

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, AMENDING THE FRESNO  
GENERAL PLAN AND THE SOUTHWEST FRESNO  
SPECIFIC PLAN (PLAN AMENDMENT APPLICATION P18-  
03290)

WHEREAS, on December 18, 2014, by Resolution No. 2014-226, the City Council adopted the Fresno General Plan, and by Resolution No. 2014-225, certified Master Environmental Impact Report SCH No. 2012111015 ("MEIR") which evaluated the potentially significant adverse environmental impacts of urban development within the City of Fresno's designated urban boundary line and sphere of influence; and

WHEREAS, on October 26, 2017, by Resolution No. 2017-301, the City Council adopted the Southwest Fresno Specific Plan, and by Resolution No. 2017-299 certified Environmental Impact Report SCH No. 2017031012 which evaluated the potentially significant adverse environmental impacts of development within the footprint of the Southwest Fresno Specific Plan; and

WHEREAS, on August 24, 2017, the City Council approved Plan Amendment No. A-17-007, Prezone Application No. R-17-010, and Tentative Parcel Map No. TPM-17-06 (collectively the "Prior Approvals"), which were environmentally assessed with a Mitigated Negative Declaration (EA No. A-17-007/R-17-010/TPM-17-06/ANX-17-005), pertaining to approximately 115.95 acres of property on the northwest corner of East Jensen Avenue and South Martin Luther King Jr. Boulevard (the Subject Property), which lies within the boundaries of both the Fresno General Plan and the Southwest Fresno Specific Plan; and

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No.

WHEREAS, Daniel J. Zoldak of Lars Andersen & Associates on behalf of Sylvesta Hall of 2500 MLK LLC, has filed an application to amend the Fresno General Plan and Southwest Fresno Specific Plan to further refine the planned land uses for the Subject Property to facilitate its development consistent with the goals, objectives and policies of the Southwest Fresno Specific Plan; and

WHEREAS, Plan Amendment Application No. P18-03290 proposes to change the planned land use for approximately 89.68 acres of property on the northwest corner of East Jensen Avenue and South Martin Luther King Jr. Boulevard, from the following land uses: Community Park for 9.51 acres, College for 6.48 acres, Medium Density for 50.18 acres, Regional Commercial for 21.08 acres, and Community Commercial for 2.43 acres to Medium Density Residential for 26.58 acres, Medium High Density Residential for 21.32 acres, Community Park for 11.74 acres, Community Commercial for 3.08 acres, and Regional Commercial for 26.96; and

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in the preparation of an Addendum to Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005 (a Mitigated Negative Declaration); and

WHEREAS, on November 4, 2019 the Airport Land Use Commission (ALUC) approved a Finding of Consistency with their adopted Fresno County Airport Land Use Compatibility Plan; and

WHEREAS, on November 26, 2019, the District 3 Project Review Committee recommended approval of the proposed Plan Amendment Application through a vote of 3-0-1; and

WHEREAS, on February 5, 2020, pursuant to the provisions of section 15-5809, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing to consider Plan Amendment Application No. P18-03290, along with related Rezone Application No. P18-03290, and the addendum to Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005 (a Mitigated Negative Declaration), during which the Commission considered the environmental assessment and recommended approval of Plan Amendment Application No. P18-03290, to the Council of the City of Fresno as set forth in Exhibit A, as evidenced by Planning Commission Resolution No.\_\_\_\_\_; and

WHEREAS, on February 13, 2020, the Fresno City Council held a duly noticed public hearing to consider Plan Amendment Application No. P18-03290 and received both oral testimony and written information presented at the hearing regarding the application.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno, based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, as follows:

1. The Council finds in accordance with its own independent judgment that an Addendum to Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005 (a Mitigated Negative Declaration) is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR or Mitigated Negative Declaration have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines. There is no substantial evidence in the record that Plan Amendment Application No. P18-03290 may have

additional significant effects on the environment that were not identified in Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005 (a Mitigated Negative Declaration), and that all applicable mitigation measures of the prior MND have been applied to the project. In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), Council finds that no substantial changes have occurred with respect to the circumstances under which the prior MND was adopted; and, that no new information, which was not known and could not have been known at the time that the prior MND, has become available. Accordingly, the Council adopts the January 13, 2020 Addendum to the Mitigated Negative Declaration prepared for Environmental Assessment No. A-17-007/R-17-010/ANX-17-005/TPM-17-06.

2. The Council finds the adoption of the proposed Plan Amendment as recommended by the Planning Commission is in the best interest of the City of Fresno.

3. The Council of the City of Fresno hereby adopts Plan Amendment Application No. P18-03290 amending the Fresno General Plan and Southwest Fresno Specific Plan planned land use designation for approximately 89.68 acres of property located on the northwest corner of East Jensen Avenue and South Martin Luther King Jr. Boulevard, from the following land uses: Community Park for 9.51 acres, College for 6.48 acres, Medium Density for 50.18 acres, Regional Commercial for 21.08 acres, and Community Commercial for 2.43 acres to Medium Density Residential for 26.58 acres, Medium High Density Residential for 21.32 acres, Community Park for 11.74 acres, Community Commercial for 3.08 acres, and Regional Commercial for 26.96as indicated in Exhibit A.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

YVONNE SPENCE, MMC CRM  
City Clerk

By: \_\_\_\_\_  
Deputy Date

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: \_\_\_\_\_  
Talía Kolluri [date]  
Supervising Deputy City Attorney

Attachment: Exhibit A

[illegible]

Request to amend the Fresno General Plan