



## Legislation Details (With Text)

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| <b>On agenda:</b>     | 7/18/2018   | <b>Final action:</b> |   | 7/18/2018           |  |
| <b>Title:</b>         | Consideration of Tentative Tract Map No. 6211/UGM; and, related Environmental Assessment No. T-6211 for approximately 1.62 net acres of property located on the west side of North Millbrook Avenue between East Nees and East Goshen Avenues (Council District 6) - Development and Resource Management Department.  |                      |   |                     |  |
|                       | <ol style="list-style-type: none"><li>ADOPT Environmental Assessment No. T-6211 resulting in a finding that the proposed project, as an infill development project and subdivision, is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332/Class 32 of the CEQA Guidelines.</li><li>APPROVE Tentative Tract Map No. 6211/UGM subject to compliance with the Conditions of Approval dated July 18, 2018.</li></ol> |                      |   |                     |  |
| <b>Sponsors:</b>      | Planning and Development Department   |                      |   |                     |  |
| <b>Indexes:</b>       |   |                      |   |                     |  |
| <b>Code sections:</b> |   |                      |   |                     |  |
| <b>Attachments:</b>   | 1. Exhibit A - Vicinity Map, 2. Exhibit B - Aerial Map, 3. Exhibit C - Public Hearing Notice Radius Map, 4. Exhibit D - Fresno General Plan Land Use-Zoning Map, 5. Exhibit E - Master Application, 6. Exhibit F - Project Information Tables, 7. Exhibit G - Tentative Tract Map, 8. Exhibit H - Conditions Of Approval -Comments, 9. Exhibit I - Fresno Municipal Code Findings, 10. Exhibit J - Environmental Assessment No. T-6211  |                      |   |                     |  |

| Date      | Ver. | Action By           | Action | Result |
|-----------|------|---------------------|--------|--------|
| 7/18/2018 | 1    | Planning Commission |        |        |

## REPORT TO THE PLANNING COMMISSION

**July 18, 2018**

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

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

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## **SUBJECT**

Consideration of Tentative Tract Map No. 6211/UGM; and, related Environmental Assessment No. T-6211 for approximately 1.62 net acres of property located on the west side of North Millbrook Avenue between East Nees and East Goshen Avenues (Council District 6) - Development and Resource Management Department.

1. ADOPT Environmental Assessment No. T-6211 resulting in a finding that the proposed project, as an infill development project and subdivision, is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332/Class 32 of the CEQA Guidelines.
2. APPROVE Tentative Tract Map No. 6211/UGM subject to compliance with the Conditions of Approval dated July 18, 2018.

## **EXECUTIVE SUMMARY**

Lore Engineering, Inc., on behalf of Old California, Inc., has filed Tentative Tract Map No. 6211/UGM, pertaining to approximately 1.62 net acres of property located on the west side of North Millbrook Avenue between East Nees and East Goshen Avenues. Tentative Tract Map No. 6211/UGM is a proposal to subdivide the property into an 8-lot conventional single family residential subdivision at a density of 4.93 dwelling units per acre. The subject property is located within the Fresno General Plan and the Woodward Park Community Plan; both plans designate the subject site for Medium Low Density Residential planned land uses (3.5 to 6.0 dwelling units per acre). Based upon the submitted subdivision design, the proposed subdivision can be found consistent with the Medium Low Density Residential planned land use designation for the subject property pursuant to the Fresno General Plan. Thus, the subject applications are consistent with the Fresno General Plan and the Woodward Park Community Plan.

## **BACKGROUND**

Lore Engineering, Inc., on behalf of Old California, Inc., has filed Tentative Tract Map No. 6211/UGM, pertaining to approximately 1.62 net acres of property located on the west side of North Millbrook Avenue between East Nees and East Goshen Avenues. Tentative Tract Map No. 6211/UGM is a proposal to subdivide the property for purposes of creating an 8-lot conventional single family residential subdivision on approximately 1.62 net acres at a density of 4.93 dwelling units per acre. The subject property is located within the Fresno General Plan and the Woodward Park Community Plan, both plans designate the subject site for Medium-Low Density Residential planned land uses (3.5 to 6.00 dwelling units per acre). Based upon the submitted subdivision design, the proposed subdivision can be found consistent with the Medium-Low Density Residential planned land uses for the subject property as designated by both the Fresno General Plan and the Woodward Park Community Plan pursuant to section 66474.2 of the Subdivision Map Act.

An existing single family residence located on the subject site will be relocated for the purposes of the proposed project. The subdivision will be developed, taking advantage of the opportunity to add density to an infill area with access to existing city infrastructure and services.

## **Landscaping/Walls**

North Millbrook Avenue is designated as a major, collector street. A 10-foot landscaped easement is proposed to be dedicated along the entirety of the North Millbrook Avenue frontage of the subject property to match existing Tract 4742 located to the north of the subject property.

In accordance with Section 15-2002 of the Fresno Municipal Code, a 6-foot high masonry wall will be required to be constructed at the rear of the proposed 10-foot landscaped easement along North Millbrook Avenue, where access rights will be relinquished.

Pursuant to City of Fresno Ordinance No. 2016-57, residential subdivisions with tentative maps containing 50 parcels or less are required to pay in-lieu fees only for open space/park facility purposes.

### **Lot Area and Dimensions**

All lots within the proposed subdivision meet the minimum 5,000 square foot lot area, and the minimum lot depth and lot width requirements of the property development standards for the RS-4/UGM (*Residential Single Family, Medium-Low Density/Urban Growth Boundary*) zone district.

### **Sidewalks, Streets and Access Points**

The Fresno General Plan designates North Millbrook Avenue as a collector street. The proposed project will be required to dedicate and construct improvements along the major street frontage and interior local street with the proposed subdivisions.

Direct vehicular access will be relinquished along the major street frontages of proposed single family residential lots. The subdivision design includes one major street entryway to the interior of the subdivision from North Millbrook Avenue. The single interior local street is proposed to be dedicated in accordance with the City Standard 50-foot right-of-way which will provide for parking and sidewalks on both sides of the street.

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 June 21, 2018. These requirements generally include: (1) Dedication for public streets and right-of-way; (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 Fresno Major Street Impact (FMSI) Fee).

### **Public Services**

#### **Sewer**

The nearest sanitary sewer main to serve the proposed project is an existing 24-inch main located in North Millbrook Avenue with capacity to serve the proposed project. Sewer facilities are available to provide service to the site subject to the conditions listed in the memoranda dated June 26, 2018.

#### **Water**

The nearest water main to serve the proposed project is an existing 12-inch main located in North Millbrook Avenue with volume generation capacity and two points of connection to serve the proposed project's domestic and fire service needs. Water facilities are available to provide service to the site subject to the conditions listed in the memoranda dated June 14, 2018.

### FMFCD

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that permanent drainage service is available provided the developer verifies to the satisfaction of the City that runoff can be safely conveyed to existing Master Plan inlets located in North Millbrook Avenue. Master Plan facilities were designed to accommodate Medium-Low Density Residential uses based upon a maximum density of 4.98 dwelling units per acre and a minimum 5,000 square-foot lot size with a 50 percent lot-coverage requirement; consistent with contemporary development standards pursuant to the RS-4 zone district standards. Proposed lot sizes within the subject subdivision range from 7,122 to 10,359 square feet in size and the proposed density is approximately 4.93 dwelling units per acre. The project applicant shall comply with the FMFCD requirements as detailed in its memorandum dated July 3, 2018. The District will require that lot coverage for proposed development on all lots to be created from the proposed subdivision be provided to the district prior submittal of improvement plans. The lot coverage calculated by the District allows for an additional 6% of impervious area in addition to the City typical lot coverage calculation.

The proposed project is not located within a flood prone area.

### Fire

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; and, installation of fire sprinklers within future residential dwellings. 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.

### **Land Use Plans and Policies**

The subject site is designated for Medium Low Density Residential planned land uses by the Fresno General Plan and the Woodward Park Community Plan.

The goals of the Fresno General Plan include providing for a diversity of districts, neighborhoods, housing types and residential densities through the development of complete neighborhoods 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.

Likewise, supporting Objectives and Policies of the Fresno General Plan include an emphasis on compatible infill development opportunities which provide for a diversity of districts, neighborhoods, and housing types in order to afford a range of housing stock within the City of Fresno that will

support balanced urban growth and make efficient use of resources and public facilities.

Additionally, Policy LU-5-b of the current Fresno General Plan states, in part: Promote medium-low density residential uses to preserve existing uses of that nature.

Furthermore, 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. The subject property was annexed to the City of Fresno as part of Annexation No. 880 on December 20, 1979 and therefore meets the definition of infill for purposes of compliance with these objectives and policies of the Fresno General Plan.

The proposed project meets the intent of many or all of the goals, objectives, and policies of the Fresno General Plan referenced herein above.

The subject property currently comprises approximately 1.90 acres of land with an existing single family residence located on the site, which will be relocated. The subject property has been bypassed while being completely surrounded by urban development to the north, east, south and west of the property. The proposed project will make the most efficient use of land and existing public improvements, infrastructure and services by taking advantage of the opportunity to add density to a large infill lot.

The proposed project incorporates a cul-de-sac which has been designed to accommodate turn around radii of fire trucks and solid waste pick-up trucks.

In conclusion, the proposed project is consistent with many or all of the goals and policies of the Fresno General Plan. The proposed project promotes reinvestment by proposing a quality development in an existing neighborhood and the opportunity to continue development in the future, preserves neighborhood character by retaining an existing single family residence on the project site, and protects property values by constructing a compatible infill development on a currently underdeveloped site.

### **Council District Plan Implementation Committee**

The Council District 6 (CD6) Plan Implementation Committee is scheduled to consider this project on July 16, 2018. The committee recommendation will be provided to the Planning Commission by staff at the scheduled Planning Commission hearing.

### **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**

The Fresno City Council adopted and certified the Master Environmental Impact Report (SCH # 2012111015) prepared for the Fresno General Plan ("MEIR") which evaluated environmental impacts associated with the development of the City consistent with the land use designations as designated

by the Fresno General Plan.

MEIR SCH No. 2012111015 was prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) as codified in the California Public Resources Code, Division 13, and the implementing guidelines as codified in the California Code of Regulations, Title 14, Chapter 3. This process included the distribution of requests for comment to other responsible or affected agencies and interested organizations and persons.

These previous environmental and technical studies 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 subject property has been proposed to be developed at an intensity and scale that is permitted by the Medium-Low Density Residential (3.5-6.0 Dwelling Units/Acre) planned land use designation and existing RS-4/UGM (*Single Family Residential, Medium-Low Density/Urban Growth Management*) zone district classification for the subject site. Thus, the proposed subdivision and planned development of the subject property in accordance with Tentative Tract Map No. 6211/UGM 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 future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property and its surrounding area. These infrastructure findings have been verified by the Public Works and Public Utilities Departments.

To the extent the proposed project pursuant to Tentative Tract Map No. 6211/UGM may not have been previously assessed, Development and Resource Management staff have performed an additional evaluation of the proposed project and have determined that it falls within the Categorical Exemptions set forth in Section 15332/Class 32 of the California Environmental Quality Act Guidelines, which exempt certain projects involving the development of residential housing that: (1) Are consistent with the applicable Fresno General Plan and Woodward Park Community Plan as well as with applicable zoning designations and regulations; (2) Located within City limits on a project site of not more than five acres substantially surrounded by urban uses; (3) Have no value as habitat for endangered, rare or threatened species; (4) Would not result in any significant effects relating to traffic, noise, air quality, or water quality; and, (5) Can be adequately served by all required utilities and public services.

Therefore, the following findings can be made: (1) There is not a reasonable possibility that the proposed project will have a project-specific, significant effect on the environment due to unusual circumstances; (2) No substantial changes with respect to the circumstances under which the project is being undertaken that are related to the project have occurred since community-level environmental review was certified or adopted; (3) No new information has become available regarding the circumstances under which the project is being undertaken that is related to the project, that was not known, and could not have been known, at the time that community-level environmental review was certified or adopted; and, (4) None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project.

## **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 I.

## **GROUND 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 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 Tentative Tract Map No. 6211/UGM is appropriate for the project site.

Attachments:

|           |   |
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| Exhibit A | Vicinity Map                              |
| Exhibit B | Aerial Photograph of Site                 |
| Exhibit C | Public Hearing Notice Radius Map          |
| Exhibit D | Fresno General Plan Land Use & Zoning Map |

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|-----------|---|
| Exhibit E | Master Application Form                                   |
| Exhibit F | Project Information Tables                                |
| Exhibit G | Tentative Tract Map No. 6211 dated July 18, 2018          |
| Exhibit H | Conditions of Approval for T-6211/UGM dated July 18, 2018 |
| Exhibit I | Fresno Municipal Code Findings                            |
| Exhibit J | Environmental Assessment No. T-6211                       |