



## Legislation Details (With Text)

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**File created:** 7/18/2019    **In control:** City Council

**On agenda:** 8/15/2019    **Final action:** 8/15/2019

**Title:** HEARING to consider Development Permit Application No. P19-00141, and related Environmental Assessment filed by Robert Vermeltfoort of Vermeltfoort Architects, Inc., on behalf of Herndon Fir Partners LLC, for a development permit located on the south side of East Fir Avenue between North Whitney and North Dearing Avenues (Council District 6)

1. ADOPT - 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. APPROVE - 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:** Planning and Development Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A Vicinity Map, 2. Exhibit B Planned Land Use and Zoning Map, 3. Exhibit C City Council Noticing Map, 4. Exhibit D Project Information Tables, 5. Exhibit E Operational Statement, 6. Exhibit F Site Plan, 7. Exhibit G Floor Plan, 8. Exhibit H Elevations, 9. Exhibit I Conditions of Approval, 10. Exhibit J Fresno Municipal Code Findings, 11. Exhibit K Environmental Assessment, 12. Exhibit L Planning Commission Resolution No. 13591

Date	Ver.	Action By	Action	Result
8/15/2019	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**AUGUST 15, 2019**

**FROM:** JENNIFER K. CLARK, AICP, HDFP, Director  
Planning and Development Department

**THROUGH:** MIKE SANCHEZ, Assistant Director  
Development Services Division

**BY:** JARRED OLSEN, Planner III  
Development Services Division

## SUBJECT

HEARING to consider Development Permit Application No. P19-00141, and related Environmental Assessment filed by Robert Vermeltfoort of Vermeltfoort Architects, Inc., on behalf of Herndon Fir

Partners LLC, for a development permit located on the south side of East Fir Avenue between North Whitney and North Dearing Avenues (Council District 6)

1. **ADOPT** - 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.
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## **RECOMMENDATION**

Staff recommends that the City Council take the following actions:

1. **ADOPT** - 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. **APPROVE** - 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. The development plans, subject to compliance with the Conditions of Approval dated July 17, 2019, complies with all Development Code requirements, and General Plan and Woodward Park Community Plan goals and policies.

## **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.

## Fresno Planning Commission

The Planning Commission held a public hearing at its regularly scheduled meeting on July 17, 2019 to consider the development permit application. No members of the public spoke in support or opposition and the Commission unanimously recommended that the City Council approve the proposed development permit application. (see Exhibit L, Planning Commission Resolution No. 13591).

## Notice of City Council Hearing

The Planning and Development Department mailed notices of this City Council public hearing to the surrounding property owners within 1,000 feet of the subject property on August 2, 2019, pursuant to Section 15-5007-B-2 of the FMC. (see Exhibit C)

## **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 Fresno Municipal Code 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).

## **LOCAL PREFERENCE**

Local preference was not considered because this project and 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 Planning and Development Department.

### **Attachments:**

Exhibit A - Vicinity Map  
Exhibit B - Planned Land Use and Zoning Map  
Exhibit C - City Council Hearing Notice  
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  
Exhibit L - Planning Commission Resolution No. 13591