



RESOLUTION NO. 2007-128

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE 2025 FRESNO GENERAL PLAN AND THE WEST AREA COMMUNITY PLAN (PLAN AMENDMENT APPLICATION NO. A-06-20)

WHEREAS, on November 19, 2002, by Resolution No. 2002-379, the City Council adopted the 2025 Fresno General Plan which correspondingly update the West Area 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, Ingles-Braun on behalf of Sterling Development, filed an application to amend the land use designation of the aforementioned plans, relating to approximately 6.45 acres of property located on the north side of West Shields Avenue between North Cornelia and North Polk Avenues, from the low density residential planned land use designation to the medium low density residential 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 February 15, 2007; and,

WHEREAS, on February 5, 2007, the West Area Community Plan Advisory Committee reviewed the proposed plan amendment and recommended approval; and,

WHEREAS, on March 7, 2007, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. A-06-20 and associated mitigated negative declaration for Environmental Assessment No. A-06-20/R-06-58/T-5804; and,

Adopted _____
Approved _____
Effective 3/27/07

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WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 12657, to recommend approval of Plan Amendment Application No. A-06-20, which proposes to amend the planned land use designation for the subject site from the low density residential planned land use designation to the medium low density residential planned land use designation; and,

WHEREAS, on March 27, 2007, the Fresno City Council held a public hearing to consider Plan Amendment Application No. A-06-20 and received both oral testimony and written information presented at the hearing regarding Plan Amendment Application No. A-06-20.

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 that there is no substantial evidence in the record that Plan Amendment Application No. A-06-20 may have a significant effect on the environment and hereby adopts the mitigated negative declaration for Environmental Assessment No. A-06-20/R-06-158/T-5804 dated February 15, 2007.
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-06-20 amending the 2025 Fresno General Plan and West Area Community Plan from the low density residential planned land use designation to the medium low density residential planned land use

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Plan Amendment Application No. A-06-20
March 27, 2007
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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 March, 2007.

AYES: Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea
NOES: None
ABSENT: None
ABSTAIN: None

REBECCA E. KLISCH
City Clerk

By *Rebecca Klisch*

APPROVED AS TO FORM

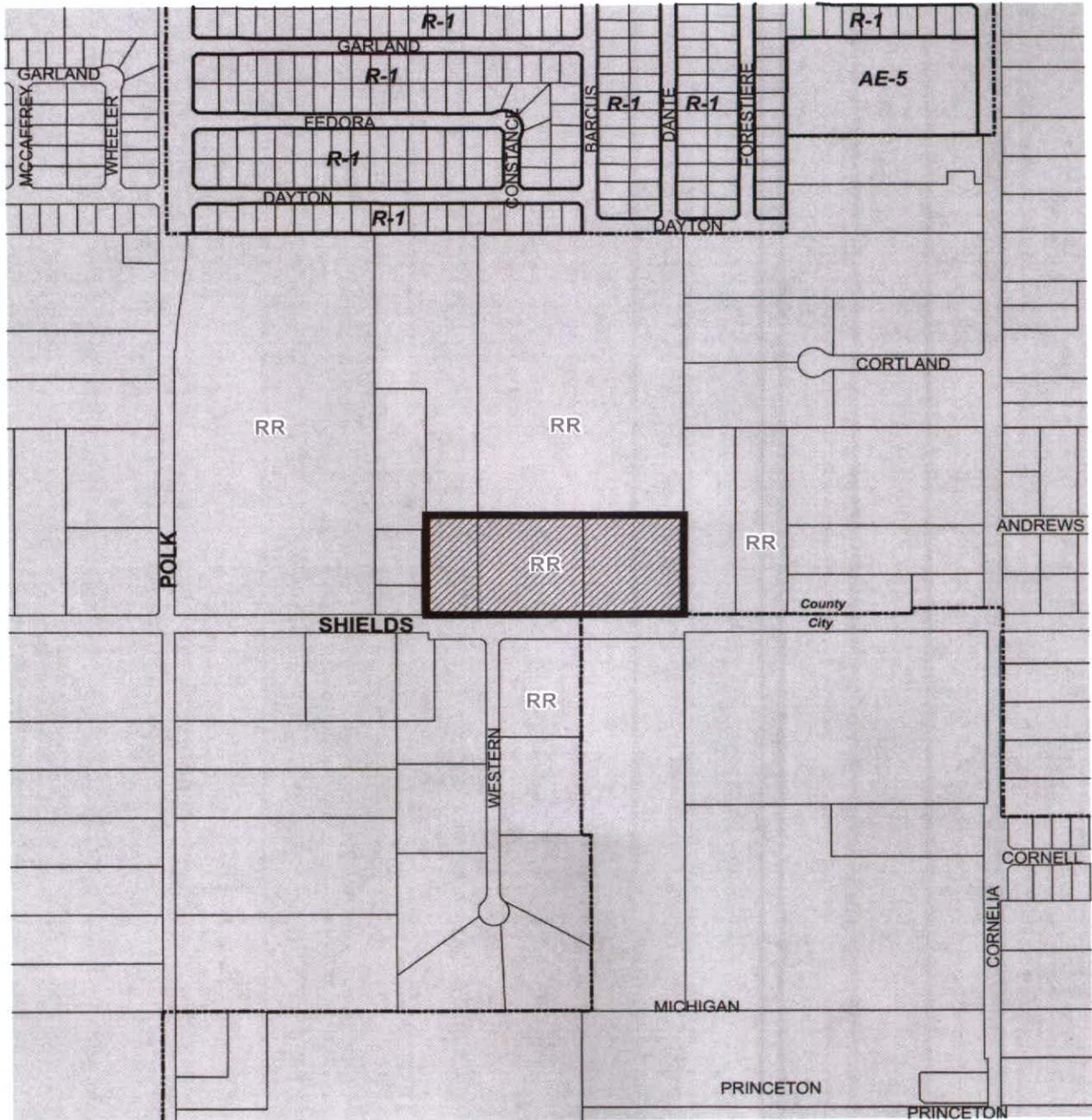
JAMES C. SANCHEZ
City Attorney

By *James C. Sanchez*
Deputy

Plan Amendment Application No. A-06-20
Filed by Ingles-Braun on behalf of Sterling
Development
APN No. 311-240-70, 82, 84



Exhibit A



LEGEND



Subject Property



U.G.M. Area

VICINITY MAP

PLAN AMENDMENT NO. A-06-020
From Med. Low Density Resid. to Med. Density Resid.

REZONE APPLICATION NO. R-06-058
From RR (county) to R-1/UGM

5200 W. SHIELDS AVE.

PLANNING & DEVELOPMENT DEPARTMENT

A.P.N.: 311-240-70,82,84

ZONE MAP: 2145

BY/DATE: D.N. / 01-18-07



NOT TO SCALE