



Legislation Details (With Text)

File #: ID17-1472 **Version:** 2 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 10/23/2017 **In control:** Planning Commission
On agenda: 11/1/2017 **Final action:** 11/1/2017
Title: Consideration of Vesting Tentative Tract Map No. 6185, Conditional Use Permit Application No. C-17-099 and related Environmental Assessment No. T-6185/C-17-099, for property located on the south side of North Alicante Drive, Outlot Q, within the Copper River Ranch Master Planned Development. (Council District 6).

1. ADOPT the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR) SCH No. 2012111015 as prepared for Environmental Assessment No. T-6185/C-17-099 dated September 29, 2017.
2. APPROVE Conditional Use Permit No. C-17-099 proposing a gated planned development with private streets and modified development standards subject to compliance with the Conditions of Approval dated November 1, 2017.
3. APPROVE Vesting Tentative Tract Map No. T-6185 proposing to subdivide approximately 6.84 acres to create a 26-lot single family development subject to compliance with the Conditions of Approval dated November 1, 2017.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Vicinity Map, 2. B - Aerial Photo, 3. C - Land Use, 4. D - Zoning Map, 5. E - Notice Map, 6. F - Project Info Table, 7. G - Operational Statement, 8. H - SITE PLAN 11.01.17, 9. I - Vesting Tract T-6185 Map 11.01.17, 10. J - C-17-099 COA, 11. K - T-6185 COA, 12. L - Department Comments Conditions, 13. M - Findings, 14. N - Environmental Assessment T-6185 C-17-099 - FOC

Date	Ver.	Action By	Action	Result
11/1/2017	1	Planning Commission		

REPORT TO THE PLANNING COMMISSION

November 1, 2017

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

THROUGH: BONIQUE EMERSON, Planning Manager
Development and Resource Management Department

THROUGH: WILL TACKETT, Supervising Planner
Development and Resource Management Department

BY: ANDREINA AGUILAR, Planner II
Development and Resource Management Department

Subject

Consideration of Vesting Tentative Tract Map No. 6185, Conditional Use Permit Application No. C-17-099 and related Environmental Assessment No. T-6185/C-17-099, for property located on the south side of North Alicante Drive, Outlot Q, within the Copper River Ranch Master Planned Development. (Council District 6).

1. **ADOPT** the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR) SCH No. 2012111015 as prepared for Environmental Assessment No. T-6185/C-17-099 dated September 29, 2017.
2. **APPROVE** Conditional Use Permit No. C-17-099 proposing a gated planned development with private streets and modified development standards subject to compliance with the Conditions of Approval dated November 1, 2017.
3. **APPROVE** Vesting Tentative Tract Map No. T-6185 proposing to subdivide approximately 6.84 acres to create a 26-lot single family development subject to compliance with the Conditions of Approval dated November 1, 2017.

EXECUTIVE SUMMARY

Gary Giannetta, of Gary Giannetta Consulting Civil Engineering, on behalf of McDonald Homes, has filed Vesting Tentative Tract Map No. 6185 and Conditional Use Permit No. C-17-099, pertaining to approximately 6.84 acres of property located on the south side of North Alicante Drive on Outlot Q, within the Copper River Ranch Master Planned Development. Conditional Use Permit No. C-17-099 proposes a gated planned development with private streets and modified property development standards. Vesting Tentative Tract Map No. 6185 is a proposal to subdivide the property into a 26-lot single-family residential subdivision on approximately 6.84 acres at a density of 3.8 dwelling units per acre, with a 9.9 acre remainder. Thus, the subject applications are consistent with the Residential Medium Low Density (3.5-6 dwelling units per acre) planned land use and RS-4 zoning for the project site and will implement the goals, objectives, and policies of the Woodward Park Community Plan and the Fresno General Plan.

ENVIRONMENTAL FINDING

The Development and Resource Management Department staff has prepared an Initial Study to evaluate the proposed application in accordance with the land use and environmental policies and provisions of the lead agency City of Fresno General Plan and the related Master Environmental Impact Report (MEIR) SCH No. 2012111015.

The subject property is proposed to be developed at an intensity and scale that is permitted by the Medium Low Density Residential (3.5-6.0 dwelling units per acre) planned land use designation for the subject site. Thus, the subdivision of the subject property, in accordance with the Vesting Tentative Tract Map No. 6185 and Conditional Use Permit No. C-17-099, will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of the MEIR have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects

beyond those identified by the MEIR as provided by CEQA Guidelines Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause significant impacts on the environment that were not previously examined by the MEIR. Relative to the specific project proposal, the environmental impacts noted in the MEIR, pursuant to the Fresno General Plan land use designation, include impacts associated with the Medium Low Density Residential planned land use designation specified for the subject property. Based on the initial study prepared, the following findings are made: (1) The proposed project was identified as a Subsequent Project in the MEIR because its land use designation and permissible densities and intensities are allowed as set forth in the Fresno General Plan; (2) The proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR for the reasons discussed within the environmental assessment for the subject project; and, (3) No new additional mitigation measures are required because the proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR.

Therefore, the project proposal has been determined to be within the scope of the MEIR as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to MEIR SCH No. 2012111015 dated September 29, 2017. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds 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.

BACKGROUND / ANALYSIS

Gary Giannetta, of Gary Gianetta Consulting Civil Engineering, on behalf of McDonald Homes, has filed Vesting Tentative Tract Map No. 6185 and Conditional Use Permit No. C-17-099, pertaining to approximately 6.84 acres of property located on the south side of North Alicante Drive on Outlot Q, within the Copper River Ranch Master Planned Development. Conditional Use Permit No. C-17-099 proposes a gated planned development with private streets and modified property development standards. Vesting Tentative Tract Map No. 6185 is a proposal to subdivide the property into a 26-lot single-family residential subdivision on approximately 6.84 acres at a density of 3.8 dwelling units per acre, with a 9.9 acre remainder. Thus, the subject applications are consistent with the Residential Medium Low Density planned land use and RS-4 zoning for the project site and will implement the goals, objectives, and policies of the Woodward Park Community Plan and the Fresno General Plan.

Conditional Use Permit Application (CUP)

The applicant has submitted Conditional Use Permit Application No. C-17-099. Pursuant to Chapter 15, Article 59 of the FMC, a CUP is required in order to create a planned development.

Conditional Use Permit Application No. C-17-099 is a request to establish a gated planned development with private streets. As part of the CUP, an applicant may also request a modification of development standards.

In addition to the request to authorize private streets, Conditional Use Permit Application No. C-17-099 requests authorization to reduce street side yard setbacks for corner lots from the codified minimum 10 feet to a minimum five feet. Front and rear yard setbacks are proposed to be established at a minimum 15 feet. These proposed front and rear yard setbacks exceed minimum codified RS-4 development standards, which permit front yards to be a minimum 13 feet and rear yards to be a minimum 10 feet. The proposed project complies with all other required development standards per the FMC.

Streets and Access Points

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the proposed applications 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 requirements stipulated within the memoranda from the Traffic Engineering Division dated August 29, 2017. 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) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems; and, (3) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, and the Fresno Major Street Impact (FMSI) Fee.

The applicant is proposing to create a planned development to be served by private streets. There will only be one general entrance and exit at the site (North Alicante Drive) for future property owners; the access point at the western edge of the property is an Emergency Vehicle Access (EVA) point which will be utilized by emergency services only.

Public Services

Sewer

The nearest sanitary sewer main to serve the proposed project is a 15-inch sewer main located in North Alicante Drive. The Public Utilities Department has identified that sanitary sewer facilities are available to provide services to the site subject to the conditions listed in the memoranda dated August 30, 2017.

Water

The nearest water main to serve the proposed project is a 12-inch main located in North Alicante Drive. Water facilities are available to provide service to the site subject to the conditions listed in the memoranda dated August 7, 2017.

FMFCD

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that this project can be accommodated by the district. The project applicant shall comply with the FMFCD requirements as detailed in its memorandum dated August 22, 2017.

Fire Department

The City of Fresno Fire Department has conditioned the proposed project with requirements for a permanent second point of access as well as the installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards, also with two sources water. 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.

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.

LAND USE PLANS AND POLICIES

As proposed, the project would be consistent with the Fresno General Plan goals and objectives related to residential land use and the urban form:

Goal No. 7 of the Fresno General Plan encourages the City to 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.

Goal No. 8 of the Fresno General Plan encourages 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.

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.

Similarly, supporting Objective LU-2 of the General Plan calls 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. The Fresno General Plan defines infill as property being within the City on December 31, 2012. The subject property was annexed to the City on March 02, 2005 as part of Annexation No. 1283.

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-b Promote medium-low density residential uses to preserve existing uses of that nature or provide a transition between low and medium density residential areas.

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.

FRESNO MUNICIPAL CODE FINDINGS

Based upon analysis of the applications, staff concludes that the required findings of Section 15-3309, Section 15-5306, and Section 15-5905 of the FMC and of the Subdivision Map Act (California Government Code 66400, *et seq.*) can be made. These findings are attached as Exhibit M.

Planning Commission action of the proposed Vesting Tentative Tract Map and Conditional Use Permit, unless appealed to the Council, is final.

CONCLUSION / RECOMMENDATION

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 Woodward Park 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 the Vesting Tentative Tract Map No. 6185 and Conditional Use Permit No. C-17-099 are appropriate for the project site.

Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - Aerial Photograph
- Exhibit C - Planned Land Use Map
- Exhibit D - Zoning Map
- Exhibit E - Noticing Vicinity Map
- Exhibit F - Project Information Tables
- Exhibit G - Operational Statement

Exhibit H - Site Plan

Exhibit I - Vesting Tentative Tract Map

Exhibit J - Conditions of Approval for C-17-099 dated November 1, 2017

Exhibit K - Conditions of Approval for T-6185 dated November 1, 2017

Exhibit L - Comments from City and outside Agencies

Exhibit M - Fresno Municipal Code Findings and Subdivision Map Act Findings

Exhibit N - Environmental Assessment No. T-6185/C-17-099