

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. P21-06011

Project Location: "P" Street located between Ventura Street & State Route 41 (See attached Feasibility Study Exhibit A).

Project Location – City: City of Fresno

Project Location - County: County of Fresno

Description of Nature, Purpose and Beneficiaries of Project: Environmental Assessment Application No. P21-06011 was filed by William Dyck of Baltara Enterprises LP, on behalf of Bitwise Hive, and pertains to a segment of "P" Street located between Ventura Street & State Route 41 and between 2600 Ventura Street and 523 "P" Street. The project proposes to vacate the segment of "P" Street as previously described for purposes providing parking for Bitwise Hive. The total area to be vacated is approximately 21,237 square feet. The area is currently utilized for off-street parking which provides 15 total stalls. This application is associated with Development Permit Application No. P21-01227. Based on the review of the proposed project by other City of Fresno Departments and outside reviewing agencies, the vacation is approved with no conditions as noted in the letter from the City of Fresno Public Works Department, dated July 16, 2021.

Name of Public Agency Approving Project: City of Fresno
Planning and Development Department

Name of Person or Agency Carrying Out Project: William Dyck,
Baltara Enterprises LP
2025 North Gateway Boulevard - #101
Fresno, CA 93727

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 - 15301/ Class 1, 15303/Class 3, and 15332/Class 32
 Statutory Exemption – PRC § _____

Reasons why project is exempt:

The City of Fresno, Public Works Department, is proposing to vacate approximately 21,237 square-feet of the excess street right-of-way as noted above. The area proposed to be vacated would be used as additional parking as reviewed and approved under Development Permit Application No. P21-01227. The project was conditioned by Traffic Planning to have one ADA Stall and to apply for a Street Vacation.

P21-06011
CEQA Notice of Exemption
March 24, 2022

A vacation feasibility study conducted by Public Works listed no conditions of approval for the vacation.

Staff has performed an Environmental Assessment of this project and determined that it falls within the following Categorical Exemptions set forth in the CEQA Guideline Sections:

Section 15301/ Class 1 (Existing Facilities) of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; including but not limited to, alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.

Section 15303/Class 3 (New Construction or Conversion of Small Structures) consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to: (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction. Additional examples of this include but are not limited to (a) one single family residence, or a second dwelling unit in a residential zone; in urbanized areas up to three single family residences may be constructed or converted under this exemption, and (b) a duplex or similar multifamily residential structure totaling no more than four dwelling units; in urbanized areas this exemption applies to apartments duplexes and similar structures designed for not more than six dwelling units, and (e) accessory structures including garages, carports, patios, swimming pools and fences.

This project and falls within the Categorical Exemption set forth in CEQA Guidelines Section 15332/Class 32 which exempts infill development. Staff found that those conditions are met with the vacation conditions set forth by Public Works. 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 proposed development occurs within city limits on a project site of no more than five acres that is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects related to traffic, noise, air quality or water quality. The site can be adequately served by all required utilities and public services.

Furthermore, Staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Therefore, the proposed project is not expected 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.

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

Telephone No.: (559) 621-8061

P21-06011
CEQA Notice of Exemption
March 24, 2022

Signature: Phillip Siegrist **Date:** 3/24/2022

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

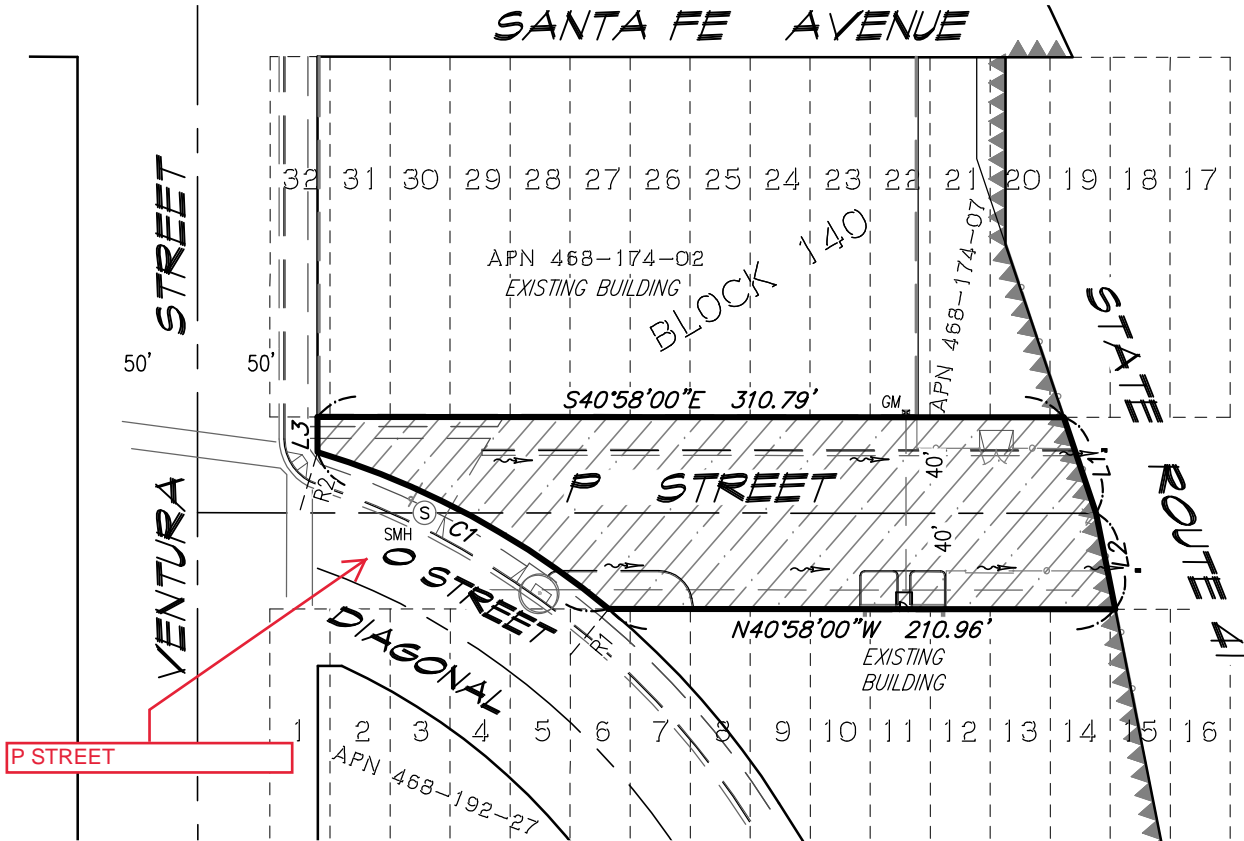
Signed by Lead Agency

Signed by applicant

Attachments: Feasibility Study Exhibit A
Categorical Exemption Determination for P21-06011

EXHIBIT "A"

SANTA FE AVENUE



RECORD OWNER :
 BALTARA ENTERPRISES, LP
 2025 NORTH GATEWAY #101
 FRESNO, CA 93727
A.P.N. : 468-174-02 & 07

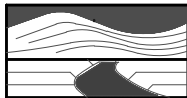
LEGEND:
 INDICATES AREA TO BE ABANDONED CONSISTING OF 21,237 SQ.FT.
 ACCESS RIGHTS PREVIOUSLY RESTRICTED

NOTES:
 1. PREPARED FROM RIGHT OF WAY MAP OF CALIFORNIA DEPARTMENT OF TRANSPORTATION DISTRICT NO. 6, FRESNO COUNTY, STATE ROUTE 41, POST MILE R 23.01, SHEET 69.
 2. THE BEARINGS SHOWN ARE ON GRID, DISTANCES ARE GROUND DISTANCES, MULTIPLY BY 0.9999289 TO CONVERT TO GRID.
 PREPARED BY:

RADIAL LINE TABLE	
LINE #	DIRECTION
R1	N88°47'49"E
R2	N65°50'06"E

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S30°22'53"W	42.22'
L2	S37°45'22"W	40.79'
L3	N48°59'40"E	14.74'

CURVE TABLE			
CURVE #	RADIUS	LENGTH	DELTA
C1	346.00'	138.66'	22°57'43"



DALE G. MELL
& ASSOCIATES

ENGINEERING & SURVEYING SERVICES
 2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703
 (559) 292-4046 * FAX 251-9220 * EMAIL: STAFF@DALEMELL.COM



GRAPHIC SCALE

 1 INCH = 80 FEET

BY: M. ESLIMI - 06/29/20
DMA CADFILE:20-068EX01

REF & REV
 202_—

PLAT

CITY OF FRESNO
 DEPARTMENT OF PUBLIC WORKS

**PORTION OF 'P' STREET, SOUTH OF VENTURA STREET
 AND NORTH OF STATE ROUTE 41, TO BE ABANDONED**

PROJ. ID. _____	CO _____
FUND NO. _____	RES TYPE _____
ORG. NO. _____	
DR. BY: _____ M.E.	SHEET NO. <u>1</u>
CH. BY: _____ DGM	OF <u>1</u> SHEETS
DATE: <u>06/29/20</u>	
SCALE: <u>AS SHOWN</u>	15-A-

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. P21-06011**

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: William Dyck
Baltara Enterprises LP
2025 North Gateway Boulevard #101
Fresno, CA 93727

PROJECT LOCATION: "P" Street located between Ventura Street & State Route 41
(See attached Feasibility Study Exhibit A).

PROJECT DESCRIPTION: Environmental Assessment No. P21-06011 was filed by William Dyck of Baltara Enterprises LP, on behalf of Bitwise Hive and pertains to a segment of "P" Street located between Ventura Street & State Route 41 and between 2600 Ventura Street and 523 "P" Street. The project proposes to vacate the segment of "P" Street as previously described for purposes providing parking for Bitwise Hive. The total area to be vacated is approximately ±21,237 square feet. The area is currently utilized for parking and provides 15 total stalls. This application is associated with Development Permit Application No. P21-01227. Based on the review of the proposed project by other City of Fresno Departments and outside reviewing agencies, the vacation is approved with no conditions as noted in the letter from the City of Fresno Public Works Department, dated July 16, 2021.

This project is exempt under Sections 15301/Class 1, 15303/Class 3, and 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines as follows:

The City of Fresno, Public Works Department, is proposing to vacate approximately 21,237 square-feet of the excess street right-of-way as noted above. The area proposed to be vacated would be used as additional parking as reviewed and approved under Development Permit Application No. P21-01227. The project was conditioned by Traffic Planning to have one ADA Stall and to apply for a Street Vacation.

A vacation feasibility study conducted by Public Works listed no conditions of approval for the vacation.

Staff has performed an Environmental Assessment of this project and determined that it falls within the following Categorical Exemptions set forth in the CEQA Guideline Sections:

Section 15301/ Class 1 (Existing Facilities) of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; including but not limited to, alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.

Section 15303/Class 3 (New Construction or Conversion of Small Structures) consists of construction

and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to: (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction. Additional examples of this include but are not limited to (a) one single family residence, or a second dwelling unit in a residential zone; in urbanized areas up to three single family residences may be constructed or converted under this exemption, and (b) a duplex or similar multifamily residential structure totaling no more than four dwelling units; in urbanized areas this exemption applies to apartments duplexes and similar structures designed for not more than six dwelling units, and (e) accessory structures including garages, carports, patios, swimming pools and fences.

This project and falls within the Categorical Exemption set forth in CEQA Guidelines Section 15332/Class 32 which exempts infill development. Staff found that those conditions are met with the vacation conditions set forth by Public Works. 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 proposed development occurs within city limits on a project site of no more than five acres that is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects related to traffic, noise, air quality or water quality. The site can be adequately served by all required utilities and public services.

Furthermore, Staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Therefore, the proposed project is not expected 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 24, 2022

Prepared By: Enrique Aponte, Planner I

Submitted By: *Phillip Siegrist*

Phillip Siegrist
City of Fresno
Planning and Development
(559) 621-8061