



Legislation Details (With Text)

File #: ID19-1688 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 5/9/2019 **In control:** Planning Commission
On agenda: 7/17/2019 **Final action:**
Title: Consideration of Development Permit Application No. P19-00141, located on the south side of East Fir Avenue between North Whitney and North Dearing Avenues (Council District 6) - Development and Resource Management Department.

1. RECOMMEND APPROVAL (to the City Council) of the adoption of Environmental Assessment No. P19-00141 dated July 17, 2019, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 32 Categorical Exemption.

2. RECOMMEND APPROVAL (to the City Council) of Development Permit Application No. P19-00141, a proposal to construct four (4) shell buildings totaling 36,325 square feet on a ±3.11-acre vacant site zoned O (Office), subject to compliance with the Conditions of Approval dated July 17, 2019.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A Vicinity Map, 2. Exhibit B Planned Land Use and Zoning Map, 3. Exhibit C Noticing Map, 4. Exhibit D Project Information Tables, 5. Exhibit E Operational Statement, 6. Exhibit F Site Plan, 7. Exhibit G Floor Plans, 8. Exhibit H Elevations, 9. Exhibit I Conditions of Approval, 10. Exhibit J Fresno Municipal Code Findings, 11. Exhibit K Environmental Assessment

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

REPORT TO THE PLANNING COMMISSION

JULY 17, 2019

FROM: MIKE SANCHEZ, Assistant Director
Planning and Development Department, Development Services Division

THROUGH: BONIQUE EMERSON, Planner Manager
Development Services Division

MARGO LERWILL, Supervising Planner
Development Services Division

BY: JARRED OLSEN, Planner III
Development Services Division

SUBJECT

Consideration of Development Permit Application No. P19-00141, located on the south side of East Fir Avenue between North Whitney and North Dearing Avenues (Council District 6) - Development and Resource Management Department.

1. **RECOMMEND APPROVAL (to the City Council)** of the adoption of Environmental Assessment No. P19-00141 dated July 17, 2019, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 32 Categorical Exemption.
2. **RECOMMEND APPROVAL (to the City Council)** of Development Permit Application No. P19-00141, a proposal to construct four (4) shell buildings totaling 36,325 square feet on a ±3.11-acre vacant site zoned O (Office), subject to compliance with the Conditions of Approval dated July 17, 2019.

EXECUTIVE SUMMARY

Robert Vermeltfoort of Vermeltfoort Architects, Inc., on behalf of Herndon Fir Partners LLC, proposes the construction of four (4) shell buildings with a combined total square footage of 36,325, along with a minimum of 147 parking stalls, on an approximately 3.11-acre vacant lot adjacent to Herndon Avenue.

The subject property is subject to Conditions of Zoning on the property, in effect since 1990, that requires site plans be subject to final approval by City Council.

BACKGROUND

Business and Professional Offices, as well as Medical and Dental Offices, are permitted uses in the O/EA/UGM (Office/Expressway Area/Urban Growth Management) zone district.

The project proposes mutual access to the office complex to the east. This is recommended by the Development Code, and would require an agreement with both property owners and the City.

The project, as conditioned, complies with the Development Code at time of application acceptance, the General Plan, and the Woodward Park Community Plan.

Public Notice and Input

Council District Plan Implementation Committee

The District 6 Project Review Committee did not review the project, as it did not fit the criteria for their review, pursuant to FMC Section 15-4906-D.

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 (Exhibit C). No comments have been received to date.

LAND USE PLANS AND POLICIES

Fresno General Plan

The Fresno General Plan designates the subject site for Office planned land uses and provides objectives to guide in the development of these projects. Development Permit Application No. P19-00141 meets all policies and objectives of the Fresno General Plan.

The following is a goal and policy contained in the Fresno General Plan that applies to this project:

- 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.

The project will utilize vacant land where the necessary infrastructure and facilities are available to serve the property. The proposed project is consistent with many of the goals and policies of the Fresno General Plan. The proposed project promotes diverse land uses and preserves and protects resources by developing within the city limits.

Woodward Park Community Plan

Upon reviewing the policies contained in the Woodward Park 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.

ENVIRONMENTAL FINDINGS

CEQA permits a public agency to determine whether a particular project is exempt from CEQA. A determination of a Categorical Exemption, Section 15332/Class 32 of the CEQA Guidelines was made and Environmental Assessment No. P19-00141 (Categorical Exemption) was completed for this project on July 17, 2019 (Exhibit K).

FRESNO MUNICIPAL CODE FINDINGS

Based upon analysis of the applications, staff concludes that the required findings of Section 15-5206 of the Fresno Municipal Code can be made. These findings are attached as Exhibit J.

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 Development Permit Application No. P19-00141 is appropriate for the subject property. Action by the Planning Commission will be a recommendation to City Council.

Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - Planned Land Use and Zoning Map
- Exhibit C - Noticing Map
- Exhibit D - Project Information Tables
- Exhibit E - Operational Statement
- Exhibit F - Site Plan
- Exhibit G - Floor Plan
- Exhibit H - Elevations
- Exhibit I - Conditions of Approval dated July 17, 2019
- Exhibit J - Fresno Municipal Code Findings
- Exhibit K - Environmental Assessment