



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 4 April 9, 2026

**SUBJECT:** Unclassified Conditional Use Permit No. 3824 and Initial Study No. 8724

Allow a special event facility and a fine dining operation on a 2.5-acre parcel in the R-1-AH (Low Density, Single Family Residential) Zone District.

**LOCATION:** The subject parcel is located on the northwest corner of E. Butler Avenue and S. Waverly Lane, approximately 300-feet east of the intersection with S. Clovis Avenue and the City of Fresno (5641 E. Butler) (474-120-35) (Sup. Dist. 5)

**OWNER:** Jeffery and Melissa Kollenkark

**APPLICANT:** Dirk Poeschel Land Development Services Inc.

**STAFF CONTACT:** Arianna Brown, Planner  
(559) 600-4245

Tawanda Mtunga, Principal Planner  
(559) 600-4256

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for the project based on Initial Study (IS) No. 8724; and
- Approve Unclassified Conditional Use Permit (UCUP) No. 3824 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. Site Plan and Floor Plan
6. Operational Statement
8. Summary of Initial Study No. 8724
9. Draft Mitigated Negative Declaration
10. Site Photos
11. Correspondence Letter

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agriculture	No change
Zoning	R-1-AH (Low Density, Single Family Residential) Zone District.	No change
Parcel Size	2.5-acres	No change
Project Site	Residential	No change
Structural Improvements	Single Family Residence and an Accessory Dwelling Unit	No change
Nearest Residence	On site	No Change
Surrounding Development	The project site is surrounded by single-family residences.	No Change
Operational Features	N/A	The operation of a reservation only fine dining establishment and special event center
Employees	N/A	5-7 employees
Customers/Supplier	N/A	30-45 customers for fine dining, 50 guests for the small events/personal celebrations, bridal showers and a maximum of 85 guests for weddings.

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Traffic Trips	Residential	25 peak hour trips for fine dining; 36 peak hour trips for special event
Lighting	Residential	Outdoor lighting fixtures
Hours of Operation	N/A	Fine Dining: Wednesday thru Saturday 11:00 AM to 2:30 PM and 5:00 PM to 10:30 PM Special Events: 10 per year between 10:00 AM and 10:00 PM

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

**ENVIRONMENTAL ANALYSIS:**

Initial Study No. 8724 was prepared for the project in accordance with the requirements of the California Environmental Quality Act (CEQA). A summary of the Initial Study has been included as Exhibit 8. The Mitigation Monitoring Plan is included in Exhibit 1. Based on this Initial Study, a Mitigated Negative Declaration has been drafted and included as Exhibit 9.

**PUBLIC NOTICE:**

Notices were sent to 203 property owners within 1320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PUBLIC COMMENT:**

One correspondence letter was received in response to this project and has been included as Exhibit 11 in this report.

**PROCEDURAL CONSIDERATIONS:**

A Conditional Use Permit may be approved only if the four Findings specified in the Fresno County Zoning Ordinance, Section 842.5.050(b), are made by the Planning Commission. The decision of the Planning Commission on a Conditional Use Permit Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

**BACKGROUND INFORMATION:**

This project proposes the operation of a fine dining and special event facility in a residential community within the historic Sunnyside area. The fine dining establishment will be by reservation only with limited operational hours. The existing residential home will be used to host the fine dining experience which is expected to host up to forty-five (45) customers in the evening.

The primary proposed use of this project is a reservation, only fine dining experience operated within the first floor of the existing residence, offering a curated four-course menu that rotates

monthly or bi-monthly based on seasonal Central Valley ingredients.

Dining services are limited to Wednesday through Saturday during lunch and dinner hours, with last seating at 8:00 PM and operations concluding by 10:30 PM. Reservations are required for all dining services, which will limit guest turnover and allow the applicant to manage traffic, noise, and overall operational activity.

In addition to fine dining, the applicant proposes hosting up to 10 small, highly curated “One On Events” annually, consisting of up to seven small personal celebrations (bridal showers, baby showers, birthdays, small receptions; maximum 50 guests each) and up to three intimate weddings capped at 85 guests.

Each event will undergo internal review by the applicant prior to scheduling to ensure compatibility with the size, character, and operational limits of the site and surrounding neighborhood. Outdoor events may occur between 10:00 AM and 10:00 PM and will comply with County noise regulations, including restrictions on amplified sound.

The applicants intend to reside on the second floor of the home, allowing for continuous onsite monitoring of all activities and ensuring the use maintains a residentially scaled, owner-occupied character.

An event manager will be onsite during all fine dining and special event operations to ensure compliance with approved conditions and to address any unforeseen issues immediately.

**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.**

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (Y/N)</b>
Setbacks	Front Yard: 35 Feet Side Yard: 10 Feet Street Side: 25 Feet Rear Yard: 20 Feet	No Change	Y
Parking	No Requirement	33 regular; 2 ADA compliant	N/A
Lot Coverage	No Requirement	No Requirement	N/A
Space Between Buildings	6-foot minimum	No Change	Y
Wall Requirements	No Requirement	No Change	N/A

**Reviewing Agency/Department Comments:**

No comments related to the adequate size and shape of the site were expressed by reviewing agencies or departments.

**Finding 1 Analysis:**

The applicant’s proposal relies exclusively on existing structures with no new building footprint, ensuring that the scale and intensity of development remains consistent with surrounding residential uses. The first-floor dining area measures approximately 1,644 square feet and is supported by existing utility and structural capacity.

The carriage house and second floor of the residence will continue to function as living quarters, preserving the property’s primary residential character.

**Recommended Conditions of Approval:**

- Development of the property shall be substantial conformity with the Site Plan, Elevations, and Operational Statement approved by the Planning Commission.
- Outdoor signage shall be limited to two square feet and may only state event center name, address and contact information. The applicant shall not post event/dining hours or menus. The sign shall not be back-lit but may be lit by directed lighting. The sign color scheme shall match the facility and utilize neutral colors.
- To limit the traffic management impacts of the operation, the fine dining establishment shall adhere to a reservation only model to limit guest arrival and departure to predetermined time frames.

**Finding 1 Conclusion:**

Staff can recommend making Finding 1 based on the above analysis, the proposed use is adequate in size and shape to accommodate the proposed use.

**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	No	N/A	N/A
Public Road Frontage	Yes	E. Bulter Avenue S. Waverly Lane	No change.
Direct Access to Public Road	Yes	E. Bulter Avenue S. Waverly Lane	No change.
Road Classification		Bulter Avenue: Local Road Waverly Lane: Local Road	No change.
Road Width		Butler Avenue: 29 foot width Ultimate Right-of-way 60 feet Existing Right-of-way 80-feet  Waverly Lane: 22 feet	No change.

		Existing Conditions	Proposed Operation
		Ultimate Right-of-way 60-feet Existing Right-of-way 80-feet	
Road Surface		Butler Avenue: Good Condition Waverly Lane: Good Condition	No change
Traffic Trips		N/A	Maximum 76 daily trips
Traffic Impact Study (TIS) Prepared	No	N/A	Not required by Transport Planning of the Fresno County Department of Public Works and Planning.
Road Improvements Required		N/A	Not required.

**Reviewing Agency/Department Comments:**

Fresno County’s Transportation Planning Unit reviewed the project and the applicant’s traffic scope and determined a Traffic Impact Study is not required, but it is recommended the transportation impacts be evaluated according to the suggested use, which meets the definition of a restaurant, even with a reservation only model.

**Finding 2 Analysis:**

The project site is located on the corner of E. Butler Avenue and S. Waverly Lane within a residential community in the Sunnyside neighborhood. There are three paved access points to the site. Two ingress and egress access points from S. Waverly Lane, and one ingress access from E. Butler Avenue. According to the Site Plan provided there are thirty-three (33) proposed parking spaces with two (2) ADA compliant stalls. Parking areas are to be either paved with concrete or coated with gravel. Butler Avenue and Waverly Lane are classified as Local Roads in Good Condition. There is no road improvement suggested with this project proposal.

Although the operation schedules reservations and maintains limited-service hours, these features do not change its functional transportation profile. Trip generation estimates based on maximum seating and event capacity demonstrate that daily and peak-hour trips remain well below County thresholds requiring a Traffic Impact Study. The Development Engineering Section, Road Maintenance and Operations (RMO) Division, and Design Division of the Fresno County Department of Public Works and Planning expressed no concerns related to adequacy of road width and pavement type to carry the minimal traffic generated by the proposal on which amounts up to 76 trips per day. The proposed project is anticipated to generate 38 peak hour trips. Therefore, no additional traffic analysis is required.

**Recommended Conditions of Approval**

None.

**Finding 2 Conclusion:**

Staff can recommend making Finding 2 based on the above information. There will be negligible traffic created from this proposal. Thus, the affected county-maintained roads of Butler Avenue and Waverly Lane will remain adequate to accommodate the proposed use.

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

<b>Surrounding Parcels</b>				
	Size (acres):	Use:	Zoning:	Nearest Residence (from nearest property line):
North	1.04	Residential	R1-AH	On site
East	0.92	Residential	R1-AH	On site
South	1.23	Residential	R1-AH	On site
West	0.75	Residential	R1-AH	On site

**Reviewing Agency/Department Comments:**

Reviewing Agencies and Departments did not express any concern with the project having an adverse effect on the surrounding neighborhood.

Fresno County Public Health, Environmental Health Division reviewed the applicant provided Noise Study Report dated June 2025 and concurred with the recommended mitigation measure to prevent noise related impacts to the surrounding area.

**Finding 3 Analysis:**

The subject parcel is developed with a single-family residence and an accessory dwelling unit. The nature of the parcel is similar to other residential parcels in the area in that it has been developed to accommodate residential uses. The proposed use to allow for a Fine Dining Experience and Special Event Center does not propose the addition of any new structures and will operate out of the first floor of the existing residential home.

The operational model is intentionally low-frequency and curated to preserve neighborhood compatibility. All dining services require reservations, limiting random customer arrivals, while special events are restricted to no more than ten per year with defined guest maximums. All parking will be within the property and not on the abutting streets of Butler Avenue or Waverly Lane.

An onsite event manager will be present for every event, and the applicants, who reside onsite, will provide continuous oversight of operations, noise levels, parking activity, and guest conduct. The Special Events may be held outdoors, and the use of a sound system is anticipated according to the Operational Statement. A Noise Study was conducted and reviewed by Fresno County Environmental Health Division. A Mitigation Measure has been imposed on the project to prevent adverse effects on the neighborhood due to Noise.

**Recommended Conditions of Approval:**

- Outdoor activities shall be limited to special events as specified in the Operational Statement. No more than 10 special events per year are to be held. Operation of the special events is to take place between the hours of 10:00AM and 10:00PM and shall comply with Fresno County Noise Ordinance Standards.
- Prior to hosting Special Events the applicant shall notify property owners within 0.10 square miles of the project site at least 10-days before the scheduled event.

**Recommended Noise Mitigation Measures:**

**Mitigation Measure No. 1:** Outdoor amplified sound shall not exceed a noise level of 79dB's at five (5) feet from the noise source or sources; or fifty (50) dB's at the Project site property line

**Finding 3 Conclusion:**

Staff can recommend making Finding 3 based on the above information. The proposal will not have significant adverse effects upon surrounding properties.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p><b>General Plan Policy PF-C.16:</b> <i>The County shall, prior to consideration of any discretionary project related to land use, require a water supply evaluation be conducted. The evaluation shall include the following:</i></p> <ul style="list-style-type: none"><li>a. <i>A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made "firm" by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.</i></li><li>b. <i>If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.</i></li><li>c. <i>A determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. The</i></li></ul>	<p>Consistent: This project will receive community water services from the City of Fresno. The City of Fresno reviewed the project and did not express concern with the service system's ability to accommodate the proposed land use.</p>

<p><i>plan must be structured such that it is economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long-term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.</i></p>	
<p><b>General Plan Policy TR-A.25:</b>  <i>Projects that would generate or attract more than 110 daily vehicle trips shall be evaluated for a Transportation VMT impact on an individual basis. The threshold of significance shall be 87 percent below the countywide average rate of VMT. Any individual project resulting in VMT that exceeds 87 percent below the countywide average shall be required to implement project specific mitigation measures aimed at reducing VMT generated by the project.</i></p>	<p>Consistent: The applicant provided a Traffic Scope that was reviewed by the Fresno County Transportation Planning Division. The Traffic Scope indicated that the maximum number of daily trips is 76, which is under the 110 threshold for a VMT analysis.</p>
<p><b>General Plan Policy HS-H.3:</b>  <i>The County shall allow the development of new noise-sensitive land uses (which include, but are not limited to, residential neighborhoods, schools, and hospitals) only in areas where existing or projected noise levels are “acceptable” according to the Figure HS-9: “Land Use Compatibility for Community Noise Environments.” Noise mitigation measures may be required to reduce noise in outdoor activity areas and interior spaces to these levels.</i></p>	<p>Consistent: The applicant submitted a Noise Study Report with a suggested mitigation measure to prevent Noise related adverse impacts on the surrounding neighborhood. This Noise Study was reviewed by Fresno County Environmental Health Division who concurred with the results and recommended mitigation. The Noise impact Mitigation Measure has been included in this report as Exhibit 1.</p>
<p><b>General Plan Policy HS-H.4:</b>  <i>So that noise mitigation may be considered in the design of new projects, the County shall require an acoustic analysis as part of the environmental review process where:</i></p> <ul style="list-style-type: none"> <li><i>A. Noise sensitive land uses are proposed in areas exposed to existing or projected noise higher according to the Figure HS-9: “Land Use Compatibility for Community Noise Environments”</i></li> <li><i>B. Proposed projects are likely to produce noise levels exceeding the levels shown in the County’s Noise Control Ordinance at existing or planned noise-sensitive uses.</i></li> </ul>	<p>Consistent: The applicant submitted a Noise Study Report with a suggested mitigation measure to prevent Noise related adverse impacts on the surrounding neighborhood. This Noise Study was reviewed by Fresno County Environmental Health Division who concurred with the results and recommended mitigation. The Noise impact Mitigation Measure has been included in this report as Exhibit 1.</p>

**Finding 4 Analysis:**

The applicant’s proposed fine dining and special event operations incorporate operational controls such as reservation only scheduling, onsite oversight by the owner, pre-review of events, and strict adherence to noise limits that align with General Plan policies promoting compatibility between non-residential and residential uses. The project’s limited frequency of events and the absence of new structural development further support consistency with land use policies designed to preserve residential neighborhood character.

**Recommended Conditions of Approval:**

None.

**Recommended *Noise* Mitigation Measure:**

*See Mitigation Measure No. 1*

**Finding 4 Conclusion:**

Staff can recommend making Finding 4 based on the applicant complying with General Plan Policies PF-C.16, TR-A.25, HS-H.3 and HS-H.4.

**SUMMARY CONCLUSION:**

Staff can recommend making all four Findings for granting the Application based on the factors cited in the analysis, in conjunction with the recommended Mitigation Measure, Conditions of Approval and Project Notes. Staff therefore recommends approval of Unclassified Conditional Use Permit Application No. 3824, subject to the recommended Conditions of Approval.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8724; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3824, subject to the Conditions of Approval and Project Notes attached as 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. 3824; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

**Mitigation Measures, recommended Conditions of Approval and Project Notes:**

*See Exhibit 1*

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**Mitigation Monitoring and Reporting Program**  
**Initial Study No. 8724 and Unclassified Conditional Use Permit No. 3824 (Including**  
**Conditions of Approval and Project Notes)**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
1.	Noise	Outdoor amplified sound shall not exceed a noise level of 79dB's at five (5) feet from the noise source or sources; or fifty (50) dB's at the Project site property line. All noise generating activities shall comply with Fresno County Zoning Ordinance Chapter 820.3.	Applicant	Applicant	As long as the project lasts

\*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.

<b>Conditions of Approval</b>	
1.	Development of the property shall be substantial conformity with the Site Plan, Elevations, and Operational Statement approved by the Planning Commission.
2.	Plans, permits and inspections shall be required for all proposed improvements on the property, including fences/gate entrances exceeding six feet in height. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 for information.
3.	Prior to issuance of any building, grading or operational permits, the applicant shall obtain Site Plan Review application approval in compliance with Fresno County Zoning Ordinance Chapter 854.5. The Site Plan Review shall include evaluation of the parking layout, circulation, lighting, the noise mitigation integration, and ADA compliance.
4.	All parking areas shall be surfaced with asphalt concrete, or an all-weather dust-controlled surface consistent with Fresno County Zoning Ordinance Section 820.3 and 828.5.
5.	Prior to Final Inspection the existing ADU (accessory dwelling unit), the existing attached Patio and the existing Swimming Pool will require plan check review & building permits. A Will Serve letter from the City of Fresno is needed to prove the property owner can connect the accessory dwelling unit to the City's water service prior to the issuance of the ADU building permit. The future Garage will require plan review and a building permit.
6.	A minimum of two (2) sets of construction plans to Fresno County Fire Protection District.
7.	The subject property is within the City of Fresno SOI (Sphere of Influence). Any off-site improvements and driveway placement relative to the property line adjacent to road should be consulted with the City regarding their requirements.

8.	Any existing or proposed parking areas should comply with the Fresno County Off-Street Parking Design Standards and/or current industry standards. Stalls should be 18' x 9', and backing distance must be a minimum of 29' for 90-degree parking stalls. Also 5' should be provided beyond the last stall in any row to provide for backing. Any proposed handicap accessible parking stalls and curb ramps shall be in compliance with ADA standards and the maximum surface slope within the disabled parking space(s) and adjacent access aisle(s) shall not exceed 2% in any direction.
9.	Any gates or security check points shall remain open during proposed events to prevent any queuing of vehicles within the County's road right-of-way.
10.	An encroachment permit is needed from the Road Maintenance and Operations Division for any work done within the road right-of-way of County of Fresno.
11.	The access point to Butler Avenue shall be kept clear from any obstructions for visibility purposes with a 10'X10' corner cutoff(s). Fences, walls, and hedges shall not exceed three (3) feet in height. Any branches of trees, signs, etc. located within the corner cut-off area must be trimmed and/or maintained at a height of not less than eight (8) feet.
12.	<p>To address site development impacts, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> <li>• For unpaved or gravel surface access roads, the first 100 feet off of the edge of the road right-of-way must be graded and asphalt concrete paved or treated with dust palliative.</li> <li>• Any existing or proposed entrance gate should be set back a minimum of 20' from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.</li> <li>• The end of curbed/taper edge of any existing or proposed access driveway approach should be set back a minimum of 5 feet from the property line.</li> <li>• Any work done within the County road right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.</li> <li>• A grading permit or voucher is required for any grading proposed with this application.</li> </ul>
13.	Outdoor signage shall be limited to two square feet and may only state event center name, address and contact information. The applicant shall not post event/dining hours or menus. The sign shall not be back-lit but may be lit by directed lighting. The sign color scheme shall match the facility and utilize neutral colors.
14.	To limit the traffic management impacts of the operation, the fine dining establishment shall adhere to a reservation only model to limit guest arrival and departure to predetermined time frames.

15.	Outdoor activities shall be limited to special events as specified in the Operational Statement. No more than 10 special events per year are to be held. Operation of the special events is to take place between the hours of 10:00AM and 10:00PM and shall comply with Fresno County Noise Ordinance Standards.
16.	Prior to hosting Special Events the applicant shall notify property owners within 0.10 square miles of the project site at least 10-days before the scheduled event.

Conditions of Approval reference recommended Conditions for the project

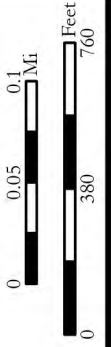
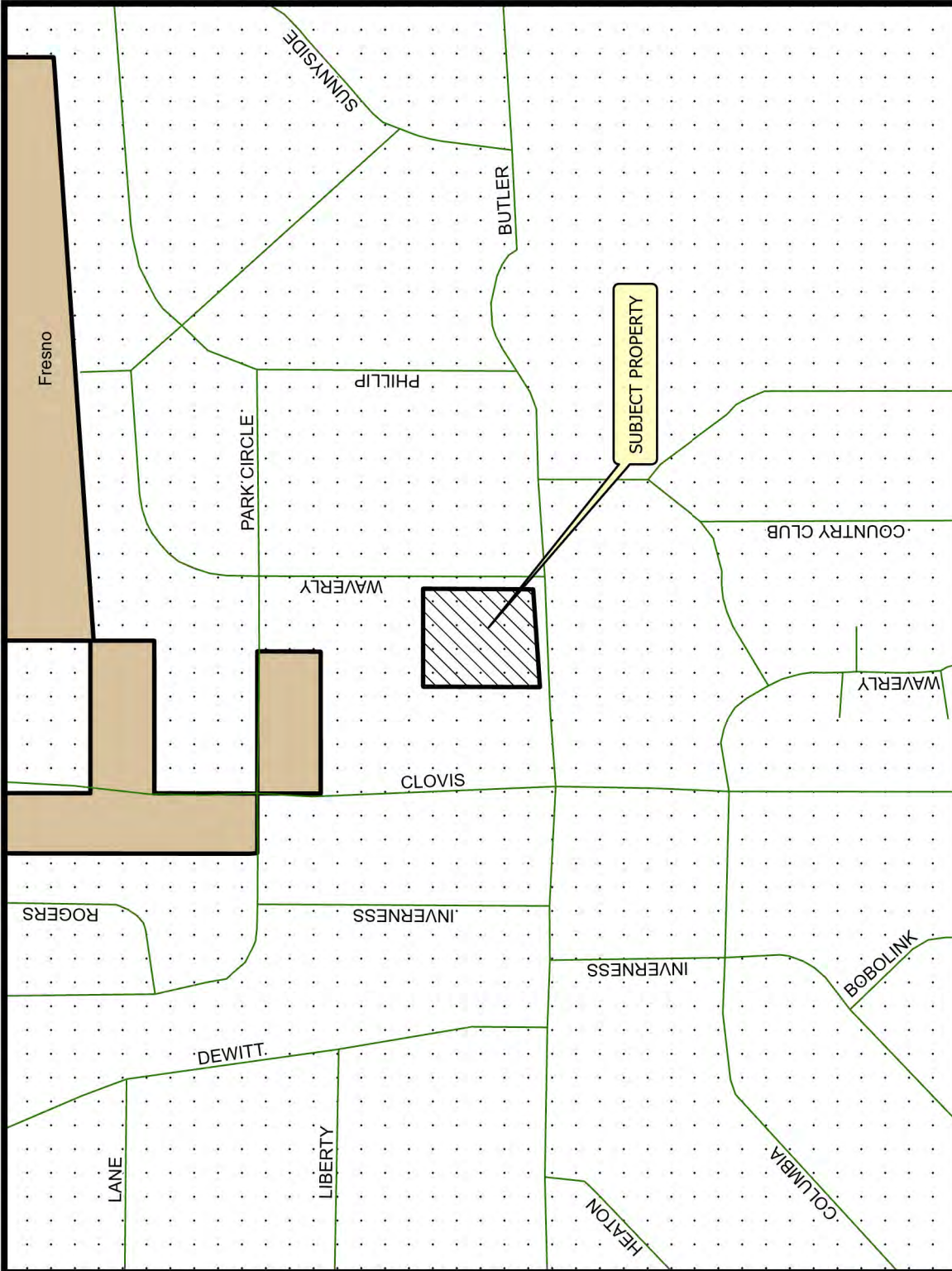
Notes	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval unless an extension is requested and granted prior.
2.	An engineered grading and drainage plan may be required to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties. If the licensed Civil Engineer deems an engineered grading and drainage plan is not necessary because the proposed development does not substantially increase the net impervious surface on-site and the existing drainage patterns are not changed, Letter of Retention and Letter of Certification from a licensed Civil Engineer addressed to the Department of Public Works and Planning will be required. The Letter of Certification must specify the reason why an engineered grading and drainage plan is not needed. While the Letter of Retention specifies the Engineer of Record retained by the Owner/Contractor to perform all on-site inspections and shall certify the construction of on-site improvements to the Department of Public Works & Planning in order for any work performed to be in accordance with the Fresno County Ordinance Code Title 15, Chapter 15.28 Grading and Excavation, County standards and current industry standards.
3.	Any additional storm water runoff generated by the proposed development of this site cannot be drained across property lines or into the road right-of-way, and must be retained on-site, per County Standards. Provisions shall be made to maintain natural drainage throughout the development in a manner that will not significantly change the existing drainage characteristics of those parcels adjacent to the development.
4.	A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) are required to be filed with State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1.0 acre or more of area. Copies of completed NOI with WDID # and SWPPP shall be provided to Development Engineering prior to any grading work.
5.	Any proposed landscape areas of 500 sq. ft. or more will be subject to the Model Water Efficient Landscape Ordinance (MWELO) and MWELO form/s and/or separate landscape and irrigation design plan should be required.

6.	<p>To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <ul style="list-style-type: none"> <li>• Facility operators that 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 California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 (<a href="http://cers.calepa.ca.gov/">http://cers.calepa.ca.gov/</a>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.</li> <li>• The proposed project has the potential to expose nearby residents to elevated noise levels. The diesel emergency generator may result in significant short-term localized noise impacts due to intermittent use/maintenance. Equipment shall be maintained according to manufacturers' specifications, and noise-generating equipment equipped with mufflers. Consideration should be given to Fresno County Noise Ordinance Code and City of Kingsburg Municipal Code.</li> <li>• As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.</li> <li>• Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.</li> </ul>
7.	<p>The project will be developed to the City of Fresno standards and any future annexation to the City of Fresno shall not be contested. When available, the property/project is required to connect to City of Fresno utilities.</p>
8.	<p>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. The applicant will be required to obtain a permit to operate a food facility. Catering information will need to be submitted for review by the Consumer Food Protection Program.</p>
9.	<p>Building, Fire and Accessibility Compliance:</p> <ul style="list-style-type: none"> <li>• Change of Occupancy: The building shall be reclassified from residential use to the appropriate commercial occupancy or a combination of use based on the Building Code requirements. All required upgrades necessary to meet the new occupancy classification shall be completed prior to operation.</li> <li>• ADA Compliance: The project shall provide fully compliant ADA-accessible restroom facilities, accessible paths of travel, and any</li> </ul>




	<p>other accessibility features required by State and Federal law.</p> <ul style="list-style-type: none"> <li>• <b>Parking Requirements:</b> The project shall provide parking that meets current standards for the proposed commercial use, including ADA-accessible parking spaces, loading areas (if applicable), and associated site improvements.</li> <li>• <b>Permit Requirements:</b> All applicable building permits, mechanical/electrical/plumbing permits, and permits for equipment installation associated with the commercial kitchen or dining use shall be obtained prior to construction and occupancy or operation.</li> <li>• <b>Fire Department Approval:</b> The project shall obtain Fire Department review and approval, including any required fire/life-safety upgrades, commercial kitchen hood and suppression systems (if applicable), alarms, extinguishers, and emergency egress requirements.</li> </ul>
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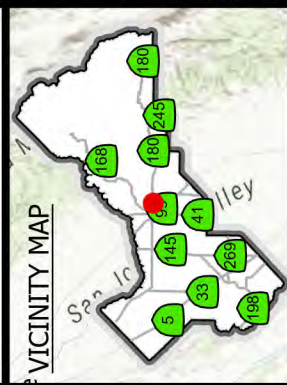
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**Legend**

-  Subject Property
-  Fresno
-  City Sphere of Influence

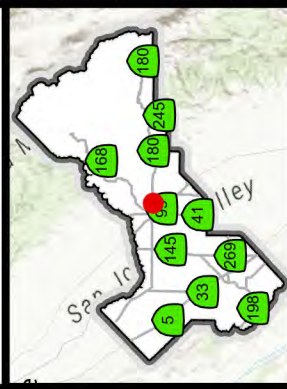
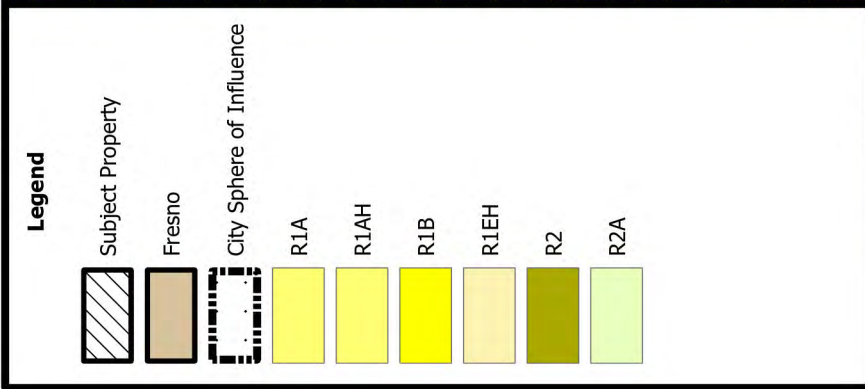
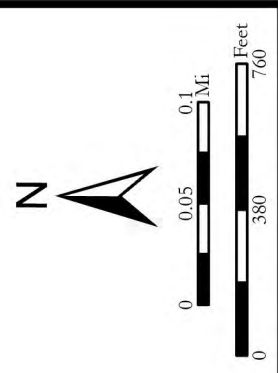
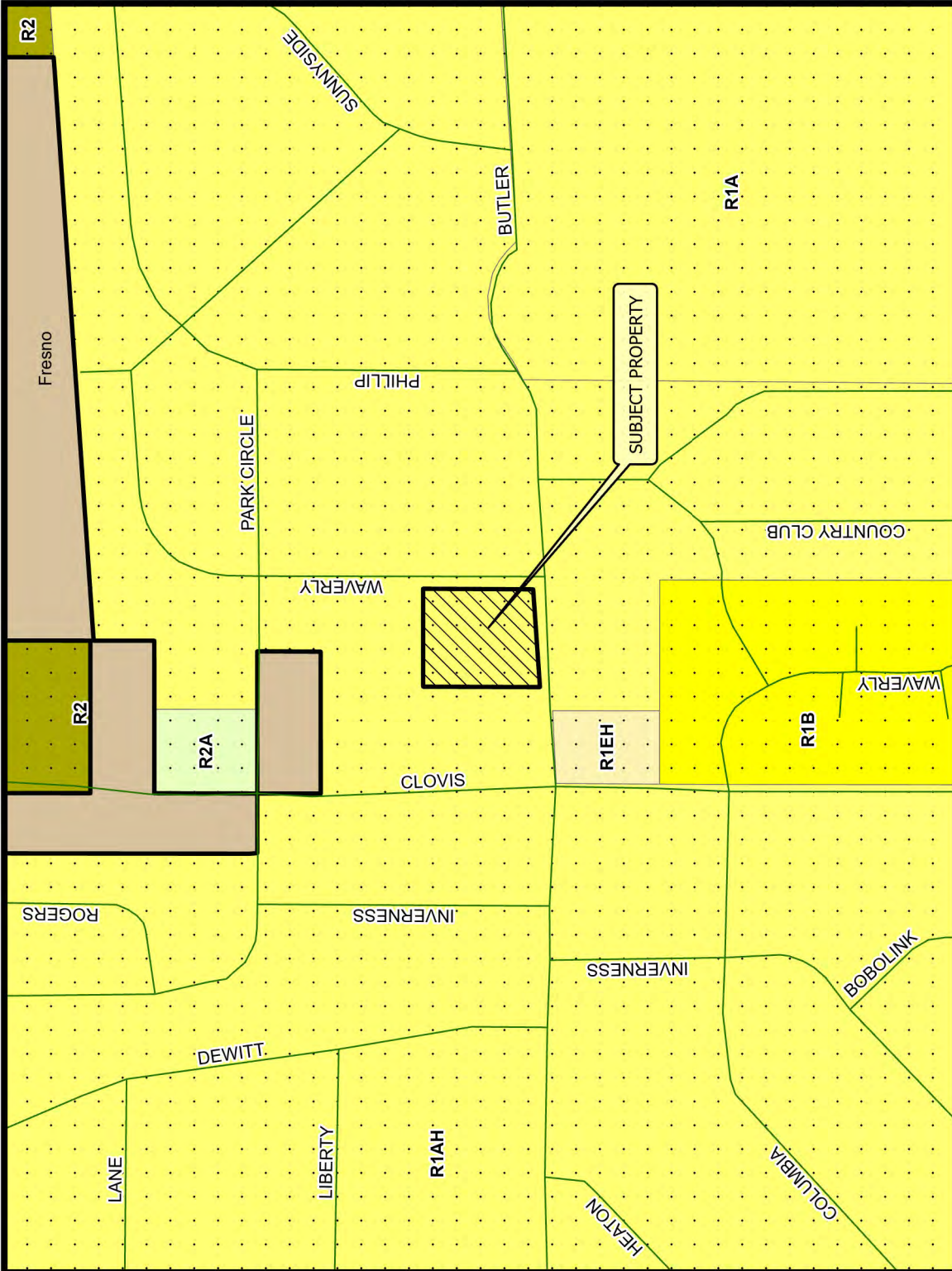


# LOCATION MAP

## CUP 3824

## 2025

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
 Person Prepared by : chuwang  
 On Date : 5/8/2025



**Existing Zoning Map**

**2025**

CUP 3824  
STR 9 - 14S / 21E

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
Person Prepared by : chuwang  
On Date : 5/8/2025



# EXHIBIT 5

## SITE INFO

APN: 474-120-35  
 ADDRESS: 5641 E. BUTLER AVE.  
 FRESNO, CA 93727  
 GROSS AREA: 2.50 AC.  
 ZONING: R1-AH  
 PROPOSED PARKING SPACES: 33 TOTAL, 2 ADA

## NOTES

- (1) THERE SHALL BE A CONTINUOUS, UNOBSTRUCTED PATHWAY FROM EMERGENCY VEHICLE ACCESS POINTS TO ALL BUILDING OPENINGS FOR FIRE HOSE PULL AND EQUIPMENT ACCESS. THIS PATHWAY SHALL BE A MINIMUM OF 3 FEET IN WIDTH AND 7 FEET IN HEIGHT WITH NO SHARP TURNS WHICH WOULD HINDER THE USE OR TRANSPORT OF EQUIPMENT. ANY GATES ACROSS THIS PATH SHALL HAVE A MINIMUM 4 FOUR CLEAR WIDTH AND SHALL REMAIN UNLOCKED OR BE PROVIDED WITH A POLICE/FIRE BYPASS LOCK. (FFD DEVELOPMENT POLICY 403.002)
- (2) NEW GROUP A2 OCCUPANCIES WITH AN OCCUPANT LOAD OF 100 OR MORE REQUIRE THE INSTALLATION OF FIRE SPRINKLERS. 2022 CFC, SECTION 903.2.1.2.
- (3) WHEN A CHANGE OF OCCUPANCY OCCURS IN AN EXISTING BUILDING 5,000 SQUARE FEET OR LARGER THAT IS MORE HAZARDOUS TO LIFE AND SAFETY THAN THE EXISTING BUILDING OCCUPANCY, AN AUTOMATIC FIRE EXTINGUISHING SYSTEM SHALL BE INSTALLED. 2022 FMC, SECTION 10-50903.6.

# EXHIBIT 5



SCALE: 1" = 40'

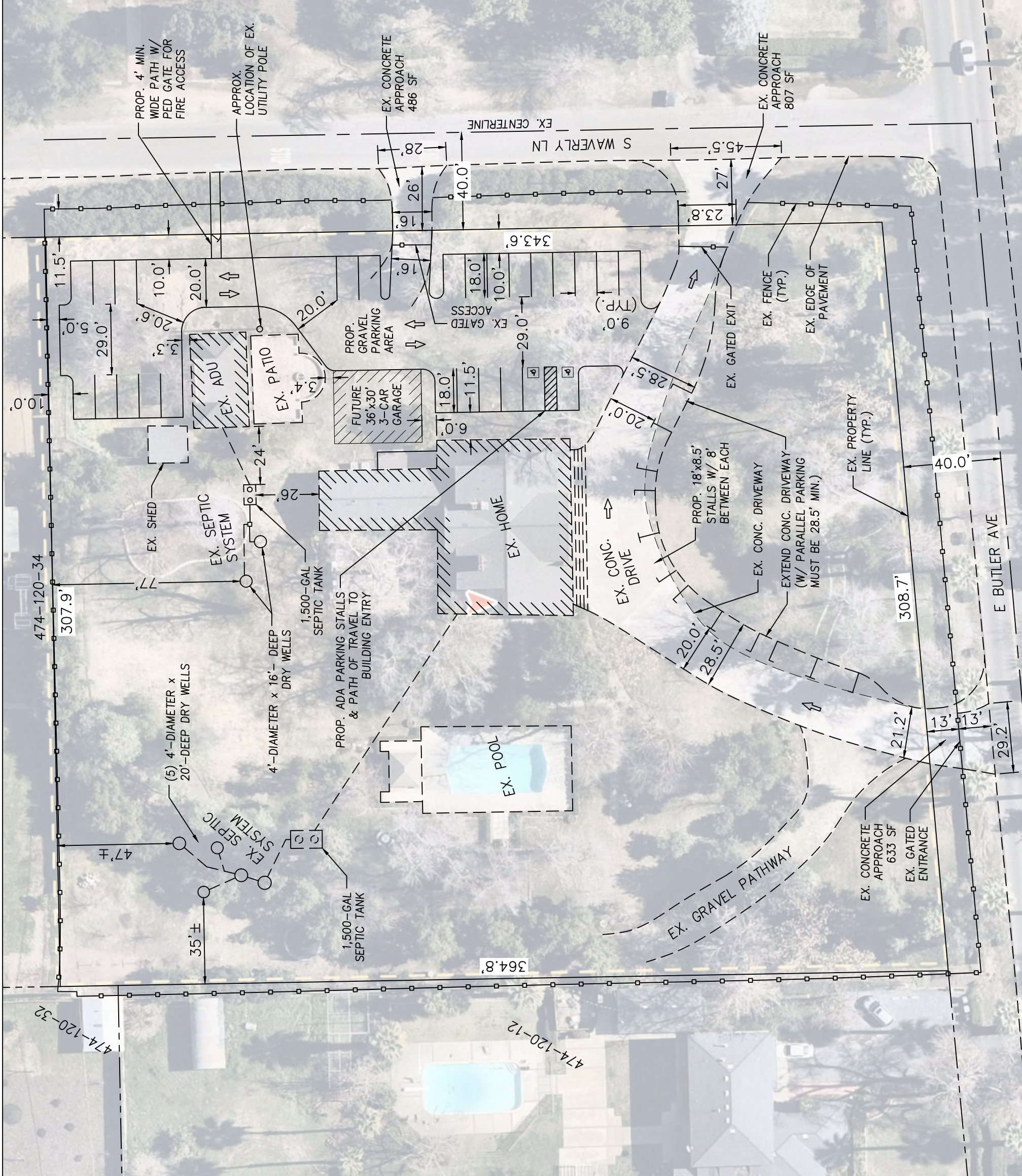
## DXC SPECIAL EVENT FACILITY

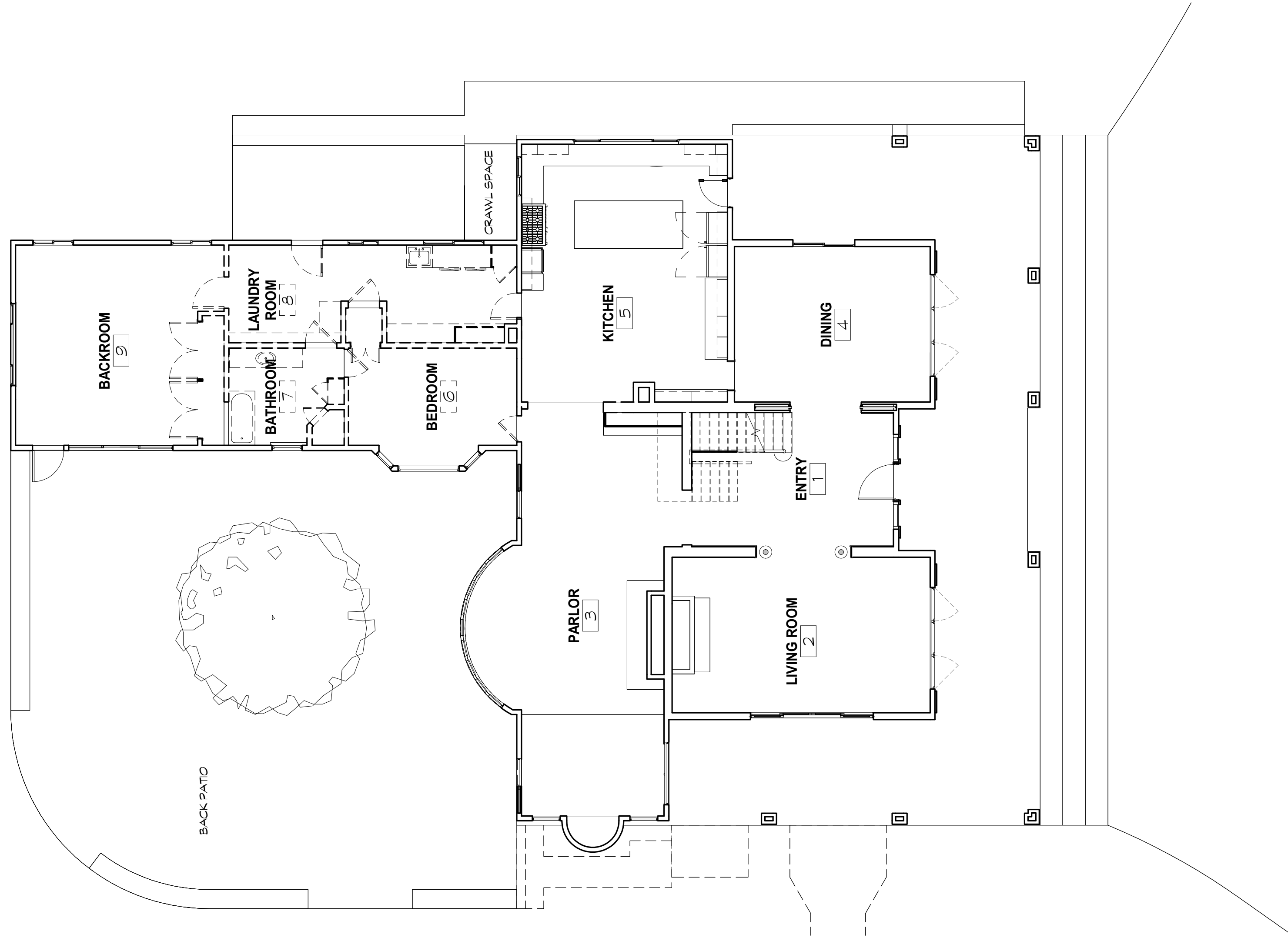
### SITE PLAN



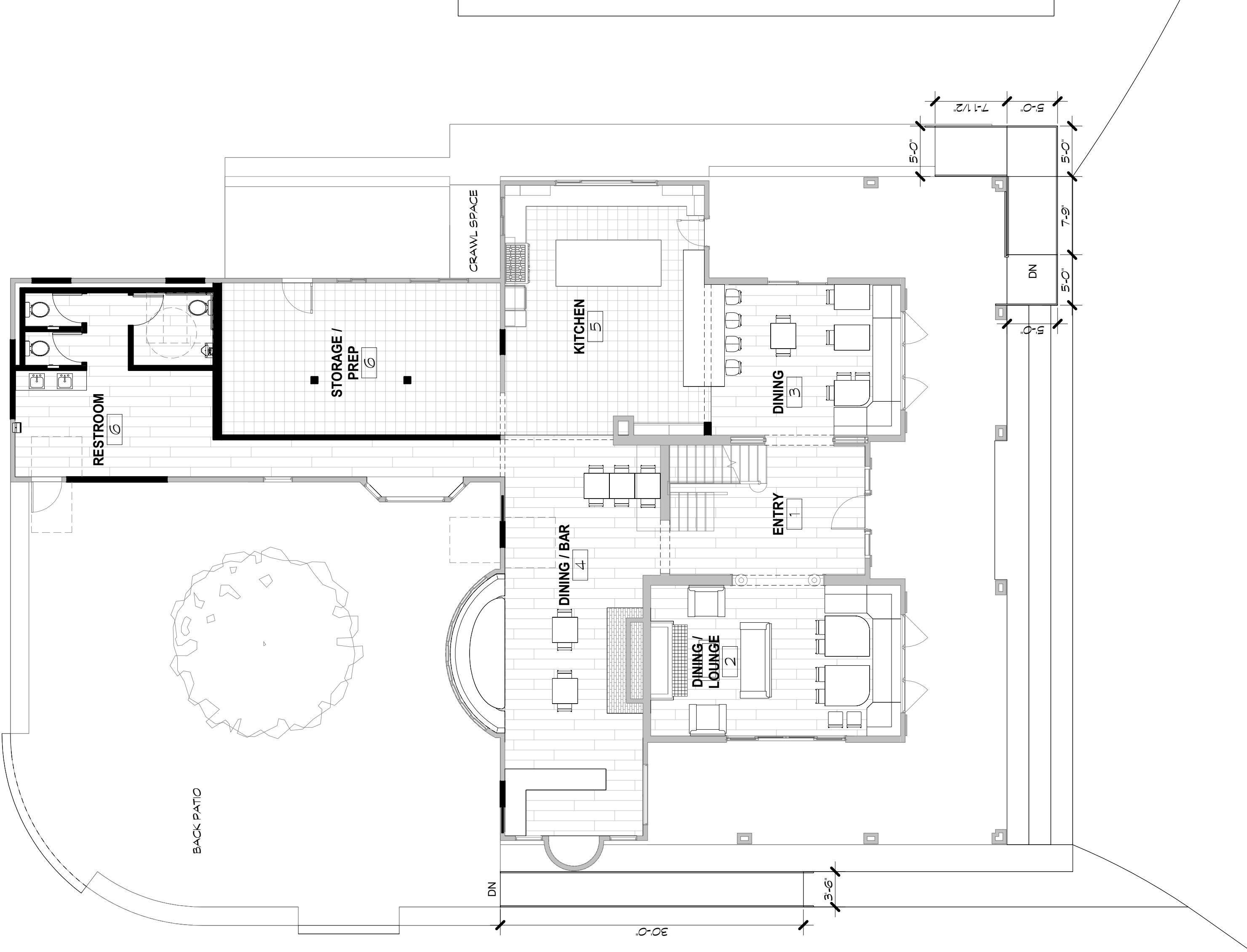
**Harbour & Associates**  
 Civil Engineers  
 389 Clovis Avenue, Suite 300 • Clovis, California 93612  
 (559) 325-7676 • Fax (559) 325-7699 • e-mail stanley@harbour-engineering.com

8/20/25





① FIRST FLOOR PLAN\_DEMO - 45 OCC  
1/8" = 1'-0"



② FIRST FLOOR PLAN\_PROPOSED - 45 OCC  
1/8" = 1'-0"

**DXC  
Special Events Facility  
Unclassified Conditional Use Permit  
Operational Statement**

**April 17, 2025**

**Revised: September 5, 2025**

**Property Owner:**

Mr. Jeffrey & Melissa Kollenkark  
1863 Stonebrook Ln., E  
Clovis, CA 93611

**Applicant:**

Mr. Daniel & Claire Skinner  
1042 S. Rogers Ln.  
Fresno, CA 93727

**Representative:**

Dirk Poeschel Land Development Services, Inc.  
c/o Mr. Dirk Poeschel, AICP  
923 Van Ness Ave., Suite 200  
Fresno, CA 93721

**Project Site:**

5641 E. Butler Ave.  
Fresno, CA 93727

**APN:** 474-120-35

**Zoning:** R-1-AH

**Land Use Designation:** Residential

**Area:** 2.5 +/- acres

**REQUEST:**

To allow for the operation of a special events facility on property located at 5641 E. Butler Ave. Fresno, CA 93737, in the County of Fresno.

## **BACKGROUND:**

This house boasts a rich history of bringing people together to celebrate everything from life and politics to beach parties, Medievalfest, fashion shows, and garden gatherings celebrated with food and wine. Built in the 1920's, it was a popular destination for people from all over California, who even paid to attend its vibrant events. The spirit of community and shared experiences is not new to the Sunnyside area. The applicants aim to revitalize this tradition, breathing new life into both the area and the home, creating a space where people can connect and feel a sense of belonging. For more information regarding this property's history, see *Attachment "A" – Historic Estate Articles*.

The applicant's request is to create a unique dining experience that feels like home—a place that celebrates community by offering both seasonal snacks and delightful four-course meals, all crafted with love and care. The applicants value family and community, and what better way to embrace both than by creating a space where they can live upstairs and operate a special events facility which would facilitate a fine dining experience downstairs.

### **1. NATURE OF THE OPERATION/BACKGROUND**

The subject property is 2.5 +/- acres and is zoned R-1-AH. The subject property is developed with a 5,424 +/- sq. ft. single-family residence and a 900 +/- sq. ft. carriage house.

The applicants aim to create a welcoming atmosphere where everyone feels at home and valued, offering a meticulously curated four-course menu for those seeking an exquisite fine dining experience. The vision is for the special events facility to be a community hub in the historic Sunnyside/Fresno area where patrons can enjoy a culinary experience where it would be least expected.

#### ***Fine Dining Experience***

The applicants will create a rotating menu that showcases seasonal ingredients, changing monthly or bi-monthly to highlight the freshest produce from the Central Valley and innovative culinary techniques not commonly found in the Fresno area. The special event facility will be open from Wednesday to Saturday, serving lunch from 11:00AM to 2:30PM and dinner from 5:00PM to 10:30PM, **by reservation only**. The evening reservations can accommodate an average of 45 patrons. Please note that the last seating will be at 8:00PM, and operations will conclude at 10:30PM.

#### ***One On Events***

The applicant also plans to host small events, including up to 3 intimate weddings per year with no more than 85 guests, and up to 7 personal celebrations such as bridal showers, baby showers, and birthday parties with no more than 50 guests per event. All events will adhere to Fresno County noise ordinance standards.

The One on Events will be managed to ensure consistency with the applicant's intent to maintain an intimate and distinctive venue setting. As part of the operational procedures, each proposed event will be reviewed in advance to evaluate the nature of

the gathering and planned activities. This process is intended to confirm that events are compatible with the proposed event facility's design, the surrounding environment, and the applicant's commitment to preserving a high-quality, tranquil ambiance

## TIME LIMITS

### *Fine Dining Experience*

The fine dining experience will be available from 11:00AM to 2:30PM Wednesday through Saturday and from 5:00PM to 10:30PM Wednesday through Saturday. **The fine dining experience will be available by reservation only.** Last seating would be at 8:00PM. The fine dining experience takes place with a 1 ½ to 2 hour window.

### *One On Events*

Small events, such as personal celebrations which include bridal showers, baby showers, receptions, and birthday celebrations will be hosted between 10:00AM to 10:00PM, with a typical duration of 4 to 5 hours. These types of events will only occur a maximum of 7 times per year. In addition, up to 3 intimate weddings may be held annually, also between 10:00AM and 10:00PM. All events can be held both indoor and outdoor and will comply with Fresno County noise ordinance standards.

## 2. NUMBER OF CUSTOMERS OR VISITORS

### *Fine Dining Experience*

The fine dining experience will be **by reservation only.** The applicants estimate seating for 30 guests during lunch hours and 45 guests during dinner hours.

### *One On Events*

Small events, such as personal celebrations which include bridal showers, baby showers, receptions, and birthday celebrations will host up to 50 guests per event, maximum of 7 times per year. Intimate weddings will host a maximum of 85 guests, 3 times per year.

## 3. NUMBER OF EMPLOYEES

### *Fine Dining Experience*

There will be 5 to 7 employees: 2 will work in the afternoon to prepare for the evening's fine dining reservations, while others will arrive around 4:00PM or 4:30PM to assist with the fine dining service. An Event Manager will be on-site at all times to oversee activities and ensure compliance with operational procedures.

### *One On Events*

There will be one (1) full-time employee, respectively titled Event Manager, who will be present at each event, beginning to end. If needed, additional event staff will be provided by the applicant. The applicant will provide a minimum of two (2) staff members per event.

#### 4. SERVICE DELIVERY VEHICLES

There will be no large delivery vehicles. The applicants will pick-up their own products. If anything is delivered, it would be in a regular car/van from local purveyors.

##### Special Events Facility Trip Generation

The Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition (TGM), is typically used to estimate the number of trips generated by proposed projects. However, the land uses presented in the TGM do not specifically evaluate special event facilities. This is due to the intermittent use of special event facilities and the significant variation in number of guests depending on when an event is held and the type of event.

The proposed special event facility is intended to mainly serve as a fine dining experience. This service will be available, **by reservation only**, from 11:00AM to 2:30PM Wednesday through Saturday and from 5:00PM to 10:30PM Wednesday through Saturday. The fine dining experience will take place with a 1 ½ to 2 hour window.

Secondly, the proposed special event facility is intended to serve as a venue for small and intimate gatherings for events such as weddings, anniversaries, birthday celebrations, and similar gatherings, with a maximum of one event per day.

As a result, trip generation characteristics have been estimated based on the project description. It is assumed that the average vehicle occupancy for event guests will be 2.5 passengers per vehicle. The tables below provide the trip generation estimates for the maximum capacity of each event type proposed.

**TABLE 1 – Trip Generation  
Fine Dining Experience  
(Max Capacity: 45 Guests)**

Type of Trip	Daily Trips			Peak Hour (Before Event)			Peak Hour (After Event)		
	In	Out	Total	In	Out	Total	In	Out	Total
Employee	7	7	14	2	0	2	0	7	7
Delivery	0	0	0	0	0	0	0	0	0
Catering Trucks	0	0	0	0	0	0	0	0	0
Event Guests (2.5 passengers per vehicle)	18	18	36	18	0	18	0	18	18

<b>TOTAL</b>	<b>25</b>	<b>25</b>	<b>50</b>	<b>20</b>	<b>0</b>	<b>20</b>	<b>0</b>	<b>25</b>	<b>25</b>
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Table 1 estimates that the proposed special event facility will generate approximately **50 DAILY TRIP**, with 20 trips occurring during the peak hour before the start of the proposed fine dining experience and 25 trips after the event’s peak hour.

**TABLE 2 – Trip Generation  
One on Events  
(Max Capacity: 85 Event Guests)**

Type of Trip	Daily Trips			Peak Hour (Before Event)			Peak Hour (After Event)		
	In	Out	Total	In	Out	Total	In	Out	Total
Employee	2	2	4	2	0	2	0	2	2
Delivery	2	2	4	2	2	2	0	0	0
Catering Trucks	0	0	0	0	0	0	0	0	0
Event Guests (2.5 passengers per vehicle)	34	34	68	34	0	34	0	34	34
<b>TOTAL</b>	<b>38</b>	<b>38</b>	<b>76</b>	<b>38</b>	<b>2</b>	<b>38</b>	<b>0</b>	<b>36</b>	<b>36</b>

Table 2 estimates that the proposed event center will generate approximately **76 DAILY TRIP**, with 38 trips occurring during the peak hour before an event and 36 trips after the event’s peak hour. It is important to note that the one on event types analyzed in Table 2 are conservatively estimated to take place a total of 10 times per year.

**5. ACCESS TO THE SITE**

There are 3 existing driveway approaches: 1 from E. Butler Ave. and 2 from S. Waverly Ln. Guests will use the E. Butler Ave. driveway for ingress only, while the 2 driveways on S. Waverly Ln. will accommodate both ingress and egress.

**6. NUMBER OF PARKING SPACES**

As illustrated on the site plan, there will be a designated area for guest parking. The parking area will be located to the east of the residence. It is estimated 0.36 +/- acres of the site will be available for parking. Also there is ample space for ADA compliant parking and additional parking on the existing driveway located on the property in front of the residence. Staff parking will be on the westside gravel driveway. There will be no parking allowed on E. Butler Ave and S. Waverly Ln.

## **7. GOODS OR SERVICES SOLD ON SITE**

### ***Fine Dining Experience***

Four course meals, with the menu changing monthly or bi-monthly, depending on the season.

### ***One On Events***

Catering will be available for proposed smaller events.

## **8. EQUIPMENT**

The kitchen will comply with Fresno County Health Department standards.

## **9. SUPPLIES AND MATERIALS**

No special supplies or materials are required for the project.

## **10. DOES THE USE CAUSE AN UNSIGHTLY APPEARANCE?**

The applicants plan to maintain the natural and historical landscape and architecture of the property and residence. The site is gated and features mature landscaping throughout. The existing driveways are made of concrete, and parking areas will be concealed from view. The property is currently well-maintained and will continue to enhance the surrounding area.

### **Noise**

#### ***Fine Dining Experience***

The proposed fine dining experience will be held indoors.

#### ***One On Events***

The small events proposed 10 times per year will have the capacity to be held indoors and outdoors. Out of courtesy, immediate neighbors will be informed in advance prior to the occurrence of any of these events.

If needed, a small outdoor system (Sonos home theater system) will be provided for small events. The applicants will monitor events which will use the sound system indoors and outdoors. No amplified speech or music will occur during the nighttime hours, 10:00PM.to 7:00AM. All events will be subject to monitoring by the applicants and their staff to ensure that noise levels are not exceeded.

### **Glare**

No glare. All lighting will be directed to not annoy nearby property owners. No large light fixtures are proposed. On-site lighting is installed in zones so only those areas in use will be lit.

## **Dust**

There will be no dust. The subject site is landscaped and paved. An additional parking area will be paved in decomposed granite/ concrete.

## **11. LIQUID OR SOLID WASTES TO BE PRODUCED**

### **Waste Disposal**

The applicants propose a 100 +/- sq. ft. restroom facility to accommodate the special event facility attendees. The proposed restroom is planned to be located inside the house, towards the northeast side of the house.

There is one existing 1,500-gallon septic tank and 5 seepage pits that are 4'X20'. The proposed restroom facility will be provided consistent with Fresno County standards.

### **Solid Waste Disposal**

The facility is currently, and will continue to be, served by Waste Management. Solid waste containers will be located on the property for collection by the authorized hauler, with recyclable materials separated for pick-up.

To ensure proper sanitation, the applicant will contract a monthly trash cleaning service to wash and maintain waste containers, preventing the buildup of debris or odors. All trash receptacles will be stored in a screened and discreet area, out of public, to minimize potential impacts related to visibility or odors.

The quantity of solid waste generated by the facility will be determined by the number and size of events that occur in a week. However, it is anticipated that the maximum quantity will not exceed 2 cubic yards a week.

## **12. ESTIMATED VOLUME OF WATER TO BE USED**

The project site is served by City of Fresno water system. The applicants anticipate using approximate 16,000 gallons of water per month, excluding exterior landscaping.

## **13. PROPOSED ADVERTISING**

One entry sign at the entrance of the subject site is proposed. Proposed signage will meet Fresno County sign standards.

## **14. WILL EXISTING BUILDINGS BE USED?**

Yes, the existing two-story, approximately 5,424 +/- sq. ft. single-family residence and the existing 900 +/- sq. ft. carriage house will be utilized. For more details, please see the conceptual site plan.

The second floor of the residence will be used exclusively by the applicants and will not be accessible to the public.

**15. WHICH BUILDINGS OR WHAT PORTION OF BUILDINGS WILL BE USED?**

The current two-story residence, measuring approximately 5,424 +/- sq. ft., will serve as both a special events facility and a living space for the applicants. The first floor, approximately 1,644 +/- sq. ft., will serve as the fine dining experience area and will include appropriate restroom facilities for guests. For more details regarding the first floor, see project *Floor Plan*. The second floor of the residence will be used as the applicants' private living quarters.

The carriage house, measuring approximately 900 +/- sq. ft., will serve as a residence for the applicants' parents. The proposed special events facility will be operated by the applicant and their family.

**16. OUTDOOR LIGHTING PROPOSED**

Given the site's size, location, and extensive tree coverage, the use will not adversely impact surrounding properties. There will be a limited number of outdoor lighting fixtures and all will meet Fresno County standards.

**17. LANDSCAPING OR FENCING**

All existing landscaping will remain intact. The property features a chain-link fence on the north and east sides, lined with mature trees and bushes. The south side has a wrought iron fence, also accompanied by mature trees and bushes. On the west side, there is a wooden fence bordered by trees and shrubs.

**18. ANY OTHER INFORMATION THAT WILL PROVIDE A CLEAR UNDERSTANDING OF THE PROJECT**

Consistency with all county policies.

**19. IDENTIFY PROJECT OWNERS**

Mr. Daniel Skinner & Mrs. Claire Skinner  
1042 S. Rogers Ln.  
Fresno CA 93727

[https://dplds.sharepoint.com/shared documents/current clients/skinner, daniel - residential fine dining 25-07/operational statement/dxc - operational statement.docx](https://dplds.sharepoint.com/shared%20documents/current%20clients/skinner,%20daniel%20-%20residential%20fine%20dining%2025-07/operational%20statement/dxc%20-%20operational%20statement.docx)



# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Dirk Poeschel, Dirk Poeschel Land Development Services
- APPLICATION NOS.:** Initial Study No. 8724 and Conditional Use Permit Application No. 3824
- DESCRIPTION:** Allow a special event facility with a fine dining operation on a 2.5-acre parcel in the R-1-AH (Low Density, Single Family Residential) Zone District.
- LOCATION:** The subject parcel is located on the northwest corner of E. Butler Avenue and S. Waverly Lane, approximately 300-feet east of the intersection with S. Clovis Avenue and the City of Fresno (5641 E. Butler) (474-120-35) (Sup. Dist. 5).

### AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

**FINDING: NO IMPACT:**

The project site is located in an urbanized area with primarily residential uses. There are no identified scenic vistas or scenic resources in the area. The nearest designated scenic resource is located approximately 2.50 miles northeast starting on E. Belmont Ave. and N. Temperance Ave.

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

FINDING: NO IMPACT:

The project proposes the use of limited outdoor lighting already existing on the property. No new installation of lighting is proposed as part of this project.

## II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 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?

FINDING: NO IMPACT

Per the 2022 Fresno County Important Farmland Map, the subject parcel is designated as Urban and Built-Up Land. The project will not convert any farmland.

- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: NO IMPACT:

The subject parcel is zoned RR (Rural Residential) Zone District and is not subject to a Williamson Act Contract.

- C. Conflict with existing zoning for forest land, timberland, or timberland zoned Timberland Production; or

- D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is not located on land zoned for forest land, timberland or timberland zoned Timberland Production, and as such will not result in the loss of forest land or conversion of land for non-forest use.

- 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?

FINDING: NO IMPACT:

The project is not located in an area that has farmland or forest land, and it will not convert any farmland or forest land.

### III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: NO IMPACT:

The project proposes the operation of a fine dining establishment. Reviewing Agencies and Departments did not express concern with the project to indicate that the project would result in conflict with an applicable Air Quality Plan or result in cumulatively considerable net increase of any criteria pollutant.

- C. Expose sensitive receptors to substantial pollutant concentrations; or
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: NO IMPACT:

Emissions resulting from the operation of the fine dining operation will not result in significant pollutant concentrations. The nearest sensitive receptor is a home on the property and neighboring homes with the closest being approximately 130-feet north of the project site.

### IV. BIOLOGICAL RESOURCES

Would the project:

- 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?

FINDING: NO IMPACT:

The California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) did not express concern with the project, and they didn't indicate any impacts to special-status species. Therefore, development of the project is not expected to have a substantial adverse effect through habitat modification as the site is already previously disturbed by a residence and there is no development additions proposed.

- 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; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT:

No riparian habitat or other sensitive natural community was identified on the project site.

- 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?

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience on a previously disturbed parcel located in an urban neighborhood. The project does not cut off movement of the site for any wildlife residents. No migratory wildlife corridor or native wildlife nursery site was identified on the project site.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- 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?

FINDING: NO IMPACT:

Reviewing Agencies and Departments did not identify a local policy or ordinance adopted for the protection of a biological resource that would be in conflict with the project proposal. No Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state Habitat Conservation Plans were identified as being in conflict with the project proposal.

## V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience on a previously disturbed parcel located in an urban neighborhood. No reviewing Agencies and/or Departments express concern with the project to indicate that a cultural or historical resource is present on the site and would be affected by the project proposal.

## VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT:

The project proposes to operate a fine dining experience on a previously disturbed parcel. Construction of new buildings is not proposed. The operation of the fine dining experience anticipates serving approximately 75 guests a day, 4-course meals, for four days a week out of the residence. Consumption of energy resources is expected to increase with operations and result in above average consumption rates compared to similar single-family residence. The kitchen equipment powered by either gas or electricity will be used to meet operational demands. No state or local plan for renewable energy or energy efficiency was identified during Agency and Department review.

## VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. 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?

FINDING: NO IMPACT:

According to Figure 8-1 of the 2024 Fresno County General Plan Background Report and the California Department of Conservation Earthquake Hazard Zone Application (EQ Zapp), the project is not located on a known earthquake fault zone.

2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

According to the Department of Conservation California Geological Survey the project is not located in an area near a known earthquake fault zone and is not susceptible to liquefaction.

4. Landslides?

FINDING: NO IMPACT:

According to the 2024 Fresno County General Plan Background Report the project area is in a low-risk area for landslides.

- B. Result in substantial soil erosion or loss of topsoil?

FINDING: NO IMPACT:

The project does not propose any site development or new construction. The project would not result in a loss of topsoil or soil erosion where a significant risk of loss, injury, or death would occur.

- 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?

FINDING: NO IMPACT:

According to the 2024 Fresno County General Plan Background Report the project site is located in an area with low risk for landslides and liquefaction. There have been no known issues with subsidence in the project area. No geologic unit or unstable soil was identified on the project site. Furthermore, the site is developed with a single-family residence and accessory buildings.

- D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

According to the 2024 Fresno County General Plan Background Report the project site is not located in an area known to have expansive soils.

- E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or

Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: NO IMPACT:

The project site has two 1,500-gallon septic tanks. A Nitrogen Loading Analysis (NLA) was submitted and reviewed on February 28, 2025. This NLA indicates that the total nitrogen in the groundwater is 7.7mg/l which is below the Environmental Protection Agency (EPA) threshold of 10.0mg/l for drinking water. This project does not propose an alternative wastewater disposal system. There were no unique paleontological resources or unique geologic features identified on the project site.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience on a previously disturbed parcel. Reviewing Agencies and Departments did not express concern with the project to indicate that a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases exists as a result of the project.

## IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or

- 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?

FINDING: NO IMPACT:

No hazardous materials are proposed for this project.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: NO IMPACT:

The project does not propose the handling of hazardous materials as part of operations. The project site is located approximately 0.63 miles southwest of an existing school (Sunnyside Learning Center), and therefore there will be no hazardous emissions within one-quarter mile of a school.

- 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?

FINDING: NO IMPACT:

According to the NEPAssist Database, the project site is not located on a listed hazardous materials site and the project would not result or create a significant hazard to the public or the environment.

- E. 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within two miles of a public airport or public use airport. The nearest airport is the Fresno Yosemite International Airport located approximately 2.50-miles north from the proposed project site.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

Reviewing Agencies and Departments did not identify any conflict with the project and any adopted emergency response plan or emergency evacuation plan. Additionally, no concerns were expressed that the project would result in a significant risk of loss, injury, or death involving wildland fires. Furthermore, the project site is not in a State Responsibility Area (SRA) for fire suppression and prevention.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; or
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience out of an existing residence in an urban neighborhood. The proposed water use is that of a typical residence. Water services are provided by the City of Fresno. The City of Fresno did not express any concern with project in relation to water usage or the violation of any water quality standards. The project would not violate water quality standards, waste discharge requirements or substantially degrade surface or ground water supply.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
  - i. Result in substantial erosion or siltation on- or off-site;
  - ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
  - iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience on a previously disturbed parcel located in an urban neighborhood. No ground disturbance or grading is proposed as part of this project. Reviewing agencies and departments did not express concern with the project to indicate that the project would result in runoff water contributions that would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff.

- iv. Impede or redirect flood flows?

FINDING: NO IMPACT:

The project site is not located within a flood hazard area. Applicable agencies reviewed the project site and did not have any comments regarding any requirements and asserted the project as proposed would not impede or redirect flood flows.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: NO IMPACT:

The project site is not located within a flood hazard area, and the project will not increase the risk of release of pollutants due to project inundation. Additionally, the project site is not located near a body of water where a tsunami or seiche risk is prevalent.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT:

The project site receives its water from the City of Fresno. The City of Fresno did not express any concern with project in relation to water quality or groundwater management plan.

## XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience on a previously disturbed parcel located in an urban neighborhood through a land use discretionary permit. The project is not proposing to physically divide an established community or divide the existing parcel.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: NO IMPACT:

There were no land use plans, policies, or regulations for the purpose of avoiding or mitigating an environmental effect identified in the Fresno County General Plan as being in conflict with the project proposal.

## XII. MINERAL RESOURCES

Would the project:

- 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; or
- 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?

FINDING: NO IMPACT:

According to the 2024 Fresno County General Plan Background Report the project site is not located on or near an identified mineral resource or mineral producing site.

## XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION:

The project proposes to operate a fine dining experience in an urban neighborhood. The use of a small outdoor speaker system may be used during events. According to the noise analysis conducted a mitigation measure to prevent noise pollution shall be in place.

**Mitigation Measure No. 1:** *Outdoor amplified sound shall not exceed a noise level of 79dB's at five (5) feet from the noise source or sources; or fifty (50) dB's at the Project site property line.*

- C. For a project located within the vicinity of a private airstrip or 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, would the project expose people residing or working in the project area to excessive noise levels; or

FINDING: NO IMPACT:

The project site is not located within two miles of a public airport or public use airport. The project site is not located in an airport land use plan. The nearest airport is the Fresno Yosemite International Airport located approximately 2.50-miles north of the proposed project site.

#### XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned 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)?; or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience on a previously disturbed parcel located in an urban neighborhood. The project will not induce unplanned population growth or displace any number of people or housing. No new housing or division of land is being proposed.

#### XV. PUBLIC SERVICES

Would the project:

- A. 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?
  - i. Fire protection;
  - ii. Police protection;
  - iii. Schools;
  - iv. Parks; or
  - v. Other public facilities?

FINDING: NO IMPACT:

Reviewing agencies and departments did not provide concerns regarding the project or a need for additional governmental facilities or alteration to existing governmental facilities. The project proposes to operate a fine dining experience on a previously disturbed parcel located in an urban neighborhood and does not anticipate utilizing any public facilities during its operation and should not cause negative impact on the public services available.

## XVI. RECREATION

Would the project:

- 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; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience on a previously disturbed parcel located in an urban neighborhood. The project is not expected to increase the use of existing neighborhood and regional parks and does not include the construction or expansion of recreational facilities.

## XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; or
- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to operate a fine dining experience in an urban neighborhood. The experience will be by reservation only, Wednesday's through Saturdays from 11:00AM to 2:30PM and from 5:00PM to 10:30PM. The fine dining experience proposes to host an average of 45 people during each scheduled event. Seven (7) personal celebrations with no more than 50 guests per event, and three (3) larger events to host no more than 85 people are proposed on the project site. According to the Trip Generation Analysis provided by a registered professional engineer, the project is anticipated to generate a maximum of 76 daily trips with 38 AM peak hour trips and 36 PM peak hour trips. This is under the threshold of 110 daily vehicle trips that would require further evaluation and potentially require or recommend mitigation. This Trip Generation Analysis was provided to Fresno County Transportation Planning Unit for review, and it was determined to be acceptable as presented.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?; or
- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Reviewing Agencies and Departments did not express any concerns with the project design or access to indicate that potential hazards would be generated due to design features or inadequate emergency access will result from the project.

#### XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
  - ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: NO IMPACT

Participating California Native American Tribes were notified of the project proposal and given the opportunity to enter into consultation with the County of Fresno in addressing potential tribal cultural resources occurring on the project site. No notified California Native American Tribe expressed concern with the project and did not enter into consultation. The subject parcel has been previously disturbed. No reviewing Agency or Department provided comments to indicate that a listed or eligible historical resource is located on the project site.

#### XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience on a previously disturbed parcel located in an urban neighborhood. Two 1,500-gallon septic tanks are on the parcel to accommodate the proposed use. Water is provided by the City of Fresno. This project will not result in the relocation or construction of utilities and service systems. Reviewing agencies and departments did not identify any significant environmental effects as a result of the project.

- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: NO IMPACT:

The project proposes to operate a fine dining experience on parcel located in an urban neighborhood. The proposed use would utilize water supplied by the City of Fresno estimated to be approximately 16,000 gallons per month. The City of Fresno did not express any concern with the proposed water use having an adverse effect on water supplies.

- C. 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?

FINDING: NO IMPACT:

The project does not propose the development of a wastewater treatment system and the project does not necessitate a wastewater treatment provider. Two 1,500-gallon septic tanks are on the parcel to accommodate the proposed use and there is no wastewater treatment provider servicing the property.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposes to operate a fine dining experience in an urban neighborhood. The project anticipates generating a maximum quantity of 2 cubic yards of solid waste per week. The facility will be serviced by Waste Management, a private waste management service provider. Reviewing agencies and departments did not provide comments to indicate that the project would result in solid waste generation in excess of State or local standards, or result in a conflict with federal, state, and local management and reduction statutes and regulation related to solid waste.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

As depicted in the 2025 Fresno County Fire Hazard Severity Zones Map, produced by the California Department of Forestry and Fire Protection, the project site is located within an unzoned Local Responsibility Area near an Incorporated City. The project site is not located in or near a state responsibility area and it is not classified as a very high fire hazard severity zone. Reviewing Agencies and Departments did not provide comments to indicate that the project would result in impairment to evacuation plans, exposure to pollutant concentrations, exacerbation of fire risk, or exposure to post-fire risks.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially 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, substantially 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?

FINDING: NO IMPACT:

The subject site has been determined to be previously disturbed and occupied with human activity. The project does not have the potential to substantially degrade the environment, substantially reduce the habitat of a wildlife species and would not cause a wildlife population to drop below self-sustaining levels.

- 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)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

It has been determined that the project would result in impacts to Noise. These impacts were determined to be less than significant with the implementation of a mitigation measure that outdoor amplified sound shall not exceed a noise level of 79dB's at five (5) feet from the noise source or sources; or fifty 50dB's at the Project site property line. This is to prevent adverse effects on the surrounding area in regard to noise impacts. With the implementation of this mitigation measure, the project is not anticipated to result in a cumulative considerable impact and would result in a less than significant impact regarding the identified section.

- C. Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

The project has been determined to not result in substantial adverse effect on human beings.

## CONCLUSION/SUMMARY

Based upon the Initial Study No. 8724 prepared for Conditional Use Permit Application No. 3824, 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 Agriculture & Forestry Resources, Air Quality, Biological Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Population/Housing, Public Services, Recreation, Transportation, Utilities/Service Systems, Wildfire, or Mandatory Findings of Significance.

Potential impacts related to Energy, Transportation, Utilities/Service Systems and Mandatory Findings of Significance have been determined to be less than significant.

Potential impacts related to Noise have determined to be less than significant with mitigation.

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 southwest corner of Tulare and "M" Street, Fresno, California.

AB

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**EXHIBIT 8**

File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: <b>IS 8724</b>	<b>LOCAL AGENCY MITIGATED NEGATIVE DECLARATION</b>	County Clerk File No:	
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): Arianna Brown, Planner	Area Code: 559	Telephone Number: 600-4245	Extension: N/A
Project Applicant/Sponsor (Name): Dirk Poeschel Land Development Services	Project Title: Initial Study No. 8724 and Conditional Use Permit Application No. 3824		
Project Description: Allow a special event facility with a fine dining operation on a 2.5-acre parcel in the R-1-AH (Low Density, Single Family Residential) Zone District.			
Justification for Mitigated Negative Declaration:  Based upon the Initial Study No. 8724 prepared for Conditional Use Permit Application No. 3824, 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 Agriculture & Forestry Resources, Air Quality, Biological Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Population/Housing, Public Services, Recreation, Transportation, Utilities/Service Systems, Wildfire, or Mandatory Findings of Significance.  Potential impacts related to Energy, Transportation, Utilities/Service Systems and Mandatory Findings of Significance have been determined to be less than significant.  Potential impacts related to Noise have determined to be less than significant with mitigation.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – March 9, 2026		Review Date Deadline: Planning Commission – April 9, 2026	
Date:	Type or Print Signature: Tawanda Mtunga Principal Planner	Submitted by (Signature): Arianna Brown Planner	

State 15083, 15085

County Clerk File No.: E-

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**

# IMAGE 1



**E. Butler Ave. Driveway Access Facing North**

## **IMAGE 2**



**Front of Residence Towards S. Waverly Ln. Driveway Access Facing East**

**IMAGE 3**



**Front of Residence Facing E. Butler Ave. Driveway Access**

# IMAGE 4



Side of Residence Facing West

**IMAGE 5**



**Outdoor Patio Facing Northwest**

# IMAGE 6



**Backyard Facing Northwest**

# IMAGE 7



Back of Existing ADU Facing East

# IMAGE 8



Rear of Residence Facing Northeast

# IMAGE 9



**S. Waverly Ln. Driveway Access Facing West**

# IMAGE 10



Side of Residence Facing Northeast

# IMAGE 11



**S. Waverly Ln. Driveway Access Facing West**

## EXHIBIT 10

Sunnyside Property Owners Association  
P.O. Box 8096  
Fresno, CA 93747

March 25, 2026

Department of Public Works and Planning  
County of Fresno  
2220 Tulare Street, Sixth Floor  
Fresno, CA 93721

ATT: Arianna Brown

RE: Conditional Use Permit No. 3824

The Board of Directors of the Sunnyside Property Owners Association (SPOA) appreciates the opportunity to comment on the above-referenced Conditional Use Permit (CUP) filed by Daniel and Claire Skinner proposing a Special Event Facility providing fine dining experiences by reservation and occasional small private gatherings serving 30-85 guests. The property address is 5641 E. Butler Avenue, a 2.5-acre parcel zoned R1AH within the Beautification Overlay District of Sunnyside.

The Skinners presented their plans for an event center to our Board in June of last year. Since that time, we have reached out to the applicants to clarify details in the operational statement filed with the county as to traffic, ingress and egress, number and location of events (indoors/outdoors), hours of operation for the events (ending by 5 or 10 p.m.), trash disposal, the outdoor restroom, parking, and the amplified sound system. As a result, the applicants updated the operational statement and have amended the noise study completed for the project to correctly reflect the requirements of the Fresno County Noise Ordinance. SPOA sent all residents within 600 feet (county noticing area) a copy of the operational statement.

The applicants have assured us that their immediate neighbors have been contacted and are comfortable with the CUP for an event center and seem genuinely concerned that any change of use befits the character of this section of old Sunnyside.

This proposal received mixed reactions from our Board, with some welcoming a fine dining experience, while others remain hesitant about the impacts associated with an Event Center CUP and the precedent this would set. Although we are now more comfortable with certain aspects of the operational statement, we have been unable to reach a consensus and have decided to remain neutral, providing the materials ensuring the neighbors are fully informed.

It is our hope that if the CUP is approved, current and subsequent owners of this property will appreciate this opportunity; noticing and evaluating all private gatherings for residential compatibility and addressing any potential complaints as quickly as possible.

Respectfully,

Sue Williams  
Corresponding Secretary

C; Claire and Daniel Skinner, Supervisor Nathan Magsig