

**CITY OF FRESNO**  
**MITIGATED NEGATIVE DECLARATION**

Notice of Intent was filed with:

FRESNO COUNTY CLERK  
2221 Kern Street  
Fresno, California 93721

on

**August 2, 2017**

The full Initial Study and the Master Environmental Impact Report SCH No. 2012111015 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-17-007/R-17-010/TPM-17-06/ANX-17-005**

**APPLICANT:**

Scott Mommar on behalf of Sylvesta Hall  
Blue Ocean Development LLC  
2273 Sierra Madre Ave  
Clovis, CA 93611

**PROJECT LOCATION:**

The west side of South Martin Luther King J. Blvd between Church and Jensen Avenue, Fresno, California 93706, in the City and County of Fresno, California (115.95 acres)  
36°42'36.00" N Latitude, - 119°48'11.00" W Longitude  
Assessor's Parcel Number(s): 479-050-02, 479-050-03, 479-060-02, 479-060-03, 479-060-08, 479-060-09, 479-060-10, 479-060-11

**PROJECT DESCRIPTION:**

**Plan Amendment Application No. A-17-007, Prezone Application No. R-17-010, Tentative Parcel Map Application No. TMP-2017-06 and Annexation Application No. ANX-17-005** were filed by Scott Mommar, on behalf of Sylvesta Hall of Blue Ocean Development America, LLC, and pertain to 115.95 acres of property located on northwest corner of East Jensen and South Martin Luther King Jr. Blvd. **Plan Amendment Application No. A-17-007** requests to amend the Fresno General Plan and Edison Community Plan from the following land use designations: Medium Density Residential for 19.25 acres, Urban Neighborhood for 29.44 acres, Community Commercial for 10.11 acres, Office for 37.69 acres and Community Park for 19.09 acres to Medium Density Residential for 54.48 acres, Community Commercial for 2.4 acres, Regional Commercial for 22.52 acres, Park for 9.63 acres and the Public Facility – College designation for 26.55 acres. **Prezone Application No. R-17-010** proposes to amend the Official Zone Map from the Fresno County AL-20 (*Limited Agricultural*) to the City of Fresno zone districts to be designated as follows: RS-5 (*Residential Single-Family*) for 54.48 acres, CC (*Community Commercial*) for 2.4 acres, CR (*Commercial-Regional*) for 22.52 acres, PR (*Parks and Recreation*) for 9.63 acres and PI (*Public and Institutional*) for 26.55 acres. **Tentative Parcel Map Application No. TMP-2017-06** proposes the creation of four parcels on 115.949 acres. The prezone of the property is for purposes of facilitating annexation pursuant to **Annexation Application No. ANX-17-005**, which also proposes detachment of the property from the Kings River Conservation District and the Fresno County Fire Protection District and annexation to the City of Fresno. These actions are under the jurisdiction of the Local Agency Formation Commission (LAFCO). A Development Agreement is also included in the project description that will formalize development incentives, timelines, and other details of implementation.

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial

Study and this Mitigated Negative Declaration is tiered from Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. A copy of the MEIR may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, 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.

This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the California Environmental Quality Act.

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 evaluation guided by the environmental checklist form, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist. 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 and that were not identified and analyzed in the MEIR. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

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.

PLEASE POST UNTIL CLOSE OF BUSINESS ON SEPTEMBER 26, 2017

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**NOTICE OF DETERMINATION**

DATE RECEIVED FOR FILING:

FROM: CITY OF FRESNO  
Development & Resource Management Dept.  
2600 Fresno Street FC034  
Fresno, CA 93721-3604

**FILED**  
AUG 25 2017  
TIME 10:24am

TO:  Fresno County Clerk  
2220 Tulare Street, First Floor  
Fresno, CA 93721

FRESNO COUNTY CLERK  
*Cynthia S. Babcock*  
DEPUTY

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

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**PROJECT TITLE:**

**City of Fresno Environmental Assessment No. A-17-007, R-17-010, TPM 2017-06, ANX-17-005**

**For Plan Amendment Application No. A-17-007, Prezone Application No. R-17-010, Tentative Parcel Map Application No. TPM-2017-06 and Annexation Application No. ANX-17-005**

<u>State Clearinghouse Number (If subject to Clearinghouse)</u>	<u>Lead Agency Contact Person</u>	<u>Area Code/Telephone No.</u>
N/A	Sophia Pagoulatos Planning Manager Development & Resource Management Department	(559) 621-8062

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**PROJECT LOCATION:**

This project is located on the west side of South Martin Luther King Jr. Blvd, between Church and Jensen Avenues in the City and County of Fresno, California; Assessor's Parcel Numbers 479-050-02, 479-050-03, 479-060-02, 479-060-03, 479-060-08, 479-060-09, 479-060-10, 479-060-11; Latitude: 36°42'36.00" N, Longitude: 119°48'11.00" W; Mount Diablo Base & Meridian, Township 14S, Range 20E , Section 16

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**PROJECT DESCRIPTION:**

Scott Mommar, on behalf of Sylvesta Hall of Blue Ocean Development America, LLC, filed Plan Amendment Application No. A-17-007, Prezone Application No. R-17-010, Tentative Parcel Map Application No. TPM-2017-06 and Annexation Application No. ANX-17-005.

Plan Amendment Application No. A-17-007 requests to amend the Fresno General Plan and Edison Community Plan *from* the following land use designations: Medium Density Residential for 19.25 acres, Urban Neighborhood for 29.44 acres, Community Commercial for 10.11 acres, Office for 37.69 acres and Community Park for 19.09 acres *to* Medium Density Residential for

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54.48 acres, Community Commercial for 2.4 acres, Regional Commercial for 22.52 acres, Park for 9.63 acres and the Public Facility – College designation for 26.55 acres.

Prezone Application No. R-17-010 proposes to amend the Official Zone Map from the Fresno County AL-20 (*Limited Agricultural*) to the City of Fresno zone districts to be designated as follows: RS-5 (*Residential Single-Family*) for 54.48 acres, CC (*Community Commercial*) for 2.4 acres, CR (*Commercial-Regional*) for 22.52 acres, PR (*Parks and Recreation*) for 9.63 acres and PI (*Public and Institutional*) for 26.55 acres.

Tentative Parcel Map Application No. TPM-2017-06 proposes the creation of four parcels on 115.949 acres.

The prezone of the property is for purposes of facilitating annexation pursuant to Annexation Application No. ANX-17-005, which also proposes detachment of the property from the Kings River Conservation District and the Fresno County Fire Protection District and annexation to the City of Fresno. These actions are under the jurisdiction of the Local Agency Formation Commission (LAFCO).

A Development Agreement is also included in the project description that will formalize development incentives, timelines, and other details of implementation.

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This is to advise and certify that the City of Fresno, the Lead Agency, approved the above-described project on August 24, 2017 and has made the following determinations regarding the project:

1. The project ( will  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.  
 A determination of project conformity to the Fresno General Plan Master Environmental Impact Report (City of Fresno MEIR No. SCH No. 2012111015) was made. (Fresno County Clerk File No. E201410000345)
3. Mitigation measures ( were  were not) made a condition of the approval of the project.
4. A statement of Overriding Considerations ( was  was not) adopted for this project.
5. Findings ( were  were not) made pursuant to the provisions of CEQA.

The above-described environmental assessment, 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 3043, Fresno, California 93721-3604.

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Sophia Pagoulatos  
Planning Manager, City of Fresno

8/25/17  
Date

Attachment: Project Vicinity Map

