

**Exhibit I-2
Environmental Assessment
P23-00835 / P23-02080 [11/3/2023]**

CITY COUNCIL HEARING: Conditional Use Permit Application No. P23-00835, Planned Development Permit Application No. P23-02080, and related Environmental Assessment

CITY OF FRESNO ADDENDUM TO

ENVIRONMENTAL ASSESSMENT SCH #: 2017031012 PREPARED FOR CONDITIONAL USE PERMIT APPLICATION NO. P23-00835 & PLANNED DEVELOPMENT PERMIT APPLICATION NO. P23-02080

Addendum prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines

The full Initial Study and the Program Environmental Impact Report SCH No. 2017031012 are on file in the Planning and Development Department,

Fresno City Hall, 3rd Floor

2600 Fresno Street

Fresno, California 93721

(559) 621-8277

ENVIRONMENTAL ASSESSMENT NUMBER:

P23-00835/P23-02080

This Addendum was not circulated for public review pursuant to Section 15164(c) of the CEQA Guidelines.

APPLICANT:

Robert Vermeltfoort

VAI

8525 North Cedar Avenue, Suite 106

Fresno, CA 93720

PROJECT LOCATION:

Located on the southwest corner of East Church Avenue and South Martin Luther King, Jr. Boulevard in the City and County of Fresno, California (± 2.98 acres)

Latitude: 36°43'50.0" N & Longitude: 119°48'03.7" W

Assessor's Parcel Number(s): 479-050-14 & Portion of 479-050-15

Mount Diablo Base & Meridian, Township 14S, Range 20E, Section 16

PROJECT DESCRIPTION: Conditional Use Permit Application No. P23-00835 proposes to construct an approximately 5,781 square foot multi-tenant commercial shell building with drive-thru with on- and off-site improvements including an associated parking lot, landscaping, trash enclosures, curb, gutter, sidewalk, and a pad for a future commercial building. Planned Development Permit Application No. P23-02080 requests to modify Fresno Municipal Code development standards 15-2020(F), 15-2778(G)(1), and 15-2778(G)(2) to allow for: (1) Commercial Community development standards to be applied to a portion of land zoned Residential Multi-family; (2) placement of the drive-through between the building and the street; and (3) reduction of glazing along the street-oriented walls.

Environmental Assessment SCH #: 2017031012, an Environmental Impact Report (EIR) dated October 26, 2017 (the "Final EIR"), was prepared for the Southwest Fresno Specific Plan. The area addressed by the proposed Plan lies within the southwestern most part of the City of Fresno. The Specific Plan Area (Plan Area) is approximately 3,255 acres, bounded by Highway 180 in the north and by Highway 41 in the east. It does not include the Downtown Neighborhoods Community Plan Area. Generally, it does not include the land currently in Fresno County that is within the Sphere of Influence (SOI) of the City's General

Plan, but not yet within City limits. However, one area in the SOI was included in the Final EIR as part of the Plan Area: the Martin Luther King Junior Boulevard (MLK) Activity Center—today known as West Creek Village—identified as one of the “Magnet Cores” in the proposed Plan. The MLK Activity Center was identified in the Fresno General Plan as a higher density neighborhood district that would serve the Southwest Development Area, established neighborhoods in Southwest Fresno, and areas beyond Southwest Fresno and the City.

The Final EIR examined the development capacity of the land uses proposed in the Plan Area over the proposed Plan’s 25-year timeframe. It should be noted that, like the General Plan, the development capacities are for new development and only take into account the development of parcels that have higher opportunities for development, such as parcels that are vacant, open agriculture, or rural residential (partially vacant). In order to provide a conservative analysis as required by the California Environmental Quality Act (CEQA), the Final EIR assessed potential impacts from levels of development exceeding what was proposed in the Fresno General Plan. Regarding Commercial Uses, the Final EIR accounted for 1,552,676 square feet of commercial development which specifically included the MLK Activity Center (a.k.a. “West Creek Village”). The amount of commercial development analyzed in the Final EIR is larger than what was outlined in the Fresno General Plan by approximately 222,000 square feet. Several factors contribute to this increase, including new corridor/center mixed-use, neighborhood mixed-use, regional commercial, and community commercial areas.

This Addendum (Environmental Assessment No. P23-00835/P23-02080) to the Final EIR (Environmental Assessment SCH #: 2017031012 dated October 26, 2017) analyzes approval and development of an approximately 5,781 square foot multi-tenant commercial shell building and pad for a future commercial building on approximately 2.98 acres of property designated for Commercial Community planned land uses. The approval of a multi-tenant commercial shell building and pad for a future commercial building within this specific area of the West Creek Village Project Area is functionally a technical change within the meaning of the State CEQA Guidelines Section 15164 because the project does not reduce the maximum number of dwelling units or exceed the commercial square footage contemplated in the Final EIR. This minor technical change is appropriate for an Addendum pursuant to the State CEQA Guidelines Section 15164 and Public Resources Code Section 21166.

Therefore, the City of Fresno has determined that an Addendum to the Final EIR (Environmental Assessment SCH #: 2017031012 dated October 26, 2017) is appropriate given that none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a subsequent EIR or Negative Declaration have occurred, and new information which has become available since the EIR was finalized would not result in any significant effects beyond what was discussed in the Final EIR.

Section 15164(a) of the State CEQA Guidelines allows an addendum to an EIR “if some changes or additions are necessary but none of the conditions described in section 15162 calling for preparation of a subsequent EIR have occurred.” Section 15162 provides that “[w]hen an Environmental Impact Report has been certified . . . for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

FINDINGS PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES.

(1) *“Substantial changes are proposed in the project which would require major revisions of the previous EIR . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;”*

Finding (1): The approval of an approximately 5,781 square foot multi-tenant commercial shell building and associated on-site improvements with pad for a future commercial building does not involve any new significant environmental effects or a substantial increase in the severity of previously identified significant effects that would require major revisions of the previous Final EIR. The Final EIR examined the development capacity of the land uses proposed in the Southwest Fresno Plan Area over the proposed Plan’s 25-year timeframe. Furthermore, the Final EIR accounted for 1,552,676 square feet of commercial development which specifically included the first proposed magnet core, the MLK Activity Center (a.k.a. “West Creek Village”). The proposed 5,781 square foot commercial building is included in the analysis of the 1,552,676 square feet of commercial development.

(2) *“Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or”*

Finding (2): There have been no substantial changes to the surrounding area or project site which would otherwise affect the circumstances under which the project is undertaken. The severity of environmental issues identified in the Final EIR dated October 26, 2017, have not substantially increased since the preparation of the EIR.

(3) *“New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete . . . shows any of the following: (A) The project will have one or more significant effects not discussed in the previous EIR . . .; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”*

Finding (3): This Addendum shall be considered with the Final EIR and assesses the approval and development of an approximately 5,781 square foot multi-tenant commercial shell building and associated on-site improvements with pad for a future commercial building. The Final EIR accounted for 1,552,676 square feet of commercial development which specifically included the MLK Activity Center (a.k.a. “West Creek Village”).

This addendum does not identify new information regarding significant effects not previously discussed in the Final EIR, and potential effects will not be substantially more severe than originally discussed. No mitigation measures which were previously identified have been found infeasible, nor has it been determined that identified mitigation measures would not substantially reduce significant effects of the project. No mitigation measures have been

added or modified, nor are they considerably different from those analyzed in the Final EIR.

This addendum contains no additional information regarding proposed mitigation measures and does not change or affect the previous findings of the Final EIR. Therefore, no new information identifies significant or substantially more severe effects than originally discussed.

City of Fresno MEIR and Southwest Fresno Specific Plan Final EIR Mitigation Measures Applicable to Environmental Assessment Number P23-00835/P23-02080

(Mitigation Measure Labels provided only. Please refer to the EIR's Executive Summary for a full list of Mitigation Measures.)

MEIR AES-1	MEIR AES-3	MEIR AES-5
AQ-2b	AQ-2c	AQ-4b
MEIR BIO-1.1b	MEIR BIO-1.1c	BIO-1.2
BIO-1.3	BIO-1.4	BIO-1.5
BIO-1.6	BIO-1.8	MEIR CUL-1
MEIR CUL-2	MEIR CUL-3	MEIR CUL-4
HAZ-3	HAZ-4a through HAZ-4h	NOISE-4a
NOISE-4b	TRANS-7.1	

ADDENDUM PREPARED BY:
 Steven Martinez, Planner II

SUBMITTED BY:

Ralph Kachadourian

Ralph Kachadourian, Supervising Planner
 CITY OF FRESNO PLANNING AND
 DEVELOPMENT DEPARTMENT

DATE: January 3, 2024