

NOTICE OF DETERMINATION

DATE RECEIVED FOR FILING:

E201410000315

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: CITY OF FRESNO
Development & Resource Management Dept.
2600 Fresno St., Rm 3076
Fresno, CA 93721-3604

FILED

NOV 26 2014

☒ County Clerk
County of Fresno
2221 Kern Street
Fresno, CA 93721

FRESNO COUNTY CLERK

By  DEPUTY

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code

PROJECT TITLE: City of Fresno Environmental Assessment No. A-13-009/R-13-016/TM-6067 for Plan Amendment Application No. A-13-009; Rezone Application No. R-13-016; and Vesting Tentative Tract Map Application No. TM-6067

State Clearinghouse Number
(If subject to Clearinghouse)

N/A

Lead Agency Contact Person

City of Fresno
Development and Resource Management Department
Nathan Bouvet, Planner III

Area Code/Telephone

559-621-8075

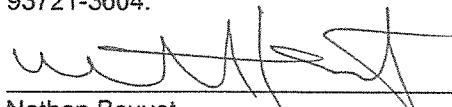
PROJECT LOCATION: Plan Amendment Application No. A-13-009, Rezone Application No. R-13-016, and related environmental assessment pertains to a 24.71 acre property located on the east side of North Locan Avenue between the East Dakota alignment and East Shields Avenue, in the City and the County of Fresno. The project site is further located in Eggers Colony, Township 13 S, Range 21 E, Section 23 Mount Diablo Base & Meridian and at 36°47'9.51" N Latitude, - 119°39'18.1254" W Longitude.

PROJECT DESCRIPTION: Plan Amendment Application No. A-13-009, Rezone Application No. R-13-016, and related environmental assessment was filed by Dirk Poeschel, of Dirk Poeschel Land Development Services, Inc., on behalf of John Bonadelle, pertains to approximately 24.71 net acres of property located on the east side of North Locan Avenue between the East Dakota alignment and East Shields Avenue. The applicant proposes to amend the 2025 Fresno General Plan and the Roosevelt Community Plan from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use designation in the City of Fresno. The applicant also proposes to pre-zone the subject property from the AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district. These applications have been filed in order to facilitate approval of Vesting Tentative Tract Map No. 6067 to subdivide the subject property into a 98-lot single family residential subdivision and installation of related public facilities and infrastructure consistent with the Medium Low Density Residential (2.19-6.0 dwelling unit/acre) planned land use designation and the R-1 (Single Family Residential) zone designation, which allows for one (1) dwelling unit on a lot no less than 6,000 square feet or approximately 7.26 dwelling units per acre. The proposed project also involves an annexation into the City of Fresno.

This is to advise and certify that the (Council of the) City of Fresno, the Lead Agency, approved the above-described project on November 20, 2014, and has made the following determinations regarding this project:

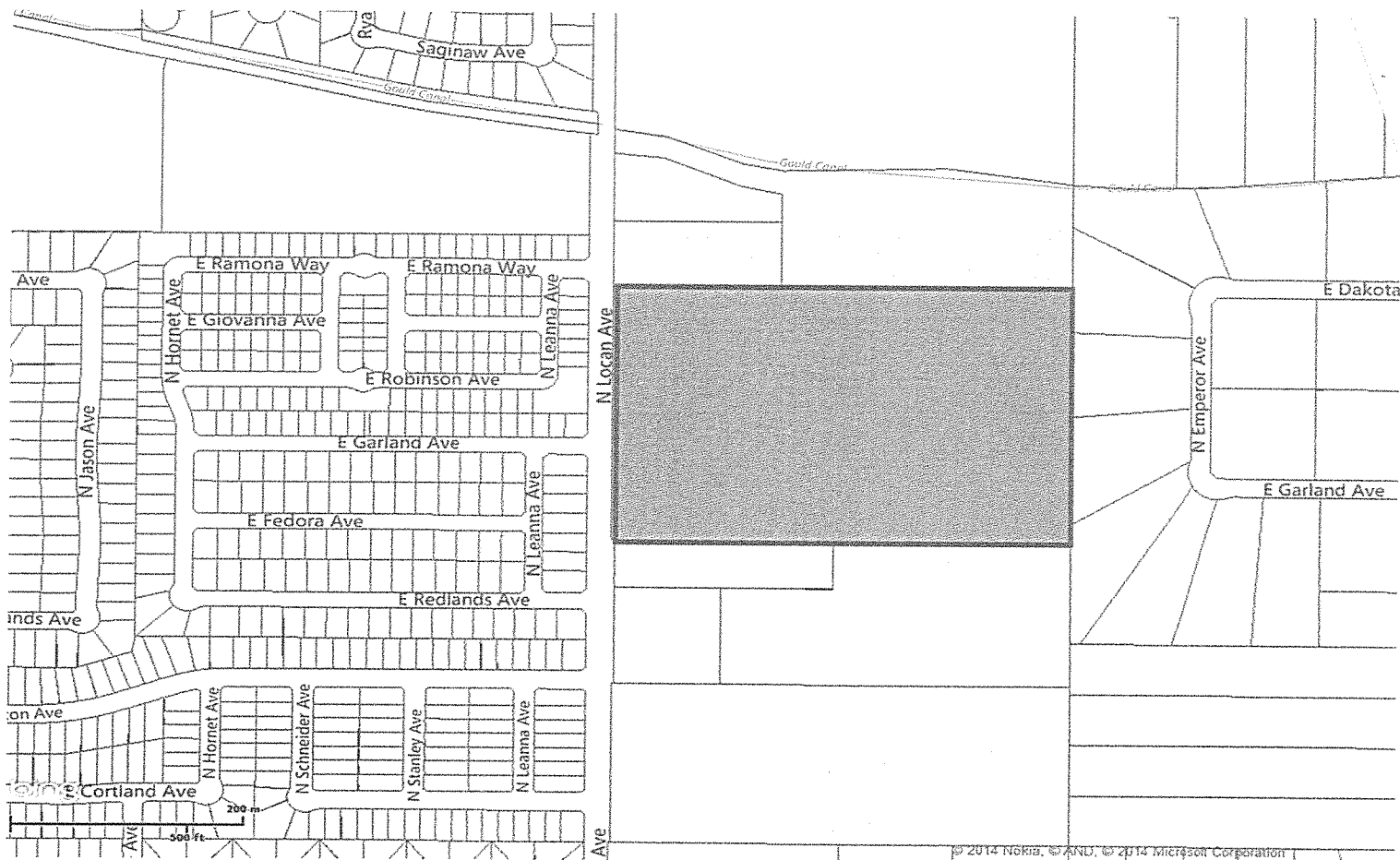
1. The project ([] will [X] will not) have a significant effect on the environment.
2. [] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[] A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
[X] A determination of project conformity to the 2025 Fresno General Plan Master Environmental Impact Report (City of Fresno MEIR No. 10130 / SCH No. 2001071097) was made.
3. Mitigation measures ([X] were [] were not) made a condition of the approval of the project.
4. A statement of Overriding Considerations ([] was [X] was not) adopted for this project.
5. Findings ([X] were [] were not) made pursuant to the provisions of CEQA.

The above-described environmental assessment, with its finding of a Mitigated Negative Declaration, together with the full initial study, comments and responses and record of project approval, is available to the general public at the City of Fresno Development and Resource Management Department, 2600 Fresno Street, Room 3076, Fresno, California 93721-3604.


Nathan Bouvet
Planner III, City of Fresno

11/26/2014
Date

Attachments: Project Vicinity Map



Subject Property

VICINITY MAP

**PLAN AMENDMENT NO. A-13-009 &
REZONE APPLICATION NO. R-13-016**

PROPERTY ADDRESS

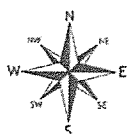
3450 North Locan Avenue

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

APN: 310-270-09, 10, 11, & 12

Zone District: AE-20 (County) to R-1/cz

By: Nathan Bouvet November 6, 2014



Not To Scale

E201410000315

Environmental Assessment No. A-13-009/R-13-016/TM-
6067, finding of a Mitigated Negative Declaration dated
October 17, 2014

CITY OF FRESNO

MITIGATED NEGATIVE DECLARATION

Notice of Intent was filed with:

FRESNO COUNTY CLERK
2221 Kern Street
Fresno, California 93721

The full Initial Study and the Master Environmental Impact Report No. 10130 are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor
2600 Fresno Street
Fresno, California 93721
(559) 621-8277

ENVIRONMENTAL
ASSESSMENT
NUMBER:

A-13-009/R-13-016/
TM-6067

on

October 17, 2014

APPLICANT:

Dirk Poeschel
Dirk Poeschel Land Development Services,
Inc.
923 Van Ness Avenue, Suite No. 200
Fresno, CA 93721

PROJECT LOCATION:

24.71 acres of property located at 3450 North Locan Avenue on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Sphere of Influence.

36°47'9.51" N Latitude, - 119°39'18.1254" W Longitude

Assessor's Parcel Number: 319-270-09, 10, 11, and 12

Eggers Colony, Township 13 S, Range 21 E, Section 23

PROJECT DESCRIPTION:

Dirk Poeschel, of Dirk Poeschel Land Development Services, Inc., on behalf of John Bonadelle, has filed Plan Amendment Application No. A-13-009, Rezone Application No. R-13-016, and Vesting Tentative Tract No. 6067 pertaining to ± 24.71 acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue within the City's Sphere of Influence.

Plan Amendment Application No. A-13-009 proposes to amend the land use from the agricultural designation in the County of Fresno to the medium low density residential planned land use designation in the City of Fresno.

Rezone Application No. R-13-016 proposes to pre-zone the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district.

Vesting Tentative Tract Map No. 6067 proposes to subdivide the subject property into a 98-lot single family residential subdivision and installation of related public facilities and infrastructure consistent with the medium low density residential (2.19 – 6.0 dwelling unit/acre) planned land use designation. The proposed project also involves an annexation into the City of Fresno.

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the boundaries of the Roosevelt Community Plan area, including the Master Environmental Impact Report (MEIR) No. 10130 for the 2025 Fresno General Plan (SCH#2001071097) and Mitigated Negative Declaration (MND) No. A-09-02 (SCH#2009051016), as appropriate to the project site.

These environmental and technical studies have examined projected sewage generation rates of planned urban uses, the capacity of existing sanitary sewer collection and treatment facilities, and optimum alternatives for increasing capacities; groundwater aquifer resource conditions; water supply production and distribution system capacities; traffic carrying capacity of the planned major street system; and, student generation projections and school facility site location identification.

The proposed amendment of the adopted 2025 Fresno General Plan, along with the accompanying pre-rezone, have been determined that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. It has been further determined that all applicable MEIR mitigation measures have been incorporated as project specific mitigation measures to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.



Based upon the attached environmental assessment and the list of identified project specific mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and has prepared a mitigated negative declaration for this project. A public notice of the attached mitigated negative declaration finding for Environmental Assessment Application No. A-13-009/R-13-016/TM-6067 was published on October 17, 2014.

The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified 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 so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant.

The initial study has concluded that 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 not have a significant adverse effect on the environment.

PREPARED BY:  Nathan Bouvet, Planner III	SUBMITTED BY: 
DATE: October 17, 2014	Bonique Emerson, Supervising Planner DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT
Attachments:	-Notice of Intent -Initial Study Impact Checklist and Initial Study (Appendix G) - Project Specific Mitigation Monitoring Checklist dated October 17, 2014

Notice of Intent

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATIONEA No. A-13-009/R-13-016/TM 6067

Plan Amendment Application No. A-13-009, Rezone Application
No. R-13-016, and Vesting Tentative Tract No. 6067

APPLICANT:

Dirk Poeschel
Dirk Poeschel Land Development Services, Inc.
923 Van Ness Avenue, Suite 200
Fresno, CA 93727

PROJECT LOCATION:

± 23.78 acres of property located on the east side of North Locan
Avenue between the East Dakota Alignment and East Shields
Avenue, in the County of Fresno, California

36°47'9.51" N Latitude, - 119°39'18.1254" W Longitude

Assessor's Parcel Number: 319-270-09, 10, 11, and 12

Filed with:

FILED

OCT 17 2014

FRESNO COUNTY CLERK
By Christal S. Balcock
DEPUTY

FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA 93721

PROJECT DESCRIPTION:

Dirk Poeschel, of Dirk Poeschel Land Development Services, Inc., on behalf of John Bonadelle, has filed Plan Amendment Application No. A-13-009 and Rezone Application No. R-13-016 pertaining to 25.40± acres of property located on the east side of North Locan Avenue between the East Dakota Alignment and East Shields Avenue.

Plan Amendment Application No. A-13-009 proposes to amend the land use from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use designation in the City of Fresno, which will amend the 2025 Fresno General Plan.

Rezone Application No. R-13-016 proposes to pre-zone the subject property from AE-20 (*Exclusive Twenty-Acre Agricultural, Fresno County*) to R-1/cz (*Single Family Residential/conditions of zoning, Fresno City*) zone district.

Vesting Tentative Tract Map No. 6067 proposes to subdivide an approximately 23.78 acre portion of the site into a 98-lot single family residential subdivision and installation of related public facilities and infrastructure consistent with the medium low density residential (2.19 – 6.0 dwelling unit/acre) planned land use designation.

The proposed project also involves the annexation of the subject site into the City of Fresno.

The City of Fresno has prepared and environmental assessment initial study for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines.

With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2). The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project and proposed environmental finding of a mitigated negative declaration and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721-3604, or for an electronic copy of the environmental finding, and for additional information on the project, please contact Nathan Bouvet at (559) 621-8075 for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on November 10, 2014. Please direct comments to Nathan Bouvet, Planner III, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721-3604; or by email to nathan.bouvet@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

These development applications and this proposed environmental finding have been tentatively scheduled to be heard by the City Council on November 20, 2014 at 6:00 p.m. or thereafter. The hearing will be held in the Fresno City Council Chambers located at Fresno City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California, 93721. Your written and oral comments are welcomed at the hearing and will be considered in the final decision.

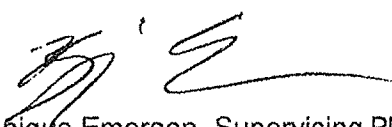
INITIAL STUDY PREPARED BY:

Nathan Bouvet, Planner III



DATE: October 17, 2014

SUBMITTED BY:



Bonique Emerson, Supervising Planner
CITY OF FRESNO DEVELOPMENT AND
RESOURCE MANAGEMENT
DEPARTMENT