

RECEIVED

2014 SEP 23 AM 11 17 RESOLUTION NO. _____

CITY CLERK, FRESNO, CA
A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO AMEND THE 2025 FRESNO
GENERAL PLAN AND THE BULLARD COMMUNITY PLAN
(PLAN AMENDMENT APPLICATION NO. A-14-002)

WHEREAS, on November 19, 2002, by Resolution No. 2002-379, the City Council adopted the 2025 Fresno General Plan which correspondingly adopted the Bullard Community Plan and by Resolution No. 2002-378 certified Master Environmental Impact Report No. 10130 which evaluated the potentially significant adverse environmental impacts of urban development within the City of Fresno's designated urban boundary line and extended sphere of influence;

WHEREAS, Giorgio Russo of the Ginder Corporation, on behalf of the John Allen Company, has filed an application to amend the land use designation of the aforementioned plans by changing the planned land use designation of the approximately 8.21 acre subject property, located on the north side of North Figarden Drive between West Bullard and North Gates Avenues, and depicted in Exhibit "A" attached hereto and incorporated herein by reference, from the Community Commercial planned land use designation to the Medium-High Density Residential land use designation;

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in a Notice of Intent to Adopt a Mitigated Negative Declaration, filed with the Fresno County Clerk on July 25, 2014;

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: MRC

Resolution No.

WHEREAS, on August 20, 2014, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. A-14-002 and the associated negative declaration prepared for Environmental Assessment No. A-14-002/R-14-008/C-14-012;

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 13299, to recommend that the City Council approve Environmental Assessment No. A-14-002/R-14-002/C-14-012 and Plan Amendment Application No. A-14-002 which proposes to amend the planned land use designation for the subject property from the Community Commercial planned land use designation to the Medium-High Density Residential land use designation; and,

WHEREAS, on September 25, 2014, the Fresno City Council held a public hearing to consider Environmental Assessment No. A-14-002/R-14-002/C-14-012 and Plan Amendment Application No. A-14-002 and received both oral testimony and written information presented at the hearing regarding the environmental assessment and plan amendment 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 there is no substantial evidence in the record that, with the mitigation imposed, Plan Amendment Application No. A-14-002 may have additional significant effects on the environment that were not identified in the 2025 Fresno General Plan Master Environmental Impact Report No. 10130 ("MEIR") or Mitigated Negative Declaration

("MND") No. A-09-02 adopted for the Air Quality Update to the 2025 Fresno General Plan, and that all applicable mitigation measures of MEIR No. 10130 and MND No. A-09-02 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 MEIR No. 10130 was certified and MND No. A-09-02/SCH No. 2009051016 was adopted; 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. Accordingly, the Council adopts the Mitigated Negative Declaration prepared for Environmental Assessment No. A-14-002/R-14-002/C-14-012 dated July 25, 2014.

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. A-14-002 amending the 2025 Fresno General Plan and Bullard Community Plan planned land use designation from the Community Commercial planned land use designation to the Medium-High Density Residential land use designation , as depicted by Exhibit "A" attached hereto and incorporated herein by reference.

* * * * *

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 25th day of September, 2014.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

YVONNE SPENCE, CMC
City Clerk

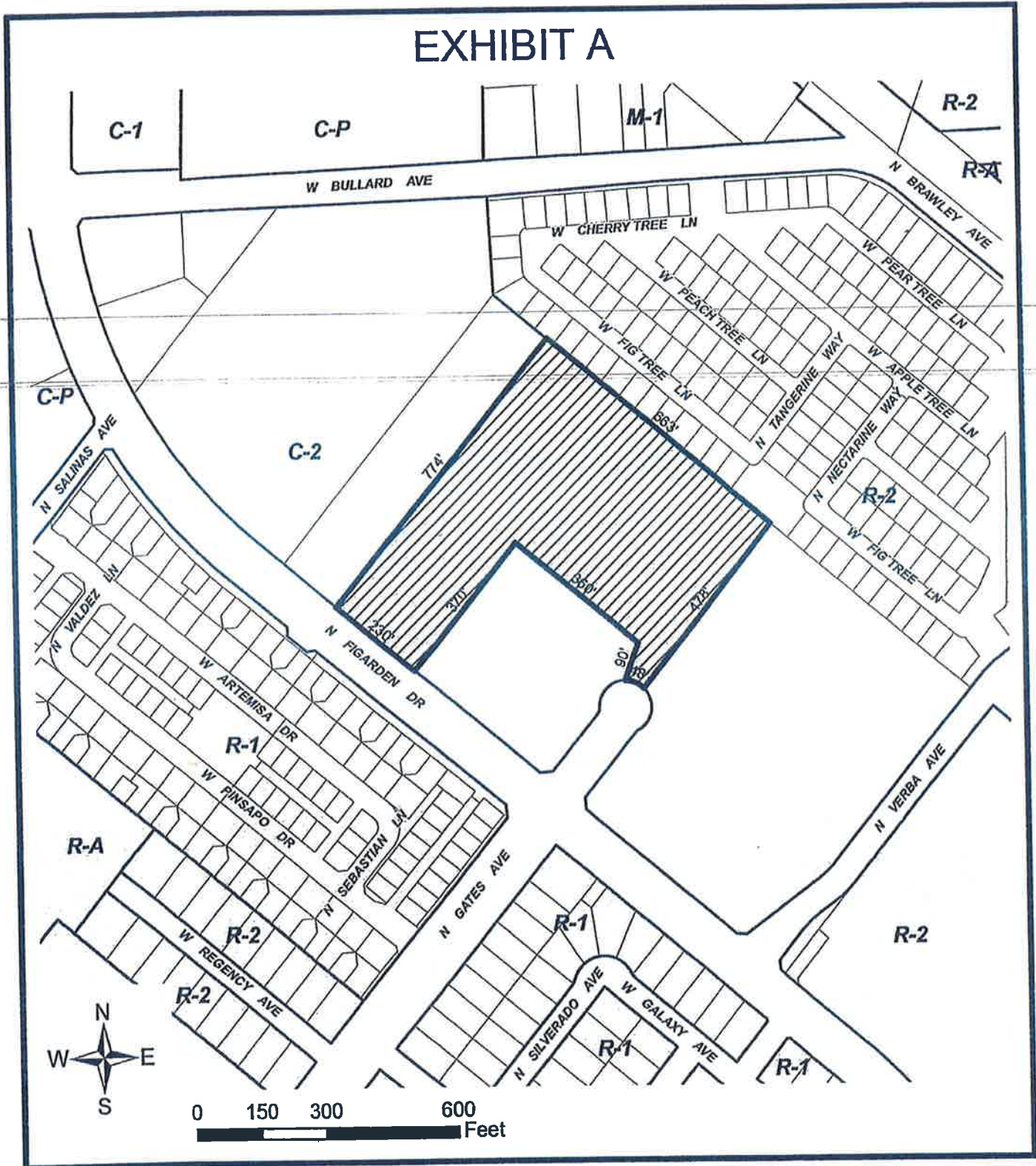
BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Mary Raterman-Doidge Date
Deputy City Attorney

Attachment: Exhibit "A"

EXHIBIT A



R-14-002
APN: 509-030-70 (portion)
5550 North Figarden Drive



C-2/BA-20/UGM/cz to R-2/BA-20/UGM, 8.22 Acres

Community Commercial to Medium High Residential
Conditional Use Permit No. C-14-012