

CITY OF FRESNO AMENDED MITIGATED NEGATIVE DECLARATION (Addendum Project Description) <i>Amended in accordance with Section 15073.5(c) of the California Environmental Quality Act (CEQA) Guidelines</i>		Notice of Intent was filed with: FRESNO COUNTY CLERK 2221 Kern Street Fresno, California 93721 on December 01, 2017 In accordance with Section 15072 of the California Environmental Quality Act (CEQA) Guidelines
The full Initial Study and the Fresno General Plan Master Environmental Impact Report are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277	ENVIRONMENTAL ASSESSMENT NUMBER: <u>A-16-017/R-16-018/C-17-059</u>	
APPLICANT: Giorgio Russo Ginder Development 759 West Alluvial Avenue, #102 Fresno, CA, 93711	PROJECT LOCATION: 7035 North Blythe Avenue, Fresno, California 93722, in the City and County of Fresno, California (±7.1 acres) 36.837541 Latitude, -119.871553 Longitude Assessor's Parcel Number(s): 501-043-06 Mount Diablo Base & Meridian, Township 12S, Range 19E , Section 35	
PROJECT DESCRIPTION: Giorgio Russo of Ginder Development has filed Plan Amendment Application No. A-16-017, Rezone Application No. R-16-018 and Conditional Use Permit Application No. C-17-059 pertaining to ±7.1 acres of property located on the northwest corner of North Blythe and West Herndon Avenues. Plan Amendment Application No. A-16-017 was originally filed with intent to change the planned land use designation for the ±7.1 acre subject property from Community Commercial to ±4.66 acres of Residential Multi-Family, Medium High Density and ±2.59 acres of General Commercial. The associated Rezone Application No. R-16-018 proposed to rezone the subject property from CC (Commercial-Community) to RM-1 (Residential Multi-Family Medium High Density) and CG (Commercial General) for the respective portions of the subject property in accordance with Plan Amendment Application No. A-16-017. The applications were filed in order to facilitate development of a gated multi-unit residential complex with 80 residential units, a community building, and associated outdoor recreation facilities on the 4.66 acre portion of the subject property and 3 detached commercial pads (one of which includes a drive-through) on the 2.59 acre portion of the subject property pursuant to Conditional Use Permit Application No. C-17-059. The project will also require dedications for public street rights-of-way and utility easements as well as		

the construction of public facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno in order to facilitate the future proposed development of the subject property.

The City of Fresno conducted an initial study of the above-described project and determined it to be a subsequent project not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan.

On December 01, 2017 the City of Fresno, the Lead Agency, filed a Notice of Intent for the Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-017/R-16-018/C-17-059 with the Fresno County Clerk. The Mitigated Negative Declaration prepared for the originally proposed project considered and evaluated the potential effects associated with the initial proposal to: (1) Amend the Fresno General Plan to change the planned land use designations for the subject property from Community Commercial (± 7.1 acres) to Medium-High Density Residential (± 4.66 acres) and Commercial General (± 2.59); (2) The associated rezoning to amend the Official Zone Map to reclassify the ± 7.1 acre subject property from CC (*Community Commercial*) to RM-1 (*Residential Multi Family, Medium-High Density*) (± 4.66 acres) and CG (*Commercial General*) (± 2.59 acres) in accordance with Plan Amendment Application No. A-16-017; and, (3) Develop a gated multi-unit residential complex with 80 residential units, a community building, and associated outdoor recreation facilities on the 4.66 acre portion of the subject property and 3 detached commercial pads (one of which includes a drive-through) on the 2.59 acre portion of the subject property pursuant to Conditional Use Permit Application No. C-17-059. Based upon this proposed development and applying the factors outlined in the Institute of Traffic Engineers (ITE) Trip Generation Manual, the environmental assessment evaluated impacts associated with a total project vehicle trip generation of 1,937 Average Daily Trips (ADT), with 70 vehicle trips occurring during the morning peak hour travel period (7 to 9 a.m.) and 172 vehicle trips occurring during the evening peak hour travel period (4 to 6 p.m.).

On November 15, 2017, the proposed project was scheduled for consideration by the Planning Commission. After a full and complete hearing and following staff's presentation, the Planning Commission voted to continue the item in order to allow additional time for the project developers to work out concerns with local residents.

Per a letter received by the Development and Resource Management Department on December 14, 2017, the applicant has modified the original applications, as follows: (1) Amend the Fresno General Plan to change the planned land use designation for a ± 2.59 acre portion of the subject property from Community Commercial to Commercial General with Plan Amendment Application No. A-16-017; (2) Amend the Official Zone Map to reclassify the same ± 2.59 acre portion of the subject property from the CC (*Community Commercial*) to the CG (*Commercial General*) zone district with Rezone Application No. R-16-018; and, (3) Develop three detached commercial pads (one of which includes a drive-through) on the ± 2.59 acre portion of the subject property pursuant to Conditional Use Permit Application No. C-17-059.

The Notice of Intent to adopt a Mitigated Negative Declaration was filed with the Fresno County Clerk and noticed within the Fresno Bee on December 01, 2017 in accordance with Section 15072 of the California Environmental Quality Act (CEQA) Guidelines.

Section 15073.5 of the CEQA Guidelines provides that a lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its

availability has previously been given pursuant to Section 15072, but prior to its adoption.

There are no aspects of the modifications to the proposed project that will result in a new, avoidable significant effect for which mitigation measures or project revisions must be added in order to reduce the effect to insignificance. Furthermore, the City of Fresno, as lead agency, has determined that the previously proposed mitigation measures (included with the Mitigated Negative Declaration dated December 01, 2017, which was prepared for Environmental Assessment No. A-16-017/R-16-018/C-17-059) will reduce potential effects to less than significance and that no new mitigation measures or project revisions must be required.

Based upon this and subsequent analysis, it may be determined: (1) Based upon the density and intensity proposed, the recommended changes to the proposed project fall within the scope of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-017/R-16-018/C-17-059 dated December 01, 2017; (2) No substantial changes are proposed in the project which require major revisions to the previously prepared mitigated negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the mitigated negative declaration for Environmental Assessment No. A-16-017/R-16-018/C-17-059 was prepared, has become available.

FINDINGS PURSUANT TO SECTION 15073.5(C) OF THE CEQA GUIDELINES.

(1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1; or,

Finding (1):	No mitigation measures are proposed to be replaced.
---------------------	---

(2) New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new or avoidable significant effects; or,

Finding (2):	Project revisions have been proposed which remove elements of the project for which written and verbal comments were received. However, project revisions were not made for purposes of avoiding a new significant effect as provided under Finding (3) herein below.
---------------------	---

(3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect; or,

Finding (3):	The proposed revisions to the project are not required by CEQA or for purposes of mitigating an avoidable significant effect. The Mitigated Negative Declaration dated December 01, 2017, which was prepared for Environmental Assessment No. A-16-017/R-16-018/C-17-059, was tiered from the Fresno General Plan Master Environmental Impact Report (MEIR SCH#2012111015) and
---------------------	--

identified potential impacts associated with the proposed project as evaluated within the associated initial study. The initial study provided an evaluation with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. Based upon this evaluation and the analyses contained therein the initial study determined, with project specific mitigation imposed, that there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR.

Furthermore, no new information, which was not known and could not have been known at the time that the Mitigated Negative Declaration was prepared has become available providing substantial evidence that the project will result in significant effects not discussed in the initial study; or, that any significant effects previously examined may be substantially more severe.

Finally, pursuant to Public Resources Code, Section 21157.6(b)(1), staff has determined that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

(4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

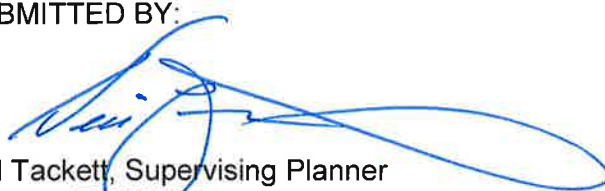
**Finding
(4):**

The information provided within this addendum has been prepared for purposes of identifying modifications to the scope of the proposed project in order to clarify and make insignificant changes to the project description provided with the Mitigated Negative Declaration. No project revisions or new mitigation measures have been proposed or are required by CEQA as provided within this addendum and associated findings included herein above.

ADDENDUM PREPARED BY:
Will Tackett, Supervising Planner

DATE: December 15, 2017

SUBMITTED BY:


Will Tackett, Supervising Planner
DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT