



## Legislation Details (With Text)

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<b>On agenda:</b>	4/11/2019	<b>Final action:</b>		4/11/2019	
<b>Title:</b>	<p>HEARING to consider Plan Amendment/Rezone Application No. P18-00116 and related Environmental Assessment No's. P18-00116 and P18-02697 filed by Bill Robinson with Sol Development Associates on behalf of the property owners, Wesco, LP and Misaki Trusts for parcels located approximately ¼ mile northwest from the intersection of East Jensen Avenue and South Clovis Avenue. (Council District 5)</p> <p>1. ADOPT CEQA Environmental Assessment for P18-00116 and P18-02697, a Negative Declaration dated March 21, 2019.</p> <p>2. RESOLUTION - Approving Plan Amendment Application No. P18-00116 proposing to amend the Fresno General Plan and the Roosevelt Community Plan planned land use for a 0.39 acre portion of an existing 1.44-acre parcel, identified as Assessor Parcel 481-100-04 from Residential-Medium Low Density (3.5-6 Dwelling Units/Acre) to Employment-Business Park; and a 0.91 acre portion of a 7.94±-acre undeveloped parcel (APN 481-100-08) from Employment-Business Park to Residential-Medium Low Density (3.5-6 Dwelling Units/Acre).</p> <p>3. BILL (for introduction and adoption) - Approving Rezone Application No. P18-00116 to amend the Official Zone Map to reclassify the 0.39 acre parcel from RS-4 (Single-Family, Medium Low Density) to BP/UGM (Business Park/Urban Growth Management); the 0.91 acre parcel from BP/UGM/cz (Business Park/Urban Growth Management/Conditions of Zoning) to RS-4 (Single-Family, Medium Low Density) in accordance with Plan Amendment Application No. P18-00116; and the 7.03±-acres (remainder of Assessor Parcel 481-100-08) and 5.55±-acres identified as Assessor Parcel 481-130-15 from BP/UGM/cz (Business Park/Urban Growth Management/Conditions of Zoning) to BP/UGM, Business Park/Urban Growth Management) consistent with the Employment-Business Park land use designation in the Fresno General Plan and Roosevelt Community Plan.</p>				
<b>Sponsors:</b>	Planning and Development Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Exhibit A - Aerial Photo-Site Locations, 2. Exhibit B - Land Use-Zoning Diagrams, 3. Exhibit C - Ord 2006-13, Jan 2006, 4. Exhibit D - Project Info Tables-Ops Statement, 5. Exhibit E - PC Resolution No.13569, 6. Exhibit F - Council Public Hearing Notice, 7. Exhibit G - FMC Findings, 8. Exhibit H - Environmental Assessment, 9. Exhibit I - Council Resolution, 10. Exhibit J - Council Ordinance Bill.pdf, 11. Exhibit K - PowerPoint Presentation				

Date	Ver.	Action By	Action	Result
4/11/2019	1	City Council	adopted	Pass

## REPORT TO THE CITY COUNCIL

**April 11, 2019**

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

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

**BY:** RALPH KACHADOURIAN, Supervising Planner  
Development Services Division

**SUBJECT**

HEARING to consider Plan Amendment/Rezone Application No. P18-00116 and related Environmental Assessment No's. P18-00116 and P18-02697 filed by Bill Robinson with Sol Development Associates on behalf of the property owners, Wesco, LP and Misaki Trusts for parcels located approximately ¼ mile northwest from the intersection of East Jensen Avenue and South Clovis Avenue. (Council District 5)

1. **ADOPT** CEQA Environmental Assessment for P18-00116 and P18-02697, a Negative Declaration dated March 21, 2019.
2. **RESOLUTION** - Approving Plan Amendment Application No. P18-00116 proposing to amend the Fresno General Plan and the Roosevelt Community Plan planned land use for a 0.39 acre portion of an existing 1.44-acre parcel, identified as Assessor Parcel 481-100-04 from *Residential-Medium Low Density (3.5-6 Dwelling Units/Acre)* to *Employment-Business Park*; and a 0.91 acre portion of a 7.94±-acre undeveloped parcel (APN 481-100-08) from *Employment-Business Park* to *Residential-Medium Low Density (3.5-6 Dwelling Units/Acre)*.
3. **BILL** (for introduction and adoption) - Approving Rezone Application No. P18-00116 to amend the Official Zone Map to reclassify the 0.39 acre parcel from *RS-4 (Single-Family, Medium Low Density)* to *BP/UGM (Business Park/Urban Growth Management)*; the 0.91 acre parcel from *BP/UGM/cz (Business Park/Urban Growth Management/Conditions of Zoning)* to *RS-4 (Single-Family, Medium Low Density)* in accordance with Plan Amendment Application No. P18-00116; and the 7.03±-acres (remainder of Assessor Parcel 481-100-08) and 5.55±-acres identified as Assessor Parcel 481-130-15 from *BP/UGM/cz (Business Park/Urban Growth Management/Conditions of Zoning)* to *BP/UGM, Business Park/Urban Growth Management*) consistent with the Employment-Business Park land use designation in the Fresno General Plan and Roosevelt Community Plan.

**RECOMMENDATION**

Staff recommends that the City Council take the following actions:

1. ADOPT Environmental Assessment for P18-00116 and P18-02697, a Negative Declaration dated March 21, 2019.
2. ADOPT RESOLUTION approving Plan Amendment Application No. P18-00116 to amend the Fresno General Plan and the Roosevelt Community Plan planned land use designations of the 0.39 acre parcel from *Residential-Medium Low Density (3.5-6 Dwelling Units/Acre)* to *Employment-Business Park*; and the 0.91 acre parcel portion from *Employment-Business Park* to *Residential-Medium Low Density (3.5-6 Dwelling Units/Acre)*.
3. ADOPT BILL approving Rezone Application No. P18-00116 to amend the Official Zone Map to reclassify the 0.39 acre parcel from *RS-4 (Single-Family, Medium Low Density)* to *BP/UGM (Business Park/Urban Growth Management)*; the 0.91 acre parcel from *BP/UGM/cz (Business Park/Urban Growth Management/Conditions of Zoning)* to *RS-4 (Single-Family,*

*Medium Low Density*); and the 7.03±-acres (remainder of Assessor Parcel 481-100-08) and 5.55±-acres identified as Assessor Parcel 481-130-15 from *BP/UGM/cz (Business Park/Urban Growth Management/Conditions of Zoning)* to *BP/UGM, Business Park/Urban Growth Management*).

## EXECUTIVE SUMMARY

Bill Robinson with Sol Development Associates on behalf of the property owners, Wesco, LP and Misaki Trusts, has filed an application for a General Plan Amendment and Rezone for parcels located northwest from the intersection of East Jensen Avenue and South Clovis Avenue, as described above. (see Exhibit A, Location Diagram-Aerial Photo)

The plan amendment and rezone applications were filed by the applicant specifically to establish an appropriate land use and zoning on a 0.39 acre portion of an adjacent 1.44 acre parcel owned by Misaki Trusts (APN 481-100-04), and a 0.91 acre portion of a larger undeveloped 7.94 acres owned by Wesco, LP (APN 481-100-08). This 0.91 acre portion will be merged with the remaining portion of the 1.44-acre parcel to create a linear parcel fronting East Laurite Avenue, which the property owner (Misaki) may choose to subdivide in the future for residential development consistent with the adjacent single-family residential subdivision to the north, Tract 5171. The 0.39-acre portion currently has an existing single family home which will be removed and this parcel portion will be merged with the larger adjacent parcels (APN 481-100-08 and 481-130-15) to create a reconfigured lot area totaling approximately 13 acres that will accommodate a proposed mini-storage project by Wesco.

The proposed rezone includes a request by the applicant to remove conditions of zoning (cz) adopted in 2006 by Ordinance No. 2006-13 which was imposed on the two undeveloped parcels owned by Wesco, LP; the remaining 7.03 acres of the 7.94 acre Assessor Parcel 481-100-08, and the adjacent 5.55 acres identified as Assessor Parcel 481-130-15. The rezone of these parcels remains consistent with the current Employment-Business Park land use designation in the Fresno General Plan and the Roosevelt Community Plan. (see Exhibit B, Land Use & Zoning Maps)

## BACKGROUND

### Site Development History

In August 2005, a proposed mini-storage project had been considered for development by the City Council in its adoption of the environmental assessment, and related approvals in January 2006 of General Plan Amendment No. A-04-37; Rezone No. R-04-112; and Conditional Use Permit No. C-04-341. However, the approved mini-storage project was not constructed and the conditional use permit expired in 2010.

### Conditions of Zoning

Conditions of zoning were adopted for the project rezone application, R-04-112 under Ordinance No. 2006-13 (see Exhibit C). The Ordinance specified two conditions of zoning; 1) that the land subject to the rezone be annexed into the City, and 2) that development of the property under Conditional Use Permit C-04-341 include a “requirement that street access to South Clovis Avenue for existing and planned residential land to the west be provided via dedication of right-of-way for a local street at the southerly boundary of the subject property,” which is the 5.55 acre parcel identified as Assessor Parcel 481-130-15.

The condition specifying annexation into the City was completed on November 13, 2008 (Annexation No. 1332). The condition for the street access roadway was a requirement at the time to facilitate completion of the local street network to allow residential development west of the site to access Clovis Avenue, including access for planned commercial development of the properties to the south, which had restricted vehicle access onto East Jensen Avenue. Since that time, residential subdivision developments to the west, Tract 4918, 5103 and 4188 have been fully developed without providing a suitable location for a street connection or stub street to accommodate a local road connecting South Clovis Avenue along the southern portion of the 5.55 acre property.

In addition, proposed commercial developments to the south would have been accommodated by the street access roadway to South Clovis Avenue, since at the time East Jensen Avenue was classified as an expressway, which restricted direct vehicle access to these properties from the expressway. Currently, East Jensen Avenue has been classified as a super arterial roadway which will allow future commercial developments direct access onto this roadway.

The city engineer also concluded that this street access connection to South Clovis Avenue as required by Ordinance No. 2006-13 was no longer needed, therefore staff recommends that the conditions of zoning under Ordinance No. 2006-13 are no longer warranted, in that annexation of the subject parcels was previously completed, and the current residential subdivision developments to the west have been designed and build without accommodating a stub street that would access a roadway connecting to South Clovis Avenue.

## **ANALYSIS**

### Project Information

Information such as applicant, property owners, project location, site size, land use and zoning, and general project information, including bordering property information such as the existing and planned land use designations, the existing zoning districts surrounding the subject properties and the operational statement can be found in Exhibit D. In general, the subject properties are surrounded by single-family residences to the north, west and east, and undeveloped lands to the south.

### Land Use Plans and Policies

The proposed plan amendment/rezone request aligns with objectives and policies found in the Fresno General Plan and the Roosevelt Community Plan and applicable to the eventual development of a mini-storage project.

#### *Fresno General Plan*

**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.

**Policy LU-5-g: Scale and Character of New Development.** Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established

neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

**Policy LU-6-a: Design of Commercial Development.** Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, regulations and design review procedures.

**Objective ED-1:** Support economic development by maintaining a strong working relationship with the business community and improving the business climate for current and future businesses.

**Policy ED-1-d: Strategic Land Regulation.** Explore increasing the amount of land properly zoned, consistent with the General Plan, and ready to be expeditiously developed, redeveloped, and/or revitalized for economic development and job creation purposes. Establish a priority infill development program for sites and districts.

The subject properties are currently undeveloped. The properties are vacant infill sites with major street frontage and adjacent to single-family residential uses. The property owner (Wesco, LP) will be proposing a new mini-storage facility that will be similar to other existing sites throughout the community and at a scale that will be consistent with the surrounding area

### *Roosevelt Community Plan*

The Roosevelt Community Plan was adopted in 1992. At that time, its primary purpose was to clearly identify and address those issues and concerns adversely affecting the community's growth and vitality, to anticipate the need for and impacts of new public facilities, and to stimulate the development of well-balanced quality neighborhoods.

Upon reviewing the policies contained in the Roosevelt Community Plan, staff has determined that there are no policies that are more restrictive than those contained in the FMC. The proposed project is compatible with goals and policies included in the Roosevelt Community Plan, including:

**Goal 1-9:** Provide for a substantial increase in uses to serve the communities business and professional needs and reduce vehicular travel to areas outside of the community.

**Policy 1-10:** Plan for the sizes, locations and characteristics of commercial developments that will meet community needs that can be accommodated by the planned infrastructure, that promote land use compatibility, and that enhance the visual appearance of the plan area.

**Policy 1-10.2:** Distribute office, retail and service commercial development outside of the Kings Canyon Road commercial corridor.

**Goal 1-11:** Enhance the appearance and compatibility of existing and proposed commercial developments.

**Policy 1-11.1:** Conduct architectural and landscape review for all commercial developments to ensure design consistency and compatibility in scale, color, materials, design, and landscaping.

## **Public Notice and Input**

### District 5 Project Review Committee

The Council District 5 Committee reviewed the proposed site layout of the mini-storage that will be accommodated by the plan amendment/rezone at their regular meeting on June 25, 2018 and voted 3-0 to recommend its approval.

#### Neighborhood Meeting

The applicant conducted a neighborhood meeting on Wednesday, May 21, 2018, as required for the Plan Amendment/Rezone pursuant to FMC Sections 15-5506 and 15-5805. A total of 220 meeting invitation letters were mailed to all property owners within a 500 foot radius of the project sites. The meeting was held at the Story Elementary School approximately ½-mile west of the project sites.

#### Fresno City Planning Commission

The Planning Commission held a public hearing at its regularly scheduled meeting on February 6, 2019 to consider the proposed Plan Amendment/Rezone applications. No members of the public spoke in opposition of the proposed plan amendment/rezone and the Commission unanimously voted and recommended the City Council approve Plan Amendment Application No. P18-00116 and Rezone Application No. P18-00116. The Planning Commission resolution (Exhibit E) is attached for more information.

#### Notice of City Council Hearing

The Development and Resource Management Department mailed notices of this City Council hearing to surrounding property owners within 1,000 feet of the subject property on March 29, 2019 (Exhibit F), pursuant to Section 15-5007-B-2 of the FMC.

#### Fresno Municipal Code Findings

Based upon analysis of the applications, staff concludes that the required findings of Section 15-5812 of the FMC for the Plan Amendment and Rezone can be made. These findings are attached as Exhibit G.

### **ENVIRONMENTAL FINDINGS**

An environmental assessment (Initial Study for a Negative Declaration) was prepared (see Exhibit H) for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. The assessment was prepared to evaluate the project in accordance with the land use and environmental policies and provisions of the City of Fresno's General Plan adopted by the Fresno City Council on December 18, 2014 and the related Master Environmental Impact Report (MEIR) SCH No. 2012111015. The project is determined not to have a significant effect on the environment and is prepared in accordance with Sections 15070 to 15075 of the CEQA Guidelines. The project is partially within the scope of MEIR SCH No. 2012111015.

Pursuant to Section 21157.1 of the California Public Resources Code (CEQA Provisions), it may be determined that a subsequent project falls within the scope of the MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR. Based on this Initial Study, the following findings are made: (1) the proposed project is partially within the scope of the MEIR because it will not generate additional significant effects on the

environment not previously examined and analyzed by the MEIR for the reasons set forth in the Initial Study; and, (2) there are no additional mitigation measures or alternatives required.

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. Moreover, as lead agency for this project, the Development and Resource Management Department, in accordance with Sections 15070 to 15075 of the CEQA Guidelines has determined that all feasible mitigation measures from the MEIR shall be applied to the project as set forth in the attached MEIR Mitigation Measure Monitoring Checklist. A public notice of the attached negative declaration finding for Environmental Assessment No's P18-00116 and P18-02697 was published in the local newspaper on March 22, 2019 as required for public review and comment. During the 20-day public review period, no comments were received.

## **LOCAL PREFERENCE**

Local preference was not considered because this ordinance does not include a bid or award of a construction or service contract.

## **FISCAL IMPACT**

Affirmative action by the Council will result in timely deliverance of the review and processing of the applications as is reasonably expected by the applicant. Prudent financial management is demonstrated by the expeditious completion of this land use application inasmuch as the applicant has paid to the city a fee for the processing of this application and that fee is, in turn, funding the respective operations of the Development and Resource Management Department.

## **Attachments:**

- Exhibit A: Location Diagram (Aerial Photo)
- Exhibit B: Land Use and Zoning Diagrams
- Exhibit C: Ordinance Bill 2006-13
- Exhibit D: Project Information Tables/Operational Statement
- Exhibit E: Planning Commission Resolution No. 13546
- Exhibit F: City Council Public Hearing Notice
- Exhibit G: Fresno Municipal Code Findings
- Exhibit H: Environmental Assessment
- Exhibit I: City Council Resolution for Plan Amendment No. P18-00116
- Exhibit J: City Council Ordinance Bill for Rezone No. P18-00116
- Exhibit K: City Council PowerPoint Presentation