

**Exhibit V**  
**City Council Hearing Presentation**

**CONSIDERATION OF THE APPEAL OF:  
DEVELOPMENT PERMIT APPLICATION NO. P21-02699  
VESTING TENTATIVE PARCEL MAP NO. 2021-09  
AND RELATED FINAL ENVIRONMENTAL IMPACT REPORT  
(STATE CLEARINGHOUSE NO. 2022050265)**

PRESENTATION BY: STEVEN MARTINEZ - PLANNER



ID 24-210

CITY COUNCIL HEARING | February 22, 2024

# Project Overview

Proposed construction of four office/warehouse buildings with a gross floor area of  $\pm 901,438$  square feet and 201 loading dock doors.

Building 1:  $\pm 468,812$  square feet / 122 loading dock doors

Building 2:  $\pm 248,786$  square feet / 46 loading dock doors

Building 3:  $\pm 93,074$  square feet / 18 loading dock doors

Building 4:  $\pm 90,766$  square feet / 15 loading dock doors

Proposed subdivision of the two existing parcels into four parcels:

Parcel A  $\pm 11.68$  acres

Parcel B  $\pm 5.38$  acres

Parcel C  $\pm 5.14$  acres

Parcel D  $\pm 26.15$  acres

On- and Off-site improvements are proposed including, but not limited to:

Curb, Gutters, Sidewalks

7 Drive Approaches

594 Parking Spaces (385 Standard / 209 Truck & Van)

Landscaping



# Project Site Plan Rendering

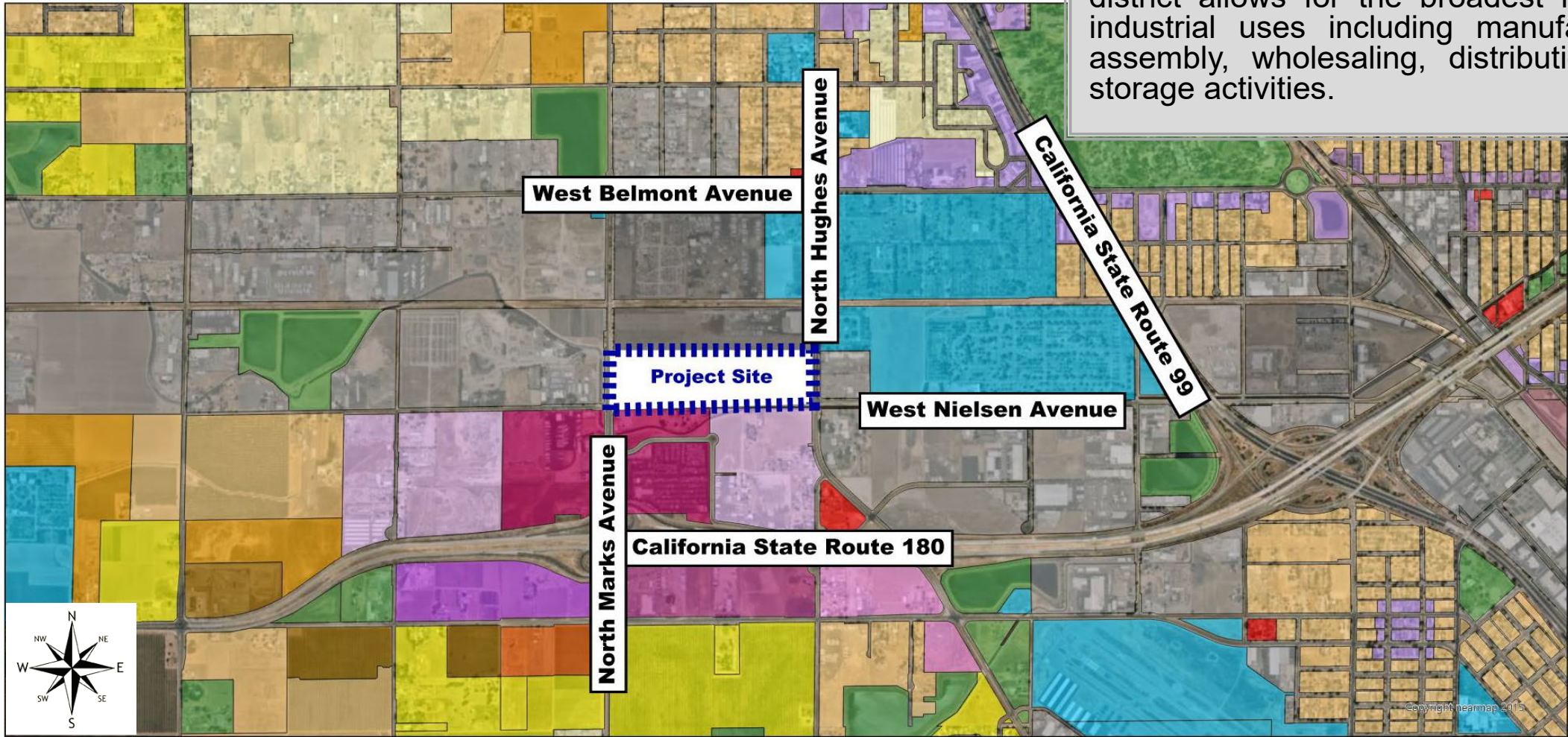


# Project Elevations Rendering



# Planned Land Use Map

The Heavy Industrial land use and zone district allows for the broadest range of industrial uses including manufacturing, assembly, wholesaling, distribution, and storage activities.



Planned Land Use		Recreation		Heavy Industrial		Community Park		Ponding Basin		Middle School	
Low Density (1-3.5 D.U./acre)	Recreation	Recreation	Community Park	Heavy Industrial	Ponding Basin	Middle School	Low Density (1-3.5 D.U./acre)	Recreation	Community Park	Ponding Basin	Middle School
Medium Low Density (3.5-6 D.U./acre)	Recreation	Neighborhood Mixed Use	Flood Control Project	Neighborhood Mixed Use	Ponding Basin (Park use)	Middle School	Medium Low Density (3.5-6 D.U./acre)	Recreation	Community Park	Ponding Basin	Middle School
Medium Density (5.0-12 D.U./acre)	General	Corridor/Center Mixed Use	Golf Course	Corridor/Center Mixed Use	Regional Park	Middle School	Medium Density (5.0-12 D.U./acre)	Highway & Auto	Multi-Use	Regional Park	High School
Medium High Density (12-16 D.U./acre)	Highway & Auto	Regional Mixed Use	Lake, Pond	Regional Mixed Use	Public/Quasi-public Facility	College	Medium High Density (12-16 D.U./acre)	Regional	Multi-Use	Public/Quasi-public Facility	College
Urban Neighborhood (16-30 D.U./acre)	Regional	Downtown Core	Multi-Use	Downtown Core	Special School	College	Urban Neighborhood (16-30 D.U./acre)	Office	Neighborhood Park	Special School	College
High Density (30-45 D.U./acre)	Office	Downtown General	Neighborhood Park	Downtown General	Elementary School	School with Park	High Density (30-45 D.U./acre)	Business Park	Outdoor Environmental Education Area	Elementary School	School with Park
Main Street	Business Park	Downtown Neighborhood	Outdoor Environmental Education Area	Downtown Neighborhood	Elementary & Middle School	Airport	Main Street	Regional Business Park	Open Space	Elementary & Middle School	Airport
Community	Regional Business Park	Clear Zone	Open Space	Clear Zone	Elementary, Middle & High School	Cemetery	Community	Light Industrial	Park	Elementary, Middle & High School	Cemetery
	Light Industrial	Commercial-Recreational	Park	Commercial-Recreational	Elementary, Middle & High School	Church					



This map is believed to be an accurate representation of the City of Fresno GIS data. However, we make no warranties either expressed or implied for the correctness of this data.

# Environmental Review

**November 2021 – May 2022:** Initial Study / Mitigated Negative Declaration (IS/MND) prepared.

**May 2022:** IS/MND available for public review.

**Summer 2022:** Scannell Properties opted to convert environmental review to an Environmental Impact Report (EIR).

**Summer 2022 – February 2023:** EIR prepared.

**February 2023:** Notice of Availability issued; Draft EIR available for public review.

**April 2023:** Subsequent Notice of Availability issued; Recirculated Draft EIR available for public review.

**Summer 2023 – September 2023:** Response to Comments and Final EIR prepared.

**October 2023:** Planning Commission certified the EIR and approved Development Permit Application No. P21-02699 and Vesting Tentative Parcel Map No. 2021-09.

# Appeal of EIR Certification

## **Appeal Letter 1: Golden State Environmental Justice Alliance**

***Issue/Claim:*** The Project Description and Response to Comments (RTC) prepared for the EIR are inadequate. Specifically, sections **B1-3**, **B1-8**, and **B1-11** of the RTC are inadequate. The RTC does not provide meaningful evidence to support the conclusions made and documents related to the project were not available for review.

### ***Response:***

Please refer to the Response to Appeal Letters Memorandum by LSA dated December 13, 2023 in addition to the following sections.

**Project Description and Availability of Documents:** Please refer to Chapter 3.0, Project Description, of the Recirculated Draft EIR. The chapter is consistent with Section 15124 of the CEQA Guidelines. Furthermore, as noted in the Notice of Availability for the Draft EIR and Notice of Availability for the Recirculated Draft EIR, all documents related to the project were available for public review at the lead agency.

**B1-3:** The project site was previously developed as a California Compress Facility. The proposed project would include demolition of the existing leveled asphalt which served as the foundations of the former buildings on the project site. As identified on page 3-18 of the Recirculated Draft EIR and Response B1-3 of the RTC, the proposed project would not require any soil import or export.

**B1-8:** Refer to Responses A2-3, A2-6, and B1-8 of the RTC.

**B1-11:** Refer to pages 4.10-14 and 4.10-15 of the Recirculated Draft EIR and Response B1-11 of the RTC.



# Appeal of EIR Certification *(Continued)*

## **Appeal Letter 2: Councilmember Miguel Arias**

***Issue/Claim:*** Unmitigated environmental impacts including: health risks, air quality, transportation, noise pollution, and greenhouse gas emissions.

### ***Response:***

Please refer to the EIR Summary Memorandum by LSA dated October 23, 2023 (Staff Report Exhibit R), the EIR and related appendices (Staff Report Exhibits F-1 through F-3), the EIR Response to Comments (Staff Report Exhibit G), and Response to Appeal Letters Memorandum by LSA dated December 13, 2023 (Staff Report Exhibit U).

# Appeal of EIR Certification *(Continued)*

## **Appeal Letter 3: Adams Broadwell Joseph & Cardozo**

***Issue/Claim:*** Concerns about **(A)** Exposure to Valley Fever, **(B)** transportation impacts, **(C)** noise impacts, and **(D)** the City not being able to make the findings for project approval.

### ***Response:***

Please refer to the Response to Appeal Letters Memorandum by LSA dated December 13, 2023 in addition to the following sections.

**(A)** Pages 4.2-5 and 4.2-6 of the EIR and Responses B3-10, B3-18, B3-19, B3-39, B3-40 of the RTC.

**(B)** Appendix M of the EIR and Responses B3-6, B3-12, B3-13, B3-14, and B3-15 of the RTC.

**(C)** Responses B3-6, B3-23, B3-24, B3-25, B3-31, B3-33, B3-34, B3-51, B3-53, B3-54, B3-55, B3-56, B3-57, B3-58, and B3-59 of the RTC.

**(D)** Exhibit M, Fresno Municipal Code Findings, and Responses B3-33 and B3-34 of the RTC.

# Staff Recommendation

**CERTIFY** Final Environmental Impact Report (SCH No. 2022050265), apply the Council's independent judgment and analysis to the review, and then adopt the resolution certifying the FEIR as having been completed in compliance with the California Environmental Quality Act (CEQA) on the proposed Final EIR and comments thereon; and;

**ADOPT** the Water Supply Assessment (WSA) attached to the FEIR as Appendix K in compliance with Section 10910 of the California Water Code and Section 15155 of the CEQA Guidelines, and adopt the WSA as a technical addendum to the Environmental Impact Report; and,

**ADOPT** Findings of Fact pursuant to CEQA Guidelines Section 15091; and,

**ADOPT** a Mitigation Monitoring and Reporting Program (MMRP) pursuant to CEQA Guidelines section 15097; and,

**DENY** the appeal and **UPHOLD** the action of the Planning Commission in the approval of Development Permit Application No. P21-02699 which requests authorization to construct four office/warehouse buildings with a total gross floor area of approximately  $\pm$  901,438 square feet, subject to compliance with the Conditions of Approval dated October 4, 2023; and,

**DENY** the appeal and **UPHOLD** the action of the Planning Commission in the approval of Vesting Tentative Parcel Map No. 2021-09 which requests authorization to subdivide the subject property into four parcels: Parcel A  $\pm$  11.68 acres, Parcel B  $\pm$  5.38 acres, Parcel C  $\pm$  5.14 acres, Parcel D  $\pm$  26.15 acres, subject to compliance with the Conditions of Approval dated October 4, 2023.

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**FOLLOWING SLIDE(S) TO ONLY  
BE VIEWED IF UTILIZED TO  
ANSWER QUESTIONS.**

# Environmental Review *(Continued)*

## Overview of Scannell Project Impacts:

### **Less than Significant**

- ❖ Energy
- ❖ Greenhouse Gas Emissions
- ❖ Hydrology & Water Quality
- ❖ Transportation
- ❖ Utilities

### **Less than Significant with Incorporated Mitigation**

- ❖ Aesthetics
- ❖ Air Quality
- ❖ Biological Resources
- ❖ Cultural & Tribal Cultural Resources
- ❖ Hazards & Hazardous Materials
- ❖ Noise

### **Significant and Unavoidable**

- ❖ The project would not result in any significant and unavoidable impacts.