

Planning Commission

October 4, 2023



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Planning & Development Department
City of Fresno

Information Packet

ITEMS

File ID 23-1431

Hearing to consider Development Permit Application No. P21-02699, Vesting Tentative Parcel Map No. 2021-09, and related Final Environmental Impact Report (FEIR), State Clearinghouse (SCH) No. 2022050265, regarding an Office/Warehouse Project located on approximately \pm 48.03 acres of property at the northeast intersection of North Marks and West Nielsen Avenues (Council District 3).

Contents of Supplement:

Supplemental Exhibit Q –Comments Received After Agenda Publication

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the Commission after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the Planning Commission meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

Supplemental Exhibit Q

**Comments Received After
Agenda Publication**

From: [Peter Sheehan](#)
To: [Steven Martinez](#)
Subject: 2740 West Nielsen Warehouse Project EIR P/C Meeting 10-4-23 Public hearing Agenda Item
Date: Friday, September 29, 2023 2:50:02 PM
Attachments: [GSEJA Letter 2740 West Nielsen EIR Fresno PC.pdf](#)

External Email: Use caution with links and attachments

Attention: Steven Martinez

Subject: 2740 West Nielsen Warehouse Project EIR P/C Meeting 10-4-23

To whom it may concern,

Attached to this email and below are public comments on behalf of Golden State Environmental Justice Alliance. The attachment contains further comments than below and is not duplicative of the below comments. These comments are submitted to the Planning Commission to be included in the record for the 2740 West Nielsen Warehouse Project EIR P/C Meeting 10-4-23

For clarification purposes, only the highlighted yellow portion of the body of this email is the public comment to be added into the record along with the attachment.

Please confirm receipt of this email.

Good evening, my name is Peter Sheehan and I'm with the Golden State Environmental Justice Alliance. We submitted a comment letter to the Draft Environmental Impact Report. Our letter identified several deficiencies with the EIR. The deficiencies include but are not limited to, project description, air quality, energy, greenhouse gas emissions, environmental setting, land use and planning, alternatives, and mandatory findings of significance.

During these turbulent times, we as citizens expect and deserve our local government's elected and appointed officials to protect us from environmental and social injustice, to aid in the preservation and rehabilitation of the environment in which we all share, and to ensure accountability and responsibility in regard to the environmental decisions they may make.

We stand by our comment letter and believe the EIR is flawed and must be redrafted and

recirculated for public review. In closing we call on this council to be a leader on the aforementioned issues and be the first line of defense for our citizenry and environment. Only by working together can we continue to be excellent stewards of our environment, outstanding stewards to our citizens and each other. Thank You.

Please confirm receipt of this email.

Thank You,

Peter Sheehan
(559) 313-5065



To: City of Fresno Planning Commission

From: Golden State Environmental Justice Alliance

Subject: 2740 West Nielsen Warehouse EIR

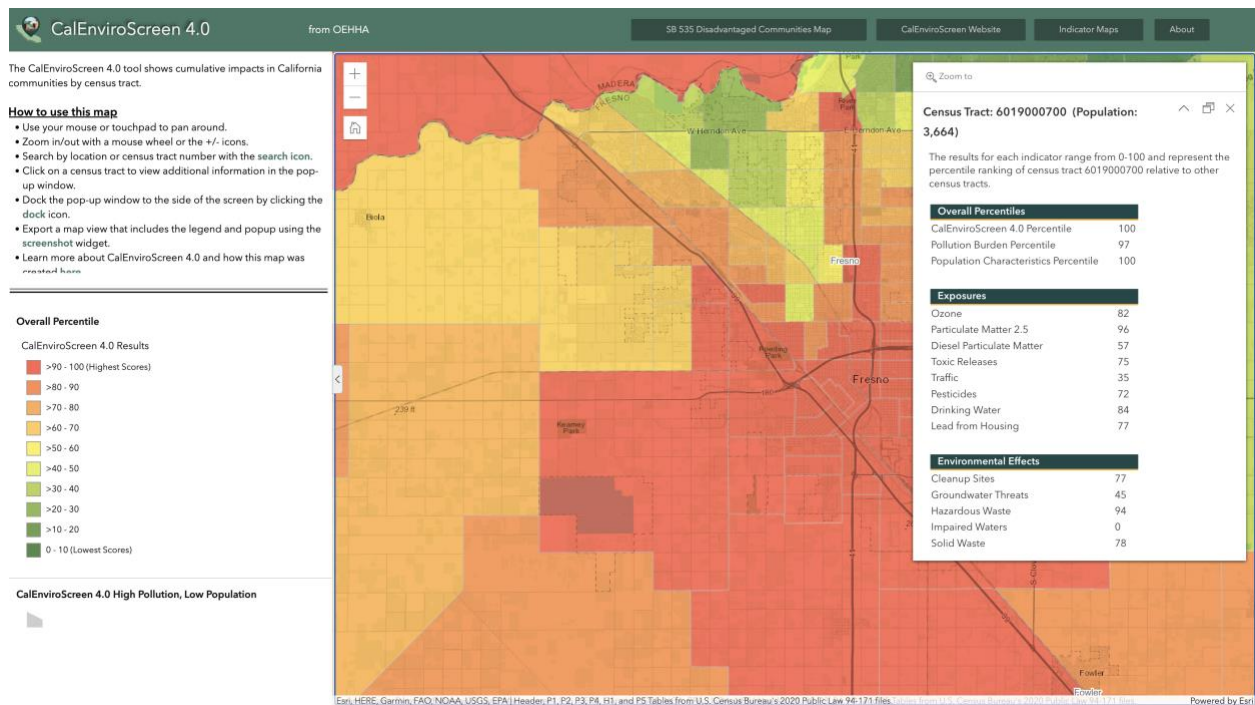
This letter is to serve as further comment in addition to all previously submitted comments and documents by Golden State Environmental Justice Alliance.

CalEnviroScreen Information

CalEnviroScreen is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the state. The scores are mapped so that different communities can be compared. An area with a high score is one that experiences a much higher pollution burden than areas with low scores. CalEnviroScreen ranks communities based on data that are available from state and federal government sources. CalEnviroScreen is updated and maintained by The Office of Environmental Health Hazard Assessment, on behalf of the California Environmental Protection Agency.

CalEnviroScreen Data on 2740 West Nielsen Warehouse EIR Project Location/Area

The above listed project is in census tract **6019000700**. Overall, when compared to other census tracts, the project site census tract is in the 100th percentile regarding pollution. As far as pollution burden is concerned, this census tract is in the 97th percentile. In terms of Ozone, this census tract is in the 82nd percentile, Particulate Matter 2.5 96th percentile, Diesel Particulate Matter 57th percentile, Toxic Releases 75th percentile and Traffic 35th percentile to name a few.



Conclusion

Consider the above referenced information when making this important decision. Realize that you and the citizens of this area face some of the **WORST POLLUTION** in the entire state of California.

It is the responsibility of the City's elected and appointed officials to make environmentally responsible development decisions. Based on the CalEnviroScreen data, this is more than sufficient evidence of the further air quality impacts that the citizenry of Fresno will continue to encounter with further development of another warehouse. We are not against development, as we believe it is necessary for further economic growth in our current society. Development needs to be conducted with the highest of expectations to ensure the local population does not suffer further air quality burdens.

We stand by our comments and believe the EIR is flawed and should be redrafted and recirculated for public review.

Respectfully Submitted,

Peter Sheehan

Peter Sheehan
GSEJA

Source -

https://experience.arcgis.com/experience/4af93cf9888a424481d2868391af2d82/page/home/?data_id=dataSource_2-1754d6afdb4-layer-9%3A7306

Glossary of Terms

Ozone - Amount of daily maximum 8-hour Ozone concentration

Particulate Matter 2.5 - Annual mean PM 2.5 concentrations

Diesel Particulate Matter - Diesel PM emissions from on-road and non-road sources

Toxic Releases - Toxicity-weighted concentrations of modeled chemical releases to air from facility emissions and off-site incineration.

Traffic -Traffic density, in vehicle-kilometers per hour per road length, within 150 meters of the census tract boundary.

From: jbourg2271@aol.com
To: [Steven Martinez](#)
Cc: [JOE BOURGEOIS](#); [Terrance Lucio](#); [Rich Golding](#)
Subject: Planning Commission Appeal Process
Date: Friday, September 29, 2023 10:07:52 PM

External Email: Use caution with links and attachments

Hello Mr. Martinez,

Please provide the forms & fees necessary to file an appeal regarding a Planning Commission decision.
What is the time frame an appellant has to file an appeal.

Thank you,

Joe Bourgeois

From: [Dean Wallraff](#)
To: [Steven Martinez](#)
Cc: [Aria Soeprono](#)
Subject: Re: FEIR for 2740 West Nelson Ave project
Date: Monday, October 2, 2023 4:29:45 PM

External Email: Use caution with links and attachments

Mr. Martinez,

CEQA Guidelines section 15089(a) requires the City to prepare a document called the “Final EIR.” That section requires the City to prepare a separate, self-contained document containing the content required by Guidelines section 15132. It is not sufficient under CEQA to put the various pieces that would comprise this document into the resolution to approve the project (Exhibit P). Furthermore, there is no Notice of Completion of the FEIR on CEQANet, as required by Guidelines section 21161.

Please add this comment to the administrative record for the case.

Regards,
Dean Wallraff
Attorney at Law
Executive Director
Advocates for the Environment
(818) 650-0030 X101
www.aenv.org

On Oct 2, 2023, at 4:13 PM, Steven Martinez <Steven.Martinez@fresno.gov> wrote:

Hello,

The Final EIR is comprised of the:
Draft EIR
Recirculated Draft EIR
Response to Comments with related appendices and attachments.
Errata Memo

You have previously accessed the Draft and Recirculated Draft, so I am providing you with the Response to Comments linked below, and the Errata (attached).

<https://cityoffresno.sharefile.com/d-scbb8e0f4447b4a598038864c2c004745>

Thank You.

Steven Martinez | Planner

Current Planning | Planning & Development

2600 Fresno Street | Fresno CA 93721

559.621.8047

Steven.Martinez@Fresno.gov

[<image003.jpg>](#)

From: Dean Wallraff <dw@aenv.org>

Sent: Monday, October 2, 2023 2:44 PM

To: Steven Martinez <Steven.Martinez@fresno.gov>

Cc: Aria Soeprono <aria.soeprono@gmail.com>

Subject: FEIR for 2740 West Nelson Ave project

External Email: Use caution with links and attachments

Mr. Martinez:

After receiving a notice that the Project (SCH No. 2022050265) would be considered in a Fresno Planning Commission hearing on Wednesday, I looked for the Final EIR and couldn't find it, either on CEQANet or on the City's "Plans and Projects Under Review" page. Could you please send me a pointer to it online?

Dean Wallraff

Attorney at Law

Executive Director

Advocates for the Environment

(818) 650-0030 X101

www.aenv.org

<Errata to the Final EIR.pdf>