Exhibit "A" CEQA Determination

### CITY OF FRESNO CATEGORICAL EXEMPTION ENVIRONMENTAL ASSESSMENT APPLICATION NO. P23-00981

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

- APPLICANT: UP Holdings, LLC 6083 N Figarden Dr, Suite 656 Fresno, CA 93722
- **PROJECT LOCATION**: 3787 North Blackstone Avenue; Located on the southwest corner of East Dakota and North Blackstone Avenues (APN: 435-020-11)
- PROJECT DESCRIPTION: Halajian Architects, on behalf of UP Holdings, LLC, has filed Environmental Assessment Application No. P23-00981, pertaining to approximately 1.35 acres of property located on the southwest corner of East Dakota and North Blackstone Avenues (3787 N Blackstone Avenue). Environmental Assessment No. P23-00981 proposes the future development of a 114-unit development consisting of 54 one-bedroom units, 30 twobedroom units, and 30 three-bedroom units within a four-story structure providing affordable housing to between 30 percent and 60 percent area median income (AMI).

This project is exempt under Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project.

Under Section 15332/Class 32, the proposed project is exempt from CEQA requirements when the project is characterized as in-fill development meeting the following conditions:

# (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The subject property is planned for Regional Mixed Use (minimum 30 dwelling units per acre, no maximum) planned land uses with an RMX (Regional Mixed-Use) zoning designation. The future development, which will be processed through an appropriate entitlement with the City of Fresno Planning and Development Department, proposes a 114-unit multi-family affordable housing complex on approximately 1.35 acres of property at a density of 84.44 dwelling units per acre. Thus, the subject project is consistent with the density requirements of the RMX zoning designation. The proposed project is located more than 100 feet from an existing or planned Bus Rapid Transit station, and provides for buildings with active spaces occupying more than 60

percent of building frontage along both East Dakota and North Blackstone Avenues. The proposed project has buildings within five feet of the street property line in excess of 50 linear feet. The front yard is along North Blackstone Avenue, and the proposed surface parking is located behind all buildings towards the rear of the site along East Dakota Avenue, complying with the parking setback standards. The proposed open space includes a central courtyard, secondary courtyard, 4<sup>th</sup> floor outdoor deck, and private patios and balconies that equate to approximately 27 percent of the site area, which exceeds the minimum requirement of 8 percent. The proposed project includes the minimum 12-foot width for sidewalks adjacent to the property. Street trees are proposed at the required minimum width along the sidewalk for both street frontages. As such, the proposed project complies with the RMX zoning designation development standards.

As proposed, the project would be consistent with the Fresno General Plan goals and objectives related to residential land use and the urban form, including:

Goal No. 7 of the Fresno General Plan encourages the City to provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

Goal No. 8 of the Fresno General Plan encourages the development of Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

These Goals contribute to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Objective LU-1 of the Fresno General Plan.

Objective UF-1 emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types.

Policy UF-1-a supports development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.

Policy UF-1-d provides for a diversity and variation of building types, densities, and scales of development in order to reinforce the identity of individual neighborhoods, foster a variety of market-based options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.

Objective UF-12 promotes locating roughly one-half of future residential development in infill areas – defined as being within the City on December 31, 2012 – including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land.

Policy UF-12-b promotes mixed-use designated areas along BRT and/or transit corridors are appropriate for more intensive concentrations of urban uses. Typical uses could include commercial areas; employment centers; schools; compact residential development; religious institutions; parks; and other gathering points where residents may interact, work, and obtain goods and services in the same place.

Policy UF-12-d facilitates the development of vertical and horizontal mixed-uses to blend residential, commercial, and public land uses on one or adjacent sites. Ensure land use compatibility between mixed-use districts in Activity Centers and the surrounding residential neighborhoods.

Objective LU-1 establishes a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.

Policy LU-1-a promotes new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.

*Objective D-1 provides and maintains an urban image that creates a "sense of place" throughout Fresno.* 

Policy D-1-a requires all new multi-family residential development along BRT and other transit or pedestrian-oriented streets (Collector and Local), including high-rise, townhomes or other units, to provide direct pedestrian street access and to promote walkable connectivity, individualization, family-friendly development, identity, and street safety to the maximum extent reasonably feasible.

Policy D-1-b encourages all new development located within Activity Centers and/or along BRT corridors to incorporate active ground floor frontages that engage pedestrians to the maximum extent feasible. Establish pedestrian-oriented design standards in the Development Code for building frontages, transparency, fenestration, and entries to create active streetscapes.

Policy D-1-h considers requiring all new development with parking in Activity Centers and along corridors to be screened or concealed. Locate principal pedestrian entrances to new non-residential buildings on the sidewalk; any entrances from parking areas should be incidental or emergency use only.

The proposed project is proposing an affordable housing project along a BRT corridor (North Blackstone Avenue) with a higher density and multi-story residential building with a mix of commercial and supporting common areas and amenities along the street frontages. This provides diversity from the surrounding commercial uses and nearby single or two-story single-family residences to the east.

As such, the proposed project is consistent with general plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno.

# (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project is located within the city limits on a total of a 1.35 net acre site and is surrounded by commercial development to the north and east, middle school to the east, and multi-family to the south, which are all considered urban uses.

### (c) The project has no value as habitat for endangered, rare or threatened species.

The subject property is substantially surrounded by commercial and residential development. The subject property is currently developed as a former restaurant, which will be demolished. The property is adjacent to two major streets (Dakota is a Collector and Blackstone is an Arterial) which inhibit habitat in general from migrating towards the subject property. Due to the noted circumstances of the subject property, it is staff's finding that the subject site has no value as habitat for endangered, rare or threatened species.

# (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The project proposes a relatively small number of lots (26) and would not result in any significant effects relating to traffic, noise, air quality, or water quality.

### Traffic

The City of Fresno VMT Thresholds Section 3.0 (Project Screening) discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. For development projects (such as the proposed project), conditions may exist that would presume that a development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential.

One of the screening methods is if the project is within 0.5 miles of a Transit Priority Area or a High-Quality Transit Area. A High-Quality Transit Area or Corridor is a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. The subject property is located adjacent to a High-Quality Transit Area or Corridor (North Blackstone Avenue) as the bus route along North Blackstone Avenue provides bus service intervals no longer than 15 minutes during peak commute hours.

Another screening method is if the project has a high level of affordable housing units. The proposed project includes 100 percent of the units to be affordable.

Another screening method is residential projects that are located in areas with low VMT as depicted on Figure 6 (VMT Screening Map) of the City's CEQA Guidelines for VMT Thresholds.

The subject property is listed low VMT (11.52 VMT) where a maximum of 14.01 is considered low.

The proposed project is eligible to screen out because the proposed project is less than 0.5 miles from a High-Quality Transit Area or Corridor, has a high level of affordable units, and is in an area with low VMT for residential uses in Figure 6 of the City's CEQA Guidelines for VMT Thresholds.

### <u>Noise</u>

The project is a mixed-use multi-family affordable housing complex adjacent to other commercial, residential, and public and institutional uses. The existing major streets adjacent to the project provide noise from vehicles going at higher speeds. The proposed project would be conditioned to comply with any applicable noise standards of the Citywide Development Code to operate at efficient noise levels.

### Air Quality

The project is conditioned to comply with any applicable regulations and conditions from the San Joaquin Valley Air Pollution Control District and the project is subject to review by the agency in regard to air quality during construction and operation.

### Water Quality

The project is further conditioned to comply with any applicable conditions from Public Works or Utilities Departments to ensure the project won't have an effect on water quality.

### (e) The site can be adequately served by all required utilities and public services.

The project will be routed to various utilities and public service providers which will provide project conditions for development of the project. The project frontage along East Dakota Avenue currently has an existing 12-inch water main and the project frontage along North Blackstone Avenue currently has an existing 12-inch water main and 24-inch sewer main.

The project is surrounded by existing streets, sidewalks, gutters, bicycle and pedestrian infrastructure, and similar facilities.

As such, the site can be adequately served by all required utilities and public services.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project. No potential cumulative or significant effects will result from the project. The proposed project will not result in damage to scenic resources. The project is not located on land identified as a hazardous waste site on any list compiled pursuant to Section 65962.5 of the Government Code. There are no historic resources on the subject property for which the project may cause a substantial adverse change in significance.

Therefore, the proposed project is not determined to have a significant effect on the environment. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

Date: March 16, 2023

Prepared By:

Rob Holt, Supervising Planner

Submitted by:

Robert Halt

Rob Holt, Supervising Planner City of Fresno Planning and Development Department (559) 621-8056

		RECEIPT	NUM	BER:		
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SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.						
LEAD AGENCY	LEAD AGENCY EMAIL			DATE		
CITY OF FRESNO				04/04/2023		
COUNTY/STATE AGENCY OF FILING				DOCUMENT N	UMBER	
FRESNO COUNTY					E202310000093	
PROJECT TITLE						
ENVIRONMENTAL ASSESSMENT NO. P23-00981						
PROJECT APPLICANT NAME PROJECT APPLICANT EMAIL		MAIL		PHONE NUMBER		
CITY OF FRESNO				(559) 621-8056		
PROJECT APPLICANT ADDRESS	CITY	STATE		ZIP CODE		
2600 FRESNO STREET	FRESNO	CA		93721		
PROJECT APPLICANT (Check appropriate box)						
X Local Public Agency School District	Other Special District	Sta	ate Ag	jency	Private Entity	
CHECK APPLICABLE FEES:						
Environmental Impact Report (EIR)		\$3,839.25	\$		0.00	
Mitigated/Negative Declaration (MND)(ND)		\$2,764.00	\$		0.00	
Certified Regulatory Program (CRP) document - payment due	e directly to CDFW	\$1,305.25	\$	2	0.00	
Exempt from fee						
Notice of Exemption (attach)						
CDFW No Effect Determination (attach)						
Fee previously paid (attach previously issued cash receipt co	oy)					
Water Right Application or Petition Fee (State Water Resourc		\$850.00	\$		0.00	
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X Cierr	Cierra Loera Deputy Clerk					

County of Fresno Clerk's Office James A. Kus		
Elections Departmen	it	
(559) 600-8683		
Clerk Services Depart	ment	
(559) 600-2575		
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Amount Due	\$0.00	

THANK YOU PLEASE KEEP FOR REFERENCE

### PLEASE POST FOR 30 DAYS

### NOTICE OF EXEMPTION

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- FROM: City of Fresno Planning and Development Department 2600 Fresno Street Fresno, California 93721-3604
- TO: X Fresno County Clerk 2220 Tulare Street – First Floor Lobby Fresno, California 93721
  - \_\_\_\_ Office of Planning & Research P.O. Box 3044, Room 212 Sacramento, California 95812-3044

Project Title: Environmental Assessment No. P23-00981

APR 0 4 2023 FRESNO COUNTY CLERK By. DEPITY

*Project Location:* 3797 North Blackstone Avenue; Located on the southwest corner of East Dakota and North Blackstone Avenues (APN: 435-020-11).

Project Location – city: City of Fresno Project Location- county: County of Fresno

**Description of Nature, Purpose and Beneficiaries of Project:** Halajian Architects, on behalf of UP Holdings, LLC, has filed Environmental Assessment Application No. P23-00981, pertaining to approximately 1.35 acres of property located on the southwest corner of East Dakota and North Blackstone Avenues (3787 N Blackstone Avenue). Environmental Assessment No. P23-00981 proposes the future development of a 114-unit development consisting of 54 one-bedroom units, 30 two-bedroom units, and 30 three-bedroom units within a four-story structure providing affordable housing to between 30 percent and 60 percent area median income (AMI).

Name of Public Agency Approving Project: City of Fresno

Name of Person or Agency Carrying Out Project: Up Holdings, LLC (312) 870-4747 jared@upholdings.net

### Exempt Status: (check one)

Ministerial - PRC § 21080(b)(1); CEQA Guidelines §15268

Declared Emergency - PRC § 21080(b)(3); CEQA Guidelines §15269(a)

Emergency Project - PRC § 21080(b)(4); CEQA Guidelines §15269(b) and (c)

Categorical Exemption – CEQA Guidelines §15332/Class 32 (Infill Development)

Statutory Exemption – PRC §\_\_\_\_\_

### Reasons why project is exempt:

**Section 15332/Class 32** of the CEQA Guidelines exempts from the provisions of CEQA, projects characterized as in-fill development meeting the following conditions:

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## (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The subject property is planned for Regional Mixed Use (minimum 30 dwelling units per acre, no maximum) planned land uses with an RMX (Regional Mixed-Use) zoning designation. The future development, which will be processed through an appropriate entitlement with the City of Fresno Planning and Development Department, proposes a 114-unit multi-family affordable housing complex on approximately 1.35 acres of property at a density of 84.44 dwelling units per acre. Thus, the subject project is consistent with the density requirements of the RMX zoning designation. The proposed project is located more than 100 feet from an existing or planned Bus Rapid Transit station, and provides for buildings with active spaces occupying more than 60 percent of building frontage along both East Dakota and North Blackstone Avenues. The proposed project has buildings within five feet of the street property line in excess of 50 linear feet. The front yard is along North Blackstone Avenue, and the proposed surface parking is located behind all buildings towards the rear of the site along East Dakota Avenue, complying with the parking setback standards. The proposed open space includes a central courtyard, secondary courtyard, 4th floor outdoor deck, and private patios and balconies that equate to approximately 27 percent of the site area, which exceeds the minimum requirement of 8 percent. The proposed project includes the minimum 12-foot width for sidewalks adjacent to the property. Street trees are proposed at the required minimum width along the sidewalk for both street frontages. Street lighting will be provided along the sidewalk for both street frontages. As such, the proposed project complies with the RMX zoning designation development standards.

As proposed, the project would be consistent with the Fresno General Plan goals and objectives related to residential land use and the urban form, including:

Goal No. 7 of the Fresno General Plan encourages the City to provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

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These Goals contribute to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Objective LU-1 of the Fresno General Plan.

*Objective UF-1 emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types.* 

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Policy UF-1-a supports development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.

Policy UF-1-d provides for a diversity and variation of building types, densities, and scales of development in order to reinforce the identity of individual neighborhoods, foster a variety of marketbased options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.

Objective UF-12 promotes locating roughly one-half of future residential development in infill areas – defined as being within the City on December 31, 2012 – including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land.

Policy UF-12-b promotes mixed-use designated areas along BRT and/or transit corridors are appropriate for more intensive concentrations of urban uses. Typical uses could include commercial areas; employment centers; schools; compact residential development; religious institutions; parks; and other gathering points where residents may interact, work, and obtain goods and services in the same place.

Policy UF-12-d facilitates the development of vertical and horizontal mixed-uses to blend residential, commercial, and public land uses on one or adjacent sites. Ensure land use compatibility between mixed-use districts in Activity Centers and the surrounding residential neighborhoods.

Objective LU-1 establishes a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.

Policy LU-1-a promotes new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.

Objective D-1 provides and maintains an urban image that creates a "sense of place" throughout Fresno.

Policy D-1-a requires all new multi-family residential development along BRT and other transit or pedestrian-oriented streets (Collector and Local), including high-rise, townhomes or other units, to provide direct pedestrian street access and to promote walkable connectivity, individualization, family-friendly development, identity, and street safety to the maximum extent reasonably feasible.

Policy D-1-b encourages all new development located within Activity Centers and/or along BRT corridors to incorporate active ground floor frontages that engage pedestrians to the maximum extent feasible. Establish pedestrian-oriented design standards in the Development Code for building frontages, transparency, fenestration, and entries to create active streetscapes.

Policy D-1-h considers requiring all new development with parking in Activity Centers and along corridors to be screened or concealed. Locate principal pedestrian entrances to new non-residential

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buildings on the sidewalk; any entrances from parking areas should be incidental or emergency use only.

The proposed project is proposing an affordable housing project along a BRT corridor (North Blackstone Avenue) with a higher density and multi-story residential building with a mix of commercial and supporting common areas and amenities along the street frontages. This provides diversity from the surrounding commercial uses and nearby single or two-story single-family residences to the east.

As such, the proposed project is consistent with general plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno.

## (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project is located within the city limits on a total of a 1.35 net acre site and is surrounded by commercial development to the north and east, middle school to the east, and multi-family to the south, which are all considered urban uses.

### (c) The project has no value as habitat for endangered, rare or threatened species.

The subject property is substantially surrounded by commercial and residential development. The subject property is currently developed as a former restaurant, which will be demolished. The property is adjacent to two major streets (Dakota is a Collector and Blackstone is an Arterial) which inhibit habitat in general from migrating towards the subject property. Due to the noted circumstances of the subject property, it is staff's finding that the subject site has no value as habitat for endangered, rare or threatened species.

# (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The project proposes a relatively small number of lots (26) and would not result in any significant effects relating to traffic, noise, air quality, or water quality.

### **Traffic**

The City of Fresno VMT Thresholds Section 3.0 (Project Screening) discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. For development projects (such as the proposed project), conditions may exist that would presume that a development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential.

One of the screening methods is if the project is within 0.5 miles of a Transit Priority Area or a High-Quality Transit Area. A High-Quality Transit Area or Corridor is a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. The subject property is located adjacent to a High-Quality Transit Area or Corridor (North Blackstone Avenue) as the bus

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route along North Blackstone Avenue provides bus service intervals no longer than 15 minutes during peak commute hours.

Another screening method is if the project has a high level of affordable housing units. The proposed project includes 100 percent of the units to be affordable.

Another screening method is residential projects that are located in areas with low VMT as depicted on Figure 6 (VMT Screening Map) of the City's CEQA Guidelines for VMT Thresholds. The subject property is listed low VMT (11.52 VMT) where a maximum of 14.01 is considered low.

The proposed project is eligible to screen out because the proposed project is less than 0.5 miles from a High-Quality Transit Area or Corridor, has a high level of affordable units, and is in an area with low VMT for residential uses in Figure 6 of the City's CEQA Guidelines for VMT Thresholds.

### <u>Noise</u>

The project is a mixed-use multi-family affordable housing complex adjacent to other commercial, residential, and public and institutional uses. The existing major streets adjacent to the project provide noise from vehicles going at higher speeds. The proposed project would be conditioned to comply with any applicable noise standards of the Citywide Development Code to operate at efficient noise levels.

#### Air Quality

The project is conditioned to comply with any applicable regulations and conditions from the San Joaquin Valley Air Pollution Control District and the project is subject to review by the agency in regard to air quality during construction and operation.

### Water Quality

The project is further conditioned to comply with any applicable conditions from Public Works or Utilities Departments to ensure the project won't have an effect on water quality.

### (e) The site can be adequately served by all required utilities and public services.

The project will be routed to various utilities and public service providers which will provide project conditions for development of the project. The project frontage along East Dakota Avenue currently has an existing 12-inch water main and the project frontage along North Blackstone Avenue currently has an existing 12-inch water main and 24-inch sewer main.

The project is surrounded by existing streets, sidewalks, gutters, bicycle and pedestrian infrastructure, and similar facilities.

As such, the site can be adequately served by all required utilities and public services.

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None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project. Furthermore, the proposed project site is currently vacant property in an urbanized residential area, and any future proposed development and land use changes will be subject to the California Environmental Quality Act as well as the City's development standards, the proposed project is not expected to have a significant effect on the environment. Accordingly, categorical exemptions, as noted above, have been prepared for the project and the area is not environmentally sensitive.

Lead Agency Contact Person: Rob Holt, Supervising Planner

City of Fresno Planning and Development Department (559) 621-8056 <u>Robert.Holt@fresno.gov</u>

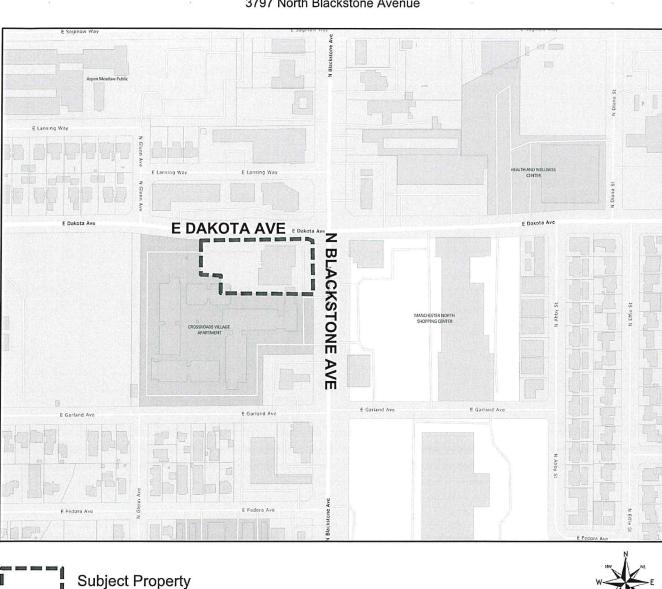
### If filed/signed by applicant:

Attach certified document of exemption finding (*check if attached*) Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:	Robert Ha		ate:	04/04/2023	
<b>Printed Name and Title:</b> Rob Holt, Supervising Planner City of Fresno Planning and Development Department					
Signed	by Lead Age	n <b>cy</b>		Signed by applicant	

Attachments: Vicinity Map/Site Location





**VICINITY MAP/SITE LOCATION** 

3797 North Blackstone Avenue

**Development Services Division - Planning and Development Department** 2600 Fresno Street, Room 3043 · Fresno, CA 93721 · Phone (559) 621-8277