

**Exhibit I-2**  
**Environmental Assessment**  
**P23-00835 / P23-02080 [1/3/2024]**

**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 NOS. A-17-007/R-17-010/TPM-17-06/ANX-17-005, P18-03290, T-6391 AND DEVELOPMENT AGREEMENT ADDENDUM 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 Master Environmental Impact Report SCH No. 2012111015 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 a parking lot with 168 parking spaces, 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) the Commercial Community development standards to be applied to a portion of land zone Residential Multi-family; (2) allow for the placement of the drive-through between the building and the street; and (3) allow for the reduction of glazing along the street oriented walls.

Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005, a Mitigated Negative Declaration ("MND") dated August 2, 2017, was prepared for a project that included an Annexation, Plan Amendment, Rezone, and Tentative Parcel Map. Annexation Application No. ANX-17-005 was approved for the detachment of the approximately 115.95 acres of property bounded by East Church Avenue to the

north, South Martin Luther King, Jr. Boulevard to the east, East Jensen Avenue to the south, and South Knight Avenue to the west (“West Creek Village Project Area”) from the Kings River Conservation District and the Fresno County Fire Protection District and annexation into the City of Fresno. Plan Amendment Application No. A-17-007 was approved for the aforementioned bounded area that amended the Fresno General Plan and Edison Community Plan from the following land use designations: Medium Density Residential ( $\pm 19.25$  acres), Urban Neighborhood ( $\pm 29.44$  acres), Community Commercial ( $\pm 10.11$  acres), Employment – Office ( $\pm 37.69$  acres), and Open Space – Community Park ( $\pm 19.09$  acres) to Medium Density Residential ( $\pm 54.48$  acres), Community Commercial ( $\pm 2.40$  acres), Regional Commercial ( $\pm 22.52$  acres), Open Space – Park ( $\pm 9.63$  acres), and Public Facility – College ( $\pm 26.55$  acres). Pre-zone Application No. R-17-010 was approved that amended the Official Zone Map from the Fresno County AL-20 (Limited Agricultural) to the City of Fresno zone districts designated as follows: RS-5 (Single-Family Residential, Medium Density) ( $\pm 54.48$  acres), CC (Commercial – Community) ( $\pm 2.40$  acres), CR (Commercial – Regional) ( $\pm 22.52$  acres), PR (Parks and Recreation) ( $\pm 9.63$  acres), and PI (Public and Institutional) ( $\pm 26.55$  acres). Tentative Parcel Map No. 2017-06 was approved for the subdivision of the subject property into four parcels that make up the West Creek Village Project Area.

Environmental Assessment No. P18-03290, an Addendum to Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005, dated January 13, 2020, was prepared for a project that included a Plan Amendment and Rezone which would develop the project as a mixed-use activity center accommodating a diversified housing stock, commercial amenities, and anchored by the future Fresno City College – West Fresno Satellite Campus. Plan Amendment No. P18-03290 was approved for the redesignation of approximately 89.63 acres of existing land, previously analyzed under Plan Amendment Application No. A-17-007, which include changes to the following land use designations: Open Space – Community Park ( $\pm 9.51$  acres), Public Facilities – College ( $\pm 6.48$  acres), Medium Density Residential ( $\pm 50.18$  acres), Regional Commercial ( $\pm 21.08$  acres), and Community Commercial ( $\pm 2.43$  acres) to Medium Density Residential ( $\pm 26.58$  acres), Medium High Density Residential ( $\pm 21.32$  acres), Open Space – Community Park ( $\pm 11.74$  acres), Community Commercial ( $\pm 3.08$  acres), and Regional Commercial ( $\pm 26.96$  acres). Rezone Application No. P18-03290 was approved for approximately 89.63 acres of existing land, previously analyzed under Rezone Application No. R-17-010, which include changes to the following zone districts in the Official Zone Map of the City of Fresno: RS-5 (Single-Family Residential, Medium Density) ( $\pm 50.18$  acres), CR (Commercial – Regional) ( $\pm 21.08$  acres), PI (Public & Institutional) ( $\pm 6.48$  acres), CC (Commercial – Community) ( $\pm 2.43$  acres), and PR (Parks and Recreation) ( $\pm 9.51$  acres) to RS-5 (Single-Family Residential, Medium Density) ( $\pm 26.58$  acres), RM-1 (Multi-Family Residential, Medium High Density) ( $\pm 21.32$  acres), CC (Commercial – Community) ( $\pm 3.08$  acres), PR (Parks and Recreation) ( $\pm 11.74$  acres), and CR (Commercial – Regional) ( $\pm 26.96$  acres). A Development Agreement was adopted as part of this Addendum which included limitations on the maximum density requirements within the West Creek Village Project Area.

Environmental Assessment No. P23-00835/P23-02080, an Addendum to Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005 dated August 2, 2017 and Environmental Assessment No. P18-03291 dated January 13, 2020 assesses the anticipation of the approval 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 use. 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 California Environmental Quality Act (CEQA) Guidelines Section 15164 because the project does not reduce the maximum number of dwelling units or exceed the permissible commercial community space allowed specified in the Development Agreement and the amendment to the Development Agreement. This minor technical change is appropriate for an Addendum pursuant to CEQA Guidelines Section 15164 and Public Resources Code Section 21166.

Therefore, the City of Fresno has determined that an Addendum to Environmental Assessment No. A-17-007/R-17-010/TPM-17-06/ANX-17-005 dated August 2, 2017 and Environmental Assessment No. P18-03291 dated January 13, 2020 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent Environmental Impact Report or negative declaration have occurred; and, new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines.

CEQA Section 15162 provides that when a negative declaration has been adopted for a project, no subsequent negative declaration 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 Mitigated Negative Declaration 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 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 Mitigated Negative Declaration (“MND”) and Addendum. The Development Agreement and amendment to the Development Agreement of the subject property previously analyzed in the MND and Addendum allowed for flexibility in the placement of residential units so long as the West Creek Village did not exceed residential density limitations. Placement of residential units in non-residential zoning in culmination with parcel line adjustments and split zoning exceptions allow for commercial uses within residential zoning so long as the West Creek Village does not exceed the commercial limitations. These factors do not physically change any of the approved maps, and do not create any new significant environmental effects or substantially increase in the severity of previously identified significant effects.

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

<p><i>Finding (2):</i></p>	<p>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 Mitigated Negative Declaration dated August 2, 2017, and Addendum dated January 13, 2020, have not substantially increased since the preparation of the initial study.</p>				
<p><i>(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 Mitigated Negative Declaration was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous Negative Declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration; (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; and, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous Mitigated Negative Declaration, would substantially reduce one or more significant effects on the environment.</i></p>					
<p><i>Finding (3):</i></p>	<p>This Addendum is relative to the Prior MND and Addendum and assesses the approval of a commercial shell building for the project that was not previously specified in the previous MND and Addendums. This addendum did not identify new information regarding significant effects not previously discussed in the MND and Addendum, and potential effects previously examined are not 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 previous MND and Addendum.</p> <p>This addendum contains no additional information regarding proposed mitigation measures and does not change or affect the previous findings of the MND and Addendum. Therefore, no new information identifies significant or substantially more severe effects than originally discussed.</p>				
<table border="1"><tr><td data-bbox="77 1482 870 1640"><p>ADDENDUM PREPARED BY: Steven Martinez, Planner II</p></td><td data-bbox="870 1482 1544 1640"><p>SUBMITTED BY: <i>Ralph Kachadourian</i></p></td></tr><tr><td data-bbox="77 1640 870 1845"><p>DATE: November 03, 2023</p></td><td data-bbox="870 1640 1544 1845"><p>Ralph Kachadourian, Supervising Planner CITY OF FRESNO PLANNING AND DEVELOPMENT DEPARTMENT</p></td></tr></table>		<p>ADDENDUM PREPARED BY: Steven Martinez, Planner II</p>	<p>SUBMITTED BY: <i>Ralph Kachadourian</i></p>	<p>DATE: November 03, 2023</p>	<p>Ralph Kachadourian, Supervising Planner CITY OF FRESNO PLANNING AND DEVELOPMENT DEPARTMENT</p>
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