



- CITY OF CLOVIS - REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: April 26, 2018

SUBJECT: Consider Approval, Res. 18-____, **R2018-01**, A request to approve a rezone of approximately 0.87 acres of land located at the northeast corner of Peach and Gettysburg Avenues from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-1-MD (Single-Family Medium Density) Zone District. MDSG Development, LLC., owner/applicant; Harbour & Associates, representative.

ATTACHMENTS:

Figure 1:	Location Map
Exhibit "A:"	R2018-01 Conditions of Approval
Attachment 1:	Draft Rezone Resolution
Attachment 2:	Correspondence from Commenting Agencies

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission approve Rezone R2018-01, subject to the conditions of approval listed as Exhibit "A."

EXECUTIVE SUMMARY

The applicant is requesting to rezone approximately 0.87 acres of land located at the northeast corner of Peach and Gettysburg Avenues from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-1-MD (Single-Family Medium Density) Zone District. Approval of the request will bring the property into conformance with the General Plan Land Use Diagram and permit development of single-family homes.

BACKGROUND

- General Plan Designation: Medium Density Residential (4.1 to 7.0 units per acre)
- Existing Zoning: R-A (Single-Family Residential - 24,000 Sq. Ft.)
- Lot Size: 0.87 acres
- Current Land Use: Vacant
- Adjacent Land Uses: North: Single-Family Residential
South: Commercial
East: Rural Single-Family Residential
West: Multi-Family Residential

PROPOSAL AND ANALYSIS

Rezone

The applicant is requesting to rezone the Project site from the R-A (Single-Family Residential – 24,000 Sq. Ft. Min.) Zone District to the R-1-MD (Single-Family Medium Density) Zone District. The project area's designation of Medium Density Residential (4.1 – 7.0 DU/AC) in the General Plan Land Use Diagram is consistent with the proposed rezone.

Development Standards

The project will follow the standards of the R-1-MD Zone District, including a 15-foot front yard setback (20-foot to face of garage door), 15-foot rear yard setback, and 5-foot on each side (interior lots).

Associated Applications

The applicant is processing a parcel map to split the site into four (4) parcels plus one (1) remainder. All parcels, including the remainder will face Peach Avenue.

Public Comments

A public notice was sent to area residents within 600 feet of the property boundaries. 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, and the State Department of Fish and Wildlife.

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.

Consistency with General Plan Goals and Policies

Staff has evaluated the Project in light of the General Plan Land Use goals and policies. The following goals and policies reflect Clovis' desire to maintain Clovis' tradition of responsible planning and well managed growth to preserve the quality of life in existing neighborhoods and ensure the development of new neighborhoods with an equal quality of life. The goals and policies seek to foster more compact development patterns that can reduce the number, length, and duration of auto trips.

Goal 6: A city that grows and develops in a manner that implements its vision, sustains the integrity of its guiding principles, and requires few and infrequent amendments to the General Plan.

Policy 6.2 **Smart growth.** The city is committed to the following smart growth goals.

- Create a range of housing opportunities and choices.
- Create walkable neighborhoods.
- Foster distinctive, attractive communities with a strong sense of place.
- Mix land uses.
- Strengthen and direct development toward existing communities.
- Take advantage of compact building design.

California Environmental Quality Act (CEQA)

This project is in substantial conformance with the environmental analysis performed for 2014 General Plan Update and 2014 Development Code Update. No major revisions will be required with the adopted Environmental Impact Report to accommodate the proposed project, therefore, subject to CEQA Sections 15162, no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Wednesday, April 11, 2018.

FISCAL IMPACT

None.

REASONS FOR RECOMMENDATION

The proposed rezone is consistent with the goals and policies of the General Plan Land Use Diagram and Development Code. The applicant is also processing a concurrent parcel map to subdivide the property for single-family development. Staff therefore

recommends that the Planning Commission approve Rezone R2018-01, subject to the conditions of approval attached 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:	69
Interested individuals notified:	10

Prepared by: George González, MPA, Associate Planner

Reviewed by: 
Bryan Araki
City Planner

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**FIGURE 1
PROJECT LOCATION MAP**

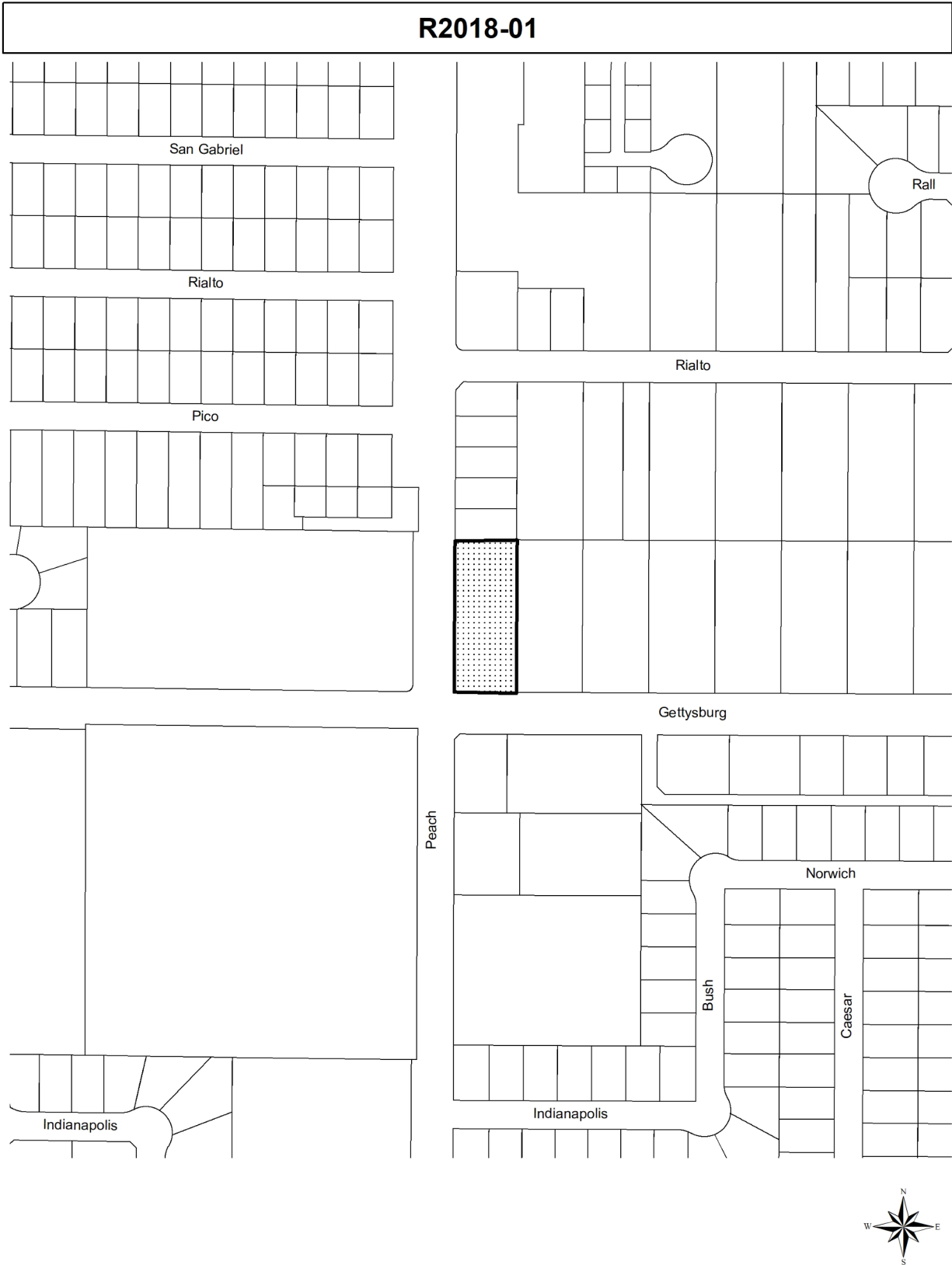


EXHIBIT "A"
Conditions of Approval – R2018-01

PLANNING DIVISION CONDITIONS
(George González, Division Representative – (559) 324-2383)

1. Development of this site shall be consistent with the General Plan, Medium Density Residential Designation.
2. Rezone R2018-01 approves an R-1-MD Zoning permitting the development of a single-family product. Density shall be consistent with the General Plan and not exceed 7.0 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 R2018-01 shall follow the standards of the R-1-MD Zone District:
 - Front Yard Setback to Living: 15 Feet
 - Front Yard Setback to Garage: 20 Feet
 - Side Yard Setback: 5 Feet
 - Street Side Yard Setback: 10 Feet
 - Reversed Corner (Street Side): 15 Feet
 - Rear Yard Setback: 15 Feet
5. Maximum lot coverage is 45% unless specifically approved through a residential site plan review or variance.
6. Maximum building (main structure) height shall not exceed thirty-five (35) feet.

DRAFT RESOLUTION

ATTACHMENT 1

**DRAFT
RESOLUTION 18-____**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS RECOMMENDING
APPROVAL TO REZONE APPROXIMATELY 0.87 ACRES FROM THE R-A (SINGLE-FAMILY
RESIDENTIAL – 24,000 SQ. FT.) ZONE DISTRICT TO THE R-1-MD (SINGLE-FAMILY MEDIUM
DENSITY) ZONE DISTRICT FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF
PEACH AND GETTYSBURG AVENUES**

LEGAL DESCRIPTION:

See the attached Exhibit “One.”

WHEREAS, MDSG Development, LLC., 1187 N. Willow Avenue, #103 PMB 171, Clovis, CA 93611, has applied for a Rezone R2018-01; and

WHEREAS, this is a request to rezone approximately 0.87 acres from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-1-MD (Single-Family Medium Density) Zone District for property located at the northeast corner of Peach and Gettysburg Avenues, 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 R2018-01.

* * * * *

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on April 26, 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: April 26, 2018

Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

CORRESPONDENCE

ATTACHMENT 2



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director
Dr. Ken Bird, Health Officer

December 8, 2017

LU0019269
2604

Joyce Roach, Planning Intern
City of Clovis
Planning and Development Services Department
1033 Fifth Street
Clovis, CA 93612

Dear Ms. Roach:

PROJECT NUMBER: **DRC2017-58**

Proposal to rezone from single family residential to medium high density for five (5) apartment units.

APN: 499-100-30

ADDRESS: 377 W. Gettysburg Avenue

Recommended Conditions of Approval:

- Construction permits for the proposed development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the proposed development should be subject to assurance that the City of Clovis community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

Promotion, preservation and protection of the community's health

1221 Fulton Mall / P. O. Box 11867, Fresno, CA 93775

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- If any underground storage tank(s) are found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

REVIEWED BY:

Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II

(559) 600-3271

kt

cc: Steven Rhodes- Environmental Health Division (CT. 53.01)
Harjot Dulai- Applicant (harjotdulai@gmail.com)



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 210.434
210.431 "2018-004"

March 14, 2018

Mr. George Gonzalez
City of Clovis
Department of Planning & Development Services
1033 Fifth Street
Clovis, CA 93612

Dear Mr. Gonzalez,

**Rezone Application No. R2018-01
Drainage Area "S"**

The proposed rezone lies within the District's Drainage Area "S". Based on information submitted at this time, the District's system can accommodate the proposed rezone. The existing Master Plan system has been designed for runoff from a Medium Density Residential land use at this location. Lot coverage must be provided to the District prior to submittal of improvement plans for this project. Should the density of the project be commensurate with a density higher than the system design, mitigation may be required.

Please contact us if you need further information at (559) 456-3292.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael Maxwell".

Michael Maxwell
Engineering Technician III

MM/lrl

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