Council Resolution

RESOLUTION NO. 2010-238

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE 2025 FRESNO GENERAL PLAN AND THE MCLANE COMMUNITY PLAN (PLAN AMENDMENT APPLICATION NO. A-10-06)

WHEREAS, on November 19, 2002, by Resolution No. 2002-379, the City Council adopted the 2025 Fresno General Plan which correspondingly adopted the McLane 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, Lore Engineering, Inc., on behalf of Norclo, L.P., property owner, filed an application to amend the land use designation of the aforementioned plans by changing the planned land use designation of the approximately 12.18 acre subject property, located on the west side of North Locan Avenue between East Shields and East Ashlan Avenues, from the Office Commercial planned land use designation to the Medium 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 August 13, 2010; and,

WHEREAS, on September 15, 2010, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. A-10-06 and the associated mitigated negative declaration prepared for Environmental Assessment No. A-10-06/R-10-06/T-5971; and,

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 13030, to recommend approval of Plan Amendment Application No. A-10-06, which proposes to amend the planned land use designation for the subject site from the Office Commercial planned land use designation to the Medium Density Residential planned land use designation (approximately 12.18 acres); and,

WHEREAS, on October 07, 2010, the Fresno City Council held a public hearing to consider Plan Amendment Application No. A-10-06 and received both oral testimony and written information presented

Adopted
Approved 10-28-10
Effective

2010-238

at the hearing regarding Plan Amendment Application No. A-10-06.

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-10-06 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 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 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 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-10-06/R-10-06/T-5971 dated August 13, 2010.
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-10-06 amending the 2025 Fresno General Plan and McLane Community Plan planned land use designation for the subject property from Office Commercial to Community Commercial, as depicted by Exhibit "A" attached hereto and incorporated herein by reference.

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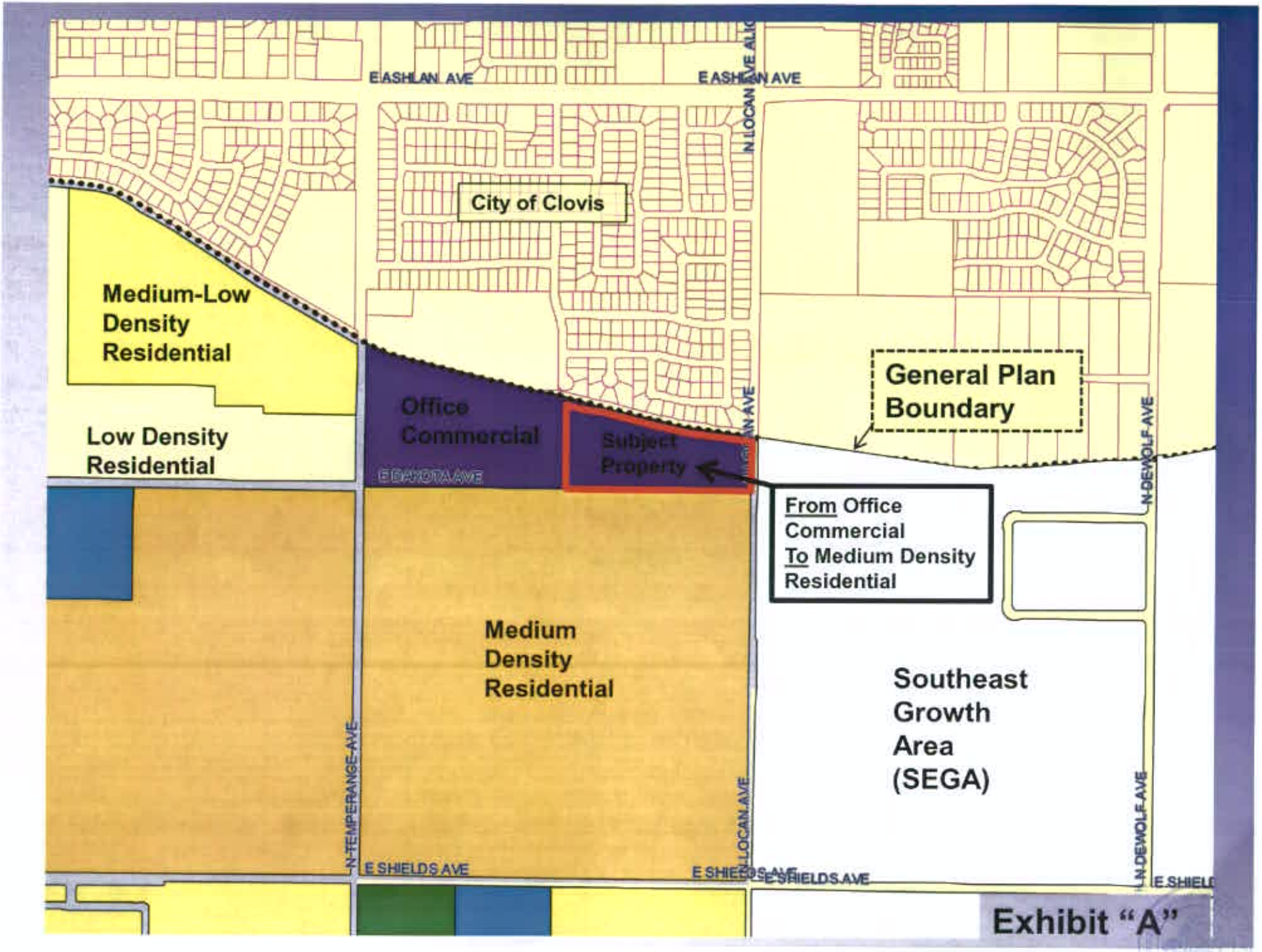
E ASHLAN AVE
E ASHLAN AVE
N LOCAN AVE
City of Clovis
Medium-Low Density Residential
Low Density Residential
Office Commercial
Subject Property
E DAKOTA AVE
General Plan Boundary
From Office Commercial To Medium Density Residential
N DEWOLF AVE
Medium Density Residential
Southeast Growth Area (SEGA)
N TEMPERANCE AVE
E SHIELDS AVE
E SHIELDS AVE
E SHIELDS AVE
N LOCAN AVE
N DEWOLF AVE
E SHIELD

Exhibit "A"

Council Resolution

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 7th day of October, 2010, by the following vote:

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

REBECCA E. KLISCH
City Clerk

By Rebecca E Klisch

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By _____
Shannon L. Chaffin
Deputy City Attorney

Date: 8/21/10

Plan Amendment Application No. A-10-006
Filed by Lore Engineering, Inc. on behalf of Norclo, L.P.
APN(s): 310-280-53 (portion)