



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-A
COMMISSION MEETING 08/06/14


DEPARTMENT DIRECTOR

August 6, 2014

FROM: MIKE SANCHEZ,  Assistant Director
Development & Resource Management Department

THROUGH: BONIQUE EMERSON, AICP, Supervising Planner 
Development Services Division

BY: CHRISTOPHER PRECIADO, Planner II 
Development Services Division

SUBJECT: CONSIDERATION OF REZONE APPLICATION NO. R-14-007 AND RELATED ENVIRONMENTAL ASSESSMENT NO. R-14-007 LOCATED ON THE NORTHEAST CORNER OF WEST SHAW AND NORTH COLLEGE AVENUES

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. RECOMMEND APPROVAL (to the City Council) of the environmental finding of Environmental Assessment No. R-14-007 dated June 12, 2014, a determination that the proposed project is exempt from CEQA through a Class 1 and Class 32 Categorical Exemption.
2. RECOMMEND APPROVAL (to the City Council) of Rezone Application No. R-14-007 requesting authorization to reclassify the subject property from the R-1 (*Single Family Residential*) zone district to the C-P (*Administrative and Professional Office District*) zone district.

EXECUTIVE SUMMARY

Rezone Application No. R-14-007 was filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of the Second Church of Christ, Scientist, and pertains to 1.58± acres of an overall 2.96-acre site located on the northeast corner of West Shaw and North College Avenues. Rezone Application No. R-14-007 proposes to amend the Official Zone Map to reclassify the southernmost 1.58± acres of the subject property from the R-1 (*Single Family Residential*) zone district to the C-P (*Administrative and Professional Offices*) zone district. The southernmost 1.58± acre portion of the property contains a church, related religious facilities, and offices, and the requested rezone would be consistent with the General Plan land use designation of commercial office. (The northern portion of the property is not part of this rezone application.). Approval of the requested zoning will continue to bring the subject site into conformity with the commercial office land use designated for the site by the Bullard Community Plan and the 2025 Fresno General Plan.

PROJECT INFORMATION

PROJECT	Rezone Application No. R-14-007 proposes to amend the Official Zone Map to reclassify a portion of the developed property from the R-1 (<i>Single Family Residential</i>) zone district to the C-P (<i>Administrative and Professional Office District</i>) zone district.
APPLICANT	Dirk Poeschel Poeschel Land Development Services, Inc. 923 Van Ness Avenue, #200 Fresno, CA. 93721
LOCATION	280 West Shaw Avenue; Located on the northeast corner of West Shaw and North College Avenues. APN: 417-333-04 (Council District 2, Councilmember Brandau)
SITE SIZE	Approximately 2.96 acres
PLANNED LAND USE	Existing - Commercial Office
ZONING	Existing - R-1 (<i>Single Family Residential</i>) Proposed - C-P (<i>Administrative and Professional Office District</i>)
PLAN DESIGNATION AND CONSISTENCY	Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the Fresno Municipal Code (FMC), the proposed C-P zone district classification proposed for the subject property is consistent with the existing commercial office planned land use designated for the subject property by the 2025 Fresno General Plan.
ENVIRONMENTAL FINDING	This project is exempt under Sections 15301/Class 1 and 15332/Class 32 of the State of California CEQA Guidelines.
PLAN COMMITTEE RECOMMENDATION	The District 2 Plan Implementation Committee recommendation is forthcoming and a recommendation will be forwarded to the city council for consideration.
STAFF RECOMMENDATION	<u>Recommend Approval (to the City Council) of:</u> (1) Approval of the Categorical Exemption prepared for Environmental Assessment No. R-14-007; and (2) Rezone Application No. R-14-007.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	residential/medium high density	R-2 A Low Density Multiple Family Residential District, One Story	Low Density Multiple Family Residential
South	County of Fresno commercial/office	R-P (County) Residential Professional Office	Commercial Office
East	residential medium high density commercial/office	R-2A/R-P/CP Low Density Multiple Family Residential District, One Story Residential and Professional Office District Administrative and Professional Office District	Residential medium high density commercial/office
West	County of Fresno residential medium high density commercial/office	R-1 and R-P (County) Single Family Residential and Residential Professional Office	Low Density Multiple Family Residential commercial/office

ENVIRONMENTAL FINDING

On July 12, 2014, staff determined this project to be categorically exempt under Sections 15301/Class 1 and 15332/Class 32 of the State of California CEQA Guidelines.

Section 15301/Class 1 exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed project will rezone the southernmost portion of the property planned for commercial office uses to be consistent with the general plan land use designation. The project does not propose an expansion of existing use. The site is completely developed with structures, parking, sidewalks and extensive landscaping. The site is served by community sewer, water and storm drain services. The applicant contemplates no physical change to the site.

Section 15332/Class 32: The rezone application is consistent with the general, community, and planned land use designation of *Commercial Office* and conforms to all applicable policies.

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The site area is less than five acres, is completely surrounded by urban uses, and does not contain any significant value as habitat for endangered, rare, or threatened species. The proposed project is consistent with the exemption because the project is requesting authorization to rezone a 1.58 acre portion of the 2.96 acre site to bring the site zoning into conformity with the adopted general plan. A church and related facility are allowed as a by-right use in the C-P zone district. The subject site is adequately served by all required utilities and public services. No adverse environmental impacts would occur as a result of the proposed project.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

BACKGROUND / ANALYSIS

Rezone Application No. R-14-007 was filed by Dirk Poeschel of Poeschel Land Development Services, Inc., on behalf of the Second Church of Christ, Scientist, and pertains to 1.58± acres of an overall 2.96-acre site located on the northeast corner of West Shaw and North College Avenues. Rezone Application No. R-14-007 proposes to amend the Official Zone Map to reclassify the southernmost 1.58± acres of the subject property from the R-1 (*Single Family Residential*) zone district to the C-P (*Administrative and Professional Offices*) zone district. The southernmost 1.58± acre portion of the property is planned for office uses, and the requested rezone would be consistent with the General Plan land use designation. The northern portion of the property is not part of this rezone application.

Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the FMC the proposed C-P (*Administrative and Professional Offices*) zone district is consistent with the Commercial office planned land use designation for the subject property.

The subject property is bounded on the north by low rise multifamily residential uses, to the west by low rise multifamily and commercial office uses (Fresno County), to the south by commercial office (Fresno County), and to the east by low rise multifamily and commercial office uses.

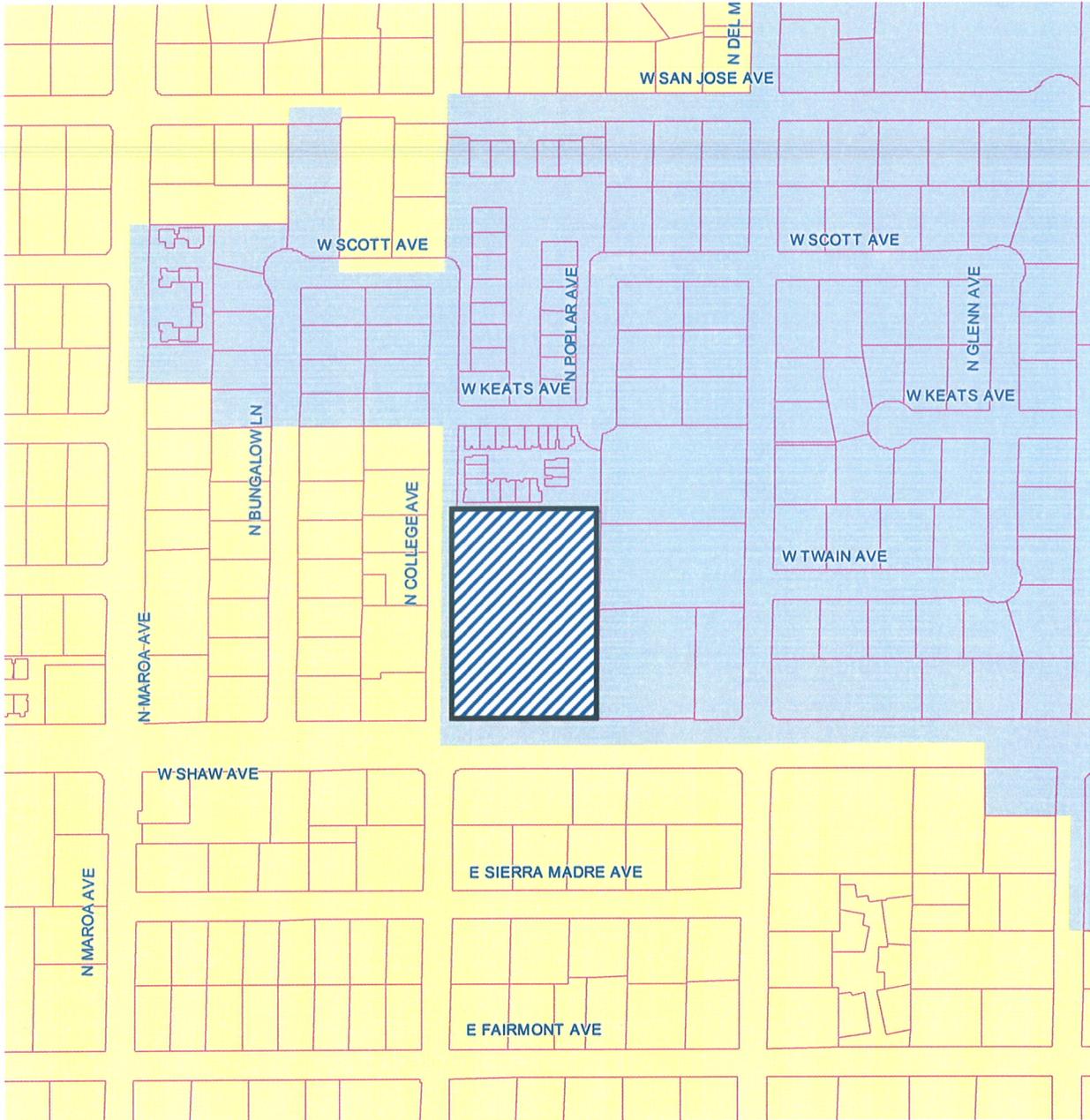
Land Use Plans and Policies

2025 Fresno General Plan

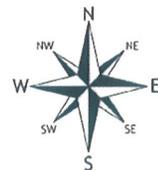
The following policies contained within the 2025 Fresno General Plan will be applied to any future land use applications submitted for the site and will ensure that the future development will not be detrimental to the surrounding community:

Policy C-12-a: Ensure all commercial land uses are developed and maintained in a manner complimentary to and compatible with adjacent residential land uses, to minimize interface problems with the surrounding environment and to be compatible with public facilities and services.

VICINITY MAP



 **LEGEND**
Subject Property

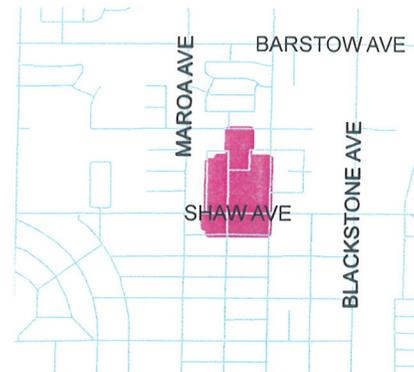


AERIAL MAP

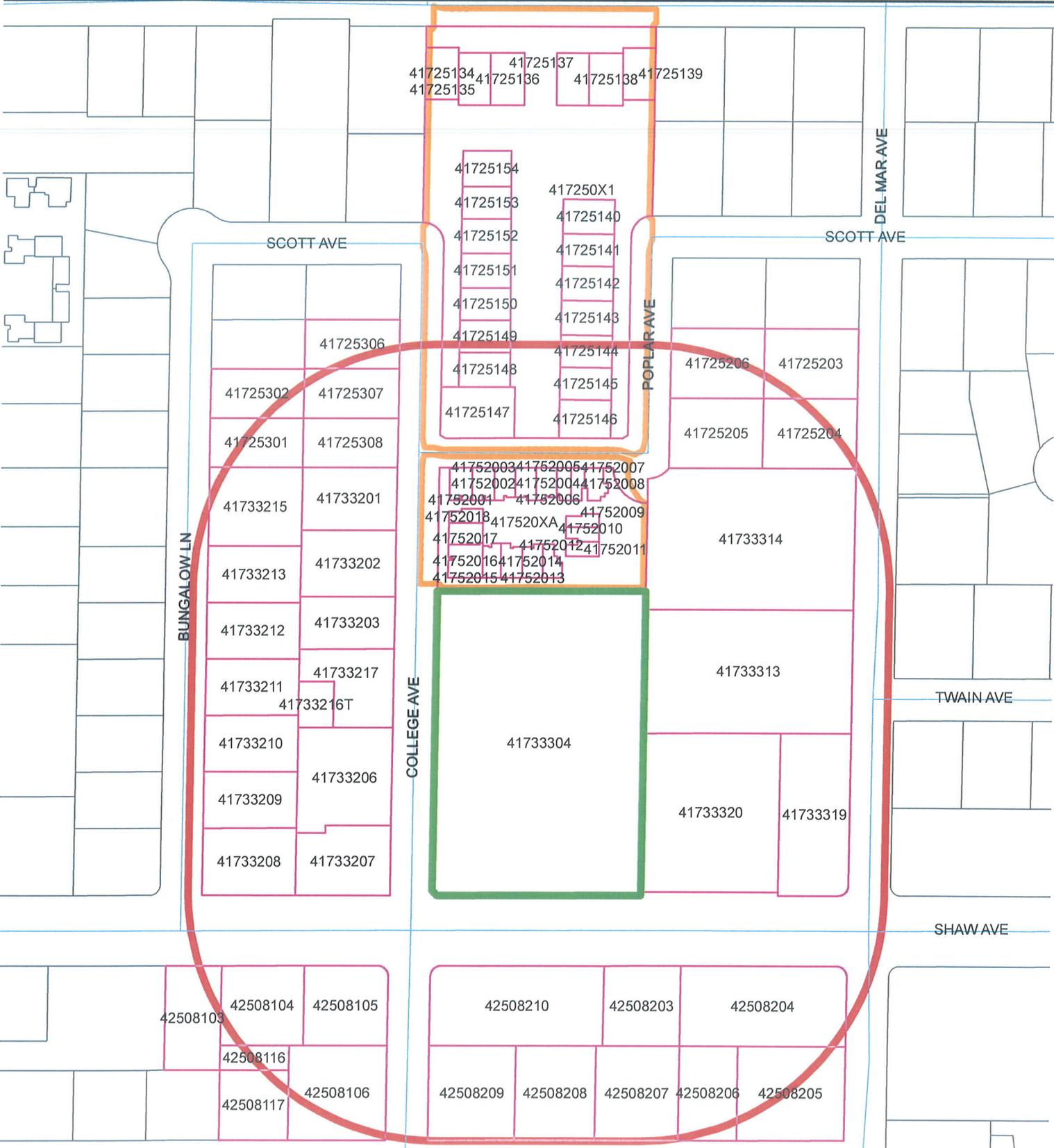


 **LEGEND**
Subject Property





Address List Map, Gary Unruh, c:\gisdm5\automap\adrlist.mxd, Wed Jun 18 14:57:03 2014



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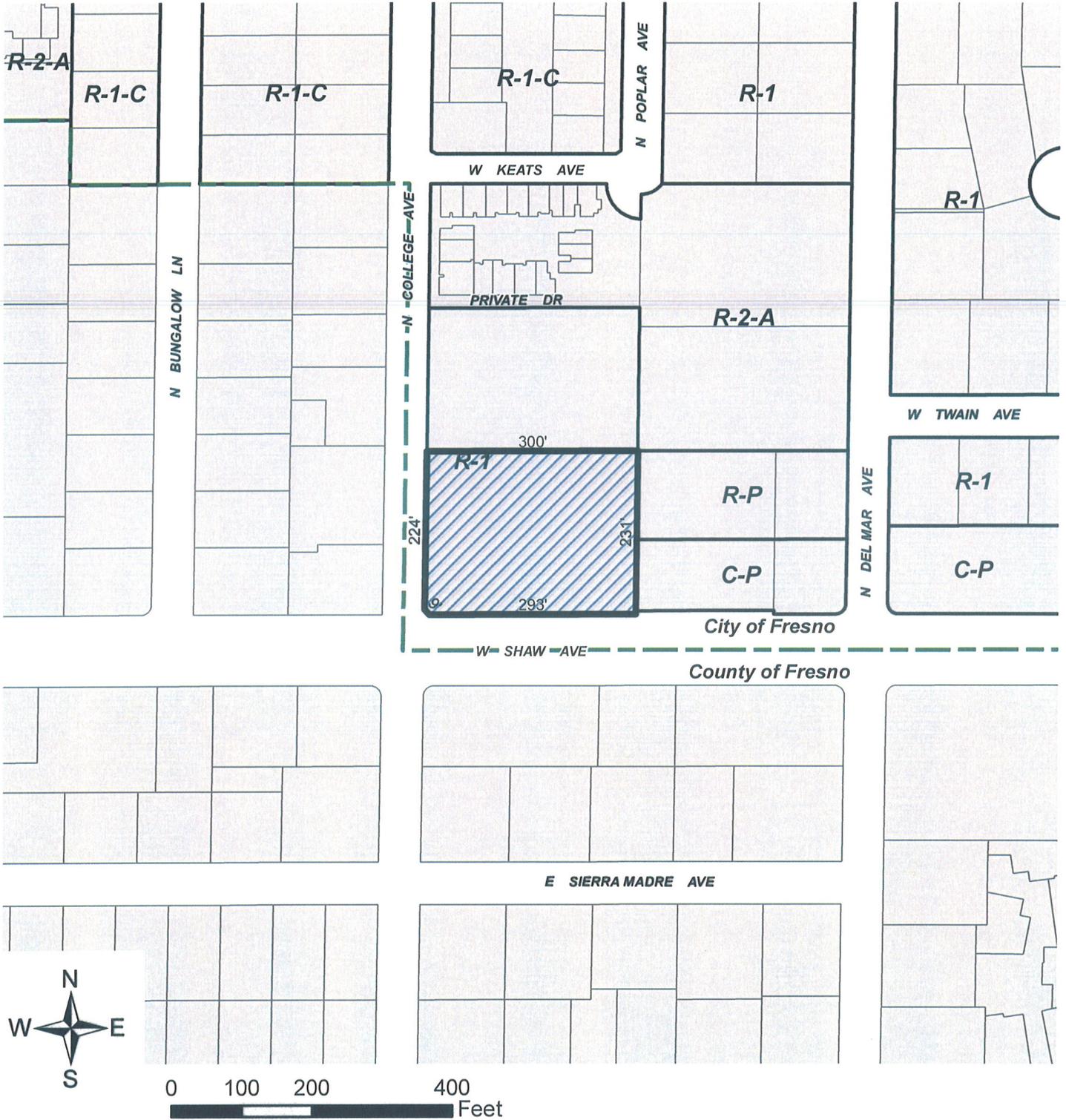
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EXHIBIT A



R-14-007
APN: 417-333-04 (portion)
280 West Shaw Avenue

-  R-1 to C-P, 1.58 Acres
-  City Limits

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. R-14-007**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

APPLICANT: Dirk Poeschel
Poeschel Land Development Services, Inc.
923 Van Ness Avenue, #200
Fresno, CA. 93721

PROJECT LOCATION: 280 West Shaw Avenue, located (APN: 417-333-04)

PROJECT DESCRIPTION: **Rezone Application No. R-14-007** pertains to 1.58± acres of an overall 2.96-acre site located on the northeast corner of West Shaw and North College Avenues. **Rezone Application No. R-14-007** proposes to amend the Official Zone Map to reclassify the southernmost 1.58± acres of the subject property from the R-1 (*Single Family Residential*) zone district to the C-P (*Administrative and Professional Offices*) zone district. The southernmost 1.58± acre portion of the property is planned for commercial office uses, and the requested rezone would be consistent with the General Plan land use designation. (The northern portion of the property is not part of this rezone application.)

This project is exempt under Sections 15301/Class 1 and 15332/Class 32 of the State of California CEQA Guidelines.

EXPLANATION: Section 15301/Class 1 exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The proposed project will rezone the southernmost portion of the property planned for commercial office uses to be consistent with the general plan land use designation. The project does not propose an expansion of existing use. The site is completely developed with structures, parking, sidewalks and extensive landscaping. The site is served by community sewer, water and storm drain services. The applicant contemplates no physical change to the site.

Section 15332/Class 32: The rezone application is consistent with the general, community, and specific plan planned land use designation of *Commercial Office* planned land use and conforms to all applicable policies. The site area is less than five acres, is completely surrounded by urban uses, and does not

contain any significant value as habitat for endangered, rare, or threatened species.

The proposed project is consistent with the exemption because the project is requesting authorization to rezone a 1.58 acre portion of the 2.96 acre site to bring the site zoning into conformity with the adopted general plan. A church and related facility are allowed as a by-right use in the C-P zone district. The subject site is adequately served by all required utilities and public services. No adverse environmental impacts would occur as a result of the proposed project. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

Date: June 12, 2014

Prepared By: Christopher Preciado, Planner

Submitted By: 

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