

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13586**

The Fresno City Planning Commission, at its regular meeting on June 19, 2019, adopted the following resolution relating to Plan Amendment Application No. P18-03659.

WHEREAS, Plan Amendment Application No. P18-03659 has been filed with the City of Fresno by Jeff Roberts of The Assemi Group, pertaining to approximately 1.0 acre of property located at the northeast corner of North Colonial and West San Jose Avenues; and,

WHEREAS, Plan Amendment Application No. P18-03659 proposes to amend the Fresno General Plan and Bullard Community Plan to change the planned land use designation for the subject property from Residential Medium Density planned land use designation to the Regional Mixed-Use land use designation; and,

WHEREAS, on June 19, 2019, the Fresno City Planning Commission conducted a public hearing to review the proposed Plan Amendment, consider the associated Mitigated Negative Declaration prepared for Environmental Assessment No. P18-03659, dated May 22, 2019, received public testimony and considered the Development and Resource Management Department's report recommending approval of the proposed plan amendment and environmental assessment; and,

WHEREAS, the Fresno City Planning Commission has reviewed the environmental assessment prepared for the proposed project, Environmental Assessment No. P18-03659, dated May 22, 2019 and is satisfied that the appropriate measures of development will adequately reduce or alleviate any potential adverse impacts either generated from the proposal, or impacting the proposal from an off-site source, and hereby concurs with the issuance of a Mitigated Negative Declaration; and,

WHEREAS, the Planning Commission reviewed the subject plan amendment application in accordance with the land use policies of the Fresno General Plan and Bullard Community Plan.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission 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 Commission finds in accordance with its own independent judgment that although Plan Amendment Application No. P18-03659 could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. It has been further determined that all applicable project specific mitigation measures have been incorporated to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2). Accordingly, the Commission recommends the Council adopt the Mitigated Negative Declaration for Environmental Assessment No. P18-03659, dated May 22, 2019.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends to the City Council that Plan Amendment Application No. P18-03659, which proposes to amend the Fresno General Plan and Bullard Community Plan as depicted by the attached Exhibit "A" and described within staff report to the Planning Commission dated June 19, 2019, be approved.

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The foregoing Resolution was adopted by the Fresno City Planning Commission, upon a motion by Commissioner Hardie, seconded by Commissioner Torossian.

VOTING: Ayes - Hardie, Torossian, Bray, McKenzie, Vang
 Noes -
 Not Voting - Sodhi-Layne
 Absent -

DATED: June 19, 2019



Mike Sanchez, Secretary
Fresno City Planning Commission

Resolution No. 13586
Plan Amendment Application No. P18-03659
Filed by Jeff Roberts of The Assemi Group
Action: Recommend Approval

Attachment: Exhibit "A"

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Plan Amendment Application No. P18-03659
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Exhibit "A"

614 W San Jose Avenue, Fresno, California, 93704

The West 18 feet of East 150 feet of South 310 feet of Lot 64 of California Poultry Farms, in the County of Fresno, State of California, as per Map Recorded in Book 2 Page 82 of Record of Surveys, Fresno County Records.

APN: 417-140-21

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13587**

The Fresno City Planning Commission, at its regular meeting on June 19, 2019, adopted the following resolution relating to Rezone Application No. P18-03659.

WHEREAS, Rezone Application No. P18-03659 has been filed with the City of Fresno to rezone the subject property as described below:

REQUESTED ZONING: RMX (*Regional Mixed-Use*) for 614 W. San Jose Avenue;
RMX/cz (*Regional Mixed-Use/conditions of zoning*) with modifications to conditions of zoning for 5260 N. Palm Avenue and 5200 N. Palm Avenue;

EXISTING ZONING: RS-5/EQ (*Residential Single-Family/Equine Overlay*) for 614 W. San Jose Avenue;
RMX/cz (*Regional Mixed-Use/conditions of zoning*) for 5260 N. Palm Avenue and 5200 N. Palm Avenue;

APPLICANT: Jeff Roberts of The Assemi Group

LOCATION: 614 W. San Jose Avenue; Approximately 1.0 acres of property located on the northeast corner of North Colonia and West San Jose Avenues;

5260 N. Palm Avenue; Approximately 3.8 acres of property located on the northwest corner of North Colonial and West San Jose Avenues;

5200 N. Palm Avenue; Approximately 2.1 acres of property located on the south side of West San Jose Avenue at North Colonial Avenue.

APN(s): 417-140-21, 417-140-26, 417-231-19

**DESCRIPTION
OF PROPERTY**

TO BE REZONED: As described and depicted on the attached Exhibit "A".

WHEREAS, the above-named applicant is requesting to rezone approximately 1.0 acres of property at 614 W. San Jose Avenue from the RS-5/EQ (*Residential Single-Family/Equine Overlay*) to the RMX (*Regional Mixed-Use*) zone district; and,

WHEREAS, the above-named applicant is requesting to modify the conditions of zoning on approximately 3.8 acres of property at 5260 N. Palm Avenue; and,

WHEREAS, the above-named applicant is requesting to modify the conditions of zoning on approximately 2.1 acres of property at 5200 N. Palm Avenue; and,

WHEREAS, the Fresno City Planning Commission on June 19, 2019, reviewed the subject rezone application in accordance with the policies of the Fresno General Plan and the Bullard

Community Plan; and,

WHEREAS, during the June 19, 2019 hearing, the Commission received a staff report and related information, environmental documents and considered testimony regarding the requested zoning change; and,

WHEREAS, during the June 19, 2019 hearing, members of the public had the opportunity to speak in support or in opposition of the proposed project.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission 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 Commission finds in accordance with its own independent judgment that although Rezone Application No. P18-03659 could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. It has been further determined that all applicable project specific mitigation measures have been incorporated to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2). Accordingly, the Commission recommends the Council adopt the Mitigated Negative Declaration for Environmental Assessment No. P18-03659 dated May 22, 2019.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends to the City Council that the requested RMX (*Regional Mixed-Use*) zone district for the subject property at 614 W. San Jose Avenue be approved.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends to the City Council that Modification of Conditions of Zoning Application No. P18-03659 for the subject property at 5260 N Palm Avenue be approved, subject to the attached conditions to be implemented through the execution of a new covenant by the record owner of the subject property and release of covenant for previous conditions of zoning.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends to the City Council that Modification of Conditions of Zoning Application No. P18-03659 for the subject property at 5200 N. Palm Avenue be approved, subject to the attached conditions to be implemented through the execution of a new covenant by the record owner of the subject property and release of covenant for previous conditions of zoning.

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The foregoing Resolution was adopted by the Fresno City Planning Commission, upon a motion by Commissioner Hardie, seconded by Commissioner Torossian.

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VOTING: Ayes - Hardie, Torossian, Bray, McKenzie, Vang
 Noes -
 Not Voting - Sodhi-Layne
 Absent -

DATED: June 19, 2019



Mike Sanchez, Secretary
Fresno City Planning Commission

Resolution No. 13587
Rezone Application No. P18-03659
Filed by Jeff Roberts of The Assemi Group
Action: Recommend Approval

Attachment: Exhibit "A"

Exhibit "A"

614 W San Jose Avenue, Fresno, California, 93704

The West 18 feet of East 150 feet of South 310 feet of Lot 64 of California Poultry Farms, in the County of Fresno, State of California, as per Map Recorded in Book 2 Page 82 of Record of Surveys, Fresno County Records.

APN: 417-140-21

5200 N. Palm Avenue, Fresno, California, 93704

The North half of Lot 81 of California Poultry Farms, in the City of Fresno, County of Fresno, State of California, according to the Map thereof recorded in Book 2 Page 82 of Record of Surveys.

APN: 417-231-19

5260 N. Palm Avenue, Fresno, California, 93704

Parcel "B" of Parcel Map No. 83-55, in the City of Fresno, County of Fresno, State of California, according to the Map thereof recorded in Book 42 Pages 27 and 28 of Parcel Maps, Fresno County Records.

APN: 417-140-26