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Title: Consideration of Vesting Tentative Tract Map No. 6165/UGM; and, related Environmental Assessment No. A-16-014/R-16-013/T-6165 for an approximately 39.58 acre portion of property located on the north side of East Church Avenue between South Sunnyside and South Fowler Avenues (Council District 5) - Development and Resource Management Department.

1. RECOMMEND APPROVAL (to the City Council) of the adoption of the Mitigated Negative Declaration prepared for Environmental Assessment (EA) No. A-16-014/R-16-013/T-6165 dated October 21, 2016 for purposes of the proposed project.

2. RECOMMEND APPROVAL (to the City Council) of Vesting Tentative Tract Map No. 6165/UGM proposing to subdivide an approximately 39.58 acre portion of the subject property for the purpose of creating a 208-lot conventional single-family residential development subject to the findings and compliance with the Conditions of Approval included within the Staff Report to the Planning Commission dated February 15, 2017.

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: 1. Exhibit A - T-6165 - Vicinity Map.pdf, 2. Exhibit B - 2015 Aerial.pdf, 3. Exhibit C - Public Hearing Notice Radius Map.pdf, 4. Exhibit D - Fresno General Plan Planned Land Use Map.pdf, 5. Exhibit E - Proposed Planned Land Use Map - A-16-014.pdf, 6. Exhibit F - Proposed Rezone Exhibit - R-16-013.pdf, 7. Exhibit G - Project Information Tables.pdf, 8. Exhibit H - Vesting Tentative Tract Map No. 6165.pdf, 9. Exhibit I - Conditions of Approval for T-6165.pdf, 10. Exhibit J - Fresno Municipal Code Findings.pdf, 11. Exhibit K - Environmental Assessment No. A-16-014, R-16-013, T-6165 dated 10.21.16.pdf

Date	Ver.	Action By	Action	Result
2/15/2017	1	Planning Commission	continued	Pass

REPORT TO THE PLANNING COMMISSION

February 15, 2017

FROM: MIKE SANCHEZ, Assistant Director
Development Services Division

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

BY: WILL TACKETT, Supervising Planner

Development Services Division

SUBJECT

Consideration of Vesting Tentative Tract Map No. 6165/UGM; and, related Environmental Assessment No. A-16-014/R-16-013/T-6165 for an approximately 39.58 acre portion of property located on the north side of East Church Avenue between South Sunnyside and South Fowler Avenues (Council District 5) - Development and Resource Management Department.

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EXECUTIVE SUMMARY

Yamabe & Horn Engineering, Inc., on behalf of High and Might Farms, Inc., has filed Vesting Tentative Tract Map No. 6165/UGM pertaining to an approximately 39.58 acre portion of property located on the north side of East Church Avenue between South Sunnyside and South Fowler Avenues.

Vesting Tentative Tract Map No. 6165/UGM has been filed in order to subdivide the subject property for purposes of creating a 208-lot conventional single family residential development on the subject property; with one Outlot proposed to be dedicated for public park purposes.

Approval of the Vesting Tentative Tract Map is contingent upon City Council approval of Plan Amendment Application No. A-16-014 and Rezone Application No. R-16-013, which propose to amend the Fresno General Plan and Official Zone Map to change the planned land use designation for the respective portion of property from Medium-Low Density Residential (*3.5-6 Dwelling Units/acre*) to Medium Density Residential (*5.0-12 Dwelling Units/acre*); and, reclassify the zoning of the respective portion of property from RS-4 (*Residential Single Family, Medium-Low Density*) to RS-5 (*Residential Single Family, Medium Density*).

BACKGROUND

The subject property comprises an approximately 39.58 acre portion of an approximately 78 acre site, which remains vacant but was annexed to the City of Fresno in 1982 as part of Annexation No. 1062. Therefore, the subject property qualifies as an Infill Area; defined by the Fresno General Plan as being within the City on December 31, 2012.

The site is located within an area that has been predominantly developed with single family residences and which is planned for urban residential uses. Properties to the north, west and south of the subject property have all been subdivided and developed with single family residential tracts; the earliest beginning in 1998 and the latest occurring as recent as 2007. The majority of the properties directly to the east of the subject property and across South Fowler Avenue remain in the

unincorporated area of the County of Fresno and have been developed with rural residences. Approximately seven acres of land located at the immediate northeast corner of the intersection of East Church and South Fowler Avenue remain vacant but were previously annexed into the City and have been zoned for RM-2 (Multi-Family, Urban Neighborhood). Properties further to the east are also located within the incorporated boundary of the City of Fresno and are currently being developed as single family residential tracts. Approximately 120 acres of land located at the southeast corner of the intersection of South Fowler and East Church Avenues have also been purchased and will be developed as a Sanger Unified School District Middle- and High School campus.

Vesting Tentative Tract Map No. 6165/UGM has been filed in order to subdivide the subject property for purposes of creating a 208-lot conventional single family residential development at a density of approximately 5.26 dwelling units per acre, which is consistent with the proposed Medium Density Residential (5.0-12 Dwelling Unit/acre) planned land use designation for the subject property. The project also proposes the development of an approximately 2.6 net acre Outlot as a public park and dedication for common open space purposes.

The proposed project will require dedications for public street rights-of-way as well as the installation and construction of both public and private facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno.

Landscaping/Walls

Given the proposed subdivision is located adjacent to and abutting major transportation corridors (South Sunnyside and South Fowler Avenues) located south of Belmont Avenue and East of Chestnut Avenue, and within the boundaries of the Roosevelt Community Plan, the development will be required to install landscaping and irrigation within a minimum 15-foot wide landscape strip along the major street frontages. 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 and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. 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. The irrigation system shall comply with FMC 12-306-23, Water Efficient Landscape Standards and AB1881.

Furthermore, as referenced herein above, one Outlot will be developed as a public park and dedicated for common open space purposes. The Outlot has been designed with a central park element and a linear Oak lined trail which will provide connectivity to South Sunnyside and South Fowler Avenues. Future development along the East Church Avenue frontage will be required to develop a southerly connection to the Central Park from Church Avenue. The proposed single family residential development has been designed with streets adjacent to the open space areas, allowing single family homes to front-onto the adjacent street and face the open space for its entire length. This form of development provides “eyes-on” common areas while simultaneously providing appropriate lighting and minimizing walls and other obstructions to open space which contribute to attractive nuisances. The public park will be improved with the first phased of development.

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements (“Services”) associated with all new Single-Family Developments (e.g., landscaped and common areas, concrete curb and gutters, sidewalks, curb ramps, median islands, etc.) are the ultimate responsibility of the Developer. The Developer shall provide for maintenance of these “Services” either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno’s Community Facilities District.

Public Services

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 typical requirements for construction and extension of sanitary sewer mains and branches within the interior of future proposed tracts/development projects. The proposed project will also be required to provide payment of sewer connection charges.

Implementation of the Fresno General Plan policies and the mitigation measures of the associated Master Environmental Impact Report, along with the implementation of the Water Resources Management Plan and the identified project related conditions of approval, which will include water main extensions within the South Fowler Avenue across the subject property frontage as well as within the interior of future proposed tracts/development projects. Installation of these services with meters to proposed residential and commercial lots will provide an adequate, reliable, and sustainable water supply for the project’s urban domestic and public safety consumptive purposes.

The City of Fresno Fire Department reviewed the proposed project and has determined that adequate Fire service will be available subject to future requirements for development which will include installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards, with two sources water; installation of fire sprinklers within future commercial buildings; and the provision of two means of emergency access during all phases of construction. Review for compliance with fire and life safety requirements for the interior of proposed buildings and the intended use are reviewed by both the Fire Department and the Building and Safety Services Section of the Development and Resource Management Department when a submittal for building plan review is made as required by the California Building Code.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area. However, the District’s existing Master Plan drainage system is designed to serve lower density residential uses based upon the preceding 2025 Fresno General Plan and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed land use. The developer will therefore be required to mitigate the impacts of the increased runoff from the proposed use to a rate that would be expected if developed to medium density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm

produced by the proposed land use, to a two-year discharge which would be produced by the property if developed with medium density residential. Implementation of the mitigation measures may be deferred to until time of development.

Lot coverage will be required to be provided to the FMFCD prior to submittal of improvement plans. The final drainage fee will be calculated commensurate with the lot coverage provided by the developer. If the lot coverage indicates a density higher than Master Planned, mitigation may be required. The lot coverage calculated by the FMFCD includes the front yard walkway, sidewalk walkway and the rear yard patio equaling an additional 6% of impervious area in addition to the City typical lot coverage calculation.

The developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

Mobility and Transportation

The Fresno General Plan designates East Church and South Fowler Avenues as collector streets; and, South Fowler Avenue as an Arterial street. The proposed project will be required to dedicate and construct improvements along all major street frontages and on all interior local streets within future subdivisions.

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 South Sunnyside and South Fowler Avenues. Interior local streets are proposed to be dedicated in accordance with the City Standard 50-foot right-of-way and a modified 54-foot right-of-way cross section, which will provide for parking and sidewalks on both sides of all streets.

The proposed project will also provide and facilitate additional pedestrian connectivity through the provisions of public, common open space in the form of a neighborhood park centrally located on the subject property with contiguous linear open space areas and connection points from the central park to all adjacent land uses and major street frontages.

Interior local streets within the tract are aligned adjacent to the common open space area and incorporate the linear open space areas as part of the streetscape; affording visibility and lighting as well as facilitating further connectivity while creating a true sense of place.

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.

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 is based on traffic counts taken at a single location or link, which was intended to be representative of the entire segment. A link connects two intersections; a segment is a series of links. 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 development of 208 single family homes on the subject property would generate 1,980 Average Daily Trips (ADT), with 156 vehicle trips occurring during the morning peak hour travel period (7 to 9 a.m.) and 208 vehicle trips occurring during the evening peak hour travel period (4 to 6 p.m.).

In accordance with Fresno General Plan Policy MT-2-I, a Traffic Impact Study (TIS) was prepared to assess the impacts of the new development on existing and planned streets combined with future projects (including development of the approximately 120 acre future Sanger Unified School District middle- and high-school to be located at the southeast corner of the intersection of East Church and South Fowler Avenues) for cumulative considerations. This assessment evaluated the impacts of the project by analyzing the following 15 study intersections in the vicinity of the project during the AM and PM peak hours for the four traffic analysis scenarios required by the City of Fresno as well as one additional scenario based on the proposed phasing for development of the proposed project on the northerly approximately 39.58 acre portion of the existing approximately 78 acre site as well as future phases of development on the balance of the southerly portion of the existing site. 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 2025 cumulative plus Phase 1 & 2 Project Conditions for development of the entirety of the existing 78 acre site and, (5) Cumulative Year 2035 plus Project Conditions.

Study Intersections:

1. East Church Avenue & South Sunnyside Avenue
2. East Church Avenue & South Fowler Avenue
3. East Jensen Avenue & South Fowler Avenue
4. East Jensen Avenue & South Sunnyside Avenue
5. East Jensen Avenue & South Clovis Avenue
6. East Church Avenue & South Clovis Avenue
7. East California Avenue & South Clovis Avenue
8. East Butler Avenue & South Clovis Avenue
9. East Butler Avenue & South Fowler Avenue
10. East Hamilton Avenue & South Fowler Avenue
11. East California Avenue & South Fowler Avenue
12. East California Avenue & South Sunnyside Avenue
13. South Sunnyside Avenue & Site Access #1
14. South Fowler Avenue & Site Access #2
15. East Church Avenue & Site Access #3

In summary, based on the analyses included in the TIS, the study intersections are currently operating at or above the TIZ III LOS D Standard. With the addition of the proposed 208-lot single family residential project, the study intersections are projected to continue to operate at or above the

TIZ III LOS D standard.

With the addition of the proposed project, the approved/pending projects and cumulative growth to the year 2020, the intersections of Fowler and Church Avenues and Fowler and Butler Avenues are projected to operate below the TIZ III LOS D standard in the 2025 analyses. These scenarios included evaluation of the proposed project, the development of the balance of the overall 78 acre site (at a scale and intensity permitted by the land use and zoning designations proposed by Plan Amendment Application No. A-16-014 and Rezone Application No. R-16-013), as well as approved/pending projects and cumulative growth to the year 2025. In addition to the intersections identified in the 2025 analyses, the intersections of Clovis and Jensen Avenues and Fowler and California Avenues are projected to operate below the TIZ III LOS D standard in the 2035 analyses.

The intersection of Fowler Avenue & Church Avenue (Node 2) is projected to be impacted during the AM peak hour with a Level of Service E. This is mainly from addition growth in the area and the Sanger Unified School District project at the south east corner of Fowler Avenue and Church Avenue. The addition of an eastbound receiving lane and opening the #2 eastbound plus the addition of a second westbound approach lane, shared through/right will allow the intersection to operate at an acceptable Level of Service D (AM) & C (PM) as an all-way stop. The improvements for this are needed with the build out of the Sanger Unified School District at the south east corner of Fowler & Church. The TIS recommends that the Sanger Unified School District provide the additional capacity with the build out of their campus.

Fowler Avenue is listed in the 2035 General Plan as being an acceptable Level of Service F, TIZ-II (generally representing areas of the City which are currently built up and where development is encouraged), from Kings Canyon to Hamilton. The intersection was modeled in Synchro with the additional lanes added to improve the LOS to D and is included in the report. However, due to the existing build out and the acceptance of a lower Level of Service per the City's 2035 General Plan, no mitigation is recommended or proposed.

In addition to the intersections identified in the 2025 analyses, the intersection of Clovis and Jensen Avenues and Fowler and California Avenues are projected to operate below the TIZ III LOS D standard in the 2035 analyses. Clovis Avenue and Jensen Avenue was modeled with exclusive right turn lanes for all approaches and the Level of Service improved to LOS D. It is recommended that the City include these improvements in their TSMI fee program. The project will pay into the TSMI fee program to mitigate this impact. A traffic signal is recommended to mitigate the 2035 cumulative conditions. A traffic signal warrant analysis is recommended just prior to commercial development occurring on the southerly portion of the existing 78 acre site (at a scale and intensity permitted by the land use and zoning designations proposed by Plan Amendment Application No. A-16-014 and Rezone Application No. R-16-013). The Proposed Project will also pay the City of Fresno Major Street Impact fees and TSMI fees to mitigate impacts.

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 Update accepts lower LOS values (e.g. TIZ II - Fowler Avenue between Kings Canyon Road and Hamilton Avenue). 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 Update.

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. 111015 for purposes of adoption of the Fresno General Plan. Section 15093 of the California Environmental Quality Act requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

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 potential traffic related impacts for the proposed project 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 standard city requirements for street improvements and subject to the project specific mitigation measures determined applicable by the City of Fresno Traffic Engineer. 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) Major and local street dedications; (3) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, sidewalks and safe routes to schools, permanent pavement, underground street lighting systems, etc.); (4) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and the Regional Transportation Mitigation Fee (RTMF) Fee; and, (5) Traffic signal construction or modification at the intersections of Fowler Avenue with Church and Jensen Avenues prior to occupancies for any portion of proposed Phase 2 development as defined in the project TIS (these improvements are not a requirement of Vesting Tentative Tract Map No. 6165/UGM).

Based upon the findings contained within the project TIS and the Fresno General Plan MEIR, with implementation of the Fresno General Plan goals, objectives and policies, including the project specific mitigation measures identified in the associated environmental assessment (Mitigated Negative Declaration for EA No. A-16-014/R-16-013/T-6165 dated October 21, 2016, impacts to roadways within TIZ II & III would be less than significant.

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 below.

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; no substantial increase in transportation or traffic is expected to result.

Land Use Plans and Policies

The tentative map is a contributing component to an overall form of development proposed to be facilitated with associated Plan Amendment Application No. A-16-014 and Rezone Application No. R-16-013, which focus specifically on implementation of the concept of a Complete Neighborhood in accordance with the Goals, Objectives and Policies of the Fresno General Plan; as follows:

As proposed, the project will be consistent with the Fresno General Plan goals and objectives related to 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.
- Promote a city of healthy communities and improve quality of life in established neighborhoods.
- 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.

Objective UF-12 and Policy LU-1-a of the Fresno General Plan promote new development within existing City limits and direct the City to locate roughly one-half of future residential development in infill areas - defined as being within the City on December 31, 2012 - including non-corridor infill areas, and vacant land.

This project supports the above mentioned goals, objectives and policies of the Fresno General Plan and Roosevelt Community Plan; specifically, strategies aimed toward the provision of Complete Neighborhoods.

The subject property qualifies as infill development pursuant to the definition provided in the Fresno General Plan and the proposed development of the subject property will contribute to the completion of missing roadway and infrastructure improvements within the area in a manner which is consistent with the land use designations and circulation element of the Fresno General Plan.

The proposed project will provide for connectivity through both vehicular and pedestrian integration with adjacent lands for future development. Furthermore, the project is located in close proximity to existing and future school sites.

Furthermore, evaluation of public services capacity and availability for the area has determined that public infrastructure improvements exist within the area to serve existing development within the vicinity as well as future development on the subject property. Water mains have been developed in South Sunnyside and East Church Avenues across the entire frontage of the existing 78 acre site. Water mains have also been developed in South Fowler Avenue, with the exception of the frontage of the existing 78 acre site. Vesting Tentative Tract Map No. 6165 will provide for construction of a water main in South Fowler Avenue with the required street improvements. This water main construction will complete the looped connection of existing water facilities for the subject quarter section. Sewer mains exist in South Sunnyside, East Church and South Fowler Avenues to serve the proposed development. Furthermore, the proposed project will be obligated to pay fair share and proportional payment of fees and all development mitigation costs.

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. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan and Roosevelt Community Plan; (2) To be Suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject property or adjacent lands.

Council District Plan Implementation Committee

On November 07, 2016, the District 5 Plan Advisory Committee unanimously recommended approval of the proposed project. The Committee recommended that assigned staff research whether a traffic signal at the intersection of East Church and South Sunnyside Avenues is warranted with any phase of the project; and, to have the proposed north-south pedestrian walkway connecting the proposed centrally located park to East Church Avenue be included as a condition of approval for the project.

Based upon the analyses contained within the project Traffic Impact Study, as referenced herein above, staff and the City of Fresno Traffic Engineer have determined that signalization at the intersection of Church and Sunnyside Avenues is not warranted with the proposed project. However, it is likely that future school development within the area may meet those warrants and signalization of the intersection. Furthermore, staff agrees and with the Committee's recommendations for pedestrian connectivity and the proposed pedestrian connection from the park to Church Avenue will be required as a condition of approval for future development of the subject property.

Notice of Planning Commission Hearing

The Development and Resource Management Department mailed notices of this Planning Commission hearing to all surrounding property owners within 1000 feet of the subject property, pursuant to Section 15-5007 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; and, student generation projections and school facility site location identification.

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 Development and Resource Management 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 finding of conformity 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. A-16-014/R-16-013/T-6165 was published on October 21, 2016 with no comments or appeals received to date.

FRESNO MUNICIPAL CODE FINDINGS

Based upon analysis of the applications, staff concludes that the required findings contained within Section 15-3309 et seq. of the Fresno Municipal Code can be made. These findings are attached as Exhibit J.

GROUNDINGS FOR DENIAL OF TENTATIVE MAP

The Subdivision Map Act (California Government Code §§ 66400, *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.

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; 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 Vesting Tentative Tract Map No. 6165/UGM is appropriate for the project site.

Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - 2015 Aerial Photograph
- Exhibit C - Public Hearing Notice Radius Map
- Exhibit D - Fresno General Plan Planned Land Use Map
- Exhibit E - Proposed Planned Land Use Map pursuant to Plan Amendment Application No. A-16-014
- Exhibit F - Proposed Rezone exhibit pursuant to Rezone Application No. R-16-013
- Exhibit G - Project Information Tables
- Exhibit H - Vesting Tentative Tract Map No. 6165/UGM
- Exhibit I - Conditions of approval for Vesting Tentative Tract Map No. 6165/UGM dated February 15, 2017; including memoranda from responsible or commenting agencies.
- Exhibit J - Fresno Municipal Code Findings
- Exhibit K - Environmental Assessment No. A-16-014/R-16-013/T-6165, Mitigated Negative Declaration, tiered from the Fresno General Plan Master Environmental Impact Report (MEIR) SCH No. 2012111015, dated October 21, 2016.