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Title: Consideration of Vesting Tentative Tract Map No. 6100, Conditional Use Permit Application No. P18-01267 (Planned Development), and related Environmental Assessment No. T-6100/P18-01267, located on the west side of North Armstrong Avenue between East Dakota and East Farrin Avenues (Council District 4 - Councilmember Caprioglio) - Development and Resource Management Department.

1. ADOPT the Mitigated Negative Declaration as prepared for Environmental Assessment No. T-6100/P18-01267 dated October 26, 2018;

2. APPROVE Vesting Tentative Tract Map No. 6100 subject to compliance with the Conditions of Approval dated February 6, 2019; and

3. APPROVE Conditional Use Permit Application No. P18-01267 (Planned Development) subject to compliance with the Conditions of Approval prepared for Vesting Tentative Tract Map No. 6100 dated February 6, 2019.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Vicinity Map, 2. Exhibit B - Aerial Photograph, 3. Exhibit C - Planned Land Use, 4. Exhibit D - Zoning Map, 5. Exhibit E - Noticing Map, 6. Exhibit F - Project Information Tables, 7. Exhibit G - Master Application, 8. Exhibit H - Operational Statement, 9. Exhibit I - Vesting Tentative Tract Map No. 6100, 10. Exhibit J - Conditions of Approval & Comments, 11. Exhibit K - Fresno Municipal Code Findings, 12. Exhibit L - Environmental Assessment

Date	Ver.	Action By	Action	Result
2/6/2019	1	Planning Commission	approved	Pass

REPORT TO THE PLANNING COMMISSION

February 6, 2019

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Development Services Division

THROUGH: BONIQUE EMERSON, Planning Manager
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SUBJECT

Consideration of Vesting Tentative Tract Map No. 6100, Conditional Use Permit Application No. P18-01267 (Planned Development), and related Environmental Assessment No. T-6100/P18-01267, located on the west side of North Armstrong Avenue between East Dakota and East Farrin Avenues (Council District 4 - Councilmember Caprioglio) - Development and Resource Management Department.

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EXECUTIVE SUMMARY

Yohanes Makmur of Quad Knopf, Inc., on behalf of Ernie Escobedo of De Young Properties, has filed Vesting Tentative Tract Map No 6100 and Conditional Use Permit Application No. P18-01267 (Planned Development) pertaining to approximately ±9.24 acres of property located on the west side of North Armstrong Avenue between East Dakota and East Farrin Avenues.

Vesting Tentative Tract Map Application No. 6100 proposes to subdivide the subject property into a 40-lot conventional single family residential subdivision. The subject site is split zoned RS-1 (*Residential Single-Family, Extremely Low Density*) and RS-4 (*Residential Single-Family, Medium Low Density*). In accordance with Fresno Municipal Code (FMC) Section 15-310-C, related Conditional Use Permit Application No. P18-01267 (Planned Development) has been filed for purposes of facilitating a density transfer.

The project will also require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development of the subject property.

The subject applications are being considered by the Planning Commission in accordance FMC Section 15-3308-B-1.

BACKGROUND

Project Description

Vesting Tentative Tract Map No. 6100 and Conditional Use Permit Application No. P18-01267 (Planned Development) were filed by Yohanes Makmur of Quad Knopf, Inc., on behalf of Ernie

Escobedo of De Young Properties, and pertain to approximately ± 9.24 acres of property located on the west side of North Armstrong Avenue between East Dakota and East Farrin Avenues. The applicant proposes to subdivide the subject property into a 40-lot conventional single family residential subdivision.

The subject site is split zoned RS-1 (*Residential Single-Family, Extremely Low Density*) and RS-4 (*Residential Single-Family, Medium Low Density*). The RS-1 zone district allows development of single family residential homes at urban standards on lots not less than 36,000 square feet in area, no maximum lot size, and not more than one dwelling permitted on any lot. The RS-4 zone district allows development of single family residential homes at urban standards on lots not less than 5,000 square feet in area, not more than 9,000 square feet in area, and not more than one dwelling permitted on any lot.

Pursuant to FMC Section 15-301-C, the number of units per acre prescribed in the applicable plans for an existing or proposed zone district shall not be transferred to another existing or proposed zone district, unless a transfer is approved through the processing of a Planned Development Permit which includes all zone districts involved in the proposed transfer. Therefore, related Conditional Use Permit Application No. P18-01267 (Planned Development) has been filed for purposes of facilitating a density transfer. No modifications or deviations from applicable property development standards are being requested with the proposed density transfer. The subject property is to be developed in accordance with the RS-4 zone district property development standards.

The subject property is located within the boundaries of the Fresno General Plan and the McLane Community Plan. Both plans designate the subject properties for Low Density (1-3.5 du/acre) and Medium-Low Density (3.5-6 du/acre) Residential planned land uses. Based upon the residential planned land use density and acreage allocations currently designated by the Fresno General Plan, the subject property proposed to be developed is expected to yield approximately 21.52-44.74 dwelling units. Vesting Tentative Tract Map No. 6100 proposes a conventional 40-lot single family residential development subdivision on approximately 9.24 acres at a density of 4.3 dwelling units per acre.

Based upon the submitted subdivision design, the proposed subdivision will not, in fact, result in an intensification of residential units on the subject property beyond that previously conceived by the Fresno General Plan or MEIR. Furthermore, given the requested density transfer and planned density and acreage allocations, the subject applications are consistent with the Low Density and Medium Low Density Residential planned land uses for the subject property as designated by both the Fresno General Plan and the McLane Community Plan pursuant to section 66474.2 of the Subdivision Map Act.

Landscaping/Walls

Given the proposed project is located adjacent to and abutting a collector street (North Armstrong Avenue) within the boundaries of the Fresno General Plan and McLane Community Plan, the development will be required to install landscaping and irrigation within a minimum 10-foot wide landscape strip along the North Armstrong Avenue frontage. A six-foot high concrete/masonry wall is required to be constructed at the rear of the landscaped areas along the North Armstrong Avenue frontage.

The developer is required to provide street trees on all public street frontages per FMC. Street trees

shall be planted at the minimum rate of one tree for each 60 feet of street frontage by the Developer. There is approximately 169 linear feet of street frontage along North Armstrong Avenue resulting in the requirement of 2 to 3 street trees. Furthermore, the developer is required to provide irrigation for all street trees.

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements ("Services") associated with all new developments are the ultimate responsibility of the Developer. The Developer shall provide these Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 11 ("CFD No. 11").

Sidewalks, 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 14, 2017. 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).

The Fresno General Plan Circulation Element designates North Armstrong and East Dakota Avenues as 2 to 4-lane collector streets. This subdivision has been designed to include one street access point from and to North Armstrong Avenue and one connecting access point to the existing residential development immediately to the north which will provide better connectivity and vehicle trip distribution from and through the proposed development. The developer of this project will be required to dedicate and construct improvements along North Armstrong Avenue and on all interior local streets within the subdivision. Direct vehicular access rights shall be relinquished to the east property line of lot 1 and lot 40 along the North Armstrong Avenue frontage. The development will also include stub streets to the south boundary of this subdivision to connect to future developments.

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.

Therefore, although an increase in traffic is expected as a result of the project, with project specific mitigation and MEIR mitigation, no significant impacts to traffic or transportation will result from the project.

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. The project applicant shall comply with the Public Utilities Department requirements as detailed in the Conditions of Approval dated February 6, 2019.

The nearest sanitary sewer main to serve the proposed project is an 8-inch sewer main located in North Armstrong Avenue. Infrastructure improvements and facilities include requirements for construction of sanitary sewer mains and separate sewer house branches for each lot. The proposed project will also be required to provide payment of sewer connection charges.

The nearest water main to serve the proposed project is a 12-inch main located in North Armstrong Avenue. 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 include water main extensions and installation of services with meters will provide an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes. The proposed project will also be required to provide payment of water connection charges and fees.

The City of Fresno Fire Department has conditioned the proposed project with requirements for installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards. In addition, permanent and temporary residential cul-de-sacs shall be provided per Public Works Standards and designate curbs in the cul-de-sacs as no parking. The project applicant shall comply with the Fire Department requirements as detailed in its memorandum dated January 23, 2019. 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 site does not appear to be located within a flood prone area. Furthermore, FMFCD indicated that permanent drainage facilities are not currently available to serve the proposed project and has required construction of temporary ponding facilities to collect and store surface runoff until permanent service is available. This project can be accommodated by the district provided the developer comply with FMFCD requirements as detailed in its memorandum dated August 15, 2018, which includes either making improvements to the existing pipeline system to provide additional capacity or implementing a permanent peak reducing facility in order to eliminate adverse impacts on the existing system.

LAND USE PLANS AND POLICIES

Fresno General Plan

The Fresno General Plan designates the subject property for Low Density Residential and Medium Low Density Residential planned land uses and provides objectives to guide in the development of this project. The proposed project will facilitate development of the site with a single family residential project, which is the intent of the Fresno General Plan for this property. Objectives and policies within the Fresno General Plan support diverse housing types, efficient and equitable use of resources, and single family residential infill development. Some of those objectives and policies are outlined below:

- Objective UF-1: Emphasize the opportunity for a diversity of districts, neighborhoods, and

housing types.

- Policy UF-1-a: **Diverse Neighborhoods.** Support development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.
- Policy UF-1-d: **Range of Housing Types.** Provide for diversity and variation of building types, densities, and scales 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.
- Objective UF-12: Locate roughly one-half of future residential development in infill areas-defined as being within the City on December 31, 2012-including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land.
 - Policy UF-14-b: **Local Street Connectivity.** Design local roadways to connect throughout neighborhoods and large private developments with adjacent major roadways and pathways of existing adjacent development. Create access for pedestrians and bicycles where a local street must dead end or be designed as a cul-de-sac to adjoining uses that provide services, shopping, and connecting pathways for access to the greater community area.
- 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: **Promote Development within the Existing City Limits as of December 31, 2012.** Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.
 - Policy LU-1-g: **SOI Expansion.** Maintain the City's current SOI boundaries without additional expansion, except to allow for the siting of a maintenance yard for the California High Speed Train project and related industrial and employment priority areas proximate to and south of the SOI boundary between State Route 41 and State Route 99. Prohibit residential uses in the expansion area.
- 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: **Infill Development and Redevelopment.** Promote development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs.
- 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-b: **Medium Low Density Residential.** Promote medium-low density residential uses to preserve existing uses of that nature or provide a transition between low and medium density residential areas.
- Policy LU-5-j: **Campus Centered Communities.** Encourage development of campus-centered communities by focusing growth around existing and planned academic facilities and by directing infrastructure to those areas.

The proposed project is consistent with the above mentioned objectives and policies of the Fresno General Plan as it would allow development on existing properties within the City of Fresno. The project promotes single family residential development and reinvestment within the City and preserves and protects resources within the City by expanding opportunities for development on infill properties. Infill development conserves resources and takes advantage of existing infrastructure. Furthermore, the proposed multi-family development will enhance the overall character of the neighborhood by offering a range of housing types and creating a more complete neighborhood near existing academic facilities.

McLane Community Plan

The subject property is designated for Low Density Residential and Medium Low Density Residential planned lands uses by the McLane Community Plan. Upon reviewing the policies contained in the McLane Community Plan, staff has determined that there are no policies that are applicable or are more restrictive than those contained in the FMC or the Fresno General Plan.

Public Notice and Input

Council District Project Review Committee

The Council District 4 Project Review Committee approved the proposed applications on August 27, 2018 by a 5-0-1 vote (one member absent) with no conditions.

Notice of Planning Commission Hearing

In accordance with Section 15-5007 of the FMC, 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 on January 25, 2019 (Exhibit E). No comments have been received to date.

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 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 40-lot conventional single family residential subdivision has been determined to not be fully within the scope of the recently updated 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). 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 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 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).

A Mitigated Negative Declaration finding for the attached Environmental Assessment No. T-6100/P18-01267 (Exhibit K) was published on October 26, 2018 with no comments received, dated October 18.

FRESNO MUNICIPAL CODE FINDINGS

Based upon analysis of the applications, staff concludes that the required findings of Section 15-3309 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 J to this staff report.

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 McLane 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. 6100 and related Conditional Use permit Application No. P18-01267 (Planned Development) are appropriate for the project site.

Planning Commission action of the proposed Vesting Tentative Tract Map and Conditional Use Permit (Planned Development) is final, unless appealed to the City Council in accordance with FMC Section 15-5017.

Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - Aerial Photograph
- Exhibit C - Planned Land Use

Exhibit D - Zoning Map
Exhibit E - Noticing Map
Exhibit F - Project Information Tables
Exhibit G - Master Application
Exhibit H - Operational Statement
Exhibit I - Vesting Tentative Tract Map No. 6100
Exhibit J - Conditions of Approval and Comments
Exhibit K - Fresno Municipal Code Findings
Exhibit L - Environmental Assessment