



Legislation Details (With Text)

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Title: Consideration of Vesting Tentative Tract Map Application No. P19-03611 (T-6266) and Planned Development Permit Application No. P19-03635 and related Environmental Assessment No. P19-03635 for the proposed development of 38 townhome units on ± 2.71 net acres of vacant land located on the south side of West Sierra Avenue between North Santa Fe and North Blythe Avenues (APN: 507-320-01)

1. ADOPT Environmental Assessment No. P18-03635 dated December 1, 2019, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 32 Categorical Exemption.

2. APPROVE Vesting Tentative Tract Map Application No. P19-03611 (T-6266) requesting authorization to subdivide the ± 2.71 net acres of vacant property into 38 single family residential lots and one Outlot, which is proposed to be dedicated for private street and common open space purposes.

3. APPROVE Planned Development Permit Application No. P19-03635 requesting authorization to construct a 38-unit townhome private street planned development in the RM-1/UGM (Multi-Family Residential, Medium High Density/Urban Growth Management) zone district with modified development standards.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A – Vicinity Map, 2. Exhibit B – 2015 Aerial Photograph of Site, 3. Exhibit C – Planned Land Use Map, 4. Exhibit D – Zoning Map, 5. Exhibit E – Vesting Tentative Tract Map, Site Plan, Floor Plan, Elevations Site Plan, Floor Plan, & Elevations.pdf, 6. Exhibit F – Comments from Responsible Agencies, 7. Exhibit G – Notice of Public Hearing and Map, 8. Exhibit H – Fresno Municipal Code Findings, 9. Exhibit I – Environmental Assessment, 10. Exhibit J – Conditions of Approval dated December 4, 2019

Date	Ver.	Action By	Action	Result
12/4/2019	1	Planning Commission	approved	Pass

REPORT TO THE PLANNING COMMISSION

December 4, 2019

FROM: MIKE SANCHEZ, Assistant Director
Development Services Division

THROUGH: WILL TACKETT, Supervising Planner

Development Services Division

BY: KELSEY GEORGE, Planner
Development Services Division

SUBJECT

Consideration of Vesting Tentative Tract Map Application No. P19-03611 (T-6266) and Planned Development Permit Application No. P19-03635 and related Environmental Assessment No. P19-03635 for the proposed development of 38 townhome units on ± 2.71 net acres of vacant land located on the south side of West Sierra Avenue between North Santa Fe and North Blythe Avenues (APN: 507-320-01)

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3. **APPROVE** Planned Development Permit Application No. P19-03635 requesting authorization to construct a 38-unit townhome private street planned development in the RM-1/UGM (Multi-Family Residential, Medium High Density/Urban Growth Management) zone district with modified development standards.

EXECUTIVE SUMMARY

Vesting Tentative Tract Map Application No. P19-03611 (T-6266) and Planned Development Permit Application No. P19-03611 have been filed by Dale G. Mell, on behalf of Harmeet Riyar, pertaining to approximately ± 2.71 net acres of vacant land located on the south side of West Sierra Avenue between North Santa Fe and North Blythe Avenues.

P19-03611 requests authorization to subdivide the subject property into 38 single family residential lots and one Outlot, which is proposed to be dedicated for private street and common open space purposes. P19-03635 proposes the creation of a gated, private street planned development with modified development standards respective to building setbacks and lot coverage to accommodate townhouse development on narrow lot widths.

The subject property is located within the Fresno General Plan and Bullard Community Plan. Both plans designate the subject property for Residential - Medium High Density (12-16 dwelling units per acre) planned land uses. Accordingly, the subject property is zoned RM-1 (Residential Multi-Family, Medium High Density) and will support the proposed development of 38 townhomes at a density of approximately 14.02 dwelling units per acre. Single-Unit Dwellings, Attached and Detached are both permitted by right in the RM-1 zone district.

The proposed Vesting Tentative Tract Map application and related Planned Development Permit application are consistent with the planned land use and zoning for the subject property and will implement the goals, objectives, and policies of the Bullard Community Plan and the Fresno General

Plan.

BACKGROUND/ANALYSIS

Project Setting/Details

The subject property is located on the south side of West Sierra Avenue between North Santa Fe and North Blythe Avenues on a vacant parcel. The subject property is primarily surrounded with residential uses, with multi-family residential to the south and east and single family residential to the north. The parcel to the northwest is zone PI and contains a church. Although directly to the west of the subject property is vacant, immediately following that is single family residential.

The proposed project will consist of a total 38 townhouses (Single Family Residential, Attached) and a community building that features a USPS mail delivery and pick-up area, exercise room, and pool. The townhomes are proposed at market rate with approximately 1630 square feet of living area, 3 bedrooms, 2 ½ bathrooms, covered porch, and garage. There will be ample open space and landscaped areas throughout the project in compliance with the requirements of the Fresno Municipal Code.

Density

The subject property is located within the boundaries of the Bullard Community Plan and is designated for Medium-High Density Residential (12-16 dwelling units/acre) planned land uses by the Fresno General Plan. The proposed development of the approximately 2.71 net acres subdivided into 38 attached single family townhouse residential dwelling units will result in a density of approximately 14.02 dwelling units per acre, which falls within the density range allowed by the Medium-High Density Residential planned land use designation.

Setbacks

Planned Development Permit Application No. P19-03635 requests authorization to increase lot coverage allowances and reduce the minimum setback requirements to accommodate the narrower lot widths. The project proposes shared walls between each townhouse with a 2.7' front yard setback, 10' minimum rear yard setback, 4.5' for one interior side setback, and 0' setback for the other interior side setback (shared wall).

Sidewalks, streets, and access points

The Public Works Department, Traffic Engineering Division has reviewed the proposed project for on and off site circulation and potential traffic impacts. It was determined the streets adjacent to and near the subject property will be able to accommodate the change in traffic generated from the development subject to the conditions within the memoranda dated September 24, 2019. These conditions include: (1) Dedication of public streets and right-of-way; (2) Street improvements (including but not limited to construction of concrete curbs, gutters, pavements, underground street lighting systems); (3) Payment of any applicable impact fees (including but not limited to Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and Regional Transportation Mitigation (RTMF) Fee.

The project proposes access on West Sierra Avenue and North Blythe Avenue, which are designated by the Fresno General Plan Circulation Element as a local street and modified local collector street, respectfully. This is to provide better connectivity and vehicle trip distribution to and through the development. There is no access proposed on North Santa Fe Avenue, which is designated as an arterial street. The project will be required to dedicate and construct improvements on all three of

these streets per City of Fresno Department of Public Works Standards.

Public Services

The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the subject property 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 shall comply with the Public Utilities Department requirements as detailed in the Conditions of Approval dated December 4, 2019.

The nearest sanitary sewer main to serve the proposed project is an 8-inch sewer main located in West Sierra 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.

There is a 6-inch water main on North Santa Fe Avenue and a 6-inch water main on West Sierra Avenue to serve the project. 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 Fresno Fire Department reviewed the proposed project for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. The proposed project was reviewed for compliance with fire and life safety requirements for the building interior. Its intended use is reviewed by both the Fire Department and the Building and Safety Section of Planning and Development when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that the subject site does not appear to be located within a flood prone area. This project can be accommodated by existing permanent drainage service provided the project complies with FMFCD requirements as detailed in its memorandum dated October 3, 2019.

Landscaping

Per Public Works Engineering, the proposed landscape plan is approved for onsite trees in lieu of street trees provided applicant submits an irrigation design to the scale of 1" equals 20' prior to the installation of landscaping.

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 proposed project 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. 9 ("CFD No. 9"). All other maintenance requirements are outlined in the memoranda dated September 12, 2019.

The proposed project will be required to comply with FMC Section 15 Article 23 for all landscaping

requirements. The proposed project is required to landscape all required setbacks and building perimeters. A Hold on Occupancy will be placed on the proposed project until an approved landscape plan, by an authorized landscape architect, is submitted for review and approved pursuant to the provisions of the FMC for all required landscaped areas.

The comments and conditions from all departments and responsible agencies have been incorporated into the Conditions of Approval, dated December 4th, 2019. Compliance with these conditions will be required to be demonstrated prior to issuance of permits and prior to final approvals for inspections and occupancy.

Land Use Plans and Policies

Fresno General Plan

The Fresno General Plan puts a strong emphasis on infill development, complete neighborhoods and mobility and multimodal connectivity.

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 and districts 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.

The supporting Objectives and Policies of the Fresno General Plan include emphasizing 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.

Encouraging infill development on vacant lands within predominantly urbanized areas is necessary in order to meet the Fresno General Plan's objective to 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, other non-corridor infill areas, and vacant land.

The subject property is approximately 2.71 net acres of vacant land, which is substantially surrounded by urban development. The proposed project makes the most efficient use of land and existing public improvements, infrastructure and services by taking advantage of the opportunity to develop in an area that is already developed and accommodated by City services.

The location of the subject property falls within the Sierra Specific plan which also affords a unique opportunity to provide a sense of place centered in an area in close proximity to commercial services, schools, parks, and an interconnected system of open space features including trails and Class I Bicycle paths.

Goal 7: Provide for a diversity of districts, neighborhoods, housing types, residential densities, job opportunities, recreation, open space, and education that appeal to a broad range of people throughout the city.

Goal 8: Develop complete neighborhoods and districts 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.

Goal 11: Emphasize increased land use intensity and mixed use development at densities supportive of greater use of transit in Fresno.

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

- Policy UF-1-f promotes diversity and variations of building types, densities, and scales of development to reinforce the identity of individual neighborhoods, and further affordable housing opportunities.*

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 promotes infill development in areas where urban services are available*

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-d promotes the development of medium-high density residential uses to optimize use of available or planned public facilities and services. Provide housing opportunities with access to employment, shopping services, and transportation.*
- Policy LU-5-g supports development adjacent to established neighborhoods that is compatible in scale and character with the surrounding area.*
- Policy LU-5-h supports housing that offers residents a variety of amenities including public and private open space, landscaping, with direct access to public transit and community gathering spaces.*

Bullard Community Plan

Upon reviewing the policies contained in the Bullard 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.

The purpose of these goals and objectives are to provide a variety of housing types for individual lifestyles and space needs. Further, it is to provide opportunities of higher densities in neighborhoods throughout the City. The proposed project meets the goals and objectives of the General Plan and the Bullard Community Plan by implementing the appropriate regulations of the RM-1 zone district and ensuring that new development is compatible to the existing structures in relation to scale, mass, and character.

District 2 Project Review Committee

The Council District 2 Project Review Committee reviewed the proposed project at their meeting on October 14, 2019. There was no quorum by the committee and no objections by the attending committee member so the project was approved.

Notice of Planning Commission Hearing

The Planning and Development Department mailed notices of this Planning Commission hearing to surrounding property owners within 1,000 feet of the subject property (Exhibit G). Staff also sent notices, via U.S. mail and email, to Fresno Unified School District.

ENVIRONMENTAL FINDINGS

The California Environmental Quality Act (Public Resource Code Section 21000 et seq.) permits a public agency to determine whether a particular project is exempt from CEQA. A determination of a Categorical Exemption from Section 15332/Class 32 was made and Environmental Assessment No. P18-03987 was completed for this project on December 1, 2019.

This project qualifies for a Class 32 Categorical Exemption because:

1. The proposed development will occur within city limits on a project site of less than five acres, and is substantially surrounded by urban uses;
2. The project site is a vacant piece of land and has no value as habitat for endangered, rare or threatened species;
3. The site can be adequately served by all required utilities and public services;
4. The project would not result in any significant effects relating to traffic, noise, air quality, or water quality, because:
 - a. The proposed project, located in TIZ III as depicted as Figure MT-4 in the Fresno General Plan, will not generate 100 or more peak hour new vehicle trips which would require a Transportation Impact Study.
 - b. Operational noise of the proposed project, a single-family residential, attached townhome development, will not create any significant noise effects.
 - c. Air quality impacts will not exceed the limits imposed by SJVAPCD.
 - d. The proposed project will comply with all water quality and stormwater discharge requirements
5. The project is consistent with the Medium-High Density Residential planned land use designation and RM-1 zone district, the Pinedale Specific Plan, Bullard Community Plan, and all applicable general plan policies as well as with applicable zoning designation and regulations; and,
6. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Furthermore, the proposed project is not expected to have a significant effect on the environment.

FRESNO MUNICIPAL CODE FINDINGS

Pursuant to FMC Section 15-3309, the Planning Commission may approve or conditionally approve a Tentative Parcel Map or Tentative Map if it makes all of the following findings:

1. Consistency. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable operative plan, adopted policies or guidelines, and the Municipal Code.
2. Passive and Natural Heating and Cooling. A subdivision for which a Tentative Map is required shall provide pursuant to the Map Act (Section 66473.1), to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. Examples of passive or natural heating opportunities in subdivision design include:
 - a. Design of lot size and configuration to permit orientation of a structure in an east-west alignment for southern exposure and to take advantage of shade or prevailing breezes. Consideration shall be given to local climate, to contour, to configuration of the parcel to be divided, and to other design and improvement requirements, and such provision shall not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure.

- b. The requirements of this section do not apply to condominium projects that consist of the subdivision of airspace in an existing building when no new structures are added.
- c. For the purposes of this section, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
3. Availability of Water. Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accordance with the Map Act (Section 66473.7).
4. Infrastructure Capacity. There exists sufficient infrastructure capacity for water, runoff, storm water, wastewater, and solid waste systems to serve the proposed subdivision. In cases where existing infrastructure is found to be deficient, plans shall show how sufficient capacity will be provided.
5. Compliance with Floodplain Regulations. The proposed subdivision is compliant with the City of Fresno Floodplain Management Ordinance and the State of California Code of Regulations Title 23, as well as any other applicable State or federal law.

Pursuant to FMC Section 15-5905, the Planning Commission shall not approve a Planned Development application unless the following findings are made:

1. The proposed development is consistent with the General Plan, any applicable operative plan, and adopted policies, including the density and intensity limitations that apply;
2. The subject site is physically suitable for the type and intensity of the land use being proposed;
3. Adequate transportation facilities, utilities, and public services exist or will be provided, in accord with the conditions of PD approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of public services so as to be a detriment to public health, safety, or welfare;
4. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;
5. The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base district, and will achieve superior community design, environmental preservation, and/or substantial public benefit.

Based upon analysis of the applications, staff concludes that the required findings of Sections 15-3309 and 15-5905 of the FMC can be made. These findings are attached as Exhibit H.

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 Bullard Community Plan; compliance with the provisions of the Fresno Municipal Code; 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 and exhibits. Upon consideration of this evaluation, it can be concluded that Vesting Tentative Tract Map Application No. P19-03611 and Planned Development Permit Application No. P19-0635 is appropriate for the subject property.

Attachments:

Exhibit A - Vicinity Map

- Exhibit B - 2015 Aerial Photograph of Site
- Exhibit C - Planned Land Use Map
- Exhibit D - Zoning Map
- Exhibit E - Vesting Tentative Tract Map, Site Plan, Floor Plan, Elevations
- Exhibit F - Comments from Responsible Agencies
- Exhibit G - Notice of Public Hearing and Map
- Exhibit H - Fresno Municipal Code Findings
- Exhibit I - Environmental Assessment
- Exhibit J - Conditions of Approval dated December 4, 2019