



Legislation Details (With Text)

File #: ID16-947 **Version:** 2 **Name:**

Type: Ordinance **Status:** Passed

File created: 8/9/2016 **In control:** City Council

On agenda: 8/25/2016 **Final action:** 8/25/2016

Title: HEARING to Consider Plan Amendment Application No. A-16-007, Development Permit Application No. D-16-045, Variance Application No. V-16-006 and related Environmental Assessment No. A-16-007/D-16-045/V-16-006, filed by Michael Boone of Teter Architects & Engineers, on behalf of PG&E. These applications pertain to approximately 8.71 acres of property located on the west side of N. Thorne Avenue between W. Nielsen and W. Belmont Avenues (Council District 3)

a. Adopt the Negative Declaration prepared for Environmental Assessment No. A-16-007/D-16-045/V-16-006 dated June 17, 2016.

b. BILL (For introduction and adoption) - Repealing the Official Plan Line for G Street between East Divisadero Street and West Belmont Avenue (OPL No. 80).

c. Approve the Development Permit Application No. D-16-045 proposing upgrades to PG&E's General Construction Division service center yard which will include the replacement of existing building with new pre-manufactured metal structures, reconfiguration of operational site, off-site improvements and installation of new above-ground ballistic fuel storage tanks, subject to the Conditions of Approval dated July 20, 2016.

d. Approve the Variance Application No. V-16-006 requesting authorization to increase the permitted wall height from seven feet to eight feet for the proposed screen wall subject to the Conditions of Approval dated July 20, 2016.

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: 1. Exhibits A-J.pdf, 2. Exhibit K.pdf, 3. Exhibit L

Date	Ver.	Action By	Action	Result
8/25/2016	2	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

August 25, 2016

FROM: JENNIFER K. CLARK, Director
Development and Resource Management Department

THROUGH: MIKE SANCHEZ, Assistant Director
Development and Resource Management Department

BONIQUE EMERSON, Planning Manager
Development Services Division

BY: CHRIS LANG, Planner

Development Services Division

SUBJECT

HEARING to Consider Plan Amendment Application No. A-16-007, Development Permit Application No. D-16-045, Variance Application No. V-16-006 and related Environmental Assessment No. A-16-007/D-16-045/V-16-006, filed by Michael Boone of Teter Architects & Engineers, on behalf of PG&E. These applications pertain to approximately 8.71 acres of property located on the west side of N. Thorne Avenue between W. Nielsen and W. Belmont Avenues (Council District 3)

- a. Adopt the Negative Declaration prepared for Environmental Assessment No. A-16-007/D-16-045/V-16-006 dated June 17, 2016.
- b. BILL (For introduction and adoption) - Repealing the Official Plan Line for G Street between East Divisadero Street and West Belmont Avenue (OPL No. 80).
- c. Approve the Development Permit Application No. D-16-045 proposing upgrades to PG&E's General Construction Division service center yard which will include the replacement of existing building with new pre-manufactured metal structures, reconfiguration of operational site, off-site improvements and installation of new above-ground ballistic fuel storage tanks, subject to the Conditions of Approval dated July 20, 2016.
- d. Approve the Variance Application No. V-16-006 requesting authorization to increase the permitted wall height from seven feet to eight feet for the proposed screen wall subject to the Conditions of Approval dated July 20, 2016.

RECOMMENDATIONS

Staff recommends that the City Council take the following actions:

1. ADOPT the Negative Declaration prepared for Environmental Assessment No. A-16-007/D-16-045/V-16-006 dated June 17, 2016.
2. ADOPT BILL repealing the Official Plan Line for G Street between East Divisadero Street and West Belmont Avenue (OPL No. 80).
3. APPROVE Development Permit Application No. D-16-045 proposing upgrades to PG&E's General Construction Division service center yard which will include the replacement of existing building with new pre-manufactured metal structures, reconfiguration of operational site, off-site improvements and installation of new above-ground ballistic fuel storage tanks, subject to the Conditions of Approval dated July 20, 2016.
4. APPROVE Variance Application No. V-16-006 requesting authorization to increase the permitted wall height from seven feet to eight feet for the proposed screen wall subject to the Conditions of Approval dated July 20, 2016.

EXECUTIVE SUMMARY

Michael Boone of Teter Architects & Engineers, on behalf of PG&E, has filed Plan Amendment Application No. A-16-007, Development Permit Application No. D-16-045, and Variance Application No. V-16-006 pertaining to approximately 8.71 acres of property located on the west side of North Thorne Avenue between West Nielsen and West Belmont Avenues.

Plan Amendment Application No. A-16-007 proposes to amend the Fresno General Plan, the Edison Community Plan, and the Fresno-Chandler Downtown Airport Master Plan to repeal the Official Plan Line No. 80 for G Street between East Divisadero Street and West Belmont Avenue. The plan amendment application been filed in order to facilitate approval of proposed upgrades to PG&E's General Construction Yard on approximately 8.71 acres of property. Development Permit Application No. D-16-045 proposes upgrades to PG&E's General Construction Division service center yard which will include the replacement of existing buildings with new pre-manufactured metal structures, reconfiguration of operational site, off-site improvements and installation of new above-ground ballistic fuel storage tanks. Variance Application No. V-16-006 requests authorization to increase the permitted wall height from seven feet to eight feet for the proposed screen wall.

BACKGROUND

Project Description

Plan Amendment Application No. A-16-007 proposes to amend the Fresno General Plan, the Edison Community Plan, and the Fresno-Chandler Downtown Airport Master Plan by repealing the G Street Official Plan Line between East Divisadero Street and West Belmont Avenue. The G Street Official Plan Line transects the northeast corner of the subject property and must be repealed prior to approval of the related Development Permit.

Development Permit Application No. D-16-045 proposes upgrades to PG&E's General Construction Division service center yard which will include the replacement of existing structures with a new 6,949 square foot operations building and 6,200 square foot material storage building, reconfiguration and paving of operational site, off-site improvements along the developed frontage, landscaping, installation of new above-ground ballistic fuel storage tanks and installation of an emergency generator. The use of the site as a construction storage yard is permitted in the M-3 zone district, which translates to the IH (*Heavy Industrial*) zone district, subject to additional development standards.

Variance Application No. V-16-006 requests authorization to construct a wall eight feet in height for security purposes. The Fresno Municipal Code (FMC) requires that all outdoor storage yards provide a seven foot Screen Wall on all property lines or behind required landscaping. The additional height will increase safety of employees and prevent theft of materials.

Land Use Plans and Policies

Fresno General Plan

The Fresno General Plan includes goals and policies which provide an emphasis on compatible infill development opportunities. As proposed, the project would be consistent with the Fresno General Plan goals and objectives related to industrial land use and the urban form:

Goal No. 2 of the Fresno General Plan is to support a successful and competitive Downtown by emphasizing infill development. Objective UF-6 is to support new development in the Downtown through investment in public infrastructure. UF-8 Similarly, supporting Objective LU-2-a of the Fresno General Plan promotes the development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available.

Objective LU-7 is to plan and support industrial development to promote job growth and LU-7-c calls

to promote industrial land use clusters to maximize operational efficiency of similar activities. The subject property is located within the Downtown Planning Area and the redevelopment of this property will provide improved infrastructure for the subject and surrounding properties as well as utilize undeveloped land.

Edison Community Plan

The subject property is proposed to be designated as special districts. Upon reviewing the policies contained in the Plan, staff has determined that there are no policies that are applicable or more restrictive than those contained in the FMC.

Fresno-Chandler Downtown Airport Master Plan

A portion of the subject property is located within the Traffic Pattern Zone of the Fresno Chandler Airport. The Traffic Pattern Zone is a Safety Compatibility Zone surrounding the airport which may restrict certain types of development which are not compatible with the airport land use. The proposed project however is compatible with the Traffic Pattern Zone, and the use is acceptable with little or no risks. The traffic pattern zone is outlined in Exhibit E.

Circulation Element Plan Policies and Major Street System Traffic Capacity

The subject property is located on North Thorne Avenue between West Belmont and West Nielsen Avenues. In the Fresno General Plan Circulation Element, North Thorne is classified as a local street and may be accessed from the nearby collector streets which are West Nielsen to the south and West Belmont to the north. Collector streets have the primary function of connecting local streets, arterials, neighborhood traffic generators, and provide access to abutting properties.

The Public Works Department/Traffic Engineering Division staff has reviewed the projected traffic yield from the proposed project and the expected traffic generation will not adversely impact the existing and projected circulation system as analyzed in the MEIR. Applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, the proposed improvements to the subject site would generate 20 average daily trips (ADT), 7 vehicle trips during the morning peak hour travel period (7 to 9 a.m.) and 2 vehicle trips during the evening peak hour travel period (4 to 6 p.m.). A Traffic Impact Study (TIS) was not required for the proposed plan amendment, development permit and variance.

Official Plan Line No. 80 for G Street between East Divisadero Street and West Belmont Avenue is not identified in the Fresno General Plan Circulation Element as shown in Exhibit C. The projected Level of Service (LOS) for collector and arterial streets surrounding the G Street OPL were calculated with the existing conditions, not including the construction of the OPL. The existing roadways currently operate at a LOS ranging from A-C. Projected Peak AM and PM Level of Service conditions for the Fresno General plan along Nielsen are A-C, and from Divisadero to G Streets is level D. Therefore, removing the G Street OPL will not have a significant effect on current or projected LOS for circulation.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system.

Public Notice and Input

Notice of Hearing

The Development and Resource Management Department mailed notices of this City Council hearing to surrounding property owners within 1,000 feet of the subject property (Exhibit F), pursuant to Section 15-5007-B-2 of the FMC.

District Committee

The District 3 Plan Implementation Committee did not review the project; the Council District 3 Liaison has indicated that Council District is in favor of the project. There were no additional comments.

Fresno City Planning Commission Action

Plan Amendment Application No. A-16-007, Development Permit Application No. D-16-045 and Variance Application No. V-16-006 were considered by the Fresno City Planning Commission at its meeting on July 20, 2016. At the hearing no one spoke in support or opposition to the proposed plan amendment, development permit and variance. After a complete hearing, the Commission voted and recommended the City Council approve the plan amendment, development permit and variance application by a 6-0-1 vote (one member absent).

Airport Land Use Commission

The Airport Land Use Commission (ALUC) reviewed the proposed plan amendment, development permit and variance application on August 1, 2016. The ALUC found that the proposed plan amendment, development permit and variance were consistent with the Fresno-Chandler Downtown Airport Master Plan.

PLAN AMENDMENT FINDINGS

Based upon analysis of the application and subject to the applicant's compliance with all of the conditions of approval noted, staff concludes that the following required findings of Section 15-5812 of the FMC can be made (Exhibit K).

ENVIRONMENTAL FINDINGS

An environmental assessment 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 Edison area, including the Fresno General Plan Master Environmental Impact Report SCH No. 2012111015 (MEIR).

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the (MEIR) prepared for the Fresno General Plan 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 Development and Resource Management Department proposes to adopt a Negative Declaration for this project.

It has been further determined that all applicable mitigation measures identified within the Fresno General Plan MEIR have been applied to the project to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by MEIR 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 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, staff has determined that there is no substantial evidence in the record that the project may have a significant direct, indirect or cumulative effect on the environment and has prepared a negative declaration for this project. A public notice of the attached negative declaration finding for Environmental Assessment No. A-16-007/D-16-045/V-016-006 was published on June 17, 2016 with no comments or appeals received to date.

LOCAL PREFERENCE

Local preference was not considered because this ordinance 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 application 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 Development and Resource Management Department.

Attachment:

- Exhibit A - Vicinity Map
- Exhibit B - 2016 Aerial Photograph of Site
- Exhibit C - Fresno General Plan Land Use Map
- Exhibit D - Official Plan Line No. 80
- Exhibit E - Fresno-Chandler Downtown Airport Traffic Pattern Zone
- Exhibit F - Noticing Map
- Exhibit G - Site Plan
- Exhibit H - Conditions of Approval dated July 20, 2016
- Exhibit I - Comments and Requirements from Responsible Agencies
- Exhibit J - Environmental Assessment
- Exhibit K - Plan Amendment, Development Permit and Variance Findings
- Exhibit L - City Council Ordinance Bill