

**CITY OF FRESNO  
CATEGORICAL EXEMPTION  
ENVIRONMENTAL ASSESSMENT NO. P19-04266**

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:** Lewis J Everk  
Vyxn Restaurant & Lounge  
9455 N Fort Washington Rd #101  
Fresno, CA 93730

**PROJECT LOCATION:** 9455 North Fort Washington Road located at the northeast corner of North Fort Washington Road and North Friant Road (APN: 401-830-08)

**PROJECT DESCRIPTION:** Conditional Use Permit Application No. P19-04266 proposes to modify an existing CUP No. C-11-121 and authorize a Type 47 alcohol license (restaurant - sale of beer, wine, and distilled spirits for consumption on licensed premises) and to expand the existing outdoor patio area adjacent to the existing building.

**This project is exempt under Section 15301/Class 1 and Section 15311/Class 11 of the California Environmental Quality Act (CEQA) Guidelines.**

**EXPLANATION:**

Under Section 15301/Class 1, the proposed project is exempt from CEQA requirements.

Section 15301(Class 1/Existing Facilities) consists 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. The types of "existing facilities" itemized are not intended to be all inclusive of the types of projects which might fall with Class 1.

Under Section 15311/Class 11, the proposed project is exempt from CEQA requirements.

Section 15311(Class 11 Accessory Structures) consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to small parking lots.

The proposed project consists of a modification to an existing Conditional Use Permit to authorize a Type 47 alcohol license (restaurant - sale of beer, wine, and distilled spirits for consumption on licensed premises) and to expand the existing outdoor patio area adjacent to the existing building. The exterior improvements to the patio will be minimal as the concrete

foundation exists and barriers not exceeding 4' in height will be added to secure the area permitted for patio use. The proposed project is consistent with the Fresno General Plan and the Woodward Park Community Plan without negatively impacting the characteristics of the area and complies with all conditions described in Section 15301/Class 1 and Section 15311/Class 11, California CEQA Guidelines. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Furthermore, the proposed project is not expected to have a significant effect on the environment because it is a developed site in an urbanized area substantially surrounded by existing build out sites. Accordingly, as the area is not environmentally sensitive, as noted above, a categorical exemption has been prepared for the project.

Date:	September 23, 2019
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