

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13616**

The Fresno City Planning Commission, at its regular meeting on November 20, 2019, recommended approval to the City Council of the following resolution relating to Plan Amendment Application No. P19-02030

WHEREAS, Plan Amendment Application No. P19-02030 has been filed with the City of Fresno by Bryan Sassano, on behalf of Spencer Enterprises, Inc., for approximately 11.8 acres of property located near the southeast corner of West Bullard Avenue and North Figarden Drive; and,

WHEREAS, Plan Amendment Application No. P19-02030 proposes to amend the Fresno General Plan and the Bullard Community Plan to change the planned land use designation for the ±11.8 acre subject property from the Commercial - Community planned land use to the Residential – Urban Neighborhood (16-30 du/acre) planned land use.

WHEREAS, on November 20, 2019, the Fresno City Planning Commission conducted a public hearing to review the proposed Plan Amendment, considered the associated Mitigated Negative Declaration prepared for Environmental Assessment No. P19-02033 date November 13, 2019, received public testimony and considered the Planning and Development 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 this plan amendment, Environmental Assessment No. P19-02033 date November 13, 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 the 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 Plan Amendment Application No. P19-02030 will not have a significant effect on the environment. 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. P19-02033 dated November 13, 2019.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends to the City Council that Plan Amendment Application No. P19-02030 which proposes to amend the Fresno General Plan and the Bullard Community Plan, as depicted by the attached Exhibit "A" and described within staff report to the Planning Commission dated November 20, 2019, be approved.

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

VOTING: Ayes - Hardie, Sodhi-Layne, Diaz, McKenzie, Vang, Torossian (chair)
 Noes - None
 Not Voting - None
 Absent - Bray (Vice Chair)

DATED: November 27, 2019

Jennifer Clark, Secretary
Fresno City Planning Commission

Resolution No. 13616
Plan Amendment Application No. P19-02030
Filed by Bryan Sassano on behalf of Spencer
Enterprises, Inc.
Action: Recommend Approval to the City Council

Attachment: Exhibit A

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13617**

The Fresno City Planning Commission, at its meeting on November 20, 2019, recommended approval to the City Council of the following resolution relating to Rezone Application No. P19-02030

WHEREAS, Rezone Application No. P19-02030 has been filed with the City of Fresno by Bryan Sassano, on behalf of Spencer Enterprises, Inc., for approximately 11.8 acres of property located near the southeast corner of West Bullard Avenue and North Figarden Drive; and,

WHEREAS, Rezone Application No. P19-02030 proposes to rezone the subject property from CC/UGM/cz (*Commercial Community/Urban Growth Management/conditions of zoning*) zone district to the RM-2/UGM (*Residential – Urban Neighborhood/Urban Growth Management*) zone district; and,

WHEREAS, Rezone Application No. P19-02030 shall remove and void previous conditions of zoning made applicable to commercial zone districts; and,

WHEREAS, on November 20, 2019, the Fresno City Planning Commission reviewed the subject rezone application in accordance with the policies of the Fresno General Plan and Bullard Community Plan; and,

WHEREAS, during the November 20, 2019, hearing, the Commission received a staff report and related information, environmental documents and considered testimony regarding the requested rezoning change; and,

WHEREAS, the Commission conducted a public hearing to review the proposed rezone and considered the Planning and Development Department's report recommending approval of the proposed rezone application; and,

WHEREAS, the Fresno City Planning Commission considered the proposed rezone relative to the staff report and environmental assessment issued for the project; and,

WHEREAS, the Fresno City Planning Commission invited testimony with respect to the proposed rezone; and,

WHEREAS, no one spoke in support or opposition of the proposed rezone.

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission hereby finds and determines that there is no substantial evidence in the record to indicate that Rezone Application No. P19-02030 may have additional significant effects on the environment that were not identified in the Fresno General Plan Master Environmental Impact Report (MEIR) No. 2012111015; and hereby recommends

approval to the City Council the Mitigated Negative Declaration prepared for Environmental Assessment No. P19-02033 for the subject parcel dated November 13, 2019 for the proposed project.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends approval to the City Council of Rezone Application No. P19-02030 to rezone the subject property from CC/UGM/cz (Commercial Community/Urban Growth Management/conditions of zoning) zone district to the RM-2/UGM (Residential – Urban Neighborhood/Urban Growth Management) zone district as described and depicted on the attached Exhibit “A”.

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

VOTING: Ayes - Hardie, Sodhi-Layne, Diaz, McKenzie, Vang, Torossian
 (chair)
 Noes - None
 Not Voting - None
 Absent - Bray (Vice Chair)

DATED: November 27, 2019

JENNIFER K. CLARK, Secretary
Fresno City Planning Commission

Resolution No.13617
Rezone Application No. P19-02030
Filed by Bryan Sassano on behalf of
Spencer Enterprises, Inc.
Action: Recommend Approval to the
City Council

Attachment: Exhibit A

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13618**

The Fresno City Planning Commission, at its regular meeting on November 20, 2019, adopted the following resolution relating to Development Permit Application No. P19-02033.

WHEREAS, Development Permit Application No. P19-02033 was filed with the City of Fresno and proposes the construction of 192 market rate multi-family dwelling units on the ±11.8 acre subject property at a density of ±16.27 du/acre; and,

WHEREAS, on November 20, 2019, the Commission received a staff report and related information, environmental documents and considered testimony regarding the requested planned development permit; and,

WHEREAS, the Planning and Development Department staff recommended approval of the proposed project subject to the conditions of approval contained in the staff report dated November 20, 2019; and,

WHEREAS, the Fresno City Planning Commission on November 20, 2019, reviewed the subject application in accordance with the policies of the Fresno General Plan and the Bullard Park Community Plan; and,

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission hereby finds and determines that there is no substantial evidence in the record to indicate that the planned development permit may have additional significant effects on the environment that were not identified in the Fresno General Plan Master Environmental Impact Report (MEIR) No. 2012111015; and hereby recommends approval to the City Council of the Mitigated Negative Declaration prepared for Environmental Assessment No. P19-02033 dated November 20, 2019, for the proposed project.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends approval of Development Permit Application No. P19-02033, subject to the Planning and Development Department Conditions of Approval dated December 12, 2019.

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

VOTING: Ayes - Vang, Hardie, Diaz, Sodhi-Layne, Torossian (chair)
 Noes - None
 Not Voting - None
 Absent - Bray (Vice Chair)

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Development Permit Application No. P19-02033
November 20, 2019
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DATED: November 27, 2019

JENNIFER K. CLARK, Secretary
Fresno City Planning Commission

Resolution No. 13618
Development Permit Application No. P19-
02033
Filed by Bryan Sassano on behalf of
Spencer Enterprises, Inc.
Action: Recommend Approval to the City
Council