

Exhibit D

CITY OF FRESNO MITIGATED NEGATIVE DECLARATION

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CITY CLERK, FRESNO CA

Initial Study is on file in the Planning and Development Department, City Hall
2600 Fresno Street, Fresno, California 93721
(559) 621-8277

Environmental Assessment Number:
A-04-14, R-04-39, C-04-112

APPLICANT: JPI Development
600 East Las Colinas Blvd
Irving, Texas 75039

Assessor's Parcel Number:
418-060-30 (portion)

PROJECT DESCRIPTION AND LOCATION: JPI, on behalf of Helen Storelli, has filed Plan Amendment Application No. A-04-14, Rezone Application No. R-04-39, Conditional Use Permit Application No. C-04-112 and Tentative Parcel Map No. 2004-12 which proposes to amend the 2025 Fresno General Plan and the Hoover Community Plan for a 5.49 acre parcel located on the south side of East Barstow Avenue between Freeway 41 and North Fresno Street. The plan amendment is requesting a change in the planned land use from the medium high density residential designation to the high density residential designation with a related rezone application from the R-A (*Single Family Residential - Agricultural*) zone district to the R-4/cz (*High Density Multiple Family Residential/conditional zoning*) zone district. The conditional use permit would authorize the development of a four-story, 152 dwelling unit student housing complex that is expected to house 480 students. Tentative Parcel Map No. 2004-12 is proposing to split the subject property into two parcels of 3.29 acres (Parcel A) and 5.49 acres (Parcel B). Only Parcel B will be subject to the entitlement applications listed above.

Filed with:
REBECCA E. KLISCH, City Clerk
2nd Floor - City Hall
2600 Fresno Street
Fresno, California 93721-3603

The proposed project has been evaluated with respect to each item on the attached environmental checklist. This completed checklist reflects comments of any applicable responsible agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the Environmental Assessment Application, the checklist, and any attachments to the checklist, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the California Environmental Quality Act.

Any rating of "2" on the checklist indicates that a specific adverse environmental effect has been identified in a category which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project or may be related to the design and characteristics of the individual project. Effects rated in this manner are not sufficient in themselves to require the preparation of an Environmental Impact Report and/or have been mitigated to the extent feasible.

All new development activity and many non-physical projects contribute directly or indirectly toward a cumulative impact on the physical environment. The incremental effect contributed by this project toward such a cumulative effect is not considered substantial in itself.

The proposed project is not expected to result in any significant adverse effects in terms of the factors considered on the environmental checklist, including any such factors for which minor effects have been identified. Cumulative effects of a significant nature are also not expected. The proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines. The finding is therefore made that the proposed project will clearly not have a significant adverse effect on the environment.

This Mitigated Negative Declaration will be deemed final and effective if no appeal is filed in the manner specified by Section 12-505 of the Fresno Municipal Code.

INITIAL STUDY PREPARED BY: Mike Sanchez
Planner III

SUBMITTED BY:

Darrell Unruh

DATE: August 11, 2004

DARRELL UNRUH, Planning Manager
PLANNING AND DEVELOPMENT DEPARTMENT