

CITY OF FRESNO
ADDENDUM TO A FINDING OF CONFORMITY PREPARED FOR
ENVIRONMENTAL ASSESSMENT NO. R-15-005/C-15-025

(As filed with the Fresno County Clerk on November 6, 2015)

Addendum prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines

The full Initial Studies and the Master Environmental Impact Report SCH No. 2012111015 are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor
2600 Fresno Street
Fresno, California 93721
(559) 621-8277

ENVIRONMENTAL ASSESSMENT NUMBER:

R-15-005/C-15-025

This addendum was not circulated for public review pursuant to Section 15164(c) of the CEQA Guidelines.

APPLICANT:
Dirk Poeschel
Land Development Services Inc.
923 Van Ness, Suite 200
Fresno, CA 93721

PROJECT LOCATION:

6985 North Brawley Avenue

Located on the southwest corner of North Brawley Avenue and West Herndon Avenue

Site Latitude: 36°50'18.351" N and Longitude - 119°51'44.2584" W

Mount Diablo Base & Meridian, Township 14S Range 20 E, Section 21

APN: 507-030-12st

PROJECT DESCRIPTION:

Environmental Assessment No. R-15-005/C-15-025 was filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester. The applicant proposed Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-179. R-15-005 proposed to amend the Official Zone Map to reclassify the ±2.7 acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-5/UGM (*General Commercial/Urban Growth Management*) zone district. C-15-025 proposed the construction of a Chevron gas station with 12 fueling stations, a ±3,500 square-foot convenience store, and a drive-through car wash. The application also requested authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The gas station was proposed to operate 24/7 and the car wash proposed to operate from 6 a.m. to 9 p.m. The project also included a ground lease of this ±2.7 acre property, with an option to purchase, from the City of Fresno (as lessor/seller) to Garreks, Inc., a California Corporation (as lessee/buyer).

Since the analysis, the total acreage of property being leased to Garreks, Inc. has been increased to 3.3418 acres to include a small additional portion of the parcel for access routing purposes. There is no increase in usable or buildable acreage. As such, the addendum analyzes the changes that have occurred as a result of this increase.

On November 6, 2015 the City of Fresno, as the Lead Agency, filed the Finding of Conformity prepared for Environmental Assessment No. R-15-005/C-15-025. This Finding of Conformity considered and evaluated the potential effects associated with the proposed project.

The proposed project, with the increase in lease area, will not have a significant impact. It may be determined that: (1) The project does not significantly exceed the scope of Environmental Assessment Application No. R-15-005/C-15-025; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the environmental finding for Environmental Assessment No. R-15-005/C-15-025 was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to the Finding of Conformity prepared for Environmental Assessment Application No. R-15-005/C-15-025 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent assessment 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.

Section 15162 provides that when an environmental assessment has been adopted for a project, no subsequent environmental assessment 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 negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

<i>Finding</i> (1):	The increase in lease area does not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
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(2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,*

<i>Finding</i> (2):	Substantial changes have not occurred with respect to the circumstances under which the project is undertaken.
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(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 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 negative declaration, would substantially reduce one or more significant effects on the environment.*

Finding
(3):

No 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 environmental determination was adopted, has become available.

The proposed project changes will not result in new significant environmental effects, or increase the severity of previously identified significant effects.

ADDENDUM PREPARED BY:

McKencie Contreras, Supervising Planner

DATE: January 8, 2016

SUBMITTED BY:



Mike Sanchez, Assistant Director
CITY OF FRESNO DEVELOPMENT AND
RESOURCE MANAGEMENT DEPARTMENT