



MAYOR ASHLEY SWEARENGIN

July 2, 2014

Jennifer Clark, Director  
Department of Development and Resource Management  
2600 Fresno Street  
Fresno, CA 93721

Re: Appeal of June 18, 2014 Planning Commission Action on  
Site Plan Review Application No. S-13-047 and Related Environmental  
Assessment No. S-13-047

Dear Jennifer:

Please consider this my appeal of the recent Planning Commission action regarding Site Plan Application No. S-13-047 and the related Mitigated Negative Declaration, which was filed by Sean Odum of GMA Consulting Engineers and Architects on behalf of McCall Pacific, LLC, located on the west side of Hughes Avenue between West Neilson and West Belmont Avenues. The proposed project is for a chemical warehouse to be operated by Brenntag Pacific, Inc. This matter is being appealed to address the Planning Commission's tied vote which resulted in a technical denial of the project and of the related environmental assessment.

The proposed project would be located on a parcel that has been zoned M-3 since at least 1982, when the area was annexed into the City of Fresno. M-3 zoning allows for multiple types of industrial activities, including heavy industrial uses. This proposed project, which falls under the category of "by-right" uses for M-3, is wholly appropriate for this zone district. Moreover, Brenntag Pacific has a positive reputation in the City and has a history of being a good operator in the Fresno area. It is my understanding that for over 30 years, Brenntag has operated at its current location in Malaga, less than 400 yards from a school without incident. Brenntag employs 38 people full time with full benefits and would add an additional 12-22 full time, fully benefitted positions in their new location. The proposed site, which is located on a railway spur with nearby freeway access, is ideally suited for the industrial uses for which it has historically been zoned. Furthermore, given the zoning, surrounding industrial activity, and the heavy industrial infrastructure to the site, it is extremely unlikely that this site would be converted to residential or commercial development anytime in the next 30 to 40 years. In addition, the Mitigated Negative Declaration prepared for this project appropriately assesses and mitigates its impacts.

During the Planning Commission hearing, there was much discussion about CalEPA's Draft Cal EnviroScreen 2.0 scoring results for the census tract that this project will be located in. I believe the members of the Planning Commission may not be fully briefed on the data contained within

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the CalEnviroScreen report and the recommended uses of the report. The California Secretary for Environmental Protection specifically stated that the Draft CalEnviroScreen 2.0 scoring results are "not directly applicable to the cumulative impacts analysis required under the California Environmental Quality Act (CEQA)." In addition, the Secretary states that "...the tool's output should not be used as a focused risk assessment of a given community or site." As such, the City staff appropriately relied on site specific information when preparing their analysis of the project and should not have used the draft report when analyzing S-13-047.

Approving the Site Plan application and allowing this project to move forward does not require a plan amendment or a rezone. Rather, it merely allows the applicant to engage in a business that is within the range of uses already contemplated and assessed for this location. It is important that this business be given the opportunity to locate in Fresno and continue to thrive and add economic value to our city.

Please set this matter for hearing before the City Council on August 28, 2014.

Sincerely,

  
Ashley Swearengin  
Mayor

cc: Councilmember Oliver Baines  
McCall Pacific, LLC