



RESOLUTION NO. 2012-4

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA,
AMENDING THE 2025 FRESNO GENERAL PLAN AND THE ROOSEVELT
AREA COMMUNITY PLAN (PLAN AMENDMENT APPLICATION NO. A-11-010)

WHEREAS, on November 19, 2002, by Resolution No. 2002-379, the City Council adopted the 2025 Fresno General Plan which correspondingly adopted the Roosevelt 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; and,

WHEREAS, Craig Smith, on behalf of AMCAL Multi-Housing, Inc., has filed an application to amend the land use designation of the aforementioned plans by changing the planned land use designation of an approximately 2.84 acres of the subject property, located on the south side of East Ventura Avenue between South Seventh and South Eighth Streets from the Public Facility planned land use designation to the Heavy Commercial (0.86 ac) and the Medium-High Density Residential (2.24 ac) planned land use designations; and,

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in the filing of a Mitigated Negative Declaration on November 18, 2011; and,

WHEREAS, on December 21, 2011, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. A-11-010 and the associated Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-010/R-11-014/C-11-128; and,

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 13138 to recommend approval of Plan Amendment Application No. A-11-010, which proposes to amend the planned land use designation for the subject site from the Public Facility planned land use designation to the Heavy Commercial (0.86 ac) and the Medium-High Density Residential (2.24 ac) planned land use designations and to recommend approval of the

Adopted _____
Approved _____
Effective _____
1-12-12

2012-4



Resolution No. 2012-4
Plan Amendment No. A-11-010
January 12, 2012
Page 2

associated Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-010/R-11-014/C-11-128 as revised; and,

WHEREAS, on January 12, 2012, the Fresno City Council held a public hearing to consider Plan Amendment Application No. A-11-010 and received both oral testimony and written information presented at the hearing regarding Plan Amendment Application No. A-11-010; and

WHEREAS, on January 12, 2012, the Fresno City Council also considered the associated Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-010/R-11-014/C-11-128, including new information added to clarify, amplify or make insignificant modifications to that mitigated negative declaration.

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 project specific mitigation imposed, Plan Amendment Application No. A-11-010 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 No. A-09-02, 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 the MEIR was certified and Mitigated Negative Declaration 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



Resolution No. 2012-4
Plan Amendment No. A-11-010
January 12, 2012
Page 3

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-11-010/R-11-014/C-11-128 dated November 18, 2011, as revised.

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-11-010 amending the 2025 Fresno General Plan and Roosevelt Community Plan planned land use designation from Public Facility to Heavy Commercial and Medium-High Density Residential, as depicted by Exhibit "A" attached hereto and incorporated herein by reference.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 12th day of January, 2012, by the following vote:

AYES: Baines, Borgeas, Brand, Quintero, Westerlund, Xiong, Olivier
NOES: None
ABSENT: None
ABSTAIN: None

REBECCA E. KLISCH
City Clerk

By *Rebecca Klisch*

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

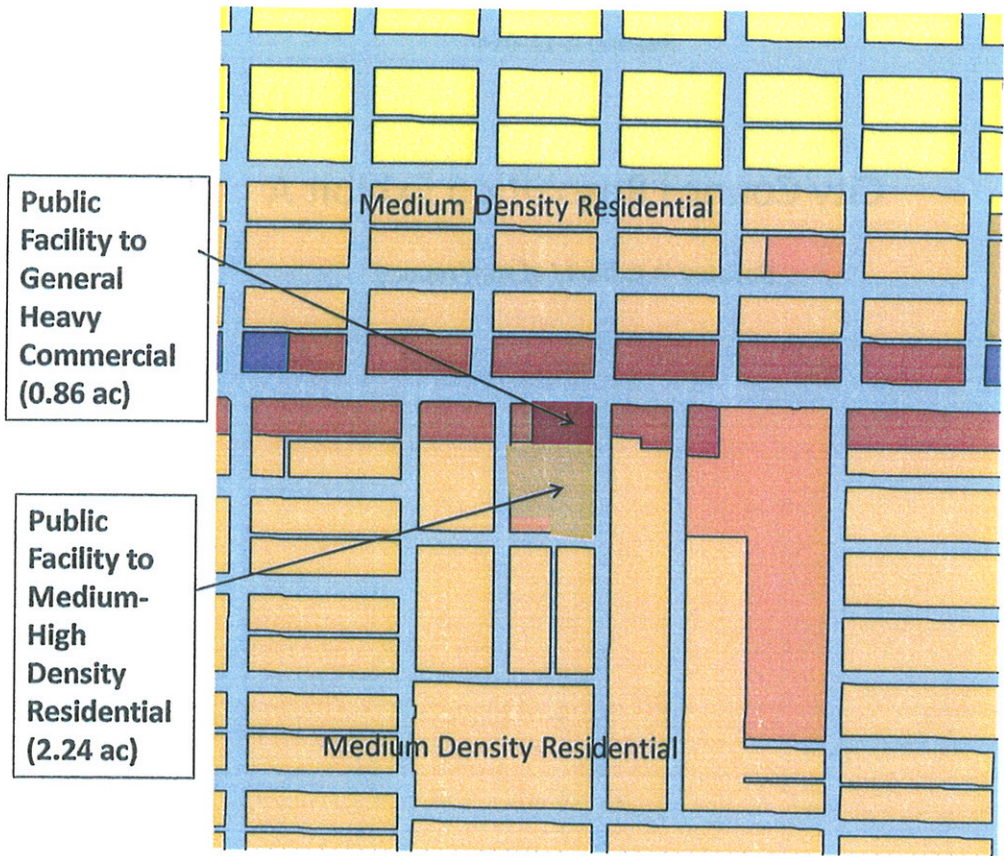
By *[Signature]*
Shannon L. Chaffin
Senior Deputy City Attorney

Date: *1/12/12*

Plan Amendment Application No. A-11-010
Filed by Craig Smith, on behalf of AMCAL Multi-Housing, Inc
APN(s): 470-052-02, -03



Exhibit A



Public Facility to General Heavy Commercial (0.86 ac)

Public Facility to Medium-High Density Residential (2.24 ac)

Medium Density Residential

Medium Density Residential

Plan Amendment A-11-010