



- 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-____, R2018-02, A request to approve a rezone of approximately 2.39 acres of property located at 1827 N. Locan Avenue from the R-A (Single Family Residential - 24,000 Sq. Ft.) Zone District to the R-1-B (Single Family Residential - 12,000 Sq. Ft.) Zone District. Laura Ossenberg, owner; Pennca Properties, LLC, applicant; Harbour and Associates, representative.

ATTACHMENTS:

Figure 1:	Location Map
Attachment 1:	Draft Resolution
Attachment 2:	Correspondence from Commenting Agencies

CONFLICT OF INTEREST

None

RECOMMENDATION

Staff recommends that the Planning Commission approve Rezone R2018-02.

EXECUTIVE SUMMARY

The applicant is requesting to rezone approximately 2.39 acres of land located at 1827 N. Locan Avenue, from the R-A (Single-Family Residential – 24,000 sq. ft.) Zone District to the R-1-B (Single Family Residential - 12,000 Sq. Ft), Zone District. Approval of the request will bring the property into conformance with the General Plan.

Approval of this rezone and variance will allow the developer to move forward with the development of the site.

BACKGROUND

- General Plan Designation: Very Low Density Residential (.6 to 2.0 DU/AC).
- Specific Plan Designation: Herndon-Shepherd Specific Plan
- Existing Zoning: R-A (Single-Family Residential – 24,000 sq. ft.)
- Lot Size: Total area is approximately 2.39 acres
- Current Land Use: Rural Residential
- Adjacent Land Uses: North: Rural Residential
South: Low Density Residential
East: Low Density Residential
West: Low Density Residential and Rural Residential

PROPOSAL AND ANALYSIS

Rezone

Request

The applicant is requesting to rezone the property located at 1827 N. Locan Avenue from the R-A Zone District to the R-1-B. The request would classify the site as a Very Low Density R-1-B Zone District for consistency with very low density development (.6 to 2.0 du/ac) in the area. The property encompasses an approximate 2.39 acre parcel with an existing home. The property is bounded by rural residential and low density single family development on all four sides.

Consistency with the General Plan and Herndon-Shepherd Specific Plan

Any future development of this site requires that the zoning and General Plan are consistent. Approval of the rezone is a clean-up action which will bring the zoning into conformance with the General Plan.

Infill Development

The Project is located on an approximate 2.39 acre site surrounded by developed single-family residential and rural residential. The applicant has an opportunity to utilize the property as an infill development in accordance with the General Plan policies noted above.

Public Comments

A public notice was sent to area residents within 600 feet of the property boundaries. Staff has not received any inquiries prior to finalization of the staff 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 Game.

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 Single Family Development at a very low density designation.

- Because the project would not amend the General and Specific plans' 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.

Consistency with the General Plan and Policies

California State Planning and Zoning Law requires that cities maintain consistent zoning per the General Plan. This rezone would bring the property into conformance with the General Plan.

California Environmental Quality Act (CEQA)

The Project is exempt from CEQA pursuant to a Class 32 categorical exemption. Class 32 exemptions consist of in-fill development less than 5 acres in size meeting the conditions described in California Government Code Section 15332(a), (b), (c), (d) and (e). A Notice of Exemption has been completed during the preliminary review and is kept for public review with the project file during the processing of the project application. Staff will file the notice with the County Clerk if the project is approved

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

FISCAL IMPACT

None

REASONS FOR RECOMMENDATION

The Project 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 R2018-02, 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 rezoning is in keeping with the intent and purpose of the Zoning Ordinance.
2. The rezoning is compatible with the surrounding properties.
3. The rezoning is consistent with the Clovis General Plan.

ACTIONS FOLLOWING APPROVAL

The Rezone will continue on to the City Council for final consideration.

NOTICE OF HEARING

Property owners within 600 feet notified:	106
Interested individuals notified:	10

Prepared by: Orlando Ramirez, Senior Planner

Reviewed by:



Bryan Araki
City Planner

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**FIGURE 1
PROJECT LOCATION MAP**



**DRAFT
RESOLUTION 18-____**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS RECOMMENDING
APPROVAL TO REZONE APPROXIMATELY 2.39 ACRES FROM THE R-A (SINGLE-FAMILY
RESIDENTIAL 24,000 SQ. FT. MIN LOT SIZE) ZONE DISTRICT TO THE R-1-B (VERY LOW
DENSITY SINGLE-FAMILY RESIDENTIAL-12,000 SQ. FT. MIN. LOT SIZE) ZONE DISTRICT FOR
PROPERTY LOCATED AT 1827 N. LOCAN AVENUE**

LEGAL DESCRIPTION:

See the attached Exhibit "One."

WHEREAS, Penncal Properties, LLC, 1865 Herndon Avenue, Suite K518, Clovis, CA 93611, has applied for a Rezone R2018-02; and

WHEREAS, this is a request to rezone approximately 2.39 acre from the R-A (Single-Family Residential 24,000 sq. ft. min lot size) Zone District to the R-1-B (Very Low Density Single-Family Residential 12,000 sq. ft. min. lot size) Zone District for property located at 1827 N. Locan Avenue, in the City of Clovis, County of Fresno, California; and

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, a duly noticed hearing was held on April 26, 2018, 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; and

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

1. The rezoning is in keeping with the intent and purpose of the Zoning Ordinance.
2. The rezoning is compatible with the surrounding properties.
3. The rezoning is consistent with the Clovis General Plan.
4. That, based upon the Initial Study and comments received, there is no substantial evidence that the project will have a significant effect on the environment.
5. That Rezone R2018-02 is exempt from CEQA pursuant to a Class 32 categorical exemption.

NOW, THEREFORE, BE IT RESOLVED that the Clovis Planning Commission does recommend approval of Rezone R2018-02.

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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



March 12, 2018

Orlando Ramirez
Planning and Development Services Dept.
1033 Fifth St.
Clovis, CA 93612

SUBJECT: R2018-02
1827 N. Locan Avenue

Dear Mr. Ramirez:

The purpose of this letter is to provide school district information relative to the above-referenced subdivision and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the subdivider/owner and the State Department of Real Estate.

In regards to this project with R2018-02 the district has concern regarding the re-designation of the land located on the east side of Locan avenue, south of Shepherd Avenue. Currently this project site has a designation of Very Low Density Residential (0.6 to 2.0 DU/AC), the district does not feel confident in the ability to accommodate students associated with a re-designation to Low Density Residential (2.0 to 4.0 DU/AC). The district would like to bring this concern to the attention of the planning department and owner/sub divider.

1. Elementary School Information:

- (a) The subject land is presently within the attendance area of the elementary school (grades K-6) listed below:

School Name: *Bud Rank Elementary*
Address: *3650 Powers Ave Clovis CA 93619-5900*
Telephone: *(559) 327-4900*
Capacity: *864*
Enrollment: *852 (CBEDS enrollment 2016-17 school year)*

- (b) Because of projected growth in the District and the District's plans for construction of new school facilities, it is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than the school listed above, and (2) students residing in the project area may attend more than one elementary school within the District during their elementary school years.

Governing Board

Sandra A. Budd
Christopher Casado
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Superintendent
Don Ulrich, Ed.D.
Deputy Superintendent
Norm Anderson
Associate Superintendent
Barry S. Jager, Jr.
Associate Superintendent
Michael Johnston
Associate Superintendent

2. Intermediate School Information:

School Name: *Granite Ridge Intermediate*
Address: *2770 E International Ave Fresno CA 93730-5400*
Telephone: *(559) 327-5000*
Capacity: *1600*
Enrollment: *1361 (CBEDS enrollment 2016-17 school year)*

3. High School Information:

School Name: *Clovis North High School*
Address: *2770 E International Ave Fresno CA 93730-5400*
Telephone: *(559) 327-5000*
Capacity: *3100*
Enrollment: *2498 (CBEDS enrollment 2016-17 school year)*

4. Bus transportation is currently provided for grades K-6 students residing further than one mile from school and for grades 7-12 students residing further than two and one-half miles from school. Transportation will be available for students attending the above-identified elementary, intermediate and high schools in accordance with District standards in effect at the time of enrollment.
5. The District currently levies a school facilities fee of \$4.63 per square foot (as of July 1, 2017) for residential development. The fee is adjusted periodically in accordance with law. New development on the subject property will be subject to the fee in place at the time fee certificates are obtained.

The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

Thank you for the opportunity to comment on the project. Please contact me if you have any questions regarding this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M Johnston', with a long horizontal flourish extending to the right.

Michael Johnston
Associate Superintendent
Administrative Services