



CITY *of* CLOVIS

REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: August 23, 2018

SUBJECT: Consider Approval, Res. 18-___, R88-09A, A request to approve an amendment to the conditions of approval to allow for the development of a multiple-family development consistent with the R-2 Zone District for property located at 1855 Austin Avenue. Mohamad Annan, owner/applicant; Aesthetics Designs, representative.

ATTACHMENTS:

Figure 1:	Location Map
Exhibit "A:":	Conditions of Approval
Attachment 1:	Draft Resolution

CONFLICT OF INTEREST

None

RECOMMENDATION

Staff recommends that the Planning Commission approve Rezone R88-09A, subject to the conditions listed in Exhibit "A."

EXECUTIVE SUMMARY

The applicant is requesting to amend the conditions of approval of Rezone R88-09A on approximately .7 acres of land located at 1855 Austin Avenue, to allow for future development subject to the property development standards of the R-2 (Medium Density Multiple Family Development) Zone District. Approval of the request will allow the developer to move forward with the development of the site.

BACKGROUND

- General Plan Designation: Medium High Residential (7.1 to 15.0 units per acre)
- Existing Zoning: R-2 (Medium Density Multiple-Family Residential)
- Lot Size: .7 Acres
- Current Land Use: Vacant
- Adjacent Land Uses: North: Single Family Residential
South: Multiple Family Residential and Commercial
East: Vacant and Single Family Residential
West: Day Care and Commercial
- Previous Entitlements: Rezone R88-09

PROPOSAL AND ANALYSIS

The subject property was originally part of a larger zoning action that included approximately eight acres of land associated with Rezone R88-09. In April of 1998, the Southeast Area Specific Plan was adopted, classifying various designations of the Plan area to include professional office, duplexes and triplexes in addition to low density single family residential. The Project site was designated for Medium High Density Multiple Family Residential. Residential development standards were set forth under the Specific Plan.

Because much of the Southeast Area Specific Plan area has been developed, the Plan was retired with the adoption of the 2014 General Plan Update. The Plan identified the Project site for single-story and/or limited (450 s.f.) two-story duplex or triplex development with enclosed garages in order to promote a less intensive atmosphere consistent with area single family development. The overall goal of these restrictions was to promote quality rental housing opportunities. Rezone R88-09 also had requirements in place that dictated the type of architectural materials to be used, front yard setbacks that were more restrictive than the typical R-2 Zone District and the requirement for Planning Commission review of any proposed site plan submittal.

On June 15, 1992, the City Council adopted the Multiple Family Residential Design Guidelines. The guidelines provided a specific set of standards to give Clovis residents a level of comfort and assurance that new units proposed within the City would be an enhancement to the community and their neighborhoods. Any future development would be subject to the adopted guidelines.

Applicant's Request

The applicant is requesting to amend Rezone R88-09, to provide for development requirements typical of the R-2 Zone District which provides the ability to construct by right, future two-story development utilizing the setbacks and off-street parking allowed in all R-2 Zone District properties throughout the City. The applicant feels that the R-2 Zone District, along with measures incorporated within the Multiple Family Design Guidelines provides adequate standards of development that allow for projects that would complement area properties.

The Project area is bounded by commercial and large-scale day cares to the west, retail commercial and several multiple-family developments to the south as well as vacant multiple-family designated property adjacent to the Project on the east. North of the project site is developed with two-story single family residences.

Infill Development

The property is located on an approximate .9 acres site surrounded on three sides by generally developed commercial and multiple-family developments. The applicant has the ability to utilize the property as one of the remaining infill developments in accordance with the General Plan policies.

Walls and Fence

The Project is adjacent to existing single family development on the north. Typical multiple-family development adjacent to residential uses requires construction of a solid masonry wall, a minimum of six feet (6') in height, and shall be constructed on the north boundary line, subject to site plan review.

Public Comments

A public notice was sent to area residents within 600 feet of the property boundary. Staff has not received comments or concerns from the public upon finalization of this report.

Review and Comments from Agencies

The Project was distributed to all City Divisions as well as outside agencies, including Cal Trans, Clovis Unified School District, Fresno Irrigation District, Fresno Metropolitan Flood Control District, AT&T, PG&E, San Joaquin Valley Air Pollution Control District, State Department of Fish and Game, LAFCo, and the County of Fresno.

Comments received are attached only if the agency has provided concerns, conditions, or mitigation measures. Routine responses and comment letters are placed in the administrative record and provided to the applicant for their records.

Analysis

The rezone would provide for a Multiple Family Development at the Medium High Density designation.

- Because the project would not amend the General Plan's land use diagrams intensity, if approved there would be no conflict between the proposed use and the existing land use designation.
- The proposal is consistent with the goals and policies of the housing element and the General Plan. At a zoning level, the development standards of the General Plan address residential development.

California Environmental Quality Act (CEQA)

The Project is in substantial conformance with the environmental impact report performed for the 2014 General Plan. No major revisions will be required with the adopted Environmental Impact Report to accommodate the proposed projects, therefore, subject to CEQA Sections 15162 and 15182 no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Wednesday, August 8, 2018.

FISCAL IMPACT

None

REASONS FOR RECOMMENDATION

The proposed rezone is consistent with the goals and policies of the General Plan and Development Code and provides a diversity of housing within an in-fill property. Staff therefore recommends that the Planning Commission approve R88-09A, subject to the attached conditions of approval listed as Exhibit "A".

The findings to consider when making a decision on a rezone application include:

1. The proposed amendment is consistent with the goals, policies, and actions of the General Plan; and
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.
3. The parcel is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/projects. (§ 2, Ord. 14-13, eff. October 8, 2014).

ACTIONS FOLLOWING APPROVAL

This item will continue on to the City Council for final consideration.

NOTICE OF HEARING

Property owners within 600 feet notified:	89
Interested individuals notified:	10

Prepared by: Orlando Ramirez, Senior Planner



Reviewed by: Bryan Araki
City Planner

**FIGURE 1
PROJECT LOCATION MAP**

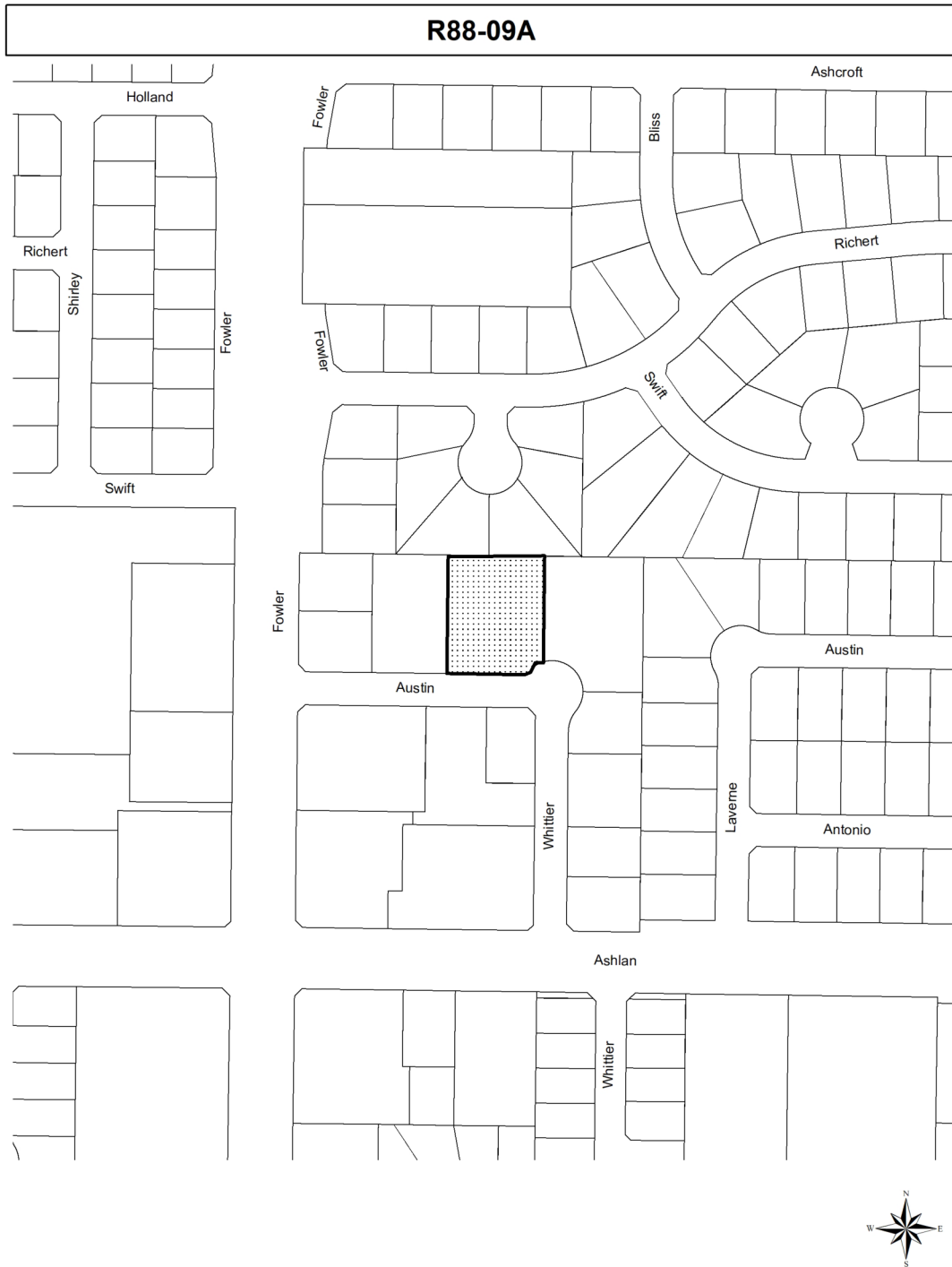


EXHIBIT "A"
Conditions of Approval – R88-09A

PLANNING DIVISION CONDITIONS
(Orlando Ramirez, Division Representative – (559) 324-2345)

1. Development of this site shall be consistent with the General Plan, Medium High Density Residential Designation.
2. Rezone R88-09A approves an R-2 Zoning permitting the development of a multiple-family product. Density shall be consistent with the General Plan and not exceed 15.0 dwelling units per acre.
3. Setbacks shall be measured to the exterior face of the framing of the structure. Exceptions to the setbacks are identified in §9.24.100, of the Clovis Development Code.
4. Rezone R88-09A shall follow the standards of the R-2 Zone District:
 - Front Yard Setback: 20 Feet
 - Side Yard Setback: 5 Feet
 - Rear Yard Setback: 20 Feet
5. Maximum building height shall not exceed thirty-five (35) feet.
6. Prior to final of any development, the developer shall construct a six-foot high masonry wall along the north property line.

**DRAFT
RESOLUTION 18-___**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS RECOMMENDING
APPROVAL TO AMEND THE ZONING OF APPROXIMATELY 0.9 ACRES TO ALLOW FOR
DEVELOPMENT CONSISTENT WITH THE R-2 (MULTIPLE FAMILY MEDIUM HIGH DENSITY)
ZONE DISTRICT FOR PROPERTY LOCATED AT 1855 AUSTIN AVENUE**

LEGAL DESCRIPTION:

See the attached Exhibit "One."

WHEREAS, Mohamed Annan, 783 N. Marion Avenue, Clovis, CA 93611, has applied for a Rezone R88-09A; and

WHEREAS, this is a request to approve an amendment to the conditions of approval to allow for the development of a multiple-family development consistent with the R-2 Zone District for property located at 1855 Austin Avenue, in the City of Clovis, California; and

WHEREAS, the Commission does find the project in substantial conformance with the environmental analysis performed for 2014 General Plan Update and 2014 Development Code Update.

WHEREAS, a public notice was sent out to area residents within 600 feet of said property boundaries ten days prior to said hearing; and

WHEREAS, the Rezoning is in keeping with the intent and purpose of the Zoning Ordinance; and

WHEREAS, after hearing evidence gathered by itself and on its behalf and after making the following findings, namely;

1. The proposed amendment is consistent with the goals, policies, and actions of the General Plan; and
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.
3. The parcel is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/projects. (§ 2, Ord. 14-13, eff. October 8, 2014)

NOW, THEREFORE, BE IT RESOLVED that the Clovis Planning Commission does recommend approval of Rezone R88-09A.

* * * * *

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on August 23, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 18-_____
DATED: August 23, 2018

Paul Hinkle, Chair

ATTEST: _____
Dwight Kroll, AICP, Secretary