



Legislation Details (With Text)

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Title: Consideration of Pre-zone Application No. R-17-020 and related Environmental Assessment No. R-17-020, filed by Jeffrey Roberts, on behalf of Granville Homes. The application pertains to ±0.80 acres of property located on the south side of West San Jose Avenue between North Maroa and North Del Mar Avenues in the unincorporated portion of City's Sphere of Influence boundary. The proposed site is currently under the jurisdiction of Fresno County and will be annexed to the City of Fresno (Council District 2-Brandau).

1. RECOMMEND APPROVAL (to the City Council) of the Environmental Assessment No. R-17-020, a mitigated negative declaration, prepared for the proposed pre-zone and is dated April 20, 2018.

2. RECOMMEND APPROVAL (to the City Council) of Pre-zone Application No. R-17-020 which proposes to amend the Official Zone Map from the R-1 (Single Family Residential, 6,000 sq. foot minimum) County of Fresno zone district to the RS-5 (Single Family Residential, Medium Density) City of Fresno zone district which is consistent with the Fresno General Plan planned land use.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A Vicinity Map, 2. Exhibit B Aerial Photograph, 3. Exhibit C Public Hearing Notice Mailing List Map, 4. Exhibit D -Fresno General Plan Planned Land Use Map, 5. Exhibit E Proposed Prezone and Annexation Map, 6. Exhibit F Project Information Tables, 7. Exhibit G Fresno Municipal Code Findings, 8. Exhibit H Environmental Assessment No. R-17-020, 9. Exhibit I -Application Material

Date	Ver.	Action By	Action	Result
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REPORT TO THE PLANNING COMMISSION

May 16, 2018

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

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

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Development Services Division

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Development Services Division

SUBJECT

Consideration of Pre-zone Application No. R-17-020 and related Environmental Assessment No. R-17-020, filed by Jeffrey Roberts, on behalf of Granville Homes. The application pertains to ± 0.80 acres of property located on the south side of West San Jose Avenue between North Maroa and North Del Mar Avenues in the unincorporated portion of City's Sphere of Influence boundary. The proposed site is currently under the jurisdiction of Fresno County and will be annexed to the City of Fresno (Council District 2-Brandau).

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EXECUTIVE SUMMARY

Pre-zone Application No. R-17-020 was filed by Jeffrey Roberts, on behalf of Granville Homes, and pertains to ± 0.80 acres of property located on the south side of West San Jose Avenue between North Maroa and North Del Mar Avenues in the unincorporated portion of City's Sphere of Influence boundary.

Pre-zone Application No. R-17-020 proposes to amend the Official Zone Map from the R-1 (*Single Family Residential, 6,000 sq. foot minimum*) County of Fresno zone district to the RS-5 (*Single Family Residential, Medium Density*) City of Fresno zone district which is consistent with the Fresno General Plan planned land uses.

The applicant intends to annex the property by landowner petition. The annexation will propose detachment of the property from the North Central Fire Protection District and the Kings River Conservation District and annexation to the City of Fresno. This landowner petition will be under the jurisdiction of the Local Agency Formation Commission (LAFCo). **NOTE:** In consultation with LAFCo, it was determined that in order to create logical boundaries that the two adjacent parcels east of the project site should also be pre-zoned and annexed into the City. Staff called each of these two property owners prior to the mailing of the public hearing notice. The property owner on West San Jose Avenue indicated he was interested in selling his property to Granville Homes while the property owner on West Scott Avenue was very much opposed to the project. With these additional parcels and the street rights-of way, the total annexation will actually consist of 1.92 acres (see Exhibit A).

It should be noted that the Planning Commission previously took action on this application on March

21, 2018. At that Planning Commission hearing, the Commission voted unanimously to pre-zone the territory to the CMX (Corridor Mixed Use) zone district, consistent with the Fresno General Plan planned land use designation that was in place at the time. However, a City-wide General Plan amendment recently changed the land use for this site. This plan amendment went to Planning Commission on April 4, 2018 and the Commission agreed with staff recommendation that the land use of the subject property be changed from the Corridor/Center Mixed Use Planned land use to the Medium Density Residential Planned land use. Following the Planning Commission hearing, the City Council, on April 19, 2018 supported the General Plan Amendment and the subject property's land use was changed to Medium Density Residential. Based on this new planned land use designation, the applicant submitted a revised application requesting that the property be pre-zoned to the RS-5 (Residential Single Family, Medium Density) zone district.

Based upon analysis of the application in accordance with the Fresno Municipal Code, staff concludes that the required Rezone findings of Section 15-5812 and Annexation Criteria of Section 15-6104 of the FMC can be made. These findings are attached as Exhibit G.

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 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 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. R-17-020 was published on April 20, 2018, with no comments or appeals received to date.

BACKGROUND / ANALYSIS

Pre-zone Application No. R-17-020 was filed by Jeffrey Roberts, on behalf of Granville Homes, and pertains to ±1.43 acres of property located on the south side of West San Jose Avenue between North Maroa and North Del Mar Avenues in the unincorporated portion of City's Sphere of Influence boundary.

The subject property is located on unincorporated land in the County of Fresno. Adjacent uses to the north, south, east and west include single family residential units with units to north being located in the County.

The pre-zone of the property is for purposes of facilitating annexation pursuant to a landowner petition that the applicant intends to file with LAFCo. The annexation proposes detachment of the property from the Kings River Conservation District and the North-Central Fire Protection District and annexation to the City of Fresno. These actions are under the jurisdiction of the Local Agency Formation Commission (LAFCO).

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. 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.

Goal No. 10 of the Fresno General Plan emphasizes increased land use intensity and mixed-use development at densities supportive of greater transit in Fresno. Greater densities are recognized as

being achievable through encouragement, infrastructure, and incentives for infill and revitalization along major corridors and in Activity Centers.

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.

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-d promotes urban neighborhood uses to optimize use of available or planned public facilities and services and to provide housing opportunities with convenient access to employment, shopping, services, and transportation.

The Fresno General Plan acknowledges that the sound planning principles for creating Complete Neighborhoods anticipate and plan in advance all amenities needed in a neighborhood to ensure quality and lasting property values before the residential units are built instead of trying to piecemeal those amenities after the fact. The proposed project effectively increases density within an area which has been historically developed with residential tracts ranging from medium to low densities.

The proposed annexation is consistent with the adopted sphere of influence and does not conflict with the goals and/or policies of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The proposal is consistent with the City General and Community plans, including adopted goals and policies.

Furthermore, as referenced herein above, the subject properties proposed for annexation will be compliant with the MOU standards for annexation by meeting the minimum requirements for consideration under the provisions for existing substantial development and the creation of logical boundaries. Finally, the proposal for annexation is presumed to comply with all standards for annexation as it removes a portion of an unincorporated area that is partially surrounded by the incorporated city. Future development of the property proposed to be annexed will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from the new development. The development project will pay for public facilities and infrastructure improvements in proportion to the development's neighborhood and citywide impacts. The development will fully fund ongoing public facility and infrastructure maintenance and public service 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 the Bullard 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.

Public Resources

Evaluation of public services capacity and availability for the area has determined that public infrastructure improvements exist within the surrounding area to serve existing development within the vicinity as well as future development on the subject properties. Furthermore, the proposed project will be obligated to pay fair share and proportional payment of fees and all development mitigation costs. 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 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.

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.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that the subject annexation boundary encompasses lands within the FMFCD and will be served by the District's Storm Drainage and Flood Control Master Plan.

Circulation Element Plan Policies and Major Street System Traffic Capacity

The Fresno General Plan designates West San Jose Avenue as a local street. The developer of this project will be required to dedicate and construct improvements along the major street frontage with future development.

The Public Works Department, Traffic Engineering Division has reviewed the potential traffic related impacts for the proposed project and has determine 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 City requirements. 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 street dedication; (3) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, pavement, underground street lighting systems; and, (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.

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. Based upon the project requirements for street dedications, improvements, and contributions to the City wide impact fee system, the adjacent and interior 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.

Council District Plan Implementation Committee

The District 2 Plan Implementation Committee met on January 29, 2018 and unanimously voted to recommend approval of the pre-zone and annexation.

Notice of Planning Commission Hearing

The Development and Resource Management Department mailed notices of this Planning Commission hearing to surrounding property owners within 1000 feet of the subject property.

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 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 Pre-zone Application No. R-17-020 is appropriate for the project site; and, that all criteria identified within Articles 58 and 61 of Chapter 15 of the Fresno Municipal Code have been met.

Attachments:

Exhibit A:	Vicinity Map
Exhibit B:	Aerial Photograph
Exhibit C:	Public Hearing Notice Mailing List Vicinity Map
Exhibit D:	Fresno General Plan Planned Land Use Map
Exhibit E:	Proposed Pre-zone and Annexation Map
Exhibit F:	Project Information Tables
Exhibit G:	Fresno Municipal Code Findings
ExhibitH:	Environmental Assessment No.R-17-020, Mitigated Negative Declaration dated April 20, 2018
Exhibit I	Application