



RESOLUTION NO. 2009-28

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA,
AMENDING THE WOODWARD PARK COMMUNITY PLAN AND 2025 FRESNO
GENERAL PLAN (PLAN AMENDMENT APPLICATION NO. A-08-018)

WHEREAS, on November 19, 2002, by Resolution No. 2007-379, the City Council adopted the 2025 Fresno General Plan and certified the Master Environmental Impact Report No. 10130, and in December of 1989 the Council adopted the Woodward Park Community Plan and certified the Environmental Impact Report No. 10098, 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, Schindler Lawrence, LLC., applicant, filed an application to amend the land use designation of the aforementioned plans, relating to approximately 5.31-acres of property (APN: 578-010-11), at 2445 East Copper Avenue, located at the southwest corner of East Copper and North Chestnut Avenues from the medium-low density residential (2.19 – 6.0 Dwelling Units/Acre) to the office commercial planned land use designation; and,

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in the filing of a mitigated negative declaration on November 25, 2008; and,

WHEREAS, on December 17, 2008, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. A-08-018 and associated mitigated negative declaration for Environmental Assessment No. A-08-018/R-08-028/s-08-103; and,

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 12919, to recommend approval of Plan Amendment Application No. A-08-018, which proposes to amend the planned land use designation for the subject site from the medium-low density residential (2.19 – 6.0 Dwelling Units/Acre) to the office commercial planned land use designation; and,

Adopted _____
Approved 11/27/09
Effortson _____

2009-28



WHEREAS, on January 13, 2009, the Fresno City Council held a public hearing to consider Plan Amendment Application No. A-08-018 and no oral testimony or written information were presented at the hearing regarding Plan Amendment Application No. A-08-018.

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, the plan amendment 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") and that no new or additional mitigation measures or alternatives may be required. 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 that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Accordingly, the Council approves the mitigated negative declaration for Environmental Assessment No. A-08-018/R-08-028/S-08-103, dated November 25, 2008.
2. The Council of the City of Fresno hereby adopts Plan Amendment Application No. A-08-018 amending the Woodward Park Community Plan and 2025 Fresno General Plan from the medium-low density residential (2.19-6.00 Dwelling Units/Acre) planned land use designation to the office commercial planned land use designation, 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 Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 27th day of January, 2008.

AYES: Borgeas, Brand, Caprioglio, Perea, Xiong, Sterling
NOES: Dages
ABSENT: None
ABSTAIN: None

REBECCA E. KLISCH
City Clerk

By Rebecca Klisch

APPROVED AS TO FORM

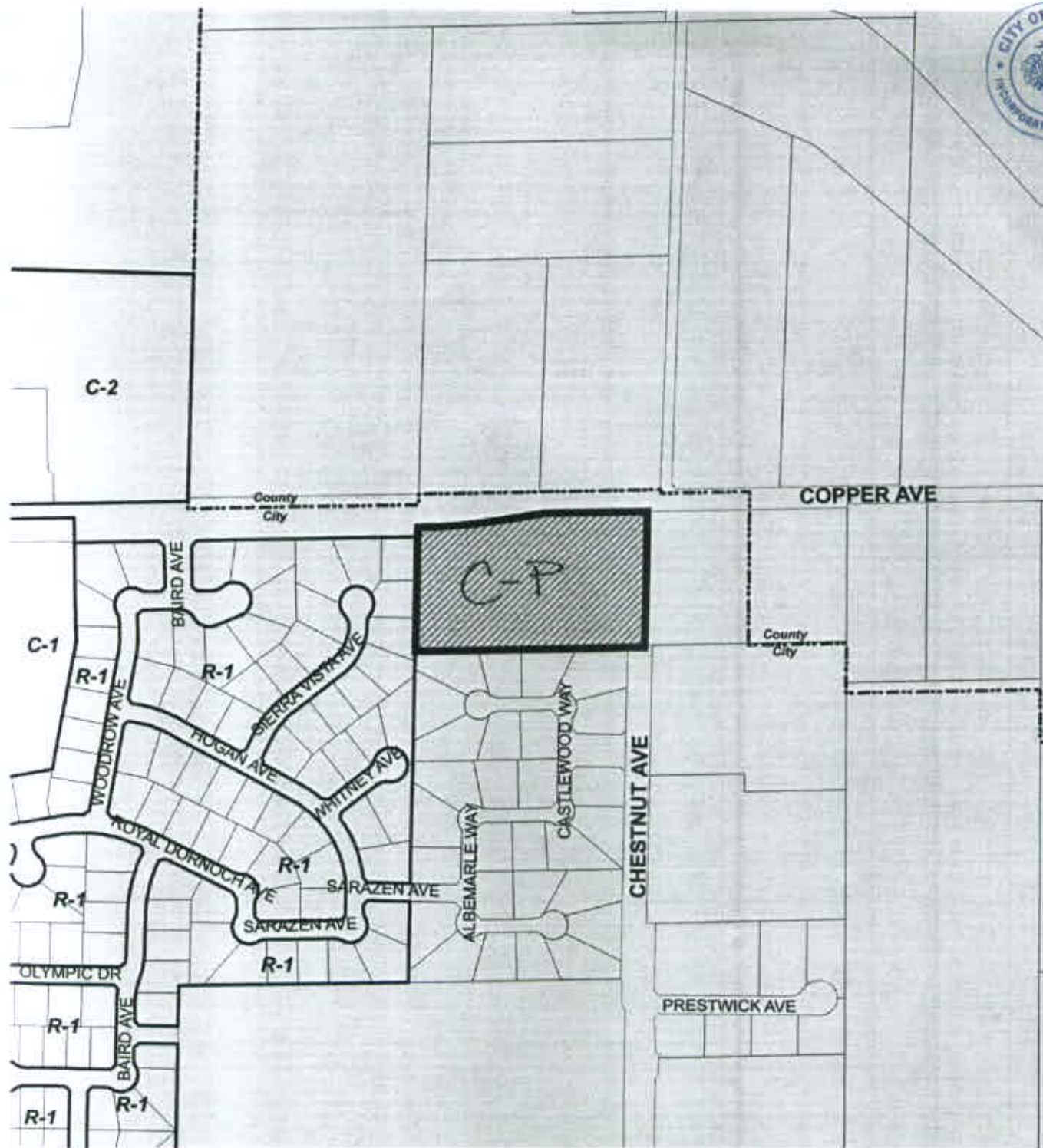
JAMES C. SANCHEZ
City Attorney

By John W. Fox
John W. Fox, Deputy City Attorney

Date 1/7/2009

Plan Amendment Application No. A-08-018
Filed by Marlette Associates, on behalf of
Schindler Lawrence, LLC.

APN No. 578-010-11



LEGEND

 Subject Property

 U.G.M. Area

VICINITY MAP

PLAN AMENDMENT NO. A-08-018
From Med. Low Density Res. to Office Commercial
REZONE APPLICATION NO. R-08-028
From R-1/UGM to C-P/UGM

Southwest corner, E. Copper and N. Chestnut Aves.

PLANNING & DEVELOPMENT DEPARTMENT



NOT TO SCALE

A.P.N.: 578-010-11

ZONE MAP: 1353

BY/DATE: D.N. / 11-10-08