

NOTICE OF EXEMPTION

FROM: City of Fresno
Planning and Development Department
2600 Fresno Street, 3rd Floor
Fresno, California 93721-3604

TO: X Fresno County Clerk
2220 Tulare Street
Fresno, California 93721

Project Title: Environmental Assessment No. P22-00207 for Development Permit Application No.P22-00207

Project Location: 6965 West Farrington Ave, generally located at the northeast corner of North Weber and West Farrington Avenues.

APNs: 504-290-04, 05)

Project Location – City: City of Fresno

Project Location - County: County of Fresno

Description of Nature, Purpose and Beneficiaries of Project: Development Permit Application No. P22-00207 proposes the construction of a ±19,682 (±59,366 gross) square foot-three (3) story hotel (Hilton Home 2 Suites), which includes 104 guest rooms on ±2.16 acre vacant project site. In addition, the project will include on and off-site improvements including but not limited to an outdoor pool, patio, two (2) new drive approaches, one hundred and ten (110) parking stalls, landscaping, two (2) two-cell trash enclosures, curbs, sidewalks, and gutters. A minor deviation is also requested to increase the maximum height from 35 feet to 38.5 feet. The hotel will operate 24 hours a day seven days a week with 12 employees. The project will also include dedication of required easements (pedestrian) and vacation of excess portions of City right-of-way. Specifically, a 10 foot excess right of way strip and any prior relinquishment of abutter rights along the east side of Farrington Avenue along the full frontage of APN 504-092-04 as well as vacating a 10 foot of excess right of way and any prior relinquishment of abutter rights along the north side of Weber for an approximate distance of 235 feet of street frontage right of way. The vacated area will be incorporated into the overall scope of the project site and utilized for landscaping and a drive approach. Based on a review of the proposed project by other City of Fresno Departments and outside reviewing agencies, the vacation is feasible given conditions as noted in the letter from the City of Fresno Public Works Department, dated July 17, 2019. The property is split zoned CH+IL/EA/UGM (Commercial Highway and Auto+Light Industrial/Expressway Area/Urban Growth Management Area). Development will occur on the CH zoned portion of property.

Agency Approving Project: City of Fresno, Planning and Development Department

Name of Person or Agency Carrying Out Project: Chris Ward
Centerline Design LLC
1508 Tollhouse Road Suite #C
Clovis Ca, 93611

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 Exemptions - CEQA Guidelines 15332/Class 32

P22-00207
CEQA Notice of Exemption
February 2, 2024

Statutory Exemption – PRC § _____

Reasons why project is exempt: The proposed project is characterized as in-fill development and is consistent with the conditions of Section 15332/Class 32 exemption, as demonstrated in the attached Categorical Exemption Determination for Development Permit No. P22-00207.

Lead Agency Contact Person: Phillip Siegrist, Supervising Planner
City of Fresno Planning and Development Department

Telephone No.: (559) 621-8061

Signature: Phillip Siegrist **Date:** 2/2/2024

Printed Name and Title: Phillip Siegrist, Supervising Planner
City of Fresno Planning and Development Department

Signed by Lead Agency

Signed by applicant

Attachments: Exhibit A: Vicinity Map
Categorical Exemption Determination for P22-00207

**CITY OF FRESNO CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT FOR
PLANNED DEVELOPMENT & DEVELOPMENT PERMIT
APPLICATION NO. P22-00207**

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: Chris Ward
Centerline Design LLC
1508 Tollhouse Road Suite #C
Clovis Ca, 93611

PROJECT LOCATION: 6965 West Farrington Ave, generally located at the northeast corner of North Weber and West Farrington Avenues. (APNs: 504-290-04)

PROJECT DESCRIPTION: Development Permit Application No. P22-00207 proposes the construction of a ±19,682 (±59,366 gross) square foot-three (3) story hotel (Hilton Home 2 Suites), which includes 104 guest rooms on ±2.16 acre vacant project site. In addition, the project will include on and off-site improvements including but not limited to an outdoor pool, patio, two (2) new drive approaches, one hundred and ten (110) parking stalls, landscaping, two (2) two-cell trash enclosures, curbs, sidewalks, and gutters. A minor deviation is also requested to increase the maximum height from 35 feet to 38.5 feet. The hotel will operate 24 hours a day seven days a week with 12 employees. The project will also include dedication of required easements (pedestrian) and vacation of excess portions of City right-of-way. Specifically, a 10 foot excess right of way strip and any prior relinquishment of abutter rights along the east side of Farrington Avenue along the full frontage of APN 504-092-04 as well as vacating a 10 foot of excess right of way and any prior relinquishment of abutter rights along the north side of Weber for an approximate distance of 235 feet of street frontage right of way. The vacated area will be incorporated into the overall scope of the project site and utilized for landscaping and a drive approach. Based on a review of the proposed project by other City of Fresno Departments and outside reviewing agencies, the vacation is feasible given conditions as noted in the letter from the City of Fresno Public Works Department, dated July 17, 2019. The property is split zoned CH+IL/EA/UGM (*Commercial Highway and Auto+Light Industrial/Expressway Area/Urban Growth Management Area*). Development will occur on the CH zoned portion of property.

This project is exempt under Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines.

Section 15332/Class 32 (Class 32/In-Fill Development Projects) of the CEQA Guidelines exempts from the provisions of CEQA, projects characterized as in-fill development, which meet 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.*

Given the conditions of approval, the proposed project will meet all the provisions of the FMC and all applicable design guidelines and development standards for Commercial Districts including but not limited to Fresno Municipal Code Sections 15-1203 (Density, Intensity, and Massing Standards), 15-1204 (Site Design Development Standards), 15-1205 (Façade Design Development Standards) and 15-2020 (Split Zoning).

The existing CH+IL/EA/UGM (*Commercial Highway and Auto+Light Industrial/Expressway Area/Urban Growth Management Area*) (*Downtown Core*) zone district is consistent with the Commercial Highway and Auto and Light Industrial planned land use designation approved for this site by the Fresno General Plan and Bullard Community Plan.

Pursuant to Table 15-1202 of the Fresno Municipal Code (FMC), Hotels are permitted in CH (*Commercial Highway and Auto*) zone district by right. The majority of the property is zoned CH, while a ±0.6 acre portion of the property located at the southeast corner is zoned IL (*Light Industrial*). The project is proposed entirely on the CH portion of property, therefore pursuant to FMC Section 15-2020 (Split Zoning) the project is subject to CH development requirements.

The proposed development was reviewed for intensity, building form, massing, and location standards. No inconsistencies were found with the proposed setbacks, landscape standards, intensity, height, or lot coverage, building design, window design, materials, and finishes all conform to the standards of the CH zone district, except as modified by the Minor Deviation request for a 10% increase in height.

Therefore, it can be concluded that the development is consistent with objectives and policies of the base zone districts and with the purpose of the regulations.

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

The proposed project is located within the city limits, occurs on a vacant project site of approximately ±2.16 acre project site, which is less than the five-acre maximum, and is surrounded by commercially zoned properties. Existing commercial development is located to the east and west. Existing residential homes are located to the south. A vacant parcel is located to the north.

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

The project site contains previously disturbed land and is currently vacant. The Fresno Program Environmental Impact Report (PEIR) did not identify this site as habitat for rare or threatened species. Surrounding developments consists of existing commercial and residential development; therefore, it 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 proposed project was routed to the San Joaquin Air Pollution Control District, the city of Fresno Public Utilities Department-Water Division, Fresno Metropolitan Flood Control District, and no significant effects were identified relating to traffic, noise, air quality, or water quality.

Traffic

Senate Bill (SB) 743 requires that relevant CEQA analysis of transportation impacts be conducted

using a metric known as vehicle miles traveled (VMT) instead of Level of Service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impacts on traffic facilities is no longer a relevant CEQA criteria for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states that “[a] lead agency has discretion to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.”

On June 25, 2020, the City of Fresno adopted CEQA Guidelines for Vehicle Miles Traveled Thresholds, dated June 25, 2020, pursuant to Senate Bill 743 to be effective of July 1, 2020. The thresholds described therein are referred to herein as the City of Fresno VMT Thresholds. The City of Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the Fresno VMT Thresholds.

The City of Fresno VMT Thresholds adopted a screening standard and criteria that can be used to screen out qualified projects that meet the adopted criteria from needing to prepare a detailed VMT analysis.

The City of Fresno VMT Thresholds Section 3.0 regarding 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, 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. For transportation projects, the primary attribute to consider with transportation projects is the potential to increase vehicle travel, sometimes referred to as “induced travel.”

The proposed project was not eligible to screen out because the project did not meet any of the criteria described in the adopted guidelines, so a VMT analysis was conducted. Per an analysis from LSA Associates Inc dated 4/27/2022, the projects regional VMT per employee obtained from the City's VMT Guidelines is 25.6, while the project VMT per employee is 15.5. The project VMT per employee is 39.45 percent lower than the regional VMT per employee. Therefore, as per the City's VMT Guidelines, the project will not have a significant VMT impact.

In conclusion, the Project will result in a less than significant VMT impact and is consistent with CEQA Guidelines Section 15064.3(b).

Noise

The project is a new hotel development. The project will occur on a vacant ±2.76 acre project site. Surrounding properties are described as follows, north of the site is a vacant lot; south are single family homes; west of the property are commercial/industrial buildings; and east of the project site is the Marketplace at El Paseo commercial development, opposite of Herndon Avenue.

The Fresno General Plan, Fresno Program Environmental Impact Report (PEIR) and Municipal Code were reviewed to determine if the proposed project produces a significant increase in ambient noise levels. Section 15-2506 (Noise) of the FMC establishes a 65 dB Ldn criterion within outdoor activity areas of residential uses. Existing noise levels in the project vicinity are dominated by traffic noise along adjacent major street roadways. Herndon is designated as a six lane super arterial, with a Expressway Area zoning overlay applied to the property.

The Future (year 2035) Vehicle Noise Contours for Herndon Avenue, as represented in Figure NS-3 of the Fresno General Plan, generally depict the project area being located within the 60-65 and 65-70 db CNEL noise contours. Portions of the project site that fall within the 65-70 db CNEL area are located outdoors and are limited to parking areas, where noise from transportation noise sources is expected. Additionally, due to modifications to Golden State Boulevard and High Speed Rail realignments, Herndon Avenue will include a grade separation that will lower the roadway, resulting in reduced transportation related noise exposure for the proposed project.

The proposed project will not increase the volume or types of vehicle trips projected for Herndon beyond that which was analyzed in the General Plan and PEIR for future vehicle noise based upon General Plan buildout.

Therefore, given that the proposed project will not introduce traffic or vehicle trips not previously anticipated and staff has determined that the proposed project will not result in any significant mobile or transportation-related noise impacts. The proposed project will not involve activities which would be anticipated to result in major noise-generating stationary uses which would impinge on existing noise-sensitive uses within the project area in excess of ambient plus 5 dB.

Finally, there are no known state or federal standards that specifically address construction noise or vibration. As set forth by FMC Section 10-109 (*Exemptions*), the provisions of Article 1 – (*Noise Regulations*) of the FMC shall not apply to: Construction, repair, or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 AM. and 10:00 PM. on any day except Sunday.

Thus, although development activities associated with buildout of the subject area could potentially result in a temporary or periodic increase in ambient noise levels in the project vicinity, construction activity would be exempt from the City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 AM and 10:00 PM, excluding Sunday.

Therefore, the short-term construction impacts associated with the exposure of persons to the generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies would not result in any significant effects.

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 regards to air quality during construction and operation. The SJVAPCD did not provide formal comments, however the project is still required to comply with any applicable regulation or policy in regard to construction and operation of the project. The project will be required to submit an Authority To Construct application with the air district, and may be required to submit a construction notification from and/or dust control plan prior to commencing any earthmoving activities.

Water Quality

Fresno Metropolitan Flood Control District (FMFCD) provided comments on November 2, 2022, which stated that drainage should be directed to the northwest, construction of storm drainage or flood control master plan facilities are required, conditions on construction of permanent drainage service were provided, and the project is not located in a flood prone area. On-site grading will be reviewed by the City of Fresno Building Division and FMCD for compliance with storm water conveyance and pollution prevention.

The applicant will be required to comply with all requirements of the City of Fresno Department of Public Utilities that will reduce the projects water impacts to less than significant. When Building Permits are issued the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

Therefore, compliance with conditions of approval will ensure that the proposed project will not result in any significant effects related to traffic, noise, air, quality, and water quality.

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

The project has been reviewed and conditioned by the Fresno Irrigation District, Fresno Metropolitan Flood Control District, City of Fresno Public Works, City of Fresno Public Utilities, and the City of Fresno Fire Departments. In addition, given the surrounding properties and neighborhoods have been substantially developed and utilities and public services already exist in the area, the site can be adequately served by all required utilities, including sewer, water, and solid waste, as well as public services.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project. Furthermore, the proposed project is not expected to have a significant effect on the environment. The proposed project is not located on a hazardous waste site, a historical resource, or adjacent to a scenic highway. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

Date: February 2, 2024

Prepared By: Thomas Veatch Planner

Submitted by: *Phillip Siegrist*
Phillip Siegrist
Supervising Planner
City of Fresno
Planning & Development Department
(559) 621-8076

Vicinity Map



LEGEND

Subject Property



Proposed building



±2.16 acres



PLANNING AND DEVELOPMENT DEPARTMENT

PROPERTY ADDRESS

6965 West Farrington Ave

**DEVELOPMENT PERMIT APPLICATION NO.
P22-00402 & RELATED ENVIRONMENTAL
ASSESSMENT**

Zone District: CH+IL/EA/UGM
(Commercial Highway And Auto+Light
Industrial/Expressway Area/Urban
Growth Management Area)

By: T. Veatch
February 2, 2024