010, and is supported by Development Services and Public Works.

BACKGROUND

The approximately 24.34 net acre subject property is currently zoned M-3 (Heavy Industrial) and is planned for Heavy Industrial land uses in the Fresno General Plan and Roosevelt Community Plan. The proposed subdivision and future development of the subject property are considered by staff to be consistent with both the existing zone district (current), the new zone district classification(per the Development Code), and the planned land use designation for the subject property.

The subject property is currently vacant and has a railroad spur line along the northern boundary which traverses the subject property and is served by the adjacent Union Pacific Railroad line. The subject property is located within an area which has been, or will be, developed exclusively with industrial uses. The project proposes the dedication of four new public streets to serve, and afford access to, parcels proposed to be created pursuant to Vesting Tentative Parcel Map No. 2007-01. Easements respective to the existing rail spur will be maintained. Properties on all sides of the subject property are planned for heavy industrial uses and have either been developed with industrial, manufacturing and warehouse uses; or, remains vacant.

Furthermore, pursuant to Section 66426(c) of the Subdivision Map Act and Article 32, Chapter 15 of the Fresno Municipal Code, the governing body must also approve any proposed public street alignments for industrially zoned property prior to approval of a tentative parcel map proposing more than four parcels. Thus, the Council must approve the proposed streets, including the alignment and widths of the proposed vesting tentative parcel map prior to its approval.

Prior approval of the rezone and approval by the Council of the proposed public street alignments and widths in accordance with revised Vesting Tentative Parcel Map No. 2007-01, would facilitate the development of the 28-lot industrial subdivision. All interior streets within the industrial subdivision will be developed utilizing right-of-way widths of 64 feet in accordance with the Department of Public Works' Standard Specifications and Drawings for Local Industrial Streets (P-51).

LAFCO policy requires all property within an annexation area to be "pre-zoned", consistent with the City of Fresno General Plan and corresponding community plan prior to annexation. On September 24, 2009 the Fresno City Council considered and adopted the attached Ordinance No. 2009-35; Bill No. 35, amending the Official Zone Map to rezone the subject property from the M-3 (Heavy Industrial, [Fresno County]) zone district to the M-3 (Heavy Industrial, [City of Fresno]) zone district.

Rezoning of the subject property from County to City zoning was required as a condition of: (1) Annexation in compliance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (California Government Code Section 56000 et. Seq.); and, (2) Subdivision Map Act compliance (California Government Code Section 66400 et. seq.).

Annexation of the subject site will facilitate the development of the industrial use subdivision under proposed Vesting Tentative Parcel Map No. 2007-01, therefore, City Council action is requested in order to authorize staff to file an application with LAFCO to initiate the Church-East No.1 Reorganization and annex the subject site to the City of Fresno.

ENVIRONMENTAL FINDINGS

An addendum was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164 (see Attachment). The adoption of Rezone Application No. R-07-002 and Vesting Tentative Parcel Map No. 2007-01 was previously analyzed in Finding of Conformity prepared for Environmental Assessment (EA) No. R-07-002/TPM-2007-01 and adopted by the City Council on May 6, 2010.

The project description of the Finding of Conformity considered potential environmental impacts associated with the subject vesting tentative parcel map and proposed street alignments and widths and concluded that the project would conform to the land use designation and land use policies of the Fresno General Plan and Roosevelt Community Plan within the scope of the Master Environmental Impact Report No. 10130.

Based on the environmental review contained in the Finding of Conformity, the revision to the map would not result in any new significant or substantial changes to the evaluation of the environmental resources within and outside the project area beyond those that were addressed in the Finding of Conformity.

Since the proposed project will not result in additional impacts, it may be determined that: (1) The project falls within the scope of Finding of Conformity prepared for Environmental Assessment (EA) No. R-07-002/TPM-2007-01; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the environmental finding for Finding of Conformity prepared for Environmental Assessment No. R-07-002/TPM 2007-01 was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to Finding of Conformity prepared for Environmental Assessment (EA) No. R-07-002/TPM-2007-01 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent environmental assessment have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines.

LOCAL PREFERENCE

Local preference was not considered because this proposal 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 these 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 previously paid to the city the fees for the processing of these applications and said fees are, in turn, funding the respective operations of the Development and Resource Management Department.

Attachments:

Vicinity Map / Site Aerial Photograph

Addendum to the Finding of Conformity, dated 1/15/2016

Council Resolution for Roadway Alignment & Width w/Exhibit "A" Revised Vesting Tentative Parcel Map No. 2007-01 dated 9/28/15

Council Resolution for Initiation of Annexation w/Exhibit "A", Church-East No. 1 Reorganization Boundary Diagram

Adopted Council Resolution No. 2010-84, dated 5/6/2010

Adopted Council Ordinance No. 2009-35; Bill No. B-35, dated 9/24/2009