



Legislation Details (With Text)

File #: ID17-966 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 6/28/2017 **In control:** Planning Commission
On agenda: 7/5/2017 **Final action:**
Title: Consider Plan Amendment Application No. A-16-016, Rezone Application No. R-16-017, Development Permit Application No. D-16-139 and the related environmental assessment, filed by Giorgio Russo of Ginder Development, for approximately ± 7.87 acres of property located on the easterly side of North Salinas Avenue just south of West Bullard Avenue and the North Figarden Drive loop. (Council District 2 - Brandau)

1. RECOMMEND APPROVAL (to the City Council) of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-016/R-16-017/D-16-139 dated May 5, 2017.
2. RECOMMEND APPROVAL (to the City Council) of Plan Amendment Application No. A-16-016 proposing to amend the Fresno General Plan and the Bullard Community Plan for the subject property from the Medium Density Residential (5-12 du/ac) planned land use designation to the Medium High Density Residential (12-16 du/ac) planned land use designation.
3. RECOMMEND APPROVAL (to the City Council) of Rezone Application No. R-16-017 requesting authorization to rezone the subject property from the RS-5/UGM (Residential Single Family, Medium Density/Urban Growth Management) zone district to the RM-1/UGM (Residential Multi Family, Medium High Density/Urban Growth Management) zone district.
4. RECOMMEND APPROVAL (to the City Council) of Development Permit Application No. D-16-139 requesting authorization to construct 120 multi-family residential dwelling units subject to compliance with the Conditions of Approval dated July 5, 2017.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A Aerial Map, 2. Exhibit B Planned Land Use-Zoning Map, 3. Exhibit C Noticing Map, 4. Exhibit D Project Information Tables, 5. Exhibit E Operational Statement, 6. Exhibit F Exhibits, 7. Exhibit G COA, 8. Exhibit H FMC Findings, 9. Exhibit I Environmental Assessment

Date	Ver.	Action By	Action	Result
7/5/2017	1	Planning Commission	recommended for approval	Pass

REPORT TO THE PLANNING COMMISSION

July 5, 2017

FROM: MIKE SANCHEZ, Assistant Director
Development Services Division

THROUGH: BONIQUE EMERSON, Planning Manager

Development Services Division

MCKENCIE CONTRERAS, Supervising Planner
Development Services Division

BY: JOSE VALENZUELA, Planner III
Development Services Division

SUBJECT

Consider Plan Amendment Application No. A-16-016, Rezone Application No. R-16-017, Development Permit Application No. D-16-139 and the related environmental assessment, filed by Giorgio Russo of Ginder Development, for approximately ± 7.87 acres of property located on the easterly side of North Salinas Avenue just south of West Bullard Avenue and the North Figarden Drive loop. (Council District 2 - Brandau)

1. **RECOMMEND APPROVAL** (to the City Council) of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-016/R-16-017/D-16-139 dated May 5, 2017.
2. **RECOMMEND APPROVAL** (to the City Council) of Plan Amendment Application No. A-16-016 proposing to amend the Fresno General Plan and the Bullard Community Plan for the subject property from the Medium Density Residential (5-12 du/ac) planned land use designation to the Medium High Density Residential (12-16 du/ac) planned land use designation.
3. **RECOMMEND APPROVAL** (to the City Council) of Rezone Application No. R-16-017 requesting authorization to rezone the subject property from the RS-5/UGM (*Residential Single Family, Medium Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multi Family, Medium High Density/Urban Growth Management*) zone district.
4. **RECOMMEND APPROVAL** (to the City Council) of Development Permit Application No. D-16-139 requesting authorization to construct 120 multi-family residential dwelling units subject to compliance with the Conditions of Approval dated July 5, 2017.

EXECUTIVE SUMMARY

Giorgio Russo, on behalf of Ginder Development, has filed Plan Amendment Application No. A-16-016, Rezone Application No. R-16-017, and Development Permit Application No. D-16-139 pertaining to approximately ± 7.87 acres of property. Plan Amendment Application No. A-16-016 proposes to amend the Fresno General Plan and the Bullard Community Plan for the subject property from the Medium Density Residential (5-12 du/ac) planned land use designation to the Medium High Density Residential (12-16 du/ac) planned land use designation. Rezone Application No. R-16-017 requests authorization to rezone the subject property from the RS-5/UGM (*Residential Single Family, Medium Density/UGM*) zone district to the RM-1/UGM (*Residential Multi Family, Medium High Density/UGM*) zone district. Development Permit Application No. D-16-139 requests authorization to construct 120 multi-family residential dwelling units.

BACKGROUND

Project Description

Plan Amendment Application No. A-16-016 proposes to amend the Fresno General Plan and the Bullard Community Plan for the subject property from the Medium Density Residential (5-12 du/ac) planned land use designation to the Medium High Density Residential (12-16 du/ac) planned land use designation. Rezone Application No. R-16-017 requests authorization to rezone the subject property from the RS-5/UGM (*Residential Single Family, Medium Density/UGM*) zone district to the RM-1/UGM (*Residential Multi Family, Medium High Density*) zone district. Development Permit Application No. D-16-139 requests authorization to construct 120 multi-family residential dwelling units. Multi-Unit Residential is permitted subject to a Development Permit in the RM-1 zone district pursuant to Table 15-1002 of the Fresno Municipal Code (FMC).

The project design incorporates a sufficient number of off-street parking stalls (both covered and uncovered), open space that includes a community facility, pool, covered patio, picnic area, and an attractive, contemporary appearance for all exterior elevations.

The project proposes a total of 120 units that consist of 15 buildings and each containing eight units. The development provides 90 units with two-bedroom floor plans and 30 units with one-bedroom floor plans. The project requires 120 covered parking stalls and 60 guest parking, while the applicant proposes 141 garages and 97 open parking stalls, totaling 238 parking spaces. Landscape areas are equal to 42.27 percent of lot coverage. Spaces between buildings have been afforded and designed in a manner which will provide opportunities for both passive and active recreation for prospective residents and tenants.

A centrally-located 4,750 square-foot community facility is an added amenity for residents, providing an exercise room, public restrooms, activity/meeting area, pool, and a full kitchen.

Streets and Access Points

The Fresno General Plan designates North Salinas Avenue as a local street. The developer of this project will be required to construct improvements along the local street frontages.

The Department of Public Works did not require a Traffic Impact Study (TIS) for the proposed project. Traffic Impact Studies assess the impacts of new development on existing and planned streets. In the City of Fresno, there are four Traffic Impact Zones; the proposed project is within Traffic Impact Zone (TIZ) III. In TIZ III, a TIS shall be required for all development projected to generate 100 or more peak hour new vehicle trips. The proposed 120 unit project is projected to generate 61 trips in the a.m. peak hour (7 a.m.-9 a.m.) and 74 trips in the p.m. peak hour (4 p.m. and 6 p.m.). The additional vehicle trips generated by the proposed project are not considered to be significant to this project area.

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and has provided conditions of approval within the memoranda from the Traffic Engineering Division dated February 14, 2017. These requirements generally include: (1) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems); and, (2) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact Fee, the Regional Transportation Mitigation Fee, and the Fresno Major Street Impact Fee.

Public Services

Sewer and water facilities are available to provide service to the site subject to the mitigation measures of the related Master Environmental Impact Report (MEIR) and the conditions listed in the memoranda's dated February 13, 2017 and February 10, 2017 from the Department of Public Utilities. The Fresno Metropolitan Flood Control District (FMFCD) has indicated that this project will be required to mitigate the impacts of the increased runoff from the proposed density to a rate that would be expected if developed to the density level as originally planned by the FMFCD. The applicant is subject to implementation of the Fresno General Plan policies and the mitigation measures of the related to reduce the increase of runoff impacts. The MEIR and Mitigated Negative Declaration have provided mitigation measures that the proposed project must implement and comply with to mitigate drainage in the area. The project applicant shall comply with the FMFCD requirements as detailed in its memorandum dated March 24, 2017. Development of the property requires compliance with grading and drainage standards of the City of Fresno and FMFCD.

Land Use Plans and Policies

The project aligns with many objectives and policies found in the Fresno General Plan, 2015-2023 Housing Element, and Bullard Community Plan:

General Plan

- Objective UF-1: Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.
 - Policy UF-1-f promotes diversity and variations of building types, densities, and scales of development to reinforce the identity of individual neighborhoods, and further affordable housing opportunities.
- Objective LU-1: Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.
 - Policy LU-1-a promotes infill development in established neighborhoods south of Herndon Avenue.
- Objective LU-2: Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.
 - Policy LU-2-a promotes infill development in areas where urban services are available.
- Objective LU-5: Plan for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities.
 - Policy LU-5-d expressly promotes the development of medium-high density residential uses to optimize use of available or planned public facilities and services. Provide housing opportunities with access to employment, shopping, services, and transportation.
 - Policy LU-5-g supports development adjacent to established neighborhoods that is compatible in scale and character with the surrounding area.
 - Policy LU-5-h supports housing that offers residents a variety of amenities, including public and private open space, landscaping, with direct access to public transit, and community gathering spaces.

Housing Element

As of July 5, 2017, the Development and Resource Management Department has determined that there is a Housing Element Inventory surplus, and the proposed project will not reduce the Housing Inventory below Fresno's Regional Housing Need Allocation. Therefore, the project is compliant with the Housing Element.

Bullard Community Plan

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

PUBLIC INPUT AND NOTICING

District 2 Plan Implementation Committee

The District 2 Plan Implementation Committee reviewed the project, expressed no concerns and recommended approval of the proposed project at their meeting on March 13, 2017.

Neighborhood Meeting

A Neighborhood Meeting was held at the Figarden Elementary School's Cafeteria on Monday, September 26, 2016 at 6:00 p.m., pursuant to Section 15-5506 of the FMC. This meeting was noticed to property owners within 500 feet of the subject property. One member of the public was in attendance and expressed no concerns.

Notice of Planning Commission Hearing

The Development and Resource Management Department mailed notices of this Planning Commission hearing to surrounding property owners within 1,000 feet of the subject property (Exhibit C) on Friday, June 23, 2017, pursuant to Section 15-5007-B-2 of the FMC.

ENVIRONMENTAL FINDING

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 Bullard area, including the Fresno General Plan Master Environmental Impact Report (MEIR) SCH No. 2012111015.

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 not 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 Mitigated 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, together with project specific mitigation measures necessary 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 PRC, 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 mitigated 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 and with the project specific mitigation imposed, 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 mitigated negative declaration for this project. A public notice of the attached mitigated negative declaration finding for Environmental Assessment No. A-16-016/R-16-017/D-16-139 was published on May 5, 2017 with no comments or appeals received to date.

FRESNO MUNICIPAL CODE FINDINGS

Based upon analysis of the applications, staff concludes that the required findings of Sections 15-5812 and 15-5206 of the FMC can be made. These findings are attached as Exhibit H.

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 Bullard 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. A-16-016, Rezone Application No. R-16-017, and Development Permit Application No. D-16-139 are appropriate for the subject property.

Action by the Planning Commission regarding the Plan Amendment, Rezone, Development Permit, and associated environmental assessment will be a recommendation to City Council.

Attachments:

- Exhibit A - Aerial Map
- Exhibit B - Planned Land Use & Zoning Map
- Exhibit C - Noticing Map
- Exhibit D - Project Information Tables
- Exhibit E - Operational Statement
- Exhibit F - Exhibits
- Exhibit G - Conditions of Approval dated July 5, 2017
- Exhibit H - Fresno Municipal Code Findings

Exhibit I - Environmental Assessment