

CITY OF FRESNO
ADDENDUM TO A MITIGATED NEGATIVE DECLARATION
PREPARED FOR ENVIRONMENTAL ASSESSMENT NO. A-17-007/R-
17-010/TPM-17-06/ANX-17-005 for the Martin Luther King, Jr. Activity
Center project.

(As filed with the Fresno County Clerk on August 2, 2017)

*Addendum prepared in accordance with Section 15164 of the California
Environmental Quality Act (CEQA) Guidelines*

The full Initial Studies and the Master Environmental Impact Report SCH No. 2012111015 are on file in the Planning and Development Department, Fresno City Hall, 3rd Floor, 2600 Fresno Street, Fresno, California 93721 (559) 621-8277

**ENVIRONMENTAL
ASSESSMENT NUMBER:**

A-17-007/R-17-010/TPM-17-06/ANX-17-005

This addendum was not circulated for public review pursuant to Section 15164(c) of the CEQA Guidelines.

APPLICANT:

Daniel J. Zoldak
Lars Andersen & Associates
4694 W. Jacquelyn Avenue
Fresno, CA 93722

PROJECT LOCATION:

2458 S. Martin Luther King, Jr. Boulevard
Fresno, CA 93706
(Situated on the northwest corner of East Jensen Avenue and South Martin Luther King, Jr. Boulevard. See attached vicinity map.)

PROJECT DESCRIPTION: Plan Amendment Application and Rezone Application No. P18-03290 was filed by Daniel J. Zoldak of Lars Andersen & Associated, on behalf of Sylvesta Hall of 2500 MLK LLC, developer. The applicant filed Plan Amendment Application and Rezone Application No. P18-03290. The project proposes to re-designate ±89.63 acres of existing land, previously analyze under approved Plan Amendment Application No. A-17-007. The Plan Amendment Application and Rezone Application are needed to develop the project as a mixed-use activity center that will accommodate a diversified housing stock, and commercial amenities. The mixed-use development will be anchored by the future Fresno City College – West Fresno Satellite Campus. The proposed changes to the General Plan's Planned Land Use Map include the following: 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.

The proposed changes to the Official Zone Map include the following: from 50.18-acres of RS-5 (Residential Single-Family), 21.08-acres of CR (Regional Commercial), 6.48-acres of PI (Public & Institutional), 2.43-acres of CC (Community Commercial), and 9.51-acres of PR (Park and Recreation) to 26.58-acres to RS-5 (Residential Single-Family), 21.32-acres to RM-1 (Residential Multi-Family), 3.08-acres to CC (Community Commercial), 11.74-acres to PR (Park and Recreation), and 26.96-acres to CR (Regional Commercial). The project will also include a Tentative Parcel Map, prepared in accordance with the provisions of the California Subdivision Map Act.

The project as proposed will not have a significant impact. It may be determined that: (1) The project does not significantly exceed the scope of Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding 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 environmental finding for Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005 was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent 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.

Section 15162 provides that when a negative declaration has been adopted for a project, no subsequent negative declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

FINDINGS PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES.	
(1) <i>Substantial changes are proposed in the project which would require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;</i>	
<i>Finding (1):</i>	Only minor modifications to the project have been made, and there are no new, previously unidentified impacts such that a subsequent EIR or Mitigated Negative Declaration is required. An updated Traffic Analysis has been provided, and shows that the revisions reduce the impact of the project. In addition, Average Daily Trips (ADT) are reduced by the project revisions compared with the existing land uses and zoning designations on the subject project, thereby reducing traffic impacts. This approval involves relocation of the proposed park to the center of the project site and includes minor revisions to the proposed land uses and zone districts. However, the proposed park remains similarly sized to the park contemplated in the previous assessment and the nature of the project as a whole remains the same. This approval also proposes revisions to the land use designation and zone district configurations, however the project still provides a balance of residential, commercial and public uses consistent with the original intent. In addition, the overall intensity of the project remains the same and no new significant effects are generated by the revisions

(2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,*

Finding (2):	There have been no substantial changes to the surrounding area or project site which would otherwise affect the circumstances under which the project is undertaken. Since the Mitigated Negative Declaration has been adopted, development hasn't occurred within a half mile of the project area, which leaves the circumstances the same. The severity of environmental issues identified in the Mitigated Negative Declaration has not increased since the preparation of the initial study, and refinements are being made to the project such that the previous mitigation measures are sufficient.
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(3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Negative Declaration was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous negative declaration; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous negative declaration, would substantially reduce one or more significant effects on the environment.*

Finding (3):	The addendum does not identify new information regarding significant effects not previously discussed in the Mitigated Negative Declaration, and potential effects previously examined are not substantially more severe than originally discussed. No mitigation measures which were previously identified have been found infeasible, nor has it been determined that identified mitigations measures would not substantially reduce significant effects of the project. No mitigation measures have been added or modified, or are they considerably different from those analyzed in the previous Mitigated Negative Declaration.
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This project is primarily minor revisions to the previous project, and does not change or affect the previous findings of the Mitigated Negative Declaration. Therefore, no new information identifies significant or substantially more severe effects than originally discussed.

ADDENDUM PREPARED BY:
Rodney L. Horton, Planner III

SUBMITTED BY:

DATE: 1/13/2020

Margo Lerwill, Supervising Planner
CITY OF FRESNO PLANNING AND
DEVELOPMENT DEPARTMENT