



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

Planning Commission Staff Report Agenda Item No. 2 August 25, 2016

SUBJECT: Initial Study Application No. 7076 and Unclassified Conditional Use Permit Application No. 3524

Allow a gas station and convenience store on a 1.57-acre parcel within the Interstate Freeway Interchange Area in the AE-40 (Exclusive Agricultural, 40 acre minimum parcel size) Zone District.

LOCATION: The project site is located on the north side of Dorris Avenue (CA-198) between Interstate 5 and Amador Avenue, approximately nine miles northeast of the city of Coalinga (Address: 25430 W. Dorris Avenue) (APN: 065-260-24S)

OWNER: Hewitson, LP
APPLICANT: Westgate Development, Inc.

STAFF CONTACT: Daniel Brannick, Planner
(559) 600-4297

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7076; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3524 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval, and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Assessor's Parcel Map
6. Site Plan, Floor Plan, and Elevations
7. Applicant's Operational Statement
8. Limited Traffic Analysis submitted by Applicant
9. Master Development Plan for Northwest Quadrant of I-5/Dorris Avenue Interchange
10. Summary of Initial Study Application No. 7076
11. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

| Criteria | Existing | Proposed |
|--------------------------|--|---|
| General Plan Designation | Agriculture (Westside Freeway Corridor Overlay) | No change |
| Zoning | AE-40 (Exclusive Agricultural, 40-acre minimum parcel size, Interstate Freeway Interchange Area) | No change |
| Parcel Size | 1.57 acres | No change |
| Project Site | Vacant land | <ul style="list-style-type: none"> • 21-foot-high, 5,075 square-foot building to be used as a convenience store (3,800 square feet) and restaurant (1,275 square feet) • 18-foot-high, 4,396 square-foot canopy • Eight gasoline fuel dispensers • Three underground fuel storage tanks • 10-foot-high freestanding sign |

| Criteria | Existing | Proposed |
|-------------------------|--|---|
| | | • Parking lot |
| Structural Improvements | None | See "Project Site" above |
| Nearest Residence | Approximately 950 feet southwest of the project site | No change |
| Surrounding Development | Commercial freeway uses and agriculture | No change |
| Operational Features | N/A | Sales of gasoline, sales of convenience store products (including beer and wine), food sales and dining at restaurant |
| Employees | N/A | Up to six employees |
| Visitors/Customers | N/A | Estimated 1,200-1,500 customers per day |
| Traffic Trips | Average of 1,850 trips per day on Dorris Avenue west of I-5. | Add 115 Weekday A.M. Peak-Hour trips (60 entering, 55 exiting) and 112 Weekday P.M. Peak-Hour trips (58 entering, 54 exiting) |
| Lighting | N/A | Outdoor LED lighting for building and canopy, to be shielded and pointed downward |
| Hours of Operation | N/A | 24 hours per day, year-round |

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

An Initial Study was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 10.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: July 15, 2016.

PUBLIC NOTICE:

Notices were sent to 20 property owners within one quarter-mile of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit (CUP) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

The subject proposal calls for development and operation of a gas station facility with a convenience store and restaurant. The 1.57-acre project site is located approximately eight and one-half miles northwest of the City of Huron and nine miles northeast of the City of Coalinga.

The project site is located at the northwest corner of the Dorris Avenue (SR-198)/Interstate 5 interchange. The subject parcel is part of a commercial plaza that has been developed with commercial freeway uses including fast food restaurants, motels, and other gas stations. The area outside of the commercial interchange development is comprised of mostly agricultural uses.

The interchange at Dorris Avenue is one of five I-5 interchanges in Fresno County designated for commercial development in the General Plan. Development at these interchanges is allowed only within a Master Plan subject to an approved conditional use permit. Development of the northwest quadrant was initially authorized in 1974, pursuant to a Master Plan approved under Conditional Use Permit No. 1239. According to County records, the Master Plan for the northwest quadrant has been amended six times since then, most recently in 1997 via Conditional Use Permit No. 2830 which amended the use on one parcel in order to expand a convenience store and service station. The most recent version of the Master Plan shows the subject parcel designated as a site for a restaurant or service station.

The Applicant's proposal includes development of a 5,075 square-foot building to be used as a convenience store and restaurant plus a 4,396 square-foot canopy with gasoline fueling stations for automobiles. The height of the proposed building is 21 feet and the height of the proposed canopy is 18 feet. The proposal also includes a freestanding display sign, which is limited to 10 feet in height per County regulations. Other related improvements include underground fuel storage tanks, on-site parking, and circulation areas.

The gas station and convenience store will be open 24 hours per day year-round. According to the project's Operational Statement, the expected number of visitors will be in the range of 1,200 to 1,500 people per day, and there will be up to six permanent employees. The proposed operational features of the proposal include sales of gasoline, sales of convenience store products (including beer and wine), and food sales and dining at the restaurant.

Finding 1: *That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood.*

| | Current Standard: | Proposed Operation: | Is Standard Met (y/n) |
|-------------------------|--|--|------------------------------|
| Setbacks | Front: 35 feet Side: 20 feet Rear: 20 feet | Front: 35 feet Side: 20 feet Rear: 20 feet | Yes |
| Parking | Retail: Two square feet of parking area for every one square foot of gross floor area (17 spaces) Restaurant: One (1) space for each one hundred (100) feet of gross floor area (13 spaces) | 39 parking stalls, including two ADA spaces, plus 16 additional parking spaces provided at fueling pumps | Yes |
| Lot Coverage | No requirements | N/A | Yes |
| Space Between Buildings | N/A | N/A | N/A |
| Wall Requirements | No requirements | N/A | N/A |
| Septic Replacement Area | 100 percent | N/A | N/A |
| Water Well Separation | Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet | N/A | N/A |

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: A Site Plan Review is required for the proposed development, and all proposed structures will require building permits.

Development Engineering Section of the Fresno County Department of Public Works and Planning: The parcel is not subject to flooding from the one-percent-chance storm, and there are no existing natural drainage channels adjacent to or running through the parcel. Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards. A grading permit will be required for this application.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Analysis:

Staff review of the Site Plan demonstrates that the proposed improvements meet minimum building setback requirements of the AE-40 Zone District. In regard to development standards for off-street parking, the proposal requires 17 spaces for the gasoline and convenience store retail portion of the project and an additional 13 spaces for the restaurant portion of the project. The project’s site plan includes 39 standard parking stalls, including two handicap-compliant spaces, as well as 16 parking spaces provided at the eight proposed fuel pumps, so there is sufficient parking area to meet the requirements for a retail sales building and a restaurant as provided in the Zoning Ordinance.

Additionally, as a Condition of Approval, the project will be subject to Site Plan Review in accordance with Section 874 of the Zoning Ordinance. Conditions of the Site Plan Review may include, but are not limited to: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.

Staff finds that the project site is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Mitigation Measures and Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

Finding 2: That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

| | | Existing Conditions | Proposed Operation |
|------------------------------|-----|--|---------------------------|
| Private Road | Yes | Private access road from Dorris Avenue (SR-198) | No change |
| Public Road Frontage | Yes | Dorris Avenue (SR-198) | No change |
| Direct Access to Public Road | Yes | Dorris Avenue (SR-198) | No change |
| Road ADT | | Dorris Avenue: 1,850 | See Traffic Trips below |
| Road Classification | | Dorris Avenue: Expressway | No change |
| Road Width | | Dorris Avenue: 50 feet Private access road: 48 feet | No change |
| Road Surface | | Dorris Avenue: Road mix surfacing | No change |

| | | Existing Conditions | Proposed Operation |
|-------------------------------------|----|---|---|
| | | Private access road: Asphalt | |
| Traffic Trips | | Average of 1,850 trips per day on Dorris Avenue west of I-5 | Add 115 Weekday A.M. Peak-Hour trips (60 entering, 55 exiting) and 112 Weekday P.M. Peak-Hour trips (58 entering, 54 exiting) |
| Traffic Impact Study (TIS) Prepared | No | N/A | In lieu of a TIS, a Limited Traffic Analysis (Trip Generation and Distribution) was prepared by the Applicant and reviewed by Caltrans to evaluate traffic impacts. |
| Road Improvements Required | | N/A | Applicant will be required to pay fair share mitigation for traffic-related impacts to SR 198/I-5 interchange. |

Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:

Design Division of the Fresno County Department of Public Works and Planning: No comments, as both Interstate 5 and Dorris Avenue (SR-198) are state-maintained roads.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Interstate 5 and Dorris Avenue are not County-maintained roads.

Development Engineering Section of the Fresno County Department of Public Works and Planning: State highway 198 is not a County-maintained road, and the adjacent street to the east of the property is a private road not maintained by the County.

California Department of Transportation (Caltrans): Upon completing review of the Limited Traffic Analysis (Trip Generation and Distribution) technical memo dated June 16, 2016, Caltrans concurs with the conclusions provided in the analysis. Based on this analysis, the project's fair share mitigation for traffic-related impacts to the SR-198/I-5 interchange is calculated to be \$88,450.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Analysis:

Access to the proposed gas station and restaurant will be provided via an existing private road off of Dorris Avenue. No County-maintained roads are involved in the proposal.

To evaluate traffic impacts of the proposal, the Applicant contracted with Peters Engineering Group to prepare a Limited Traffic Analysis (Trip Generation and Distribution). According to the analysis, typical average trip generation rates are not expected to apply to this project since the proposed gas station is located in a remote location with competing businesses. Further, the analysis indicated that both captured-trip reductions and pass-by reductions are applicable to the project. Using captured-trip reductions and pass-by reductions, the number of new peak-hour primary trips expected to be generated by the project is 115 Weekday A.M. Peak-Hour trips (60 entering, 55 exiting) and 112 Weekday P.M. Peak-Hour trips (58 entering, 54 exiting). Additionally, the analysis stated that the distribution of Project trips is expected to be similar to the distribution of existing traffic in the region. As indicated in its comment letter dated June 20, 2016, Caltrans reviewed the Limited Traffic Analysis and concurred with the findings and conclusions reached in the analysis.

Review by the Design Division, Development Engineering Section, and Road Maintenance and Operations Division did not comment regarding the adequacy of public streets and highways serving the project site, as none are County-maintained roads.

Based on the above information, and with adherence to the Mitigation Measure requiring the Applicant to pay for the project’s fair share mitigation for traffic-related impacts, staff finds the streets and highways serving the project area are adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Mitigation Measures and Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.

| Surrounding Parcels | | | | |
|----------------------------|------------|----------------------------------|---------|--------------------|
| | Size: | Use: | Zoning: | Nearest Residence: |
| North | 0.53 acres | Commercial, office | AE-40 | None |
| | 0.63 acres | Commercial, office | AE-40 | None |
| South | 0.84 acres | Vacant | AE-40 | None |
| | 2.26 acres | Vacant | AE-40 | None |
| East | 1.5 acres | Commercial, fast food restaurant | AE-40 | None |
| West | 5.77 acres | Agriculture, pasture | AE-40 | None |

Reviewing Agency/Department Comments:

Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning: A will-serve letter is needed prior to approval of the project.

Building and Safety Section of the Fresno County Department of Public Works and Planning: If approved, plans, permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.

Fresno County Department of Public Health, Environmental Health Division: The potential adverse impacts caused by this project could include (but are not limited to) water quality degradation, noise, odors and vectors. Prior to issuance of building permits for each food facility, the Applicant will be required to submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Prior to operations, the operator will be required to apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. Prior to the issuance of building permits, the Applicant will be required to submit three (3) sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Prior to operations/sales of fuel, the operator will be required to obtain a Permit to Operate an Underground Storage Tank System. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. The Applicant will be required to obtain a license to sell alcoholic beverages prior to alcohol sales.

Fresno County Sheriff's Department: It is reasonable to assume that the addition of any such commercial business does create the potential for an increase in the need for law enforcement, but this project is consistent with development of the I-5 corridor and other existing businesses. This project, as proposed, would have negligible or slight impact on law enforcement operations. The slight increase in the impact on law enforcement is a natural result of I-5 corridor development, but is not great enough to prohibit this construction.

Fresno County Fire Protection District: The Fresno County Fire Protection District (FCFPD) has received notice of the project and will continue to review the project for its potential impacts on the FCFPD. The project/development shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The project/development also will be subject to requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.

Fresno County Department of Agriculture: No comments.

San Joaquin Valley Air Pollution Control District: The proposed project is not subject to Indirect Source Review (ISR). The gas station portion of the project will require an Authority to Construct permit to be obtained.

California Regional Water Quality Control Board: No comments provided.

State Water Resources Control Board, Drinking Water Division: The project will be located adjacent to the area served by the I-5/Highway 198 Rest Area water system owned by Richard Hewitson. This is a regulated non-transient non-community water system. The domestic water supply is surface water obtained from Westlands Water District and treated through a permitted surface water treatment plant. The Division of Drinking Water will require a will-serve letter from Mr. Hewitson ensuring that the project will be receiving potable water from the permitted public water system serving this area. In addition to a will-serve letter, Mr. Hewitson should provide documentation that there is an adequate supply to meet the water demand from this additional customer. The will-serve letter provided by the Applicant adequately addresses the requirements.

Fresno County Airport Land Use Commission (ALUC): It is recommended that a condition be included that any propane stored at the building shall be located adjacent to the portion of the building furthest from the airport and runway. A "buyer notification statement" should be included with the transfer of title of any property located within the airport's Primary Review Area. This statement should indicate that the buyer is aware of the proximity of the Harris Ranch Airport, the characteristics of the airport's current and projected activity, and the likelihood of aircraft overflights of the affected property. A Notice of Construction should be submitted to the Federal Aviation Administration (FAA) in accordance with Federal Aviation Regulation (FAR) Part 77, and the Harris Ranch Airport Land Use Compatibility Plan for review by the ALUC.

United States Fish and Wildlife Service: The project site is located within the range of the federally-listed as endangered San Joaquin kit fox (kit fox) and falls within the Southwestern Fresno County Satellite Area, which is a designated kit fox recovery area. If kit fox are present on site during construction, there is potential for take to occur through mortality, harassment or harm. In order to minimize the likelihood of this occurrence, the Service recommends that the pre-activity surveys and exclusion zones found in the 2011 *Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* be implemented.

California Department of Fish and Wildlife: No comments provided.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

The subject parcel is located within an existing commercially-developed area, and the proposed gas station and convenience store/restaurant match the type of development that currently exists within the area. There is no scenic vista on or near the property to be potentially impacted by this proposal. While Interstate 5 (I-5) is designated as Scenic Highway in the Fresno County General Plan and is located approximately one half-mile east of the subject parcel, the project site is not within the required natural open space of 200 feet in depth parallel to the I-5 right-of-way and thus will not impact scenic quality of the highway. Additionally, all outdoor lighting for the project will be required to be hooded and directed downward so as not to shine toward adjacent properties and public streets or roadways, and all signage will be required to conform to requirements provided in the Zoning Ordinance.

Comments from the U.S. Fish and Wildlife Service (USFWS) stated the proposed project site is located within the range of the federally-listed as endangered San Joaquin kit fox and further

recommended implementation of pre-activity surveys and exclusion zones. On August 15, 2016, the Applicant's Qualified Biologist provided a survey report stating that no evidence of kit fox, dens, or foraging was found in the area during the survey and that no potential denning habitat was found on or in the area of the project site.

Due to the subject parcel's proximity to the Harris Ranch Airport, the project was submitted to the Fresno County Airport Land Use Commission (ALUC) in order to evaluate potential impacts. The ALUC reviewed and recommended approval of the project on June 6, 2016. Recommended conditions and notes provided by the ALUC are included as part of Exhibit 1.

During review of the project, staff was contacted by a surrounding property owner who expressed concerns about the project that included traffic access and safety issues. Project review by the Design Division and Development Engineering Section of the Fresno County Department of Public Works and Planning, and by Caltrans identified no concerns regarding increased traffic hazards due to design features or emergency access. Emergency access requirements for the site will be further analyzed by the Fresno County Fire Protection District during the mandatory Site Plan Review.

Based on the above information, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Mitigation Measures and Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

Finding 4: That the proposed development is consistent with the General Plan.

| Relevant Policies: | Consistency/Considerations: |
|--|--|
| <p>General Plan Policy LU-A.3: The County may allow by discretionary permit in areas designated Agriculture, special agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses listed in Table LU-3. Approval of these and similar uses in areas designated Agriculture shall be subject to the following criteria:</p> <ul style="list-style-type: none"> a. The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics; b. The use should not be sited on productive agricultural lands if less productive land is available in the vicinity; c. The operational or physical characteristics | <p>The subject proposal would allow development of a gas station and convenience store, which are included as permissible uses in both Table LU-3 and the County Zoning Ordinance. The project is not sited on productive agricultural land, as discussed in Section II Agricultural and Forestry Resources. The Applicant has provided a will-serve letter from I-5 Property Services, Inc. indicating that community water service will be available for the project and will not have a detrimental impact on surrounding properties. The communities of Huron and Coalinga are capable of providing a workforce for the project.</p> |

| Relevant Policies: | Consistency/Considerations: |
|---|---|
| <p>of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one-quarter (1/4) mile radius;</p> <p>d. A probable workforce should be located nearby or be readily available.</p> | |
| <p>General Plan Policy LU-D.4: The County shall generally limit development at major or minor commercial interchanges to one square-mile of land centered on the freeway interchange structure.</p> <p>General Plan Policy LU-D.5: The County shall allow commercial uses only in the areas designated as major and minor commercial interchange subject to the provisions of the County Zoning Ordinance Section 860, entitled "Regulations for Inter-State Freeway Interchange Commercial Development." Both types of commercial interchanges shall allow a range of commercial, service, agriculturally-related, and value-added agricultural uses serving the needs of freeway users and the agricultural community, with major commercial centers allowing a broader range of uses than minor commercial centers.</p> <p>General Plan Policy LU-D.6: The County shall require commercial interchange development to be designed to achieve aesthetic excellence and incorporate considerations for noise contours abutting traffic ways, architectural cohesiveness, and signing restraints.</p> | <p>The subject parcel is located within one square mile of the I-5/Dorris Avenue interchange and is part of a larger existing commercial development at the northwest corner of the interchange. Gas stations and convenience stores/restaurants are permissible uses under Section 860, and the use of the subject parcel as a gas station and restaurant is consistent with the Master Plan in place for the northwest quadrant of the I-5/Dorris Avenue interchange. Further, this project will be subject to Site Plan Review to ensure compliance with the considerations listed in LU-D.6.</p> |
| <p>General Plan Policy HS-F.1: The County shall require that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.</p> <p>General Plan Policy HS-F.2: The County shall require that applications for discretionary development projects that will use hazardous materials or generate hazardous waste in large quantities include detailed information concerning hazardous</p> | <p>As indicated in comments provided by the Environmental Health Division of the Fresno County Department of Public Health, if this proposal is approved, the Applicant will be required to submit complete plans and specifications regarding the proposed installation of underground storage tanks, and also handle all hazardous wastes in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. Additionally, prior to operations/sales of fuel, the operator will be required to obtain a Permit to Operate an Underground Storage Tank System. The</p> |

| Relevant Policies: | Consistency/Considerations: |
|---|---|
| <p>waste reduction, recycling, and storage.</p> <p>General Plan Policy HS-F.3: The County, through its Hazardous Materials Incident Response Plan, shall coordinate and cooperate with emergency response agencies to ensure adequate countywide response to hazardous materials incidents.</p> | <p>subject proposal satisfies these policies.</p> |

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The Agriculture and Land Use and Health and Safety Elements of the General Plan list policies related to this application in areas designated Agriculture (see policies identified above). The project site is not restricted under an Agricultural Land Conservation (Williamson Act) Contract (ALCC).

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Analysis:

The Westside Freeway Corridor Overlay designation in the Fresno County General Plan provides for uses at designated interchanges that cater to needs of long-distance freeway users and agriculture-related enterprises, including service stations and restaurants/cafes. The proposed use of the land as a gas station and convenience store/restaurant is consistent with this designation. As discussed above, the proposal satisfies criteria “a” through “d” of General Plan Policy LU-A.3. The proposal is consistent with Policy LU-D.6, as it will be subject to Site Plan Review.

General Plan Policy LU-D.5 provides that commercial development within the designated interchanges shall be subject to the provisions of Section 860 of the Zoning Ordinance, Regulations for Interstate Freeway Interchange Commercial Development. Such uses are allowed after approval of an Unclassified Conditional Use Permit and Master Plan. The Ordinance specifies that the Master Plan must describe the proposed uses, development standards, landscaping, architectural design, development phasing, and supportive services for the entire proposed development. In this instance, a Master Plan is in place for the northwest quadrant of the I-5/Dorris Avenue interchange which shows the subject parcel designated for use as a service station or restaurant. Since the proposal here is to allow a gas station with a convenience store and restaurant, the proposal is consistent with the Master Plan as well as the County General Plan.

Regarding Policies HS-F.1, 2, and 3, the proposal will be required to adhere to fire and hazardous material requirements. Additionally, the project is consistent with Policy PF-C.17 as it will connect to a community water system operated by I-5 Property Services, Inc. that has adequate water capacity to accommodate the proposed land uses.

Based on the analysis above, the proposal is consistent with the General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

At the time of publication of the staff report, no written comments regarding the project had been submitted to the Development Services Division. Staff notes that a neighboring property owner contacted staff to express concerns about the proposal, including traffic access and safety issues plus conformance to signage requirements in the area.

CONCLUSION:

Based on the factors cited in the analysis above, staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3524, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7076; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3524, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3524; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7076 and Unclassified Conditional Use Permit Application No. 3524
(Including Conditions of Approval and Project Notes)

| Mitigation Measures | | | | | |
|--------------------------------|------------------------|---|--------------------------------------|--|----------------------------------|
| Mitigation Measure No.* | Impact | Mitigation Measure Language | Implementation Responsibility | Monitoring Responsibility | Time Span |
| *1. | Aesthetics, Lighting | All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets or roadways. | Applicant | Applicant/Fresno County Department of Public Works and Planning (PW&P) | Ongoing; for duration of project |
| *2. | Biological Resources | In order to minimize the likelihood of incidental take of the San Joaquin kit fox, preactivity surveys and exclusion zones as found in the 2011 <i>Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance</i> ("Standardized Recommendations") shall be implemented at the project site prior to the commencement of construction activities. All surveys and monitoring described in this document must be conducted by a qualified biologist as defined in the Standardized Recommendations. Preactivity surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities. | Applicant | Applicant/PW&P | As noted |
| *3. | Cultural Resources | In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. | Applicant | Applicant/PW&P | Ongoing during construction |
| *4. | Transportation/Traffic | To mitigate potential traffic impacts to Interstate 5 and State Route 198 (Dorris Avenue), prior to the issuance of building permits the applicant shall pay a prorated share of cost in the amount of \$88,450 to the California Department | Applicant | Applicant/Caltrans/PW&P | As noted |

| | | of Transportation (Caltrans) for future improvements at the intersection of Interstate 5 and State Route 198 (Dorris Avenue). A letter shall be submitted to the Department of Public Works and Planning from Caltrans stating that the requirement of a pro-rata share for the funding of future off-site traffic improvements has been met. | | | |
|------------------------|--|---|--|--|--|
| Conditions of Approval | | | | | |
| 1. | Development and operation shall be in substantial conformance with the approved Site Plan, Floor Plan, Elevation Drawings, Operational Statement, and Architectural Theme approved by the Commission. | | | | |
| 2. | Any propane stored at the building shall be located adjacent to the portion of the building furthest from the airport and runway. | | | | |
| 3. | Prior to the issuance of building permits, the project developer shall file FAA Form 7460-1 with the Federal Aviation Administration (FAA). | | | | |
| 4. | Prior to the issuance of building permits, the project developer shall record a covenant to run with the land stating that the subject property is within the boundaries of the Harris Ranch Land Use Policy Plan. | | | | |

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

| Notes | |
|--|---|
| The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant. | |
| 1. | Prior to issuance of building permits, a Site Plan Review shall be submitted to and approved by the Fresno County Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but are not limited to, design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and control of lights. |
| 2. | Prior to issuance of building permits for each food facility, the applicant will be required to submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Prior to operations, the operator will be required to apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. |
| 3. | The applicant will be required to obtain a license to sell alcoholic beverages prior to alcohol sales. |
| 4. | Prior to the issuance of building permits, the applicant will be required to submit three (3) sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Prior to operations/sales of fuel, the operator will be required to obtain a Permit to Operate an Underground Storage Tank System. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. |

| Notes | |
|--------------|--|
| 5. | The project/development will be subject to requirements of the current Fire Code and Building code when a building permit or certificate of occupancy is sought. The project developer should also contact the Fresno County Fire Protection District regarding Community Facilities District No. 2010-01. |
| 6. | The gas station portion of the project will require an Authority to Construct permit to be obtained from the San Joaquin Valley Air Pollution Control District. |
| 7. | Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards. |
| 8. | A grading permit will be required for this application. |

DB

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3500-3599\3524\SR\CUP3524 MMRP (Ex 1).docx

LOCATION MAP

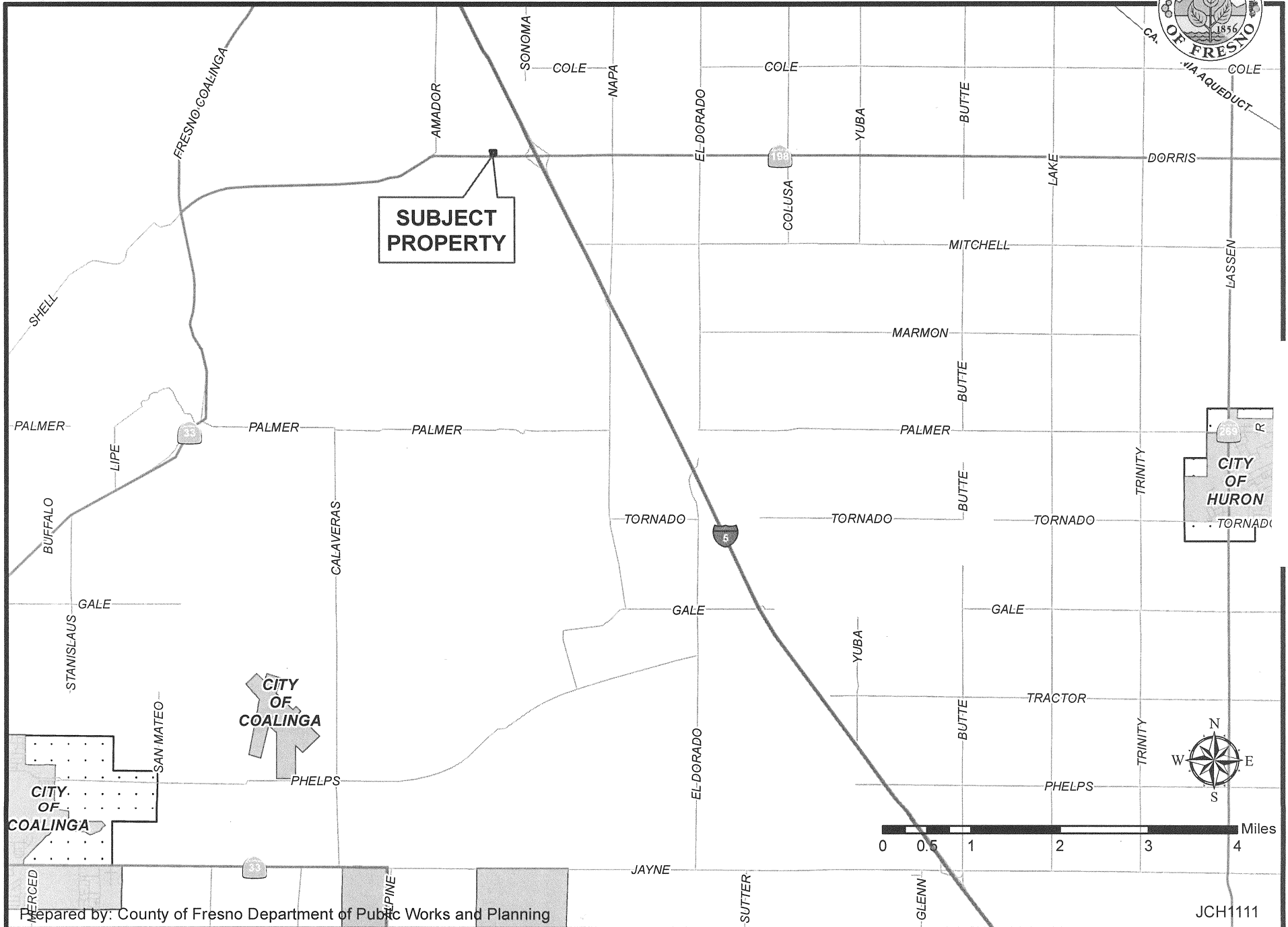


EXHIBIT 2

EXISTING ZONING MAP

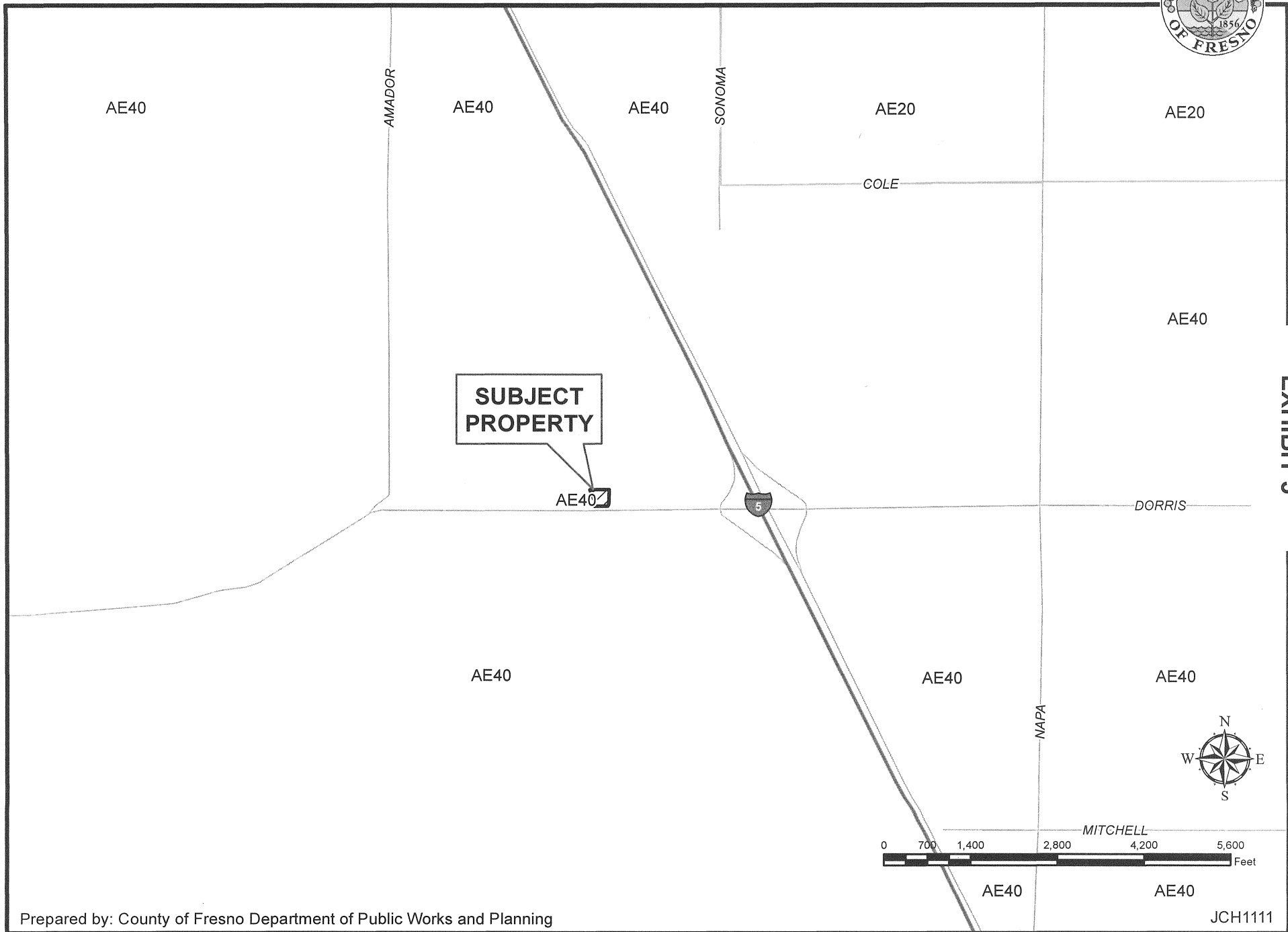
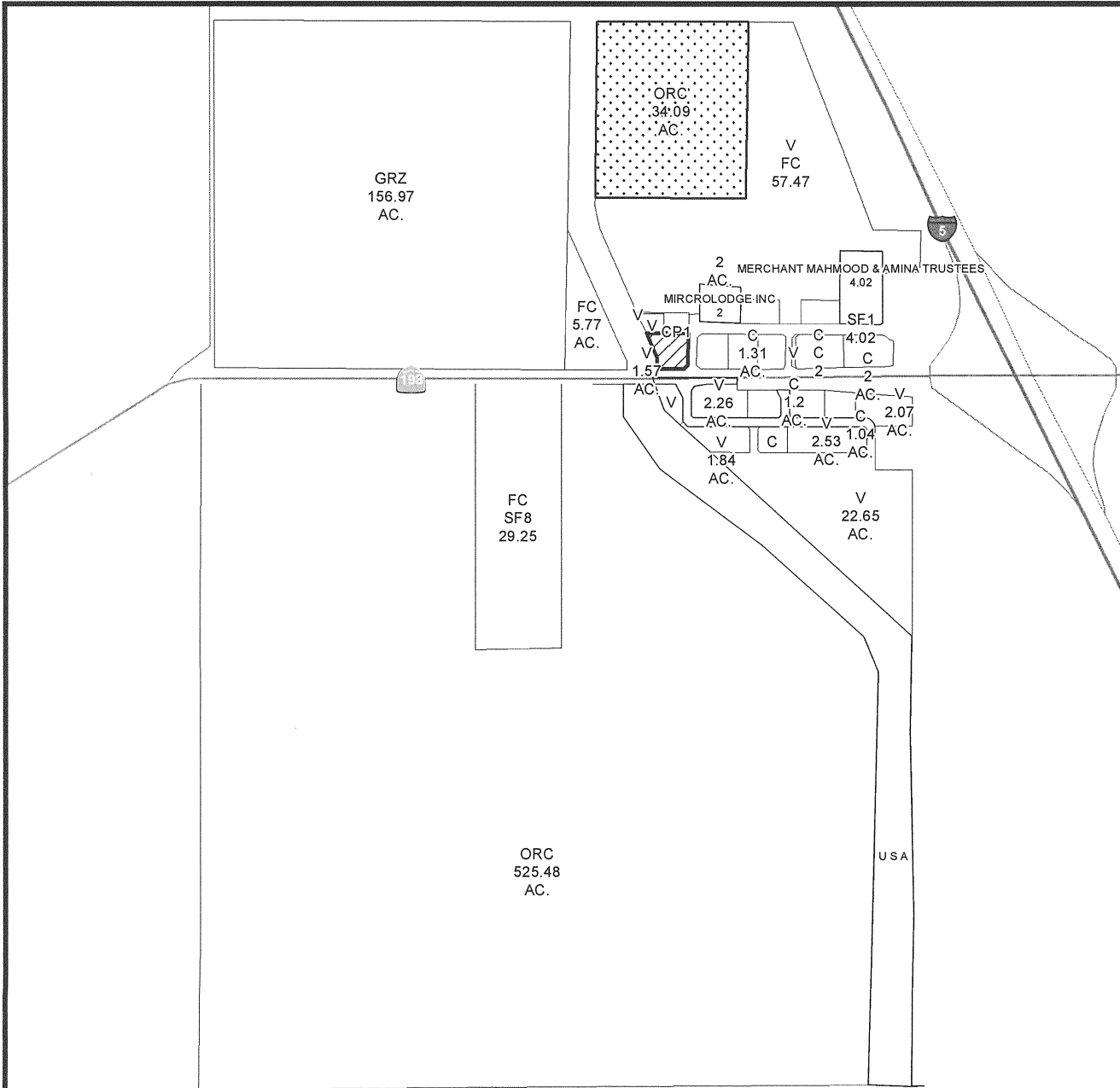


EXHIBIT 3

EXISTING LAND USE MAP

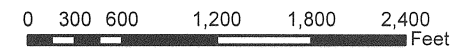


LEGEND

- SF# - SINGLE FAMILY RESIDENCE
- C - COMMERCIAL
- CP# - OFFICE COMM./PROF
- FC - FIELD CROP
- GRZ - GRAZING
- ORC - ORCHARD
- V - VACANT

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division

SUBDIVIDED LAND & POR. SEC. 20, T. 19S., R. 16E., M.D.B. & M.

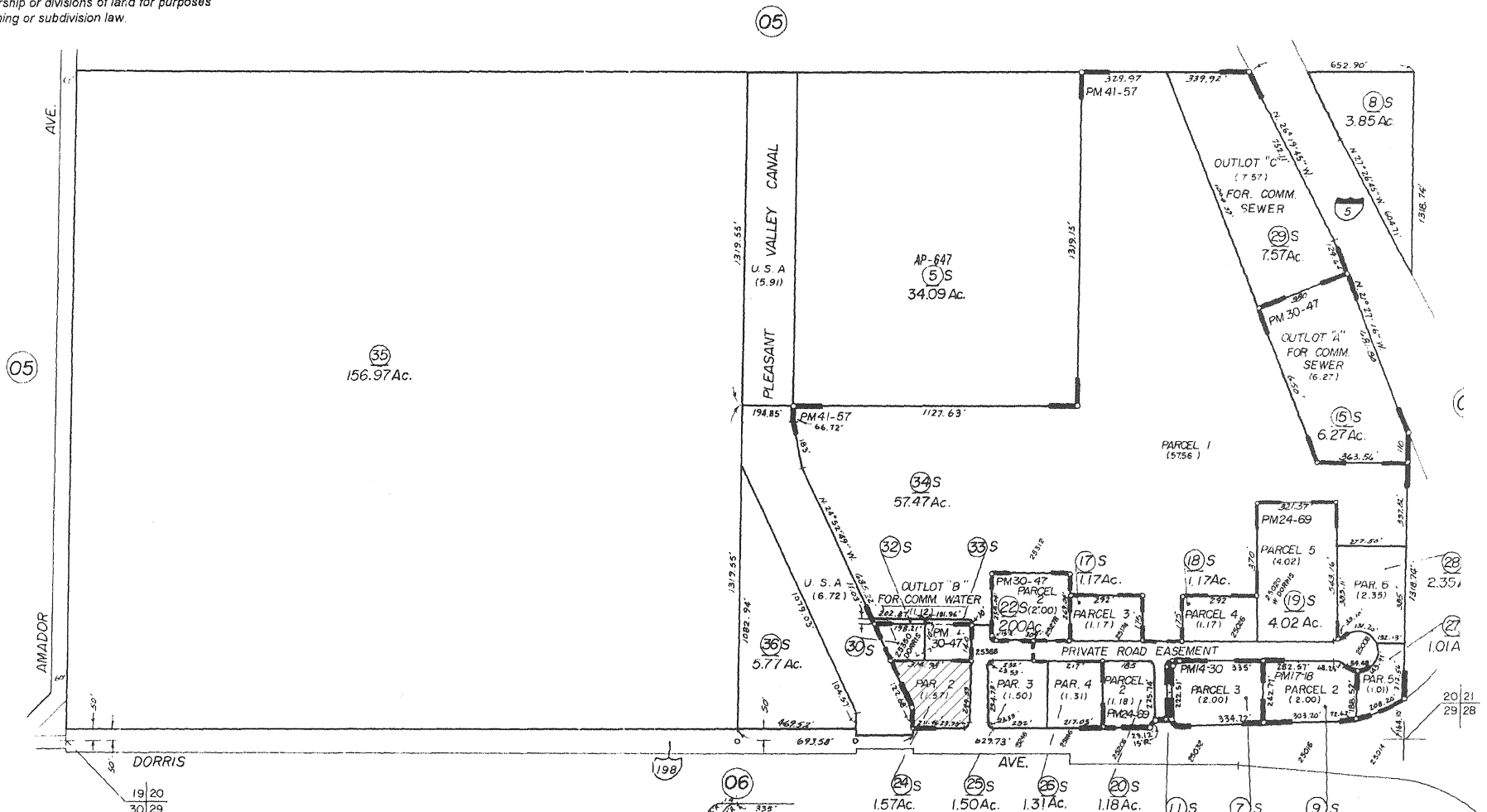
Tax Rate Area
77-002
77-005

65-26

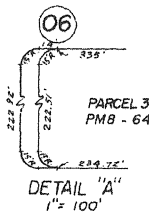
— NOTE —
This map is for Assessment purposes only.
It is not to be construed as portraying legal
ownership or divisions of land for purposes
of zoning or subdivision law.

1" = 400'

EXHIBIT 5



- Parcel Map No. 3272 - Bk. 24, Pg. 69
- Parcel Map No. 2290 - Bk. 17, Pg. 18
- Parcel Map No. 1425 - Bk. 14, Pg. 30
- Parcel Map No. 4693 - Bk. 30, Pgs. 47, 48 & 49
- Parcel Map No. 6427 - Bk. 41, Pgs. 57 - 59



Assessor's Map Bk. 65 - Pg. 26
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.



| NO. | REVISIONS | DATE |
|-----|------------------|----------|
| 1 | ISSUE FOR PERMIT | 06/29/16 |
| 2 | REVISIONS | |
| 3 | | |
| 4 | | |

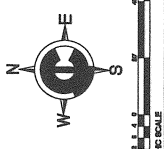
EXHIBIT 6



SITE PLAN

PROJECT NO: 15074

C.11



CONSTRUCTION NOTES

- 1.10 6" CONCRETE CURB
- 1.15 6" CONCRETE UNDER SLAB WITH AUTOMATIC PROTECTION
- 1.20 6" CONCRETE UNDER SLAB WITH 1/2" 40K @ 18" O.C. OR AS SPECIFIED IN SOILS REPORT IF AVAILABLE.
- 1.41 NOT USED
- 1.50 6" OVER 4" ALL ASPHALT PAVING OR AS SPECIFIED IN SOILS REPORT
- 1.60 4" WINDUP PATH OF TRAVEL (SLOPE NOT TO EXCEED 2% EACH WAY)
- 1.70 17'x16' HANDICAP PARKING SPACE WITH ALL RELATED STORAGE (SLOPE NOT TO EXCEED 2% E/W)
- 1.80 9'x15' SWAMPING PARKING SPACES
- 1.90 CONCRETE HANDICAP RAMP (SLOPE 1:12)
- 1.91 CONCRETE SIDEWALK (MIN. 4" WHERE HANDICAP PATH OF TRAVEL)
- 2.10 TROUGH ENCLOSURE WITH (4) STEEL GATES
- 2.20 6" CONCRETE FLEED STEEL GUARD POSTS
- 2.30 4" WINDUP UNIT
- 2.40 UNDERGROUND STORAGE TANKS UNDER REINFORCED CONCRETE SLAB
- 2.41 UNDERGROUND TANK VENT RISERS
- 2.50 CONCRETE SLOPE (1) MULTI PRODUCT DISPENSER (6" DIA. & 6' DIA.)
- 2.55 CONCRETE SLOPE (1) HIGHFLOW FUEL DISPENSER (6" DIA. & 6' DIA.)
- 2.60 FILL UNIT
- 2.70 FUELING DUMPY
- 2.80 8" SHANK SINGLE
- 3.00 CONCRETE DRIVEWAY PER AGENCY STANDARD
- 10.20 CONCRETE SIDEWALK PER AGENCY STANDARD
- 10.30 CONCRETE CURB & GUTTER PER AGENCY STANDARD
- 10.40 CONCRETE HANDICAP RAMP PER AGENCY STANDARD

BITE DATA INFORMATION

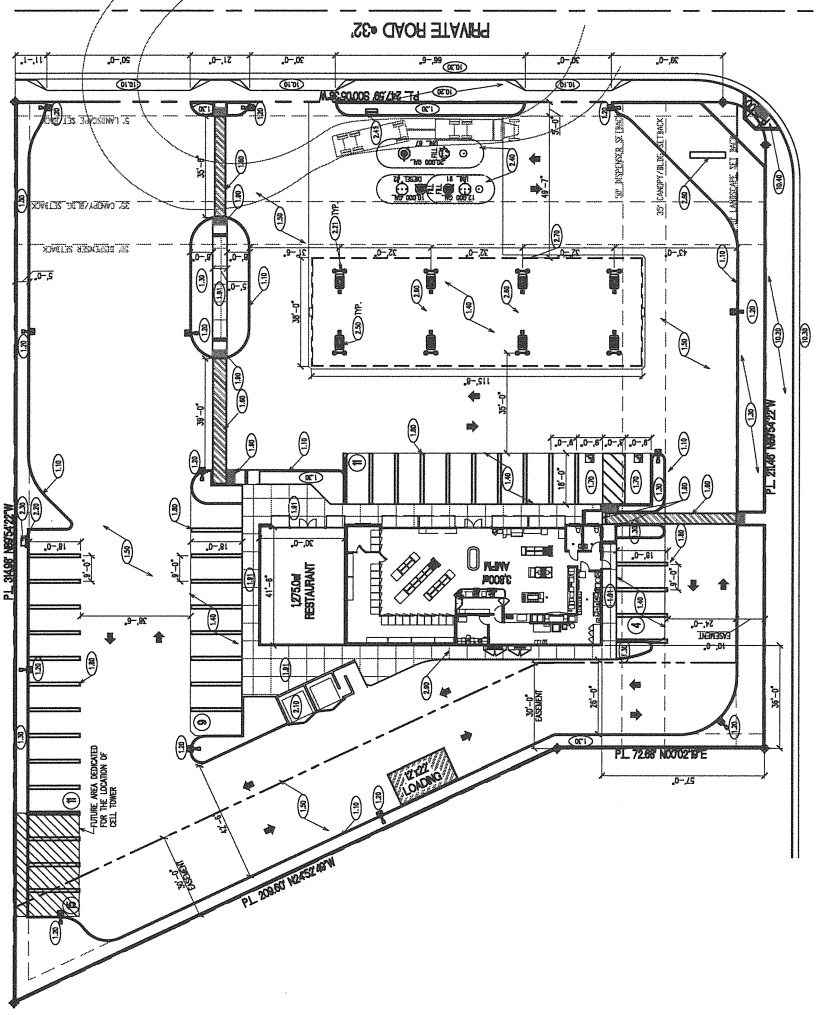
EXHIBITOR'S INFORMATION
 PROJECT NO: 15074
 1515 W. MELT CANYON
 VESALE, CA 92081

CONTRACTOR:
 SANGER SERRA
 225-605-9569

ZONING:
 AC-40(F)

| LOT AREA | 50% FT. WIDE | 75% WIDE |
|--------------------------|--------------|----------|
| APPA BUILDING AREA | 67,643.64 | 71.5 |
| ACCIDENTS | 3,000.0 | 8.4K |
| RESTAURANT BUILDING AREA | 1,275.0 | 8.4K |
| ACCIDENTS | 300.0 | 8.2K |
| CANOPY AREA | 11,810.0 | 21.5K |

| RETAIL / 7250 | TYPE | SIZE | REQUIRED | PROVIDED |
|-------------------|----------|---------|----------|----------|
| RESTAURANT / 1700 | HANDICAP | 17,716' | 2 | 2 |
| PARKING AREA | LOADING | 17,927' | 1 | 1 |
| | REGULAR | 9,716' | 37 | 37 |
| TOTAL | | | 40 | 40 |



WEST DORRIS AVENUE 650'

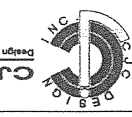
SITE PLAN

SCALE 1/8"=1'-0"

DATE: 10/15/11
BY: J. COHEN

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
| 1 | REVISION | |
| 2 | REVISION | |
| 3 | REVISION | |
| 4 | REVISION | |
| 5 | REVISION | |
| 6 | REVISION | |
| 7 | REVISION | |
| 8 | REVISION | |
| 9 | REVISION | |
| 10 | REVISION | |
| 11 | REVISION | |
| 12 | REVISION | |
| 13 | REVISION | |
| 14 | REVISION | |
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| 46 | REVISION | |
| 47 | REVISION | |
| 48 | REVISION | |
| 49 | REVISION | |
| 50 | REVISION | |

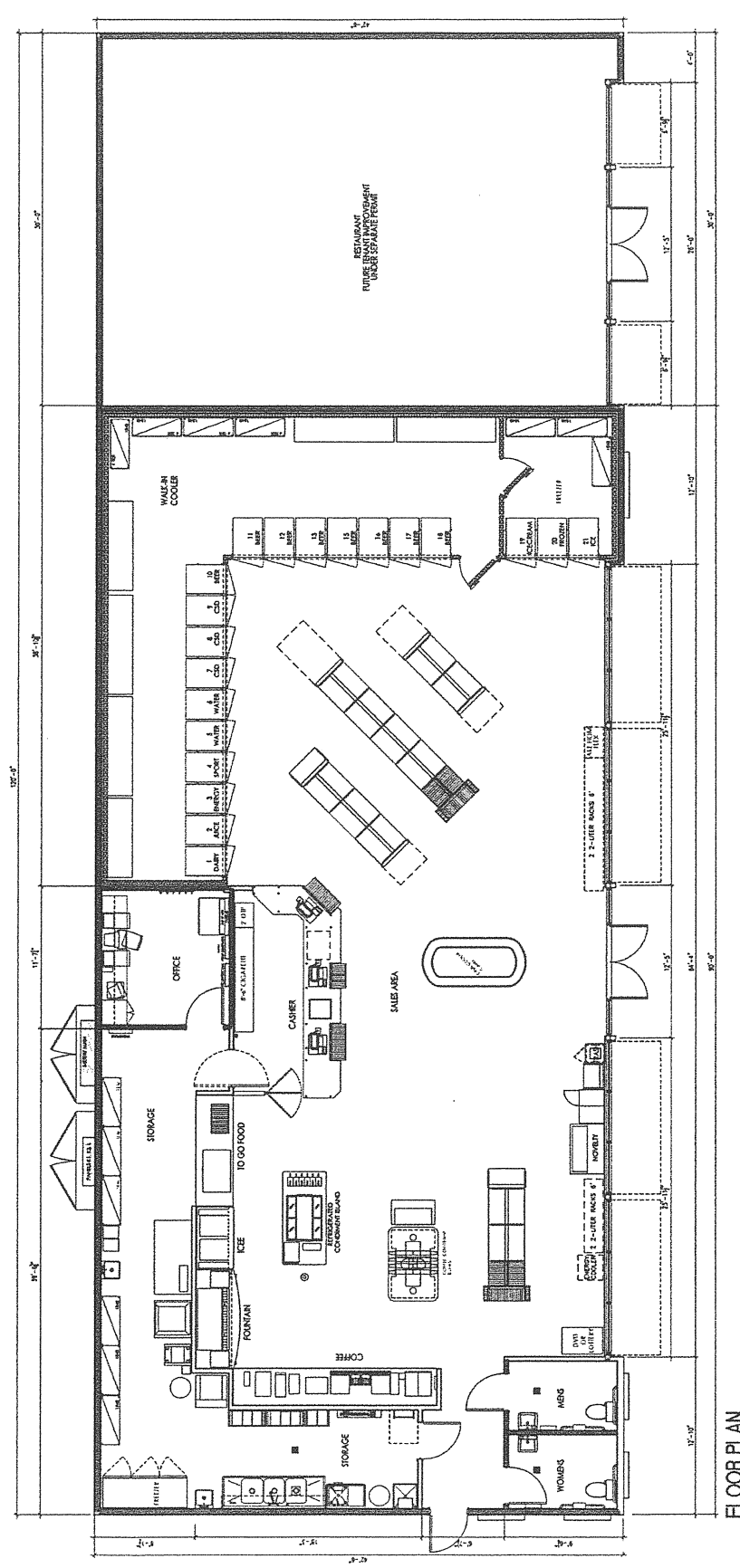
PROJECT NAME AND ADDRESS:
COCOA
1701 PINE BLVD, SUITE 200, THIRSON, CA 95061
WWW.CDCDESIGN.COM
PH: 925.254.8888
FAX: 925.254.8888
COCOA
1701 PINE BLVD, SUITE 200, THIRSON, CA 95061
WWW.CDCDESIGN.COM
PH: 925.254.8888
FAX: 925.254.8888



FLOOR PLAN

PROJECT NO: 11074

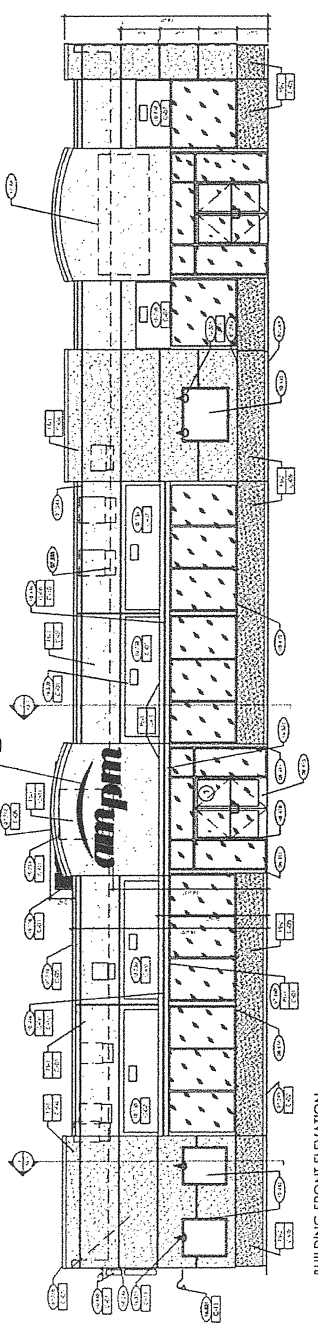
A.11



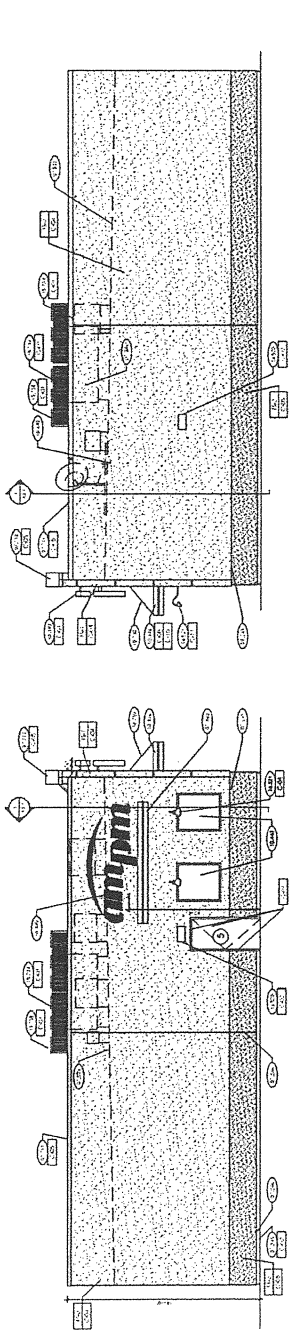
FLOOR PLAN

GENERAL NOTES:
 1. REVEAL LOCATIONS IN BRACKETED FORM.
 2. DIMENSIONS ARE TO THE CENTERLINE OF THE MEMBER UNLESS NOTED OTHERWISE.
 3. FINISHES ARE TO THE CENTERLINE OF THE MEMBER UNLESS NOTED OTHERWISE.

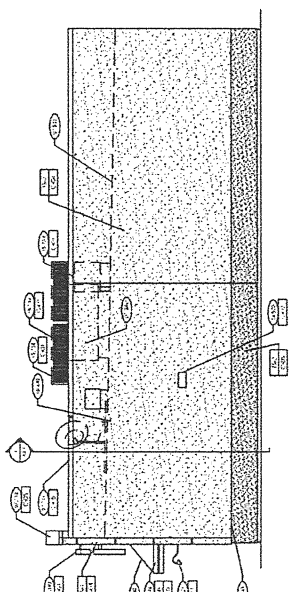
KEYED NOTES:
 01-24 GRADE REFER TO CIVIL PLAN 13/A.1
 01-25 TERMINATION REFER TO DETAIL 13/A.1
 01-26 HYDRANT REFER BEHA
 01-27 METAL CASE, REGIONAL 11/A.1
 01-28 CONTROL LIGHT RAISED SYSTEM, AMANDA 204 O.C.
 01-48 ACX PANEL
 01-53 AFFORDANCE FOOT/PEE
 01-54 AFFORDANCE METAL, AFFORDANCE, CURE REFER TO DETAIL 1/A.1
 01-55 2x6 SGA, GALVANIZED
 01-70 SHOP FABRICATED PREFINISHED METAL COPING, REFER TO DETAIL 1/A.1
 01-71 SHOP FABRICATED PREFINISHED METAL COPING, REFER TO DETAIL 2/A.1
 01-72 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-73 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-74 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-75 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-76 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-77 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-78 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-79 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-80 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-81 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-82 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-83 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-84 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-85 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-86 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-87 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-88 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
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 01-93 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
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 01-95 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-96 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-97 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-98 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 01-99 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1
 02-00 PREFABRICATED SGA, METAL FINISHING, REFER TO DETAIL 1/A.1



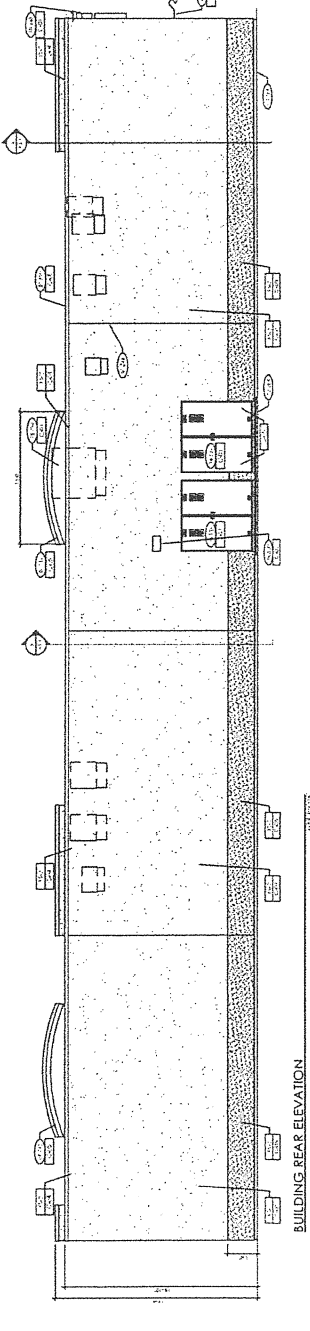
BUILDING FRONT ELEVATION



BUILDING LEFT ELEVATION



BUILDING RIGHT ELEVATION



BUILDING REAR ELEVATION

DATE: 10/10/2018
 TIME: 10:10 AM
 USER: J. L. CURRY
 PROJECT: 1507-2
 PROJECT NAME AND ADDRESS: 1507-2, PIERCE STREET, SUITE 245, OAKLAND, CA 94612
 PROJECT NUMBER: 1507-2
 PROJECT TYPE: COMMERCIAL
 PROJECT PHASE: PERMITTING
 PROJECT LOCATION: 1507-2, PIERCE STREET, SUITE 245, OAKLAND, CA 94612
 PROJECT ARCHITECT: J. L. CURRY
 PROJECT ENGINEER: J. L. CURRY
 PROJECT CONTRACTOR: J. L. CURRY
 PROJECT OWNER: J. L. CURRY
 PROJECT DESIGNER: J. L. CURRY
 PROJECT DRAWN BY: J. L. CURRY
 PROJECT CHECKED BY: J. L. CURRY
 PROJECT APPROVED BY: J. L. CURRY
 PROJECT SCALE: 1/8" = 1'-0"

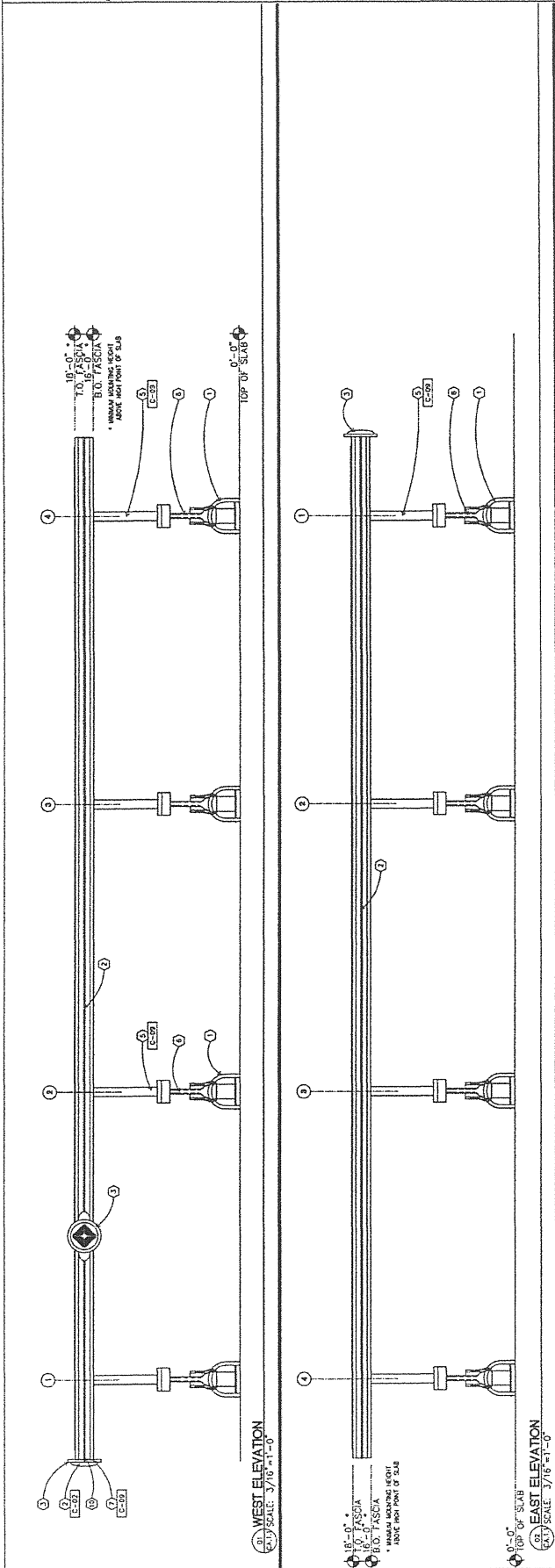
EXTERIOR FINISHES:
 F-1 ALUMINUM ACX PANEL
 F-2 EXTERIOR INSULATION AND FIBER GLASS SHEET ROCK CONTROL ZONE AT SHOWN
 F-3 EXTERIOR APPLIED FLASH
 F-4 EXTERIOR FINISHES

EXTERIOR PAINTS:
 C-01 COLOR: BIFERIL - PAL 9013
 C-02 COLOR: BIFERIL - PAL 9013
 C-03 COLOR: BIFERIL - PAL 9013
 C-04 COLOR: BIFERIL - PAL 9013
 C-05 COLOR: BIFERIL - PAL 9013
 C-06 COLOR: BIFERIL - PAL 9013
 C-07 COLOR: BIFERIL - PAL 9013
 C-08 COLOR: BIFERIL - PAL 9013
 C-09 COLOR: BIFERIL - PAL 9013
 C-10 COLOR: BIFERIL - PAL 9013
 C-11 COLOR: BIFERIL - PAL 9013
 C-12 COLOR: BIFERIL - PAL 9013
 C-13 COLOR: BIFERIL - PAL 9013
 C-14 COLOR: BIFERIL - PAL 9013

BUILDING ELEVATIONS

FIGURE NO.: 1507-2

A.2.1



KEYED NOTES

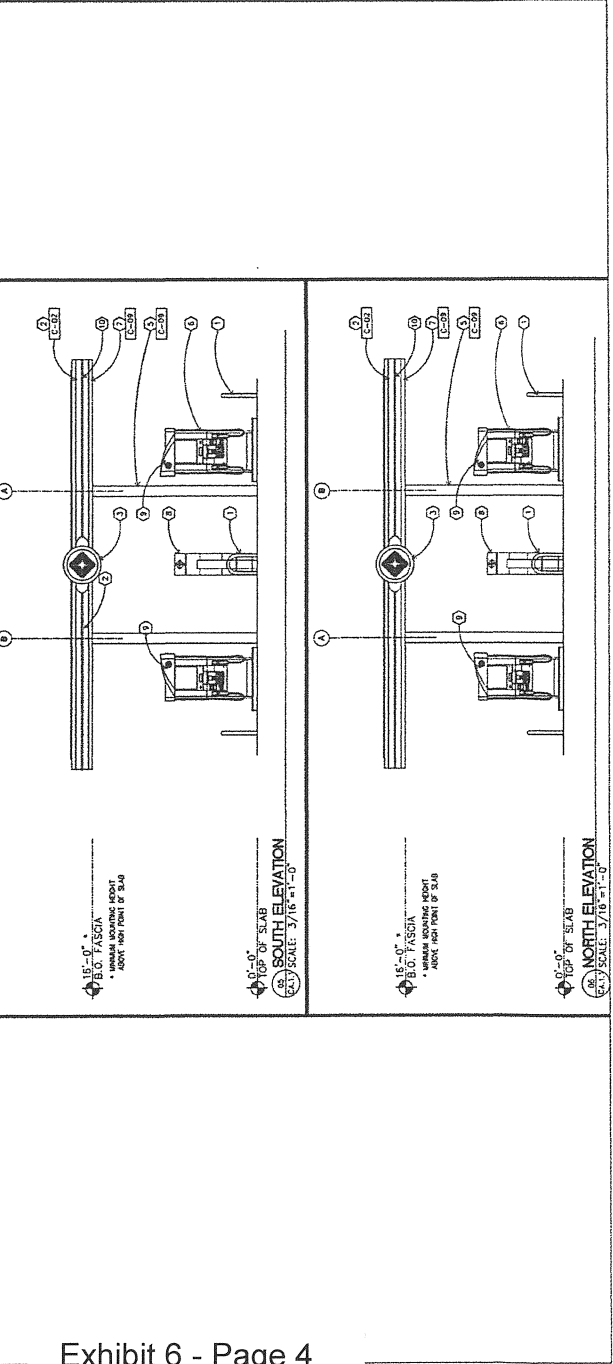
1. FINISH TO BE APPLIED TO ALL PANELS
2. ILLUMINATED SIGN BOX (BY OTHERS) FIELD (SEE LOCATION)
3. STEEL BEAM, REFER TO STRUCTURAL
4. FULL COMPOUND WAS COIL (BY OTHERS)
5. ALUMINUM COMPOSITE MATERIAL FASCIA PANELS (BY OTHERS)
6. PER LAST (BY OTHERS)
7. SEE SECTION FOR CONNECTION TO ROOF (SEE FIELD OF COLUMN (RF))
8. SEE FABRIC LIGHT SIGN TO MATCH

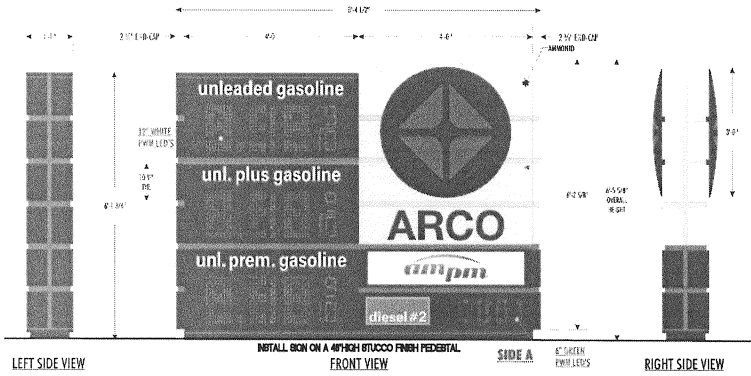
EXTERIOR PAINTS

C-1: COLOR: ARCO BLUE
 MPF 2000 - SATIN FINISH

C-2: COLOR: ARCO BLUE
 MPF 2000 - SEMI-GLOSS

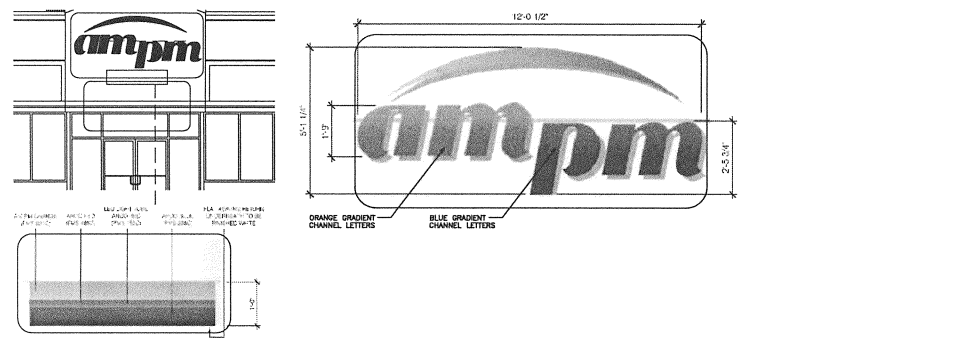
C-3: COLOR: ARCO LIGHT BLUE
 MPF 2000 - SATIN FINISH



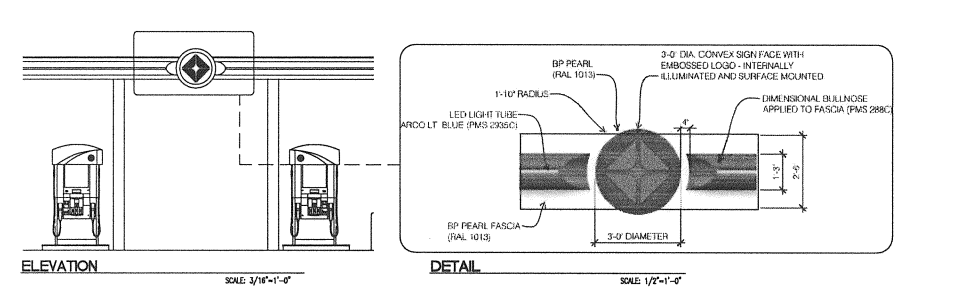


LEFT SIDE VIEW FRONT VIEW SIDE A RIGHT SIDE VIEW

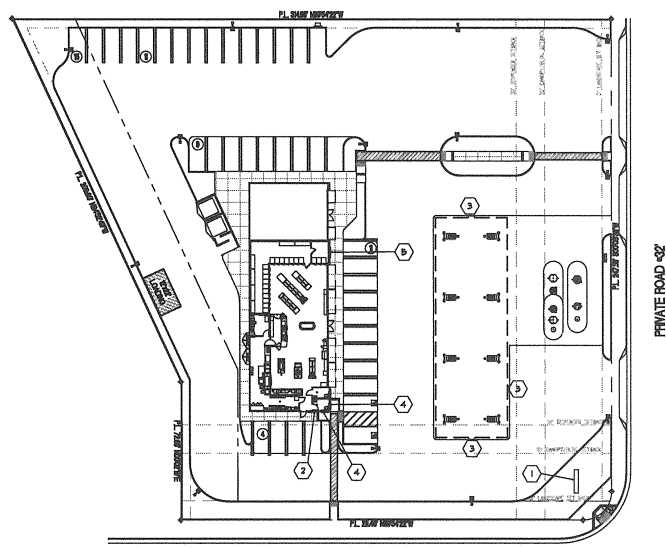
1 ID SIGN SCALE: 3/4"=1'-0"



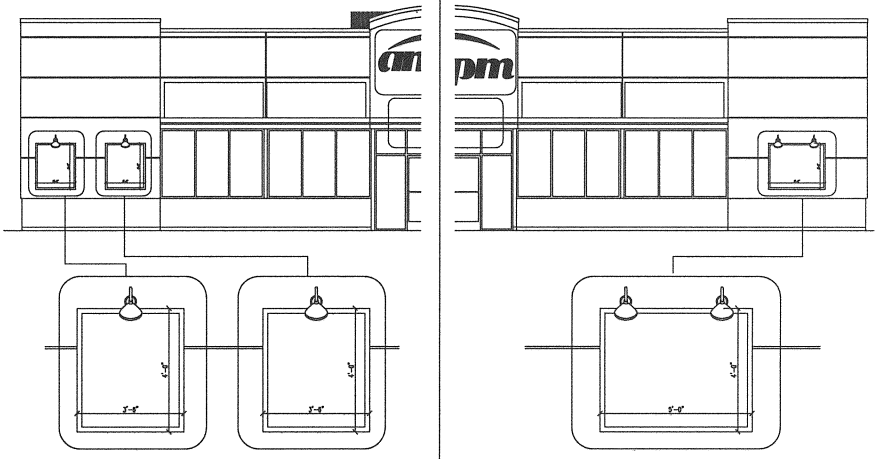
2 AM/PM BUILDING SIGN SCALE: 3/8"=1'-0"



3 CANOPY SIGN SCALE: 1/2"=1'-0"

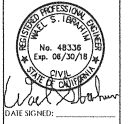


SITE PLAN SCALE: 1"=30'-0"



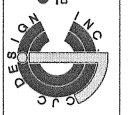
SIGN AREA CALCULATION

| NO. | DESCRIPTION | ILLUM. | STATUS | AREA | NO. | TOTAL |
|-----|-------------------------|--------|--------|--------------------|-----|----------------|
| 1 | IDENTIFICATION SIGN | YES | NEW | 142.0 | 1 | 142.0 |
| 2 | FOOD MART BUILDING SIGN | YES | NEW | 57.2 | 2 | 114.4 |
| 3 | CANOPY SIGN | YES | NEW | 13.4 | 3 | 40.2 |
| 4 | POP (POSTER) SIGN | NO | NEW | 14.0 | 4 | 56.0 |
| 5 | POP (POSTER) SIGN | NO | NEW | 20.0 | 1 | 20.0 |
| 6 | | | | | | |
| 7 | | | | | | |
| | | | | TOTAL NEW SIGNAGE: | | 277.60 Sq. Ft. |



DATE SIGNED: _____
SEALED: _____
ISSUES / REVISIONS:
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100. _____

DESIGNED BY: G. DE VERA
CHECKED BY: F. COHEN
3800 AMPM - 1275 RESTAURANT
HIGHFLOW DRIVE
25430 W. DUKES AVENUE
CULVERCITY
CA 90230
PROJECT NAME AND ADDRESS



SIGN PLAN

PROJECT NO: 15074

SN1.1



Operational Statement

Date: November 11, 2015

Revised: August 17, 2016

Project Address: Arco Station
25430 W. Dorris Avenue
Coalinga, CA

1. Project Description:

Development of new Arco AMPM gas station and 3800sf Convenience store with 1275sf ancillary future restaurant and eight multi product dispensers. Type 20 beer and wine sale for offsite consumption will be part of new convenience store operation

2. Operational time Limits:

The gas station and convenience store will be operating 24hrs/day, 7 days/week and 365 days/year. All convenience store operations will be indoor and gas station fuel sales will be outdoors with cashier inside the convenience store.

3. Number of customers/visitors:

It is anticipated that daily number of customers to be between 1200 to 1500 customers per day however this number varies daily.

4. Number of employees:

The convenience store number of employees are three during the daytime hours and two during the graveyard shift. No employees will be living on-site. It is anticipated that the future restaurant may employ up to 6 employees.

5. Service & Delivery Vehicles:

The fuel delivery to the site is anticipated to be conducted minimum 4 times per week which occurs typically during the none-busy hours. Typical service delivery for convenience store product is anticipated daily.

6. Access to the site:

Access to the site is provided by private road on the east side of the property by three ingress/egress points.

11801 Pierce Street, Suite 246
Riverside, CA 92505
Tel: 714.920.9643
Fax: 714.917.0250
www.cjccorp.com



7. Number of parking spaces

Total of forty (40) parking spaces is provided through out the site which will be utilized by customers and employees. The surface for parking area will be asphaltic concrete.

8. Goods to be sold on-site

Typical convenience store product such as coffee, prepackaged and prepared pastries, candies, soft drinks, beer, wine, etc.. In addition, AM/PM Minimart offers prepackaged hot dogs, hamburger and other sandwiches which are prepared at the facility and sold in a food wrap package as “TO GO” food.

9. Equipment to be used

Gas station equipment such as dispensers and underground fuel storage tanks which are monitored continuously.

10. Supplies and material used and storage

Typical Convenience store products are stored inside building and fuel will be stored inside underground storage tanks.

11. Unsightly appearance

Noise: Typical ambient noise

Glare: None. All lighting will be shielded and pointed downwards

Dust: None

Odor: None

12. Solid or liquid waste

No known liquid waste is known besides the bathroom and typical kitchen sinks which will be disposed into public sewer.

Approximately 16CY of solid waste (trash) will be collected inside trash enclosure which will be hauled away by affiliated trash company

13. Water usage

Its is anticipated that 1200-1500 gallon of water usage for this facility. The water is provided by public water line.

14. Proposed advertising

A pole monument sign will be located on the southwest corner of property which advertises the price and brand of fuel. Refer to sheet SN.1.1

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Tel: 714.920.9643
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15. **Proposed Buildings**
New single store convenience store and restaurant building will be constructed. New fueling canopy will be constructed over new multi product fueling dispensers. Refer to sheet A.1.1, A.2.1 and CA.1.1
16. **Portion of the buildings to be utilized.**
The entire building will be utilized for the operation of the gas station and convenience store. Future 1275sf restaurant will be operated separately.
17. **Outdoor lighting and sound**
All new outdoor lighting proposed will be LED lights which are pointed downwards and shielded.
No known amplified sound will be proposed.
18. **Landscaping and Fencing**
Approximately 22% of the property will be landscaped with drought tolerant planting. No fencing is proposed. Refer to sheet C.1.1

Site Design

The site has been designed to create smooth traffic flow throughout the facility. The access is provided three (3) ingress and egress points from private access road as shown on the plan. The fueling canopy/islands have been placed perpendicular to entrance access for the traffic to be able to make an easy access to the fueling dispensers.

The underground tanks are located such that the tanker trucks will be able to enter and exit the site from the private access without making drastic maneuvering within the site or street. The location of the underground tanks is determined and approved by Arco Fuel Delivery Terminal to provide the safest and most convenient way of fuel delivery to the site.

The fuel delivery is typically scheduled at the least active time of business. The tanks will have a capacity of 42,000 gallons of fuel, of which 20,000 gallon will be dedicated to the most demanding fuel (Unleaded 87), and 10,000 gallons to Unleaded 91 and 12,000 gallons to Diesel. This volume will reduce the amount of fuel delivery to the site, as well as provide enough fuel inside the underground tanks to allow fuel delivery during the least demanding time of the day.

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The applicant has explored a variety of layouts as to the placement of the building and fueling islands and have determined that this layout will provide the best flow of traffic and circulation

Currently there are 40 parking spaces that are being proposed along with 16 fueling spaces at the dispenser islands and 1 loading space. The total parking spaces required for this project is determined to be 30 spaces

Architecture

The AM/PM Food Mart building architecture will be designed to complement adjacent businesses. Arco anticipates the architecture of the building will be a tremendous compliment to this property.

The architecture of the building encompasses two towers on each front corner of the building. The entrance of the building has been designed with a larger tower to create a grand entrance to the building.

The canopy has also been designed to match the new proposed AM/PM Minimart with equal architectural treatments and colors.

The colors of the building and canopy will be earth-tone colors to complement and match the surrounding properties.

Arco is one of the leaders of utilizing "Green Environment" design into their facilities. As such effort, measures have been taken to install LED lighting under canopy, which is IDA approved Dark-Sky Friendly.

The LED lighting is an environmentally responsible choice, by reducing the power requirements with corresponding reductions in carbon-dioxide (CO₂), sulfur-dioxide (SO₂) and nitrous-oxide. Nationwide over the next 10 years, solid-state lighting has the potential to save the equivalent of 300 million trees and 150 billion gallons of gas.

The LED lighting saves energy, contains no mercury (which requires special disposal as a hazardous material) and produces no UV light.

In addition, the project will have a significant amount of trees and landscaping which will be maintained at all times to enhance and beautify the site and surrounding area.

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The applicant is further taking steps into “Green Environment” responsibilities by proposing drip irrigation for all new landscaping area.

In conclusion, the applicant believes this site not only provides the convenience of a one-stop service station to the residents and visitors, but also the architecture and design of the site will attract all individuals to take pleasure in their visit to this station.

If you need any additional information, please do not hesitate to give me a call.

Sincerely,

CJC Design, Inc.

Fred Cohen
Principal

FC/ag
Enclosures
cc: Arco

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EXHIBIT 8



Mr. Samer Sabbah
Westgate Construction and Development, Inc.
5101 West Merlot Court
Visalia, California 93291

June 16, 2016

Subject: Revised Limited Traffic Analyses – Trip Generation
Proposed Arco AM/PM Gas Station and Future Restaurant
Northwest of the Interstate 5 / State Route 198 Interchange
Fresno County, California

Dear Mr. Sabbah:

This report presents limited analyses for the subject Project. The purpose of this analysis is to estimate the number of trips expected to be generated by the proposed Project as requested in a letter from Caltrans dated February 3, 2016. This report supersedes a previous report for the subject project dated April 18, 2016.

The proposed gas station and food mart will be constructed on approximately 1.57 acres located at 25430 West Dorris Avenue (State Route 198), which is on the north side of Dorris Avenue approximately 2,000 feet west of the Interstate 5 / State Route (SR) 198 interchange in Fresno County. The project consists of a gas station with a 3,800-square foot AM/PM mini mart, a future 1,275-square-foot shop (likely to be a high-turnover sit-down restaurant) with no drive through, 16 automobile fueling positions, and four diesel fueling positions. Site access is proposed at driveways connecting to a private road easement, which connects to the north side of Dorris Avenue. A site plan is attached.

Data provided in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition* (TGM), are typically used to estimate the number of trips anticipated to be generated by proposed projects. Since the proposed gas station is located in a remote location with competing businesses, typical average trip generation rates are not expected to apply. Rates used in the analyses are taken from the average of the two lowest ITE data points for adjacent street volumes of 4,000 or greater.

Data presented in the ITE *Trip Generation Handbook* dated June 2004 (TGH) suggest that captured-trip reductions are applicable to the proposed Project. Captured-trip reductions are applied to account for the interaction between the various individual land uses assumed for the trip generation calculations. A common example of a captured trip occurs in a multi-use development containing both offices and shops. Trips made by office workers to shops within the site are defined as internal to (i.e., “captured within”) the multi-use site. A more complete description of captured trips is presented in the TGH. An example of a captured

trip for the Project is a motorist who buys gasoline and then also eats at the proposed restaurant.

Capture rates of 20 percent for the p.m. peak hour and 28 percent for daily volumes between retail uses were taken from Tables 7.1 and 7.2 of the TGH. Data are not presented in Tables 7.1 and 7.2 of the TGH for the a.m. peak hour.

Data available on the Caltrans web site as of the date of this report (<http://www.dot.ca.gov/trafficops/census/2014all/>) indicate that the peak-hour traffic volume on Interstate 5 is 4,600 vehicles. Other data available on the Caltrans web site (<http://www.dot.ca.gov/trafficops/census/docs/2014kanddfactors.pdf>) indicate the peak hour volumes on SR 198 west of Interstate 5 are 285 trips during the a.m. peak hour and 357 trips during the p.m. peak hour. Table 1 presents trip generation estimates for the Project.

Table 1
Project Peak-Hour Trip Generation

| Land Use | Units | A.M. Peak Hour | | | | | P.M. Peak Hour | | | | |
|--|-------------------|----------------|--------|-----------|-----------|------------|----------------|--------|-----------|-----------|------------|
| | | Rate | In:Out | In | Out | Total | Rate | In:Out | In | Out | Total |
| High-Turnover (Sit-Down) Restaurant (932) | 1,275 sq. ft. | 10.81 * | 55:45 | 8 | 6 | 14 | 9.85* | 60:40 | 8 | 5 | 13 |
| Gasoline/Service Station With Convenience Market (945) | 4,600 (I-5) | 0.021 ** | 52:48 | 50 | 47 | 97 | 0.022 ** | 51:49 | 52 | 50 | 102 |
| Gasoline/Service Station With Convenience Market (945) | 285 (A.M. SR 198) | 0.021 ** | 52:48 | 3 | 3 | 6 | - | - | - | - | - |
| Gasoline/Service Station With Convenience Market (945) | 357 (P.M. SR 198) | - | - | - | - | - | 0.022 ** | 51:49 | 4 | 4 | 8 |
| Internal Capture | - | - | - | - | - | - | - | - | -1 | -1 | -2 |
| TOTALS: | - | - | - | 61 | 56 | 117 | - | - | 63 | 58 | 121 |

Reference: *Trip Generation Manual, 9th Edition*, Institute of Transportation Engineers 2012

* Rate is reported in trips per 1,000 square feet

** Rate is reported in trips per number of peak hour trips on the adjacent street

In:Out are percentages of the total.

The TGH presents information suggesting that pass-by reductions are applicable to the Project. The TGH states: “There are instances, however, when the total number of trips generated by a site is different from the amount of new traffic added to the street system by the generator. For example, retail-oriented developments such as shopping centers...are often located adjacent to busy streets in order to attract the motorists already on the street. These sites attract a portion of their trips from traffic passing the site... These retail trips may not add new traffic to the adjacent street system.” The TGH also states: “Pass-by trips are made as intermediate stops on the way from an origin to a primary trip destination without a route diversion. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the generator. Pass-by trips are not diverted from another roadway.”

Data provided in Chapter 5 of the TGH and the proposed orientation of the Project suggest that pass-by trips will be generated by the proposed Project, and those pass-by trips will come out of traffic that is already traveling on SR 198 west of Interstate 5. Available data in the

TGH indicate that an average of 43 percent of the weekday p.m. peak hour trips generated by High-Turnover (Sit-Down) Restaurant (Land Use 932) are pass-by trips. The TGH also indicates that an average of 62 percent of the weekday a.m. peak hour trips and 56 percent of the weekday p.m. peak hour trips generated by Gasoline/Service Station with Convenience Market (Land Use 945) are pass-by trips.

These values would be applied to the peak hour project traffic volumes on SR 198 west of Interstate 5 to estimate the pass-by trips as follows:

- A.M. Pass-by trips entering (gasoline): $3 * 0.62 = 1$ pass-by trip
- A.M. Pass-by trips exiting (gasoline): $3 * 0.62 = 1$ pass-by trips
- P.M. Pass-by trips entering (gasoline): $4 * 0.56 = 2$ pass-by trips
- P.M. Pass-by trips exiting (gasoline): $4 * 0.56 = 2$ pass-by trips
- P.M. Pass-by trips entering (restaurant): $8 * 0.43 = 3$ pass-by trips
- P.M. Pass-by trips exiting (restaurant): $5 * 0.43 = 2$ pass-by trips

Table 2 presents the volume of new peak hour primary Project trips expected to be generated by the Project.

Table 2
Pass-By Trips and Primary Project Trips

| Time Period | Trips Entering Site | Trips Exiting Site | Total Trips |
|--------------------------------------|---------------------|--------------------|-------------|
| Weekday A.M. Peak Hour Pass-By Trips | 1 | 1 | 2 |
| Weekday A.M. Peak Hour Primary Trips | 60 | 55 | 115 |
| Weekday P.M. Peak Hour Pass-By Trips | 5 | 4 | 9 |
| Weekday P.M. Peak Hour Primary Trips | 58 | 54 | 112 |

The distribution of Project trips is expected to be similar to the distribution of existing traffic in the region. Table 3 summarizes the existing annual average daily traffic volumes (AADT) available from the Caltrans web site (<http://www.dot.ca.gov/trafficops/census/2014all/>) as of the date of this report and assigns a project trip distribution percentage based on those volumes.

Table 3
Existing Distribution of Traffic and P.M. Peak-Hour Primary Project Trips

| Road | AADT | Percentage of Total | Primary Project Trips | |
|------------------------------|--------|---------------------|-----------------------|---------|
| | | | Entering | Exiting |
| SR 198 west of Project site | 1,850 | 3 | 2 | 2 |
| SR 198 east of Interstate 5 | 3,650 | 5 | 3 | 3 |
| Interstate 5 north of SR 198 | 33,500 | 46 | 27 | 25 |
| Interstate 5 south of SR 198 | 33,500 | 46 | 26 | 24 |
| TOTALS | 72,500 | 100 | 58 | 54 |

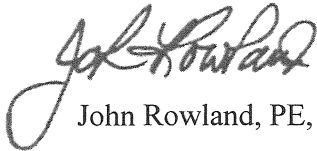
Table 4 presents the estimated primary peak hour project traffic volumes at the Interstate 5 / SR 198 interchange.

Table 4
Primary Project Trips at the Interstate 5 / SR 198 Interchange

| Location | Peak Hour Trips |
|-----------------------------------|-----------------|
| Southbound off ramp | 27 |
| Southbound on ramp | 24 |
| Northbound off ramp | 26 |
| Northbound on ramp | 25 |
| Westbound on the bridge structure | 29 |
| Eastbound on the bridge structure | 28 |

Thank you for the opportunity to perform these analyses. Please feel free to contact our office if you have any questions.

PETERS ENGINEERING GROUP



John Rowland, PE, TE

Attachments: Site Plan



NORTHWEST QUADRANT
 INTERSTATE 5 - HIGHWAY 198 INTERCHANGE

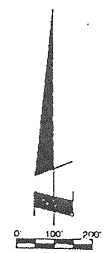


EXHIBIT 9

SCHEMATIC MASTER DEVELOPMENT PLAN

APPROVED PLAN
 FRESNO COUNTY
 BY PLANNING COMMISSION DATE... 10/2/83

RECEIVED
 10/04/83

DATE: OCT. 1983
 DRAWN: V. L. H.
 REVISED: DEC. 1980

Subject Property

THE REPRODUCTION OF THIS DOCUMENT WITHOUT THE APPROVED FILE TO THE COMMISSION OF THE ORIGINAL.

Boyle Engineering Company

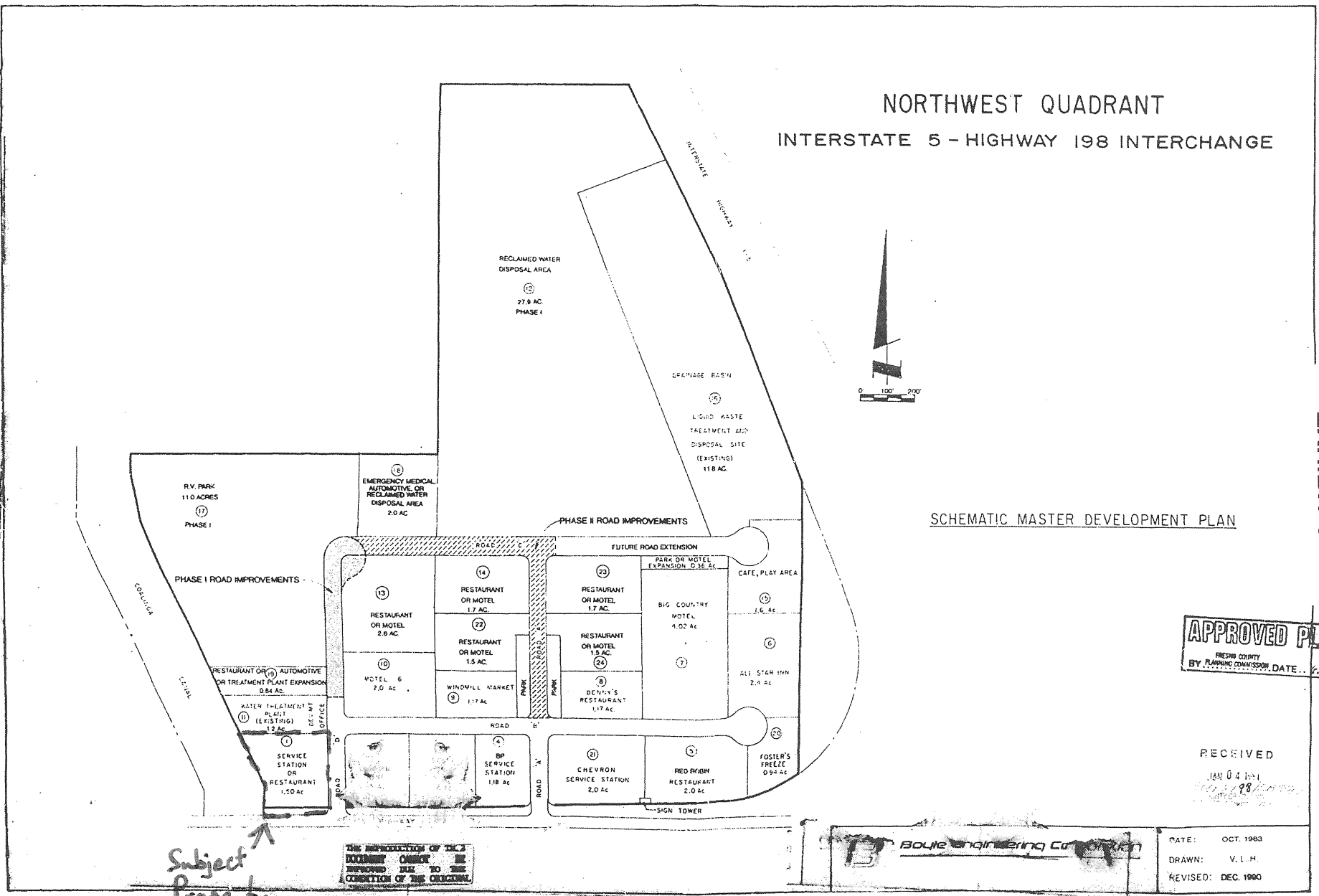




EXHIBIT 10

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Westgate Development, Inc.
- APPLICATION NOS.: Initial Study Application No. 7076 and Unclassified Conditional Use Permit (CUP) Application No. 3524
- DESCRIPTION: Allow a gas station and convenience store on a 1.57-acre parcel within the Interstate Freeway Interchange Area in the AE-40 (Exclusive Agricultural, 40 acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the north side of Dorris Avenue (CA-198) between Interstate 5 and Amador Avenue, approximately nine miles northeast of the city of Coalinga (Address: 25430 W. Dorris Avenue) (APN: 065-260-24S)

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista?

FINDING: NO IMPACT:

The proposal is located in an area marked by relatively large-sized agricultural parcels and highway commercial development. The project site is a vacant parcel located immediately adjacent to an existing commercially developed area that includes restaurants and gas stations, which is located east of the project site. Orchard and field crops are located to the north, south, and west of the project site. Interstate 5 is located approximately one half-mile east of the subject property.

There is no scenic vista on or near the property to be potentially impacted by this proposal.

- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

Interstate 5 (I-5) is designated as Scenic Highway in the County General Plan and is located approximately one half-mile east of the subject parcel. The project site is not within the required natural open space of 200 feet in depth parallel to the I-5 right-of-way as required by General Plan Policy OS-L.3. Therefore, the subject proposal will not

impact scenic quality of the highway. Additionally, no trees, rock outcropping, or historic buildings exist on or near the project site to be potentially impacted by this proposal.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposal includes a 5,075 square-foot building to be used as a convenience store and restaurant plus a 4,396 square-foot canopy with gasoline fueling stations for automobiles. The height of the proposed building is 21 feet and the height of the proposed canopy is 18 feet. The proposal also includes a free-standing display sign, which is limited to 10 feet in height per County regulations. Other related improvements include underground fuel storage tanks, on-site parking, and circulation areas. According to the Applicant's Operational Statement, the building and canopy will be earth-toned colors to match the surrounding properties and environment and also utilizes an "Early California Theme" to match similar development within the interchange area.

The project will be visible from surrounding areas comprised of farmland to the north and west. There is no single-family residential development in the immediate vicinity of the project. The project is similar in nature and operation to the other existing commercial developments (gasoline stations, restaurants, and motels) within the northwest quadrant of the Interstate 5 and Dorris Avenue (CA-198) interchange. The proposal will not damage or degrade the visual character of the site or its surroundings.

- D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Development of this proposal will generate new sources of light and glare resulting from outdoor lighting around the building, fueling stations and parking and circulation areas. However, these impacts will be insignificant in that a mitigation measure would require all outdoor lighting to be hooded and directed downward as to not shine toward adjacent property and public streets.

* **Mitigation Measure:**

- 1. All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets or roadways.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or

- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject 1.57-acre parcel is classified as Urban and Built-Up Land on the Fresno County Important Farmland Map (2014) and is not enrolled under a Williamson Act Land Conservation Contract. The parcel is not located on forest land. The subject proposal does not conflict with the current AE-40 zoning on the property and is allowed on the subject property through discretionary land use approval within the Interstate Freeway Interchange area. The Fresno County Department of Agriculture reviewed the proposal and had no comments.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the proposal and expressed no concerns with the project.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or

- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located in an area of agricultural land uses and commercial uses typical of interstate freeway development, including gas stations, restaurants, and motels. Parcels in the immediate surroundings (including the subject parcel) have been disturbed with farming operations and do not provide habitat for state- or federally-listed species. Additionally, no riparian features, wetlands, or waters under the jurisdiction of United States exist on the property.

*The proposal was routed to the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) for review and comments. No comments were provided by CDFW. USFWS provided comments indicating the proposed project site is located within the range of the federally-listed as endangered San Joaquin kit fox (*Vulpes macrotis mutica*) and falls within the Southwestern Fresno County Satellite Area, which is a designated kit fox recovery area. USFWS further recommended implementation of preactivity surveys and exclusion zones found in the 2011 Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance in order to minimize the likelihood of incidental take.*

No other impacts were identified in regard to: 1) any candidate, sensitive, or special-status species; 2) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; 3) federally-protected wetlands as defined by Section 404 of the Clean Water Act; or 4) the movement of any native resident or migratory fish or wildlife species, established native resident or migratory wildlife corridors, or native wildlife nursery sites. With adherence to the recommended Mitigation Measure, any impacts on Biological Resources will be less than significant.

* **Mitigation Measures**

1. *In order to minimize the likelihood of incidental take of the San Joaquin kit fox, preactivity surveys and exclusion zones as found in the 2011 Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to*

or During Ground Disturbance (“Standardized Recommendations”) shall be implemented at the project site prior to the commencement of construction activities. All surveys and monitoring described in this document must be conducted by a qualified biologist as defined in the Standardized Recommendations. Preactivity surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities.

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan?

FINDING: NO IMPACT:

No conflicts were identified in the analysis with regard to any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries; or
- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is located in an area designated as “moderately” sensitive for archeological resources, and the area has been heavily disturbed by prior commercial uses. Staff has included a mitigation measure requiring that in the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an archeologist shall be contacted to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno

County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. The Mitigation Measure will reduce potential impacts to cultural resources to a less than significant level.

* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.*

VI. GEOLOGY AND SOILS

A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

1. Rupture of a known earthquake?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?
4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located in an area that has a peak horizontal ground acceleration of 40-60 percent per Figure 9-5 in the Fresno County General Plan Background Report (FCGPBR), with a 10 percent chance of exceeding that percentage in 50 years. The area is designated as Seismic Design Category E in the California Geological Survey. No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides. Construction of the project will be subject to the Seismic Design Category E Standards.

B. Would the project result in substantial erosion or loss of topsoil?

Changes in topography of the site could result from grading activities. As noted by the Development Engineering Section: 1) any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards; and 2) a Grading Permit or Voucher shall be required for any grading proposed with this application.

C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The project is not located in an area of expansive soils, per Figure 7-1 (FCGPBR).

E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative disposal systems where sewers are not available for wastewater disposal?

FINDING: NO IMPACT:

The Fresno County Department of Public Health, Environmental Health Division, reviewed the proposal and expressed no concerns related to soils or wastewater disposal, as the project will connect to a community sewer system operated by the I-5 Property Services, Inc.

VII. GREENHOUSE GAS EMISSIONS

A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

B. Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Comments received from the Air District expressed no concerns with this proposal, supporting the determination that the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

VIII. HAZARDS AND HAZARDOUS MATERIALS

A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or

B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is a commercial center consisting of a mini-mart/restaurant with gasoline/diesel fueling stations for cars and trucks.

The Fresno County Department of Public Health, Environmental Health Division's review of the proposal requires that prior to the issuance of building permits, the Applicant shall: 1) submit complete plans and specifications regarding the proposed installation of underground storage tanks; and 2) handle all hazardous wastes in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. Prior to operations/sales of fuel, the operator shall obtain a Permit to Operate an Underground Storage Tank System. These requirements will be included as Project Notes.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: NO IMPACT:

The project is not located within one quarter-mile of a school. The closest public school is located approximately 9 miles to the southeast in the City of Huron.

- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

The project is not located on a hazardous materials site.

- E. Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or

- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located approximately one half-mile west of the Harris Ranch Airport and is within the airport's primary review area provided in the Harris Ranch Airport Land Use Plan. The project was submitted to the Fresno County Airport Land Use Commission (ALUC) in order to evaluate potential impacts. The ALUC reviewed and recommended approval of the project on June 6, 2016, with no comments or conditions related to safety hazards included.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan; or

- H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The project is not located in a wildland area.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project was routed to the Regional Water Quality Control Board (Water Board) for review and comments. Although no concerns were expressed by that agency, standard Project Notes would require that: 1) if construction activities disturb more than one acre, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity shall be required; 2) prior to construction, the Applicant shall submit to the Water Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a Site Plan, and appropriate fees; and 3) the SWPPP shall contain all items listed in Section A of the General Permit, including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and Best Management Practices (BMP) implemented to prevent pollutants from discharging storm water into waters of the United States.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will use an estimated 1,200-1,500 gallons of water per day and will connect to a public water system operated by I-5 Property Services, Inc. According to I-5 Property Services, Inc., the proposed facility will be provided with up to three acre-feet of potable water per year. The California Department of Public Health (CDPH) Office of Drinking Water, which regulates the public water system operated by I-5 Property Services, Inc., reviewed the proposal and stated that I-5 Property Services, Inc. has adequate capacity in the treatment plant to serve the project.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site; or

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is fallow agricultural land. No stream or river exists on or near the property to be impacted by this proposal. As noted above in Section VI.B. Geology and Soils, any changes to the existing drainage pattern resulting from this proposal will be subject to review and approval of an Engineered Grading and Drainage Plan and a Grading Permit or Voucher from the Development Engineering Section of the Development Services Division. Also, any additional run-off generated by this proposal will be required to be retained on site per County Standards.

- F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX.A above.

- G. Would the project place housing within a 100-year floodplain; or

- H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

FINDING: NO IMPACT:

According to FEMA FIRM Panel 3050H, the subject parcel is not subject to flooding from a 100-year storm event. No housing is included in this proposal.

- I. Would the project expose persons or structures to levee or dam failure; or

- J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The subject parcel is not prone to seiche, tsunami or mudflow, nor is the subject parcel exposed to potential levee or dam failure.

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

This proposal will not physically divide a community. The nearest communities to the project site are the City of Huron (located approximately eight-and-one-half miles to the east) and the City of Coalinga (located approximately nine miles to the southeast)

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: NO IMPACT:

The subject parcel is designated Agriculture and is located within the Westside Freeway Corridor Overlay in the Fresno County General Plan. The area in the vicinity of Interstate 5 and Dorris Road (CA-198) is designated as a major commercial interchange. Besides limited agricultural uses, the Westside Freeway Corridor Overlay allows commercial uses within this interchange area by discretionary permits.

The Policy Planning Section of the Department of Public Works and Planning reviewed the subject proposal and identified the policies Fresno County General Plan listed below as being applicable to the project.

Policy LU-A.3 states that the County may allow by discretionary permit in areas designated Agriculture, special agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses listed in Table LU-3. Policy LU-A.3 also requires that the use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics; the use should not be sited on productive agricultural lands if less productive land is available in the vicinity; c) the operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one-quarter (1/4) mile radius; and a probable workforce should be located nearby or be readily available.

Regarding policy LU-A.3, the subject proposal would allow development of a gas station and convenience store, which are included as permissible uses in both Table LU-3 and the County Zoning Ordinance. The project is not sited on productive agricultural land, as discussed in Section II Agricultural and Forestry Resources. The Applicant has provided a will-serve letter from I-5 Property Services, Inc. indicating that community water service will be available for the project and will not have a detrimental impact on surrounding properties. The communities of Huron and Coalinga are capable of providing a workforce for the project.

Policy LU-D.4 states that the County shall generally limit development at major or minor commercial interchanges to one square mile of land centered on the freeway interchange structure. Policy LU-D.5 states that the County shall allow commercial uses only in the areas designated as major and minor commercial interchange subject to the provisions of the County Zoning Ordinance Section 860, entitled "Regulations for Inter-State Freeway Interchange Commercial Development." Policy LU-D.6 states that the County shall require commercial interchange development to be designed to

achieve aesthetic excellence and incorporate considerations for noise contours abutting traffic ways, architectural cohesiveness, and signing restraints.

Regarding policies LU-D.4, LU-D.5, and LU-D.6, the subject parcel is located within one square mile of the I-5/Dorris Avenue interchange and is part of a larger existing commercial development at the northwest corner of the interchange. Gas stations and convenience stores are both permissible uses under Section 860. Further, this project will be subject to Site Plan Review to ensure compliance with the considerations listed in LU-D.6.

Policy HS-F.1 states that the County shall require that facilities that handle hazardous materials or hazardous wastes be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations. Policy HS-F.2 states that the County shall require that applications for discretionary development projects that will use hazardous materials or generate hazardous waste in large quantities include detailed information concerning hazardous waste reduction, recycling, and storage. Policy HS-F.3 states that the County, through its Hazardous Materials Incident Response Plan, shall coordinate and cooperate with emergency response. The subject proposal will satisfy these policies and has been discussed in Section VIII Hazards and Hazardous Materials.

Based on the above analysis, the project will have no impacts regarding conflicts with any Land Use Plan, policy or regulation.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

This project will not conflict with the provisions of any adopted Habitat Conservation Plan or Natural Community Conservation Plan.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

No mineral resources impacts were identified in the analysis. The site is not located in an identified mineral resources area identified in Policy OS-C.2 of the General Plan.

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or

- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The activities related to this proposal would mirror existing fueling station, restaurant and lodging activities already occurring on adjoining parcels and would not represent a significant noise impact. A small portion of the Master Plan area would be exposed to I-5 Freeway noise at a level of 60 to 65 Ldn. All of the uses within the exposed area fall within those allowed as “normally acceptable” on Chart HS-1 “Land Use Compatibility for Community Noise Environments”, included in the Health and Safety Element of the General Plan. The Fresno County Department of Public Health, Environmental Health Division reviewed the project and did not identify any concerns regarding noise-related impacts. Any noise impacts related to construction are expected to be short-term. Construction noise is considered exempt from compliance with the Fresno County Noise Ordinance provided that noise-generating construction activity is limited to the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is within the vicinity of the Harris Ranch Airport. The Airport Land Use Plan for the Harris Ranch Airport indicates that noise impacts on the project site generated by the airport are less than 60 CNEL (Community Noise Equivalent Level), resulting in less than significant impacts. Further, the Fresno County Airport Land Use Commission (ALUC) reviewed the project and recommended approval without identifying any concerns related to noise.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

This proposal will not result in an increase of housing, nor will it otherwise induce population growth.

XIV. PUBLIC SERVICES

A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:

1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Fire Protection District commented that it will continue to review the proposal. No other comments have been provided regarding fire protection up to this time. The project will comply with the California Code of Regulations Title 24 – Fire Code and County-approved site plans will be required to be approved by the Fire District prior to issuance of building permits by the County. This requirement will be included as a Project Note and will be addressed through mandatory Site Plan Review.

2. Police protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project was reviewed by the Fresno County Sheriff's Department, which commented that the project is consistent with development of the I-5 corridor and the project as proposed would have negligible or slight impact on law enforcement operations.

3. Schools;

4. Parks; or

5. Other public facilities?

FINDING: NO IMPACT:

No impacts on the provision of other services were identified in the project analysis.

XV. RECREATION

A. Would the project increase the use of existing neighborhood and regional parks; or

B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

No impacts on recreational resources were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject property is located at the northwest corner of the intersection of Interstate 5 and Dorris Avenue (CA-198), and it gains access via a private road which connects to Dorris Avenue 400 feet to the south. Dorris Avenue is a public road and is maintained by the California Department of Transportation (Caltrans).

According to the Applicant's Operational Statement, the project will employ up to six people and will serve an estimated 1,200 to 1,500 customers per day, and there will be a minimum of four deliveries per week for fuel and daily deliveries for convenience store products. The gas station and convenience store will operate 24 hours per day, seven days per week.

The proposal was routed to Caltrans for review and comment, and staff from Caltrans commented that a trip generation analysis should be performed in order to determine the project's equitable fair share for impacts to state facilities. A Limited Traffic Analysis (Trip Generation) dated June 16, 2016, was prepared for the project by Peters Engineering Group. Staff from Caltrans reviewed and concurred with the findings of the Limited Traffic Analysis. The following Equitable Share Cost Estimate, which was provided by the Applicant's traffic engineer (Peters Engineering Group, dated June 16, 2016) and reviewed and approved by Caltrans, has been included as a Mitigation Measure. With adoption of the Mitigation Measure, impacts are expected to be less than significant.

* **Mitigation Measure**

1. *To mitigate potential traffic impacts to Interstate 5 and State Route 198 (Dorris Avenue), prior to the issuance of building permits the applicant shall pay a pro-rata share of cost in the amount of \$88,450 to the California Department of Transportation (Caltrans) for future improvements at the intersection of Interstate 5 and State Route 198 (Dorris Avenue). A letter shall be submitted to the Department of Public Works and Planning from Caltrans stating that the requirement of a pro-rata share for the funding of future off-site traffic improvements has been met.*

The proposal was also reviewed by the Design Division and the Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning, which provided no comments regarding the project.

- C. Would the project result in a change in air traffic patterns?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located approximately one half-mile west of the Harris Ranch Airport and is within the airport's primary review area provided in the Harris Ranch Airport Land Use Plan. The project was submitted to the Fresno County Airport Land Use Commission (ALUC) in order to evaluate potential impacts. The ALUC reviewed and recommended approval of the project on June 6, 2016, and no comments or conditions related to changes in air traffic patterns were included.

Project review by the Design Division, Road Maintenance and Operations Division, Development Engineering Section (Fresno County Department of Public Works and Planning) and Caltrans identified no concerns regarding increased traffic hazards due to design features or emergency access. Emergency access requirement for the site will be further analyzed by the Fresno County Fire Protection District during the mandatory Site Plan Review.

- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access; or
- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

No such plans were identified in this analysis.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements?
- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will receive water from I-5 Property Services, Inc. The project will connect to a community sewer system operated by the I-5 Property Services, Inc.

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICATION IMPACT:

See discussion in Section IX.C, IX.D, and IX.E. Hydrology and Water Quality above.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: NO IMPACT:

See discussion under Section XVII.A and XVII.B above.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion under Section XVII.A and XVII.B above.

- F. Would the project be served by a landfill with sufficient permitted capacity; or
- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will generate small amounts of commercial waste. The waste disposal will be through regular trash collection service. Further, as discussed in Section VIII of this analysis, all hazardous waste will be handled in accordance with the requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Construction of the project may impact sensitive biological and cultural resources. However, the Mitigation Measures included in Section IV.D and Section V.E will minimize such impacts to less than significant.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed gas station and convenience store facility will adhere to permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Valley Air Pollution Control District, and the California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis other than Aesthetics, Biological Resources, Cultural Resources, and Transportation and Traffic, which will be addressed with the Mitigation Measures discussed in Section I.D, Section IV.D, Section V.E, and Section XVI.B.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit (CUP) Application No. 3524, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Land Use Planning, Mineral Resources, Population and Housing, and Recreation.

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Services, and Utilities and Service Systems have been determined to be less than significant. Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, and Transportation/Traffic have determined to be less than significant with compliance with the Mitigation Measures listed in Section I.D, Section IV.D, Section V.E, and Section XVI.B.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.

DB

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County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

- 1. Project title:**
Initial Study Application No. 7076, Unclassified Conditional Use Permit Application No. 3524
- 2. Lead agency name and address:**
Fresno County Department of Public Works and Planning
Development Services Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721-2104
- 3. Contact person and phone number:**
Daniel Brannick, Planner, (559) 600-4297
- 4. Project location:**
The project site is located on the north side of Dorris Avenue (CA-198) between Interstate 5 and Amador Avenue, approximately nine miles northeast of the city of Coalinga (SUP. DIST. 4) (Address: 25430 W. Dorris Avenue) (APN: 065-260-24S)
- 5. Project Applicant's name and address:**
Westgate Development, Inc.
5101 W. Merlot Court.
Visalia, CA 93291
- 6. General Plan designation:**
Westside Freeway Interchange (Coalinga Regional Plan)
- 7. Zoning:**
AE-40 (Exclusive Agricultural, 40-acre minimum parcel size), Interstate Freeway Interchange Area
- 8. Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**
Allow a gas station and convenience store on a 1.57-acre parcel within the Interstate Freeway Interchange Area in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.
- 9. Surrounding land uses and setting: Briefly describe the project's surroundings:**
The proposal is located in an area marked by relatively large-sized agricultural parcels and highway commercial development. The project site is located immediately adjacent to an existing commercially developed area that includes restaurants and gas stations, which is located east of the project site. Orchard and field crops are located to the north, south, and west of the project site. Interstate 5 is located approximately one half-mile east of the subject property

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> Greenhouse Gas Emissions |

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation Measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required
- I find that as a result of the proposed project, no new effects could occur, or new Mitigation Measures would be required that have not been addressed within the scope of a previous Environmental Impact Report.

PERFORMED BY:

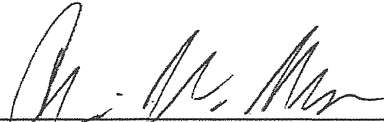


Daniel Brannick, Planner

Date:

7/8/16

REVIEWED BY:



Chris Motta, Principal Planner

Date:

7/8/2016

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**
(Initial Study Application No. 7076 and
Unclassified Conditional Use Permit
Application No. 3524)

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact

2 = Less Than Significant Impact

3 = Less Than Significant Impact with Mitigation Incorporated

4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 3 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL AND FORESTRY RESOURCES

Would the project:

- 1 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- 1 c) Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 2 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

III. AIR QUALITY

Would the project:

- 1 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 2 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable Federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 2 d) Expose sensitive receptors to substantial pollutant concentrations?
- 2 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 3 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 3 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

V. CULTURAL RESOURCES

Would the project:

- 3 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 3 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 3 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 3 d) Disturb any human remains, including those interred outside of formal cemeteries?
- 3 e) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 2 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 2 b) Result in substantial soil erosion or loss of topsoil?
- 2 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

- 1 d) Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

- 2 e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?
- 2 f) Otherwise substantially degrade water quality?
- 1 g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Cause inundation by seiche, tsunami, or mudflow?

VII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 1 b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 2 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Create hazardous emissions or utilize hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 2 e) Result in a safety hazard for people residing or working in the project area for a project located within an Airport Land Use Plan or, where such a Plan has not been adopted, within two miles of a public airport or public use airport?
- 2 f) Result in a safety hazard for people residing or working in the project area for a project within the vicinity of a private airstrip?
- 1 g) Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?
- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards or waste discharge requirements?
- 2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?
- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?

X. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or Zoning Ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

XI. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

XII. NOISE

Would the project:

- 2 a) Expose persons to or generate noise levels in excess of standards established in the local General Plan or Noise Ordinance, or applicable standards of other agencies?
- 2 b) Expose persons to or generate excessive ground-borne vibration or ground-borne noise levels?
- 2 c) Create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 2 d) Create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 2 e) Expose people residing or working in the project area to excessive noise levels, for a project located within an Airport Land Use Plan or, where such a Plan has not been adopted, within two miles of a public airport or public use airport?
- 2 f) Expose people residing or working in the project area to excessive noise levels, for a project within the vicinity of a private airstrip?

XIII. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIV. PUBLIC SERVICES

Would the project:

Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- 2 a) Fire protection?
2 b) Police protection?
1 c) Schools?
1 d) Parks?
1 e) Other public facilities?

XV. RECREATION

Would the project:

- 1 a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
1 b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XVI. TRANSPORTATION / TRAFFIC

Would the project:

- 3 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
1 b) Conflict with an applicable Congestion Management Program including, but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?
2 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, which results in substantial safety risks?
1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- 1 e) Result in inadequate emergency access?
1 f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
2 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
2 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
2 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
2 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
2 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 3 a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
2 b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
2 c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Documents Referenced:

This Initial Study is referenced by the documents listed below. These documents are available for public review at the County of Fresno, Department of Public Works and Planning, Development Services Division, 2220 Tulare Street, Suite A, Fresno, California (corner of M & Tulare Streets).

Fresno County General Plan, Policy Document and Final EIR
Fresno County Zoning Ordinance
Coalinga Regional Plan
Important Farmland 2014 Map, State Department of Conservation
"Limited Traffic Analysis – Trip Generation" prepared by Peters Engineering Group

DB

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EXHIBIT 11

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|---|---|--|--|--------------------|
| File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721 | | Space Below For County Clerk Only. <div style="text-align: center; font-size: small;">CLK-2046.00 E04-73 R00-00</div> | | |
| Agency File No: IS 7076 | LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION | County Clerk File No: E- | | |
| Responsible Agency (Name): Fresno County | Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor | | City: Fresno | Zip Code: 93721 |
| Agency Contact Person (Name and Title): Daniel Brannick, Planner | | Area Code: 559 | Telephone Number: 600-4297 | Extension: N/A |
| Applicant (Name): City of Sanger | | Project Title: Unclassified Conditional Use Permit Application No. 3524 | | |
| Project Description: Allow a gas station and convenience store on a 1.57-acre parcel within the Interstate Freeway Interchange Area in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District | | | | |
| Justification for Negative Declaration: <p>Based upon the Initial Study prepared for Unclassified Conditional Use Permit (CUP) Application No. 3524, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Land Use Planning, Mineral Resources, Population and Housing, and Recreation.</p> <p>Potential impacts related to Agricultural and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Services, and Utilities and Service Systems have been determined to be less than significant.</p> <p>Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, and Transportation/Traffic have determined to be less than significant with compliance with the Mitigation Measures listed in Section I.D, Section IV.D, Section V.E, and Section XVI.B.</p> | | | | |
| FINDING: The proposed project will not have a significant impact on the environment. | | | | |
| Newspaper and Date of Publication: Fresno Business Journal – July 15, 2016 | | | Review Date Deadline: Planning Commission – August 25, 2016 | |
| Date: July 13, 2016 | Type or Print Signature: Chris Motta Principal Planner | | Submitted by (Signature): Daniel Brannick Planner | |

State 15083, 15085

County Clerk File No.: _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION