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Recording Requested by
City Clerk, Fresno, California
No Fee-Govt. Code 6103
Return to City Clerk, Fresno

RECORDED IN OFFICIAL RECORDS OF FRESNO COUNTY, CALIFORNIA	
AT	MIN PAST <u>42</u> M
JUN 27 1995	
WILLIAM C. GREENWOOD	FLE
County Recorder	\$

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO
PROPOSED AND INITIATED BY _____
MOVED BY Woody SECONDED BY Briggs

BILL NO. B-52

ORDINANCE NO. 95-48

AN ORDINANCE OF THE CITY OF FRESNO,
CALIFORNIA, AMENDING THE FRUIT/CHURCH
PROJECT REDEVELOPMENT PLAN

WHEREAS, on October 17, 1971, the Council and the Redevelopment Agency of
the City of Fresno adopted Ordinance No. 71-98, approving the Redevelopment Plan for
the Fruit/Church Project Area (hereinafter referred to as "the Plan"); and,

WHEREAS, the Plan, among other provisions and requirements, establishes a
network of local streets within the Redevelopment Project Area; and,

WHEREAS, the request of a property owner and developer within the
Redevelopment Project Area has been received for an amendment to the Plan which would
modify the local streets network by vacating West Belgravia Avenue between South
Teilman and South Channing Avenues, and vacating South Channing Avenue between
West Belgravia and West Florence Avenues; and,

WHEREAS, on December 6, 1994, the Council adopted Resolution No. 94-292,
initiating procedures to prepare an amendment to the Plan; and,

WHEREAS, the preparation of said proposed amendment has been completed, as
shown on Exhibits "A" and "B", attached hereto and made a part hereof by this reference;
and,

WHEREAS, pursuant to the requirements of the California Environmental Quality

PASSED 6/13/95
EFFECTIVE 7/14/95

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Ordinance No. _____
Amending the Fruit/Church
Project Redevelopment Plan
Page 2

Act and Article 5 of Chapter 12 of the Fresno Municipal Code, the proposed amendment has been reviewed in Environmental Assessment No. 95-022, annexed hereto as Exhibit "C" and made a part hereof by this reference, and said review has resulted in the finding of a Negative Declaration; and,

WHEREAS, the proposed amendment has been referred to the Fresno City Housing and Community Development Commission for review and report to the Council, and the Housing and Community Development Commission, upon receiving staff's report and hearing the testimony of all interested persons, recommends the certification of the Negative Declaration finding for Environmental Assessment No. 95-022 and the approval of the subject proposed plan amendment; and,

WHEREAS, the proposed amendment has been referred to the Fresno City Planning Commission for review and report to the Council, and the Planning Commission, upon receiving staff's report and hearing the testimony of all interested persons, was unable to reach a majority consensus on this matter and, therefore, pursuant to Fresno Municipal Code, Article 12-401-E, the Planning Commission action shall constitute a denial and disapproval of the subject plan amendment; and,

WHEREAS, on June 13, 1995, the Redevelopment Agency and Council of the City of Fresno held a joint public hearing, duly noticed, to consider the proposed amendment, received staff's report and all evidence and testimony relating to the proposed amendment.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES
ORDAIN AS FOLLOWS:

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SECTION 1. The Council makes the following determinations:

- (1) The proposed amendment to the Fruit/Church Project Redevelopment Plan is in conformity with the Edison Community Plan and the Fresno General Plan, including, but not limited to, the Housing Element of the General Plan which substantially complies with applicable State Laws;
- (2) The inclusion of any lands, buildings, or improvements which are not detrimental to the public health, safety, or welfare, is necessary for the effective redevelopment of the area of which they are a part;
- (3) The elimination of blight and the redevelopment of the project area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Redevelopment Agency of the City of Fresno.

SECTION 2. That the Fruit/Church Project Redevelopment Plan, as adopted by Ordinance No. 71-98, is hereby amended in the particulars shown and described on Exhibit "A" and Exhibit "B" annexed hereto, pertaining to modifications to the Map No. 2, the Redevelopment Plan, and Map No. 4, the Disposition Map, each made a part hereof and incorporated in this Ordinance by this reference.

SECTION 3. The Council finds that the amendment made by this Ordinance does not add new territory to the Fruit/Church Project Area, increases either the limitation on the number of dollars to be allocated to the Redevelopment Agency or the time limit on the establishment of loans, advances and indebtedness, or lengthens the time during which the Fruit/Church Project is effective, or merges project areas, or adds significant

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Amending the Fruit/Church
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new capital improvement projects, or results in temporary or permanent displacement of
any occupants of housing facilities in the project area.

SECTION 4. This Ordinance shall become effective and in full force and
effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

CLERK'S CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, JACQUELINE L. RYLE, City Clerk of the City of Fresno, certify that the foregoing
Ordinance was adopted by the Council of the City of Fresno, California, at a regular
meeting held on the 13 day of JUNE 1995, by the following vote:

Ayes: Briggs, Calandra, Quintero, Ronquillo, Woody
Noes: None
Absent: Lung, Patterson
Dated this 13 day of JUNE 1995.

JACQUELINE L. RYLE
City Clerk

By Rebecca E. Klisch
Deputy Asst.

APPROVED AS TO FORM:

HILDA CANTÚ MONTÓY
Acting City Attorney

By [Signature]
Deputy

JP:vsK:\PLN\FCLN\AMT.ORD

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
) ss.
CITY OF FRESNO)

On 6/21, 1995, before me, Cindy Hamby personally appeared Rebecca Klisch, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument(s) the person(s), or the entity upon behalf of the **CITY OF FRESNO** of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

JACQUELINE L. RYLE, CMC
CITY CLERK

By Cindy Hamby
DEPUTY

EXHIBIT 'A'

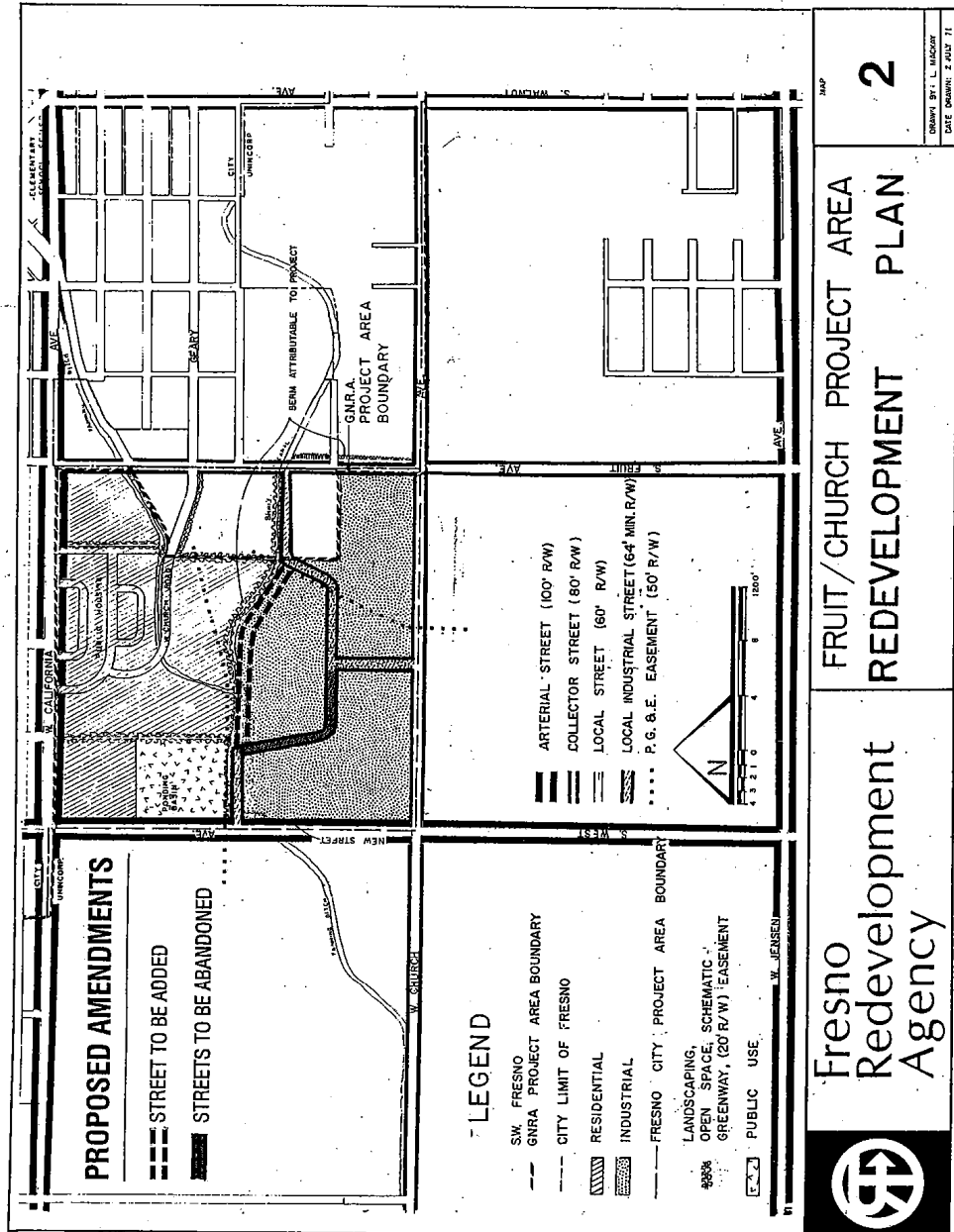
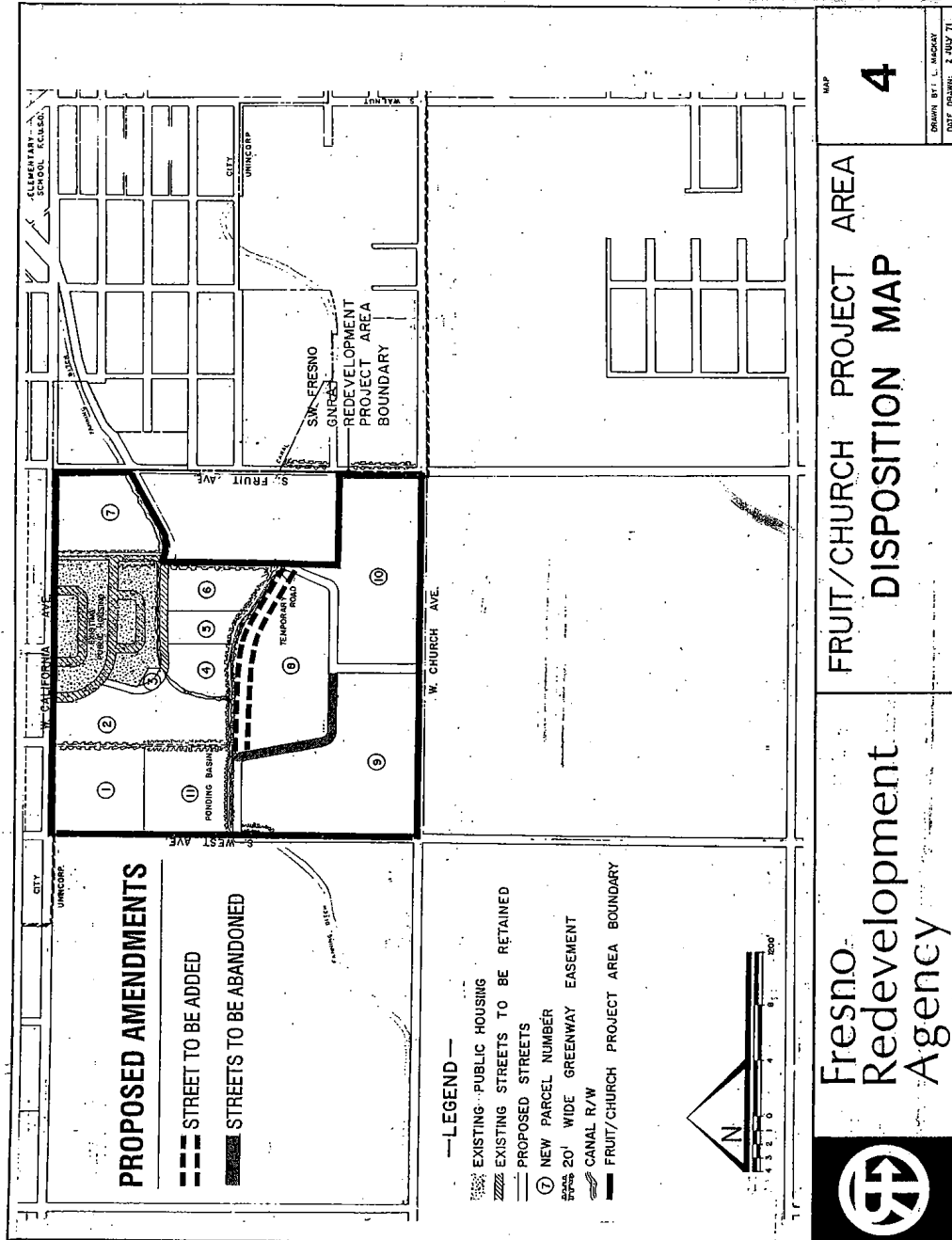
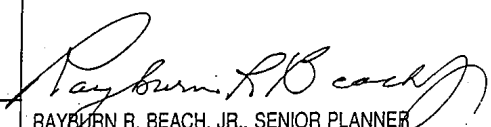


EXHIBIT 'B'



CITY OF FRESNO NEGATIVE DECLARATION		EXHIBIT 'C' RECEIVED 95 MAR 29 AM 8:31 CITY CLERK, FRESNO CA
Initial Study is on file in the Development Department City Hall, 2600 Fresno Street, Fresno, California 93721 (209) 498-4441	Environmental Assessment Number: 95-022	
APPLICANT: Zacky Farms, Inc.	Assessor's Parcel Number: N/A	
PROJECT DESCRIPTION AND LOCATION: Proposed vacation of West Belgravia Avenue between South Channing and South Teilman Avenues; vacation of South Channing Avenue between West Belgravia and West Florence Avenues; and related amendment to the Fruit/Church Redevelopment Plan to delete the above referenced street alignments. Located in the Fruit/Church Redevelopment Project.		Filed with: JACQUELINE L. RYLE, City Clerk 2nd Floor - City Hall 2600 Fresno Street Fresno, California 93721-3603
<p>The proposed project has been evaluated with respect to each item on the attached environmental checklist. This completed checklist reflects comments of any applicable responsible agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the Environmental Assessment Application, the checklist, and any attachments to the checklist, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the California Environmental Quality Act.</p> <p>Any rating of "2" on the checklist indicates that a specific adverse environmental effect has been identified in a category which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project or may be related to the design and characteristics of the individual project. Effects rated in this manner are not sufficient in themselves to require the preparation of an Environmental Impact Report and/or have been mitigated to the extent feasible.</p> <p>All new development activity and many non-physical projects contribute directly or indirectly toward a cumulative impact on the physical environment. The incremental effect contributed by this project toward such a cumulative effect is not considered substantial in itself.</p> <p>The proposed project is not expected to result in any significant adverse effects in terms of the factors considered on the environmental checklist, including any such factors for which minor effects have been identified. Cumulative effects of a significant nature are also not expected. The proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines. The finding is therefore made that the proposed project will clearly not have a significant adverse effect on the environment.</p> <p>This Negative Declaration will be deemed final and effective if no appeal is filed in the manner specified by Section 12-513 of the Fresno Municipal Code.</p>		
INITIAL STUDY PREPARED BY: John Palmer Redevelopment Planner		SUBMITTED BY:  RAYBURN R. BEACH, JR., SENIOR PLANNER
DATE: March 24, 1995		

City of



2600 Fresno Street • Third Floor
Fresno, California 93721-3604
(209) 498-1591 FAX (209) 488-1020

Development Department

Alvin P. Solis, AICP
Director

March 31, 1995

Please Reply to:
Maureen Brooks
(209) 498-2691

Zacky Brothers, Inc C/O
Zacky Farms
P.O. Box 12556
Fresno, California 93706

Dear Applicant:

SUBJECT: ENVIRONMENTAL ASSESSMENT NO. 95-022

A preliminary determination has been made that a significant adverse effect on the environment will not result from the project described on the attached checklist. The attached copy of the draft Negative Declaration has been filed with the Fresno City Clerk.

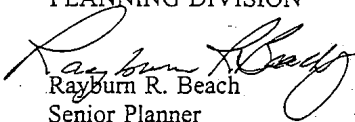
The draft Negative Declaration indicates that an Environmental Impact Report (EIR) need not be prepared for the project and that all requirements of the California Environmental Quality Act (CEQA) and the Fresno Environmental Quality Ordinance have been met.

Pursuant to CEQA, a notice of intent to prepare a Negative Declaration will be published on April 5, 1995, initiating a 15-day appeal period. All appeals must be filed with the Development Department no later than April 20, 1995. Comments made during the appeal process can be refined and revised for a period of five days following the expiration of the appeal period.

Any entitlement application(s) (rezoning, site plan review, etc.) that you have filed for this project which has not already been completed will be processed as soon as possible. Information concerning such applications will be sent to you separately.

Sincerely,

PLANNING DIVISION


Rayburn R. Beach
Senior Planner

RRB:tls:EA95-022.LTR

Enclosure

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ENVIRONMENTAL CHECKLIST

Potential Environmental Effects

EA NO. 95-022

1.0	TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS	1	10.0	TRANSPORTATION AND CIRCULATION
1*	1.1 Geologic hazards, unstable soil conditions	1	10.1	Generation of vehicle traffic sufficient to cause capacity deficiencies on existing street system
1	1.2 Adverse change in topography or ground surface relief	1	10.2	Cumulative increase in traffic on a major street for which capacity deficiencies are projected
1	1.3 Destruction of unique geologic or physical features	1	10.3	Specific traffic hazard to motorists, bicyclists, pedestrians
1	1.4 Increased water erosion	1	10.4	Routing of non-residential traffic through residential area
2	2.0 AIR QUALITY	1	10.5	Insufficient or poorly located parking
1	2.1 Substantial indirect source of pollution (large vehicle generator)	1	10.6	Substantial increase in rail and/or air traffic
1	2.2 Direct on-site pollution generation	1*	11.0	URBAN SERVICES
1	2.3 Generation of objectionable odors	1	11.1	Availability of fire protection
1	2.4 Generation of dust except during construction	1	11.2	Lack of emergency vehicle access
1	2.5 Adverse local climatic changes	1	11.3	Adequacy of design for crime prevention
1	3.0 WATER	1	11.4	Overcrowding of school facilities
1	3.1 Insufficient ground water available for long-term project use	1	11.5	Availability of water mains of adequate size
1	3.2 Use of large quantities of ground water	1*	11.6	Availability of sewer lines of adequate capacity
1	3.3 Wasteful use of ground water	1*	11.7	Availability of storm water drainage facilities (on or off-site)
1	3.4 Pollution of surface or ground water supplies	1	11.8	Availability of adequate park and recreation areas
1	3.5 Reduction in ground water recharge	1	11.9	Unusually high solid waste generation
1	4.0 PLANT LIFE	1	12.0	HAZARDS
1	4.1 Reduction of the numbers of any unique, rare, or endangered species	1	12.1	Risk of explosion or release of hazardous substances
1	4.2 Reduction in acreage of agricultural crop	1	12.2	Site subject to flooding
1	4.3 Premature or unnecessary conversion of prime agricultural land	1	12.3	Adverse change in course of flow of flood waters
1	5.0 ANIMAL LIFE	1	12.4	Potential hazards from aircraft accidents
1	5.1 Reduction in the numbers of any rare, unique, or endangered species	1	12.5	Potential hazards from landfill and/or toxic waste sites
1	5.2 Deterioration or displacement of valuable wildlife habitat	1	13.0	AESTHETICS
1	6.0 HUMAN HEALTH	1	13.1	Obstruction to public or scenic vista or view
1	7.0 NOISE	1	13.2	Creation of aesthetically offensive conditions
1	7.1 Increases in existing noise levels	1	13.3	Removal of street trees or other valuable vegetation
1	7.2 Exposure to high noise levels	1	13.4	Architectural incompatibility with surrounding area
1	8.0 LIGHT AND GLARE	1	14.0	HISTORICAL/ARCHAEOLOGICAL
1	8.1 Production of glare, which will adversely affect residential areas	1	14.1	Removal of historic building, disruption of archaeological site
1	8.2 Exposure of residences to high levels of glare	1	14.2	Construction or activity incompatible with adjacent historic site
1	9.0 LAND USE	1	15.0	ENERGY
1*	9.1 Incompatibility with adopted plans and policies	1	15.1	Use of substantial amounts of fuel or energy
1	9.2 Acceleration of growth rate	1	15.2	Substantial increase in demand upon existing sources of energy
1	9.3 Induces unplanned growth	1	15.3	Wasteful use of energy
1	9.4 Adverse change in existing or planned area characteristics	1		

SEE REVERSE SIDE FOR EXPLANATION OF RATINGS

Explanation of Ratings	
"0"	<p>Insufficient Information</p> <p>Insufficient information is available to determine the potential environmental effects which may result from the proposed project in this category.</p>
"1"	<p>No Significant Environmental Effect</p> <p>The proposed project will not have an adverse environmental effect in this category, or any such effect is not substantially unusual or of undesirable magnitude. This rating is also utilized in cases where the category is not applicable to the particular project under consideration.</p>
"2"	<p>Moderate Environmental Effect</p> <p>The proposed project will have an adverse environmental effect in this category, which is of sufficient magnitude to be of specific concern. However, this effect is not substantial enough in itself to require the preparation of an Environmental Impact Report.</p>
"3"	<p>Significant Adverse Environmental Effect</p> <p>The environmental effect identified in this category substantiates in itself or contributed toward a finding that the proposed project has a potentially significant adverse effect on the environment sufficient to require the preparation of an Environmental Impact Report.</p>

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**INITIAL STUDY - ENVIRONMENTAL ASSESSMENT NO. 95-022
FOR VACATION OF PORTIONS OF BELGRAVIA AND CHANNING
AVENUES AND AMENDMENT TO THE FRUIT/CHURCH
REDEVELOPMENT PLAN**

PROJECT DESCRIPTION:

Zacky Farms, Inc., has requested the vacation of West Belgravia Avenue between South Teilman and South Channing Avenues, and of South Channing Avenue between West Florence and West Belgravia Avenues. The said street sections are located within the project area of the Fruit/Church Redevelopment Plan, and the vacation of these streets must necessarily be accompanied by an amendment to the Plan.

The Fruit/Church Redevelopment Plan was adopted in October 1971 for the area generally bounded by West California Avenue, South Fruit Avenue, West Church Avenue, and South West Avenue, excepting properties along the west side of South Fruit Avenue between West Belgravia Avenue and the former alignment of Old Church Road (abandoned). The latter said area is contained within the Southwest Fresno GNRA Urban Renewal Project.

The Fruit/Church Redevelopment Plan is a specific plan which establishes land use and zoning recommendations for each parcel within the Redevelopment Project Area. Additionally the Plan establishes the alignment of local streets. As such, the subject proposal to vacate portions of the designated circulation system necessitates an amendment to the Redevelopment Plan. The amendment would modify Map No. 2 of the Plan to reflect the closure of the said portions of Belgravia and Channing Avenues. Unrelated to the applicant's request, the amendment would further modify Map No. 2 to depict West Florence Avenue between South Delno and South Channing Avenues, a local street that has been constructed, but is not currently shown on the Plan. This latter said modification is considered a "housekeeping" revision to the Plan. On December 6, 1994, the Fresno City Council adopted Resolution No. 94-292, initiating the preparation of amendments to the Fruit/Church Redevelopment Plan, which would modify the local streets network as depicted on the Plan.

Zacky Farms, Inc., is the owner of the abutting properties along both sides of those sections of Belgravia and Channing Avenues currently proposed for abandonment. The firm has requested the vacation of these streets in order to facilitate a future expansion of the existing poultry processing plant. A principal of the firm indicates that the proposed expansion will consist of a building addition at the west side of the existing facility, along with a new loading dock and truck parking area. The building addition will house a dry storage area, a weigh/price operation and a loading and staging area. Excepting the truck parking area, the new improvements would be developed in the area east of existing South Channing Avenue. The parking lot, however, would extend into the existing street right-

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of-way and the presently undeveloped area west of South Channing Avenue. The closure of Channing Avenue is needed to physically join the proposed loading dock with the truck parking/circulation area. The closure of Belgravia Avenue is requested in order to establish continuity between the existing plant and plant's used equipment storage area at the southwest corner of West Belgravia and South Teilman Avenues.

The present environmental review concerns the proposed vacation of portions of Belgravia and Channing Avenues and the related plan amendment to delete the affected street alignments. Insufficient information exists at this time to permit a thorough analysis of the proposed plant expansion. However, that development will necessitate the processing of a development entitlement application which will be environmentally reviewed to identify and analyze impacts associated with the proposed expansion of the poultry processing plant.

1.0--TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS:

The subject property contains a former sand/clay borrow pit, which is located northeast of the Church/West Avenue intersection and to the south of the area under consideration for the proposed plant expansion. Records indicate that the borrow pit was subsequently used as a disposal site for construction refuse. During the 1970s, in conjunction with the improvement of the industrial park subdivision, this site was cleared of surface debris and rubble, filled with imported material, and compacted and graded as necessary to facilitate surface drainage. However, while the former disposal site has been renovated, there is some evidence that the site may yet contain an assortment of construction rubble and other in-organic materials. If so, land subsidence in the immediate area of the disposal site is a distinct possibility.

As is noted in the foregoing, however, the specific site of the former borrow pit/disposal site is not situated within the geographic limits of the subject project. As shown on the preliminary site plan, the former disposal site is located approximately 50 feet southwest of the existing West Belgravia/Channing Avenue right-of-way, and roughly 130 feet south of the proposed truck parking lot. It is consequently concluded that the existence of the former borrow pit/disposal site poses no threat to the subject project. Prior to the development of any structures or uses on that portion of the property formerly occupied by the borrow pit and disposal site, soil compaction tests will be required.

There are no other geologic hazards or unstable soil conditions known to exist on the subject property.

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The implementation of this project will result in the closure of existing streets, and the revision of the planned vehicular circulation pattern. These changes will not have a significant impact on the existing topography.

2.0--AIR QUALITY:

Since no physical change will result with the abandonments of the subject street rights-of-way and the related plan amendment, there will be no adverse impact on air quality.

The future expansion of the Zacky Farms poultry processing plant may cumulatively contribute to increased carbon monoxide (CO), particulates and ozone pollution.

The project site is located in Fresno County, a non-attainment area for ozone and particulate matter, and within the Fresno-Clovis Metropolitan Area (FCMA), a non-attainment area for carbon monoxide. The FCMA has been ranked as having the third-worst air quality problem in the nation, ranking just behind Los Angeles and Bakersfield. In order to address this and other air pollution problems in California's San Joaquin Valley, and fulfill the obligations of the California Clean Air Act, the eight San Joaquin Valley Air Basin counties consolidated their air pollution control efforts and formed the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). The eight-county air basin agency is working to comply with Federal clean air mandates, compiling a set of State Implementation Plan (SIP) Rules, which apply to various types of stationary sources of pollution.

The District has adopted a comprehensive 1991 Clean Air Attainment Plan, which applies to all eight valley counties. The plan was formulated to bring the San Joaquin Valley Air Basin into compliance with the California Ambient Air Quality Standards for ozone and carbon monoxide by the earliest possible date. The strategy outlined in the plan includes all feasible control measures to reduce emissions which cause pollution. The SJVUAPCD is also developing an Indirect Source Review (ISR) rule to be used for mitigating vehicular air pollution which occurs as a result of land development.

3.0--WATER:

The proposed vacation of sections of the Belgravia Avenue and Channing Avenue rights-of-way and the related plan amendment will not have an effect on the quality or quantity of the groundwater.

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4.0--PLANT LIFE; AND 5.0--ANIMAL LIFE:

There are no known native plants or significant wildlife populations on the project site.

6.0--HUMAN HEALTH:

The proposed vacation of sections of the Belgravia Avenue and Channing Avenue rights-of-way and the related plan amendment will not have an effect on human health.

7.0--NOISE:

The project will not generate noise impacts.

8.0--LIGHT AND GLARE:

The vacation of sections of the Belgravia Avenue and Channing Avenue rights-of-way and the related plan amendment will not have any impacts relative to the creation of light and glare.

9.0--LAND USE AND 9.1--INCOMPATIBILITY WITH ADOPTED PLANS AND POLICIES:

The Fruit/Church Redevelopment Plan, Edison Community Plan, and Fresno General Plan designate the subject property for Heavy Industrial land uses. Abandonment of sections of the Belgravia and Channing Avenue rights-of-way as proposed will not affect the established land use policy. The street vacations may hasten the future expansion of the existing poultry processing plant, however. In such event, an expansion of the existing use is consistent with adopted land use planning policy.

Included as a component of this project is a proposed amendment to delete from the Fruit/Church Redevelopment Plan the sections of Belgravia and Channing Avenues hereby proposed for abandonment. Approval of this amendment will render the project fully compatible with City plans and policies.

10.00--TRANSPORTATION/CIRCULATION AND 11.00--URBAN SERVICES:

The City of Fresno Public Works Department, Traffic Engineering Division, has indicated that the vacation of the subject street rights-of-way will have no significant impact on traffic circulation in this area. The Engineering Division has indicated that the vacation

is feasible subject to the following:

1. A public utility easement shall be reserved over the entire area to be vacated, or the applicant shall be responsible for all costs associated with relocating all existing public utilities from within the area to be vacated into easements to be provided by the applicant.
2. Applicant shall remove all street improvements from the areas to be vacated and install concrete curb, gutter, and transition paving as necessary to block public access to the areas proposed to be vacated.
3. In addition, the Fresno Fire Department requires, as follows:
 - a. The public water main in the area to be vacated supplies two public hydrants and two fire sprinkler rises for Zacky Farms. These services must be maintained. The applicant must coordinate specific requirements for continued service with the Public Works and Fire Departments.
 - b. The vacation of Belgravia and Channing Avenues as proposed will require the establishment of access fire lanes on site to maintain access to fire fighting appliances and to maintain access to and around the entire building. New access for the area must be approved through the City's site plan review process.
4. The Fresno Metropolitan Flood Control District requires that a 64-foot wide public utility easement be retained for storm water drainage facilities located within the proposed street vacation. A storm drain easement is required whenever storm drain facilities are located on private property. No encroachments into the easement shall be permitted, including, but not limited to, foundations, roof overhangs, swimming pools and trees. The existing drainage patterns shall not be adversely impacted by the proposed vacations.
5. The proposed street vacations are subject to the adoption of an amendment to the Fruit/Church Redevelopment Plan and approval of any site plan/conditional use permits showing the proposed use of the areas to be vacated.

The City of Fresno, Department of Public Utilities, Water Division, indicates that there is an existing 8-inch TCI water main within the project area, and recommend as follows:

1. If existing water services within the project area are to be abandoned, the affected portion of the 8" TCI water main may be abandoned at the developer's expense.
2. If existing water services within the project are not to be abandoned, then a standard 30-foot wide water main easement shall be provided.

11.6--Availability of sewer lines of adequate capacity

The City of Fresno's Wastewater Treatment Plant, with an estimated hydraulic treatment capacity of 60 million gallons of effluent per day (MGD) average dry weather flow, is currently treating between 53 and 55 MGD on a yearly basis with some daily total flows of 60 MGD. The treatment plant is approaching its overall design capacity. The future expansion of Zacky Farms may cumulatively contribute to the short-term reduction of capacity at the plant. In order to address this situation and to reduce the chance of eventual curtailments in the City's development process, the City is in the process of expanding the plant's capacity to 68 MGD.

The City hired design consultants and has completed and certified an Environmental Impact Report on the proposed expansion. The City has established an area-wide major public facilities fee and will continue to work with monitoring agencies to insure the timeliness of planned improvements. However, it must be noted that capacity for new development will be reserved only on a first-come, first-served basis and not all approved development is guaranteed sewer capacity pending the successful completion of the plant's expansion. It is estimated that there is sufficient capacity remaining to accommodate development until the anticipated completion of the phased expansion.

12.0--HAZARDS:

There are no known hazards associated with the proposed vacations of the subject sections of the Belgravia and Channing Avenue street rights-of-way and the related plan amendment.

13.0--AESTHETICS:

No public or scenic vista will be obstructed by the proposed vacations and plan amendment, and no valuable vegetation will be removed.

14.0--HISTORICAL/ARCHAEOLOGICAL:

There are no historical or archaeological sites on or adjacent to the subject property.

15.0--ENERGY:

The proposed street vacations and plan amendment will not have an impact on the consumption of energy.

FINDING:

The Walnut Gardens Community Organization (WGCO), a homeowners association representing the residential neighborhood located approximately one-half mile to the southeast of the project site, raises concerns with regard to the project's impacts in the areas of air quality, noise, water quality and quantity, toxic/hazardous conditions, traffic/circulation, land use, schools/universities, and cumulative effects. The WGCO recommends that an EIR be prepared to address these concerns prior to any expansion of the poultry processing plant or related construction work.

As noted above, the present environmental review concerns the proposed street vacations and the plan amendment to delete the affected street alignments. It does not address the proposed expansion of the poultry processing plant, due to the lack of detail information. That project will necessitate the processing of City entitlements, and an environmental review will be conducted specifically with regard to the impacts of the proposed plant expansion at that time. The question of the appropriateness of an EIR will be considered then.

Based upon staff's analysis and the comments of responding agencies, departments, and organizations, it has been determined that the project could generate some limited impacts in the areas of transportation, circulation, and urban services. However, these impacts are not considered to be significant and can be mitigated through the conditions of approval as recommended by the Public Works Department, the Fire Department, the Department of Public Utilities, and the Fresno Metropolitan Flood Control District. It is, therefore, concluded that a **Negative Declaration** is the appropriate environmental finding for this project.

Recording Requested by
City Clerk, Fresno, California
No Fee-Govt. Code 6103
Return to City Clerk, Fresno

Attachment "A"

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO
PROPOSED AND INITIATED BY _____
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ORDINANCE NO. 95-48

AN ORDINANCE OF THE CITY OF FRESNO,
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PROJECT REDEVELOPMENT PLAN

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the City of Fresno adopted Ordinance No. 71-98, approving the Redevelopment Plan for
the Fruit/Church Project Area (hereinafter referred to as "the Plan"); and,

WHEREAS, the Plan, among other provisions and requirements, establishes a
network of local streets within the Redevelopment Project Area; and,

WHEREAS, the request of a property owner and developer within the
Redevelopment Project Area has been received for an amendment to the Plan which would
modify the local streets network by vacating West Belgravia Avenue between South
Teilman and South Channing Avenues, and vacating South Channing Avenue between
West Belgravia and West Florence Avenues; and,

WHEREAS, on December 6, 1994, the Council adopted Resolution No. 94-292,
initiating procedures to prepare an amendment to the Plan; and,

WHEREAS, the preparation of said proposed amendment has been completed, as
shown on Exhibits "A" and "B", attached hereto and made a part hereof by this reference;
and,

WHEREAS, pursuant to the requirements of the California Environmental Quality

PASSED 6/13/95
EFFECTIVE 7/14/95

MICROFILMED
Reel 385 Date 6/23/95

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Ordinance No. _____
Amending the Fruit/Church
Project Redevelopment Plan
Page 2

Act and Article 5 of Chapter 12 of the Fresno Municipal Code, the proposed amendment has been reviewed in Environmental Assessment No. 95-022, annexed hereto as Exhibit "C" and made a part hereof by this reference, and said review has resulted in the finding of a Negative Declaration; and,

WHEREAS, the proposed amendment has been referred to the Fresno City Housing and Community Development Commission for review and report to the Council, and the Housing and Community Development Commission, upon receiving staff's report and hearing the testimony of all interested persons, recommends the certification of the Negative Declaration finding for Environmental Assessment No. 95-022 and the approval of the subject proposed plan amendment; and,

WHEREAS, the proposed amendment has been referred to the Fresno City Planning Commission for review and report to the Council, and the Planning Commission, upon receiving staff's report and hearing the testimony of all interested persons, was unable to reach a majority consensus on this matter and, therefore, pursuant to Fresno Municipal Code, Article 12-401-E, the Planning Commission action shall constitute a denial and disapproval of the subject plan amendment; and,

WHEREAS, on June 13, 1995, the Redevelopment Agency and Council of the City of Fresno held a joint public hearing, duly noticed, to consider the proposed amendment, received staff's report and all evidence and testimony relating to the proposed amendment.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES
ORDAIN AS FOLLOWS:

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Reel 385 Date 6/27/95

SECTION 1. The Council makes the following determinations:

- (1) The proposed amendment to the Fruit/Church Project Redevelopment Plan is in conformity with the Edison Community Plan and the Fresno General Plan, including, but not limited to, the Housing Element of the General Plan which substantially complies with applicable State Laws;
- (2) The inclusion of any lands, buildings, or improvements which are not detrimental to the public health, safety, or welfare, is necessary for the effective redevelopment of the area of which they are a part;
- (3) The elimination of blight and the redevelopment of the project area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Redevelopment Agency of the City of Fresno.

SECTION 2. That the Fruit/Church Project Redevelopment Plan, as adopted by Ordinance No. 71-98, is hereby amended in the particulars shown and described on Exhibit "A" and Exhibit "B" annexed hereto, pertaining to modifications to the Map No. 2, the Redevelopment Plan, and Map No. 4, the Disposition Map, each made a part hereof and incorporated in this Ordinance by this reference.

SECTION 3. The Council finds that the amendment made by this Ordinance does not add new territory to the Fruit/Church Project Area, increases either the limitation on the number of dollars to be allocated to the Redevelopment Agency or the time limit on the establishment of loans, advances and indebtedness, or lengthens the time during which the Fruit/Church Project is effective, or merges project areas, or adds significant

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Ordinance No. 95-48
Amending the Fruit/Church
Project Redevelopment Plan
Page 4

new capital improvement projects, or results in temporary or permanent displacement of
any occupants of housing facilities in the project area.

SECTION 4. This Ordinance shall become effective and in full force and
effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

CLERK'S CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, JACQUELINE L. RYLE, City Clerk of the City of Fresno, certify that the foregoing
Ordinance was adopted by the Council of the City of Fresno, California, at a regular
meeting held on the 13 day of JUNE 1995, by the following vote:

Ayes: Briggs, Calandra, Quintero, Ronquillo, Woody
Noes: None
Absent: Lung, Patterson
Dated this 13 day of JUNE 1995.

JACQUELINE L. RYLE
City Clerk

By Rebecca E. Klisch
Deputy Asst.

APPROVED AS TO FORM:

HILDA CANTU MONTROY
Acting City Attorney

By [Signature] 6/10/95
Deputy

JP:vsKAPLNFCLNAMT.ORD

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Reel 385 Date 6/27/95

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
) ss.
CITY OF FRESNO)

On 6/21, 1995, before me, Cindy Hamby personally appeared Rebecca Klisch, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument(s) the person(s), or the entity upon behalf of the CITY OF FRESNO of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

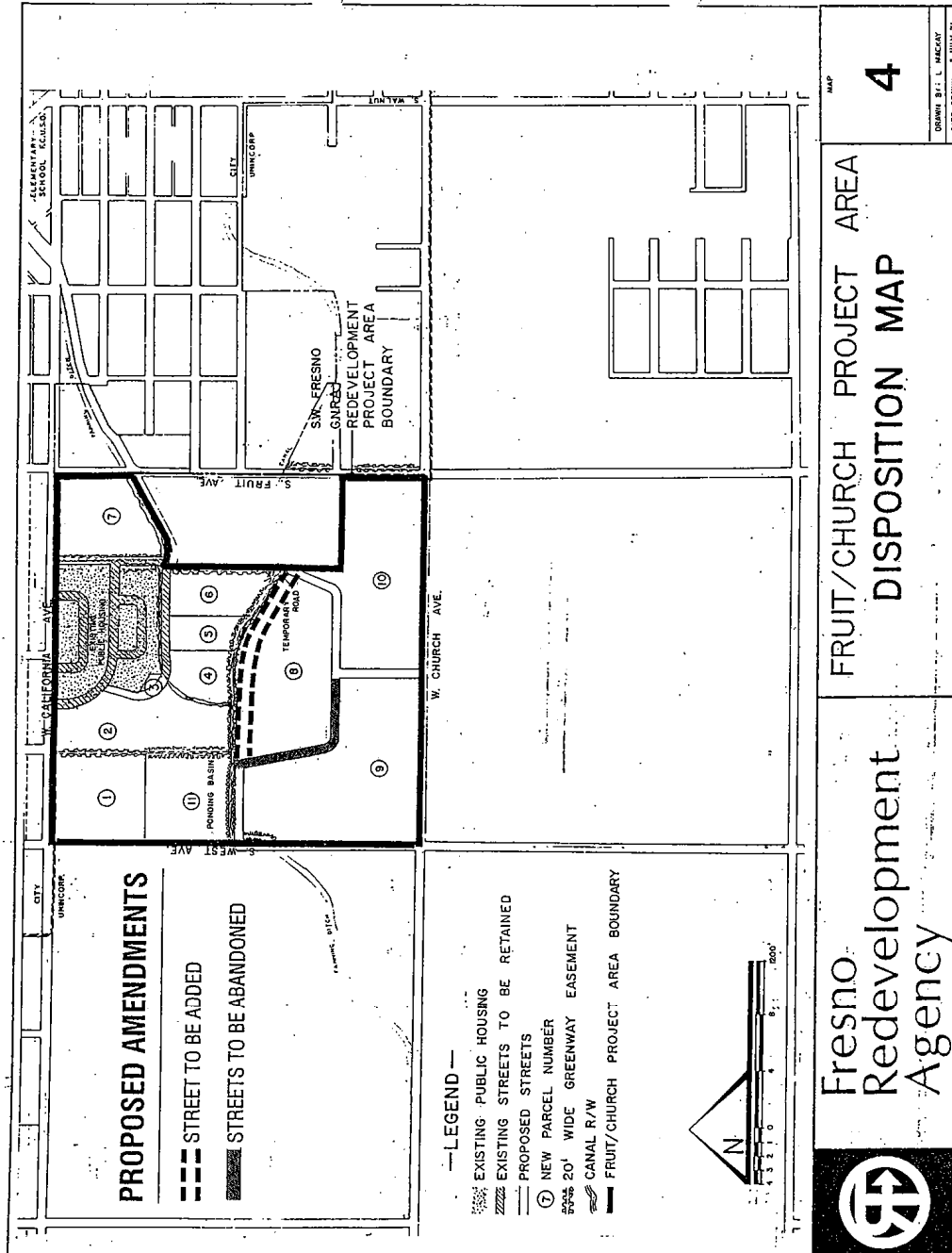
JACQUELINE L. RYLE, CMC
CITY CLERK

By Cindy Hamby
DEPUTY

MICROFILMED
Reel 385 Date 6/27/95

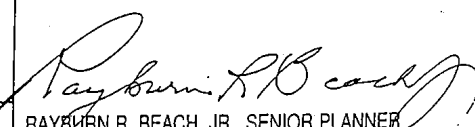


EXHIBIT 'B'



Fresno
Redevelopment
Agency

MICROFILMED
Reel 385 Date 6/27/95

CITY OF FRESNO NEGATIVE DECLARATION		EXHIBIT 'C' RECEIVED 95 MAR 29 AM 8:31 CITY CLERK, FRESNO CA
Initial Study is on file in the Development Department City Hall, 2600 Fresno Street, Fresno, California 93721 (209) 498-4441	Environmental Assessment Number: 95-022	
APPLICANT: Zacky Farms, Inc.	Assessor's Parcel Number: N/A	
PROJECT DESCRIPTION AND LOCATION: Proposed vacation of West Belgravia Avenue between South Channing and South Teilman Avenues; vacation of South Channing Avenue between West Belgravia and West Florence Avenues; and related amendment to the Fruit/Church Redevelopment Plan to delete the above referenced street alignments. Located in the Fruit/Church Redevelopment Project.		Filed with: JACQUELINE L. RYLE, City Clerk 2nd Floor - City Hall 2600 Fresno Street Fresno, California 93721-3603
<p>The proposed project has been evaluated with respect to each item on the attached environmental checklist. This completed checklist reflects comments of any applicable responsible agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the Environmental Assessment Application, the checklist, and any attachments to the checklist, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the California Environmental Quality Act.</p> <p>Any rating of "2" on the checklist indicates that a specific adverse environmental effect has been identified in a category which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project or may be related to the design and characteristics of the individual project. Effects rated in this manner are not sufficient in themselves to require the preparation of an Environmental Impact Report and/or have been mitigated to the extent feasible.</p> <p>All new development activity and many non-physical projects contribute directly or indirectly toward a cumulative impact on the physical environment. The incremental effect contributed by this project toward such a cumulative effect is not considered substantial in itself.</p> <p>The proposed project is not expected to result in any significant adverse effects in terms of the factors considered on the environmental checklist, including any such factors for which minor effects have been identified. Cumulative effects of a significant nature are also not expected. The proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines. The finding is therefore made that the proposed project will clearly not have a significant adverse effect on the environment.</p> <p>This Negative Declaration will be deemed final and effective if no appeal is filed in the manner specified by Section 12-513 of the Fresno Municipal Code.</p>		
INITIAL STUDY PREPARED BY: John Palmer Redevelopment Planner		SUBMITTED BY:  RAYBURN R. BEACH, JR., SENIOR PLANNER
DATE: March 24, 1995		

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Reel 385 Date 6/27/95 ND form 21

City of



2600 Fresno Street • Third Floor
Fresno, California 93721-3604
(209) 498-1591 FAX (209) 488-1020

Development Department

Alvin P. Solis, AICP
Director

March 31, 1995

Please Reply to:
Maureen Brooks
(209) 498-2691

Zacky Brothers, Inc C/O
Zacky Farms
P.O. Box 12556
Fresno, California 93706

Dear Applicant:

SUBJECT: ENVIRONMENTAL ASSESSMENT NO. 95-022

A preliminary determination has been made that a significant adverse effect on the environment will not result from the project described on the attached checklist. The attached copy of the draft Negative Declaration has been filed with the Fresno City Clerk.

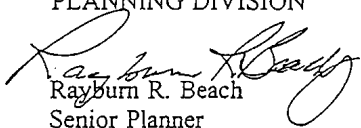
The draft Negative Declaration indicates that an Environmental Impact Report (EIR) need not be prepared for the project and that all requirements of the California Environmental Quality Act (CEQA) and the Fresno Environmental Quality Ordinance have been met.

Pursuant to CEQA, a notice of intent to prepare a Negative Declaration will be published on April 5, 1995, initiating a 15-day appeal period. All appeals must be filed with the Development Department no later than April 20, 1995. Comments made during the appeal process can be refined and revised for a period of five days following the expiration of the appeal period.

Any entitlement application(s) (rezoning, site plan review, etc.,) that you have filed for this project which has not already been completed will be processed as soon as possible. Information concerning such applications will be sent to you separately.

Sincerely,

PLANNING DIVISION


Rayburn R. Beach
Senior Planner

RRB:tls:EA95-022.LTR

Enclosure

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ENVIRONMENTAL CHECKLIST

Potential Environmental Effects

EA NO. 95-022

	1.0	<u>TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS</u>		10.0	<u>TRANSPORTATION AND CIRCULATION</u>
<u>1*</u>	1.1	Geologic hazards, unstable soil conditions	<u>1</u>	10.1	Generation of vehicle traffic sufficient to cause capacity deficiencies on existing street system
<u>1</u>	1.2	Adverse change in topography or ground surface relief	<u>1</u>	10.2	Cumulative increase in traffic on a major street for which capacity deficiencies are projected
<u>1</u>	1.3	Destruction of unique geologic or physical features	<u>1</u>	10.3	Specific traffic hazard to motorists, bicyclists, pedestrians
<u>1</u>	1.4	Increased water erosion	<u>1</u>	10.4	Routing of non-residential traffic through residential area
	2.0	<u>AIR QUALITY</u>	<u>1</u>	10.5	Insufficient or poorly located parking
<u>2</u>	2.1	Substantial indirect source of pollution (large vehicle generator)	<u>1</u>	10.6	Substantial increase in rail and/or air traffic
<u>1</u>	2.2	Direct on-site pollution generation		11.0	<u>URBAN SERVICES</u>
<u>1</u>	2.3	Generation of objectionable odors	<u>1*</u>	11.1	Availability of fire protection
<u>1</u>	2.4	Generation of dust except during construction	<u>1</u>	11.2	Lack of emergency vehicle access
<u>1</u>	2.5	Adverse local climatic changes	<u>1</u>	11.3	Adequacy of design for crime prevention
	3.0	<u>WATER</u>	<u>1</u>	11.4	Overcrowding of school facilities
<u>1</u>	3.1	Insufficient ground water available for long-term project use	<u>1*</u>	11.5	Availability of water mains of adequate size
<u>1</u>	3.2	Use of large quantities of ground water	<u>1*</u>	11.6	Availability of sewer lines of adequate capacity
<u>1</u>	3.3	Wasteful use of ground water	<u>1</u>	11.7	Availability of storm water drainage facilities (on or off-site)
<u>1</u>	3.4	Pollution of surface or ground water supplies	<u>1</u>	11.8	Availability of adequate park and recreation areas
<u>1</u>	3.5	Reduction in ground water recharge	<u>1</u>	11.9	Unusually high solid waste generation
	4.0	<u>PLANT LIFE</u>		12.0	<u>HAZARDS</u>
<u>1</u>	4.1	Reduction of the numbers of any unique, rare, or endangered species	<u>1</u>	12.1	Risk of explosion or release of hazardous substances
<u>1</u>	4.2	Reduction in acreage of agricultural crop	<u>1</u>	12.2	Site subject to flooding
<u>1</u>	4.3	Premature or unnecessary conversion of prime agricultural land	<u>1</u>	12.3	Adverse change in course of flow of flood waters
	5.0	<u>ANIMAL LIFE</u>	<u>1</u>	12.4	Potential hazards from aircraft accidents
<u>1</u>	5.1	Reduction in the numbers of any rare, unique, or endangered species	<u>1</u>	12.5	Potential hazards from landfill and/or toxic waste sites
<u>1</u>	5.2	Deterioration or displacement of valuable wildlife habitat		13.0	<u>AESTHETICS</u>
	6.0	<u>HUMAN HEALTH</u>	<u>1</u>	13.1	Obstruction to public or scenic vista or view
	7.0	<u>NOISE</u>	<u>1</u>	13.2	Creation of aesthetically offensive conditions
<u>1</u>	7.1	Increases in existing noise levels	<u>1</u>	13.3	Removal of street trees or other valuable vegetation
<u>1</u>	7.2	Exposure to high noise levels	<u>1</u>	13.4	Architectural incompatibility with surrounding area
	8.0	<u>LIGHT AND GLARE</u>		14.0	<u>HISTORICAL/ARCHAEOLOGICAL</u>
<u>1</u>	8.1	Production of glare, which will adversely affect residential areas	<u>1</u>	14.1	Removal of historic building, disruption of archaeological site
<u>1</u>	8.2	Exposure of residences to high levels of glare	<u>1</u>	14.2	Construction or activity incompatible with adjacent historic site
	9.0	<u>LAND USE</u>		15.0	<u>ENERGY</u>
<u>1</u>	9.1	Incompatibility with adopted plans and policies	<u>1</u>	15.1	Use of substantial amounts of fuel or energy
<u>1*</u>	9.2	Acceleration of growth rate	<u>1</u>	15.2	Substantial increase in demand upon existing sources of energy
<u>1</u>	9.3	Induces unplanned growth		15.3	Wasteful use of energy
<u>1</u>	9.4	Adverse change in existing or planned area characteristics	<u>1</u>		

SEE REVERSE SIDE FOR EXPLANATION OF RATINGS

Explanation of Ratings

"0"

Insufficient Information

Insufficient information is available to determine the potential environmental effects which may result from the proposed project in this category.

"1"

No Significant Environmental Effect

The proposed project will not have an adverse environmental effect in this category, or any such effect is not substantially unusual or of undesirable magnitude. This rating is also utilized in cases where the category is not applicable to the particular project under consideration.

"2"

Moderate Environmental Effect

The proposed project will have an adverse environmental effect in this category, which is of sufficient magnitude to be of specific concern. However, this effect is not substantial enough in itself to require the preparation of an Environmental Impact Report.

"3"

Significant Adverse Environmental Effect

The environmental effect identified in this category substantiates in itself or contributed toward a finding that the proposed project has a potentially significant adverse effect on the environment sufficient to require the preparation of an Environmental Impact Report.

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Reel 385 Date 6/27/95

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INITIAL STUDY - ENVIRONMENTAL ASSESSMENT NO. 95-022
FOR VACATION OF PORTIONS OF BELGRAVIA AND CHANNING
AVENUES AND AMENDMENT TO THE FRUIT/CHURCH
REDEVELOPMENT PLAN

PROJECT DESCRIPTION:

Zacky Farms, Inc., has requested the vacation of West Belgravia Avenue between South Teilman and South Channing Avenues, and of South Channing Avenue between West Florence and West Belgravia Avenues. The said street sections are located within the project area of the Fruit/Church Redevelopment Plan, and the vacation of these streets must necessarily be accompanied by an amendment to the Plan.

The Fruit/Church Redevelopment Plan was adopted in October 1971 for the area generally bounded by West California Avenue, South Fruit Avenue, West Church Avenue, and South West Avenue, excepting properties along the west side of South Fruit Avenue between West Belgravia Avenue and the former alignment of Old Church Road (abandoned). The latter said area is contained within the Southwest Fresno GNRA Urban Renewal Project.

The Fruit/Church Redevelopment Plan is a specific plan which establishes land use and zoning recommendations for each parcel within the Redevelopment Project Area. Additionally the Plan establishes the alignment of local streets. As such, the subject proposal to vacate portions of the designated circulation system necessitates an amendment to the Redevelopment Plan. The amendment would modify Map No. 2 of the Plan to reflect the closure of the said portions of Belgravia and Channing Avenues. Unrelated to the applicant's request, the amendment would further modify Map No. 2 to depict West Florence Avenue between South Delno and South Channing Avenues, a local street that has been constructed, but is not currently shown on the Plan. This latter said modification is considered a "housekeeping" revision to the Plan. On December 6, 1994, the Fresno City Council adopted Resolution No. 94-292, initiating the preparation of amendments to the Fruit/Church Redevelopment Plan, which would modify the local streets network as depicted on the Plan.

Zacky Farms, Inc., is the owner of the abutting properties along both sides of those sections of Belgravia and Channing Avenues currently proposed for abandonment. The firm has requested the vacation of these streets in order to facilitate a future expansion of the existing poultry processing plant. A principal of the firm indicates that the proposed expansion will consist of a building addition at the west side of the existing facility, along with a new loading dock and truck parking area. The building addition will house a dry storage area, a weigh/price operation and a loading and staging area. Excepting the truck parking area, the new improvements would be developed in the area east of existing South Channing Avenue. The parking lot, however, would extend into the existing street right-

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The implementation of this project will result in the closure of existing streets, and the revision of the planned vehicular circulation pattern. These changes will not have a significant impact on the existing topography.

2.0--AIR QUALITY:

Since no physical change will result with the abandonments of the subject street rights-of-way and the related plan amendment, there will be no adverse impact on air quality.

The future expansion of the Zacky Farms poultry processing plant may cumulatively contribute to increased carbon monoxide (CO), particulates and ozone pollution.

The project site is located in Fresno County, a non-attainment area for ozone and particulate matter, and within the Fresno-Clovis Metropolitan Area (FCMA), a non-attainment area for carbon monoxide. The FCMA has been ranked as having the third-worst air quality problem in the nation, ranking just behind Los Angeles and Bakersfield. In order to address this and other air pollution problems in California's San Joaquin Valley, and fulfill the obligations of the California Clean Air Act, the eight San Joaquin Valley Air Basin counties consolidated their air pollution control efforts and formed the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). The eight-county air basin agency is working to comply with Federal clean air mandates, compiling a set of State Implementation Plan (SIP) Rules, which apply to various types of stationary sources of pollution.

The District has adopted a comprehensive 1991 Clean Air Attainment Plan, which applies to all eight valley counties. The plan was formulated to bring the San Joaquin Valley Air Basin into compliance with the California Ambient Air Quality Standards for ozone and carbon monoxide by the earliest possible date. The strategy outlined in the plan includes all feasible control measures to reduce emissions which cause pollution. The SJVUAPCD is also developing an Indirect Source Review (ISR) rule to be used for mitigating vehicular air pollution which occurs as a result of land development.

3.0--WATER:

The proposed vacation of sections of the Belgravia Avenue and Channing Avenue rights-of-way and the related plan amendment will not have an effect on the quality or quantity of the groundwater.

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4.0--PLANT LIFE: AND 5.0--ANIMAL LIFE:

There are no known native plants or significant wildlife populations on the project site.

6.0--HUMAN HEALTH:

The proposed vacation of sections of the Belgravia Avenue and Channing Avenue rights-of-way and the related plan amendment will not have an effect on human health.

7.0--NOISE:

The project will not generate noise impacts.

8.0--LIGHT AND GLARE:

The vacation of sections of the Belgravia Avenue and Channing Avenue rights-of-way and the related plan amendment will not have any impacts relative to the creation of light and glare.

9.0--LAND USE AND 9.1--INCOMPATIBILITY WITH ADOPTED PLANS AND POLICIES:

The Fruit/Church Redevelopment Plan, Edison Community Plan, and Fresno General Plan designate the subject property for Heavy Industrial land uses. Abandonment of sections of the Belgravia and Channing Avenue rights-of-way as proposed will not affect the established land use policy. The street vacations may hasten the future expansion of the existing poultry processing plant, however. In such event, an expansion of the existing use is consistent with adopted land use planning policy.

Included as a component of this project is a proposed amendment to delete from the Fruit/Church Redevelopment Plan the sections of Belgravia and Channing Avenues hereby proposed for abandonment. Approval of this amendment will render the project fully compatible with City plans and policies.

10.00--TRANSPORTATION/CIRCULATION AND 11.00--URBAN SERVICES:

The City of Fresno Public Works Department, Traffic Engineering Division, has indicated that the vacation of the subject street rights-of-way will have no significant impact on traffic circulation in this area. The Engineering Division has indicated that the vacation

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is feasible subject to the following:

1. A public utility easement shall be reserved over the entire area to be vacated, or the applicant shall be responsible for all costs associated with relocating all existing public utilities from within the area to be vacated into easements to be provided by the applicant.
2. Applicant shall remove all street improvements from the areas to be vacated and install concrete curb, gutter, and transition paving as necessary to block public access to the areas proposed to be vacated.
3. In addition, the Fresno Fire Department requires, as follows:
 - a. The public water main in the area to be vacated supplies two public hydrants and two fire sprinkler rises for Zacky Farms. These services must be maintained. The applicant must coordinate specific requirements for continued service with the Public Works and Fire Departments.
 - b. The vacation of Belgravia and Channing Avenues as proposed will require the establishment of access fire lanes on site to maintain access to fire fighting appliances and to maintain access to and around the entire building. New access for the area must be approved through the City's site plan review process.
4. The Fresno Metropolitan Flood Control District requires that a 64-foot wide public utility easement be retained for storm water drainage facilities located within the proposed street vacation. A storm drain easement is required whenever storm drain facilities are located on private property. No encroachments into the easement shall be permitted, including, but not limited to, foundations, roof overhangs, swimming pools and trees. The existing drainage patterns shall not be adversely impacted by the proposed vacations.
5. The proposed street vacations are subject to the adoption of an amendment to the Fruit/Church Redevelopment Plan and approval of any site plan/conditional use permits showing the proposed use of the areas to be vacated.

The City of Fresno, Department of Public Utilities, Water Division, indicates that there is an existing 8-inch TCI water main within the project area, and recommend as follows:

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1. If existing water services within the project area are to be abandoned, the affected portion of the 8" TCI water main may be abandoned at the developer's expense.
2. If existing water services within the project are not to be abandoned, then a standard 30-foot wide water main easement shall be provided.

11.6--Availability of sewer lines of adequate capacity

The City of Fresno's Wastewater Treatment Plant, with an estimated hydraulic treatment capacity of 60 million gallons of effluent per day (MGD) average dry weather flow, is currently treating between 53 and 55 MGD on a yearly basis with some daily total flows of 60 MGD. The treatment plant is approaching its overall design capacity. The future expansion of Zacky Farms may cumulatively contribute to the short-term reduction of capacity at the plant. In order to address this situation and to reduce the chance of eventual curtailments in the City's development process, the City is in the process of expanding the plant's capacity to 68 MGD.

The City hired design consultants and has completed and certified an Environmental Impact Report on the proposed expansion. The City has established an area-wide major public facilities fee and will continue to work with monitoring agencies to insure the timeliness of planned improvements. However, it must be noted that capacity for new development will be reserved only on a first-come, first-served basis and not all approved development is guaranteed sewer capacity pending the successful completion of the plant's expansion. It is estimated that there is sufficient capacity remaining to accommodate development until the anticipated completion of the phased expansion.

12.0--HAZARDS:

There are no known hazards associated with the proposed vacations of the subject sections of the Belgravia and Channing Avenue street rights-of-way and the related plan amendment.

13.0--AESTHETICS:

No public or scenic vista will be obstructed by the proposed vacations and plan amendment, and no valuable vegetation will be removed.

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14.0--HISTORICAL/ARCHAEOLOGICAL:

There are no historical or archaeological sites on or adjacent to the subject property.

15.0--ENERGY:

The proposed street vacations and plan amendment will not have an impact on the consumption of energy.

FINDING:

The Walnut Gardens Community Organization (WGCO), a homeowners association representing the residential neighborhood located approximately one-half mile to the southeast of the project site, raises concerns with regard to the project's impacts in the areas of air quality, noise, water quality and quantity, toxic/hazardous conditions, traffic/circulation, land use, schools/universities, and cumulative effects. The WGCO recommends that an EIR be prepared to address these concerns prior to any expansion of the poultry processing plant or related construction work.

As noted above, the present environmental review concerns the proposed street vacations and the plan amendment to delete the affected street alignments. It does not address the proposed expansion of the poultry processing plant, due to the lack of detail information. That project will necessitate the processing of City entitlements, and an environmental review will be conducted specifically with regard to the impacts of the proposed plant expansion at that time. The question of the appropriateness of an EIR will be considered then.

Based upon staff's analysis and the comments of responding agencies, departments, and organizations, it has been determined that the project could generate some limited impacts in the areas of transportation, circulation, and urban services. However, these impacts are not considered to be significant and can be mitigated through the conditions of approval as recommended by the Public Works Department, the Fire Department, the Department of Public Utilities, and the Fresno Metropolitan Flood Control District. It is, therefore, concluded that a **Negative Declaration** is the appropriate environmental finding for this project.

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