

**CITY OF FRESNO**

**ADDENDUM TO MITIGATED NEGATIVE DECLARATION**

**No. P21-00779**

**(As approved by the City of Fresno on June 3, 2021)**

*Addendum prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines*

The full Initial Study is on file in the Planning and Development Department,  
Fresno City Hall, 3rd Floor  
2600 Fresno Street  
Fresno, California 93721  
(559) 621-8032

ENVIRONMENTAL ASSESSMENT NUMBER:  
P21-00779

This addendum was not circulated for public review pursuant to Section 15164(c) of the CEQA Guidelines.

**APPLICANT:**

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**PROJECT LOCATION:**

Located on the northeast corner of North Milburn Avenue and West Dakota Avenue in the City and County of Fresno, California (approx. 4.5 acres)  
Latitude: 36°47'12.5" N & Longitude: -119°52'29.1" W  
Assessor's Parcel Number(s): 511-200-30T  
Mount Diablo Base & Meridian, Township 13S, Range 19E, Section 23

**PROJECT DESCRIPTION:**

**Previous CEQA Documentation**

The Planning and Development Department Director, on June 3, 2021, approved Development Permit Application No. P21-00779 for Milburn/Dakota Park (Park), located on the Northwest Corner of W Dakota Ave and N Milburn Ave (APN: 511-200-30T). A Mitigated Negative Declaration (MND) was prepared for the Project as Environmental Assessment No. P21-00779, dated March 23, 2021.

The approved Project involves the development of a neighborhood park on approximately 4.5 acres of vacant land currently zoned as Park and Recreation. Proposed Park amenities include a multi-use field, covered stage, playgrounds, a water play area, restrooms, picnic shelters, a rubberized jogging track, a dog park, multi-use courts for tennis, basketball, futsal, and pickleball, and an exercise area. Trees will be planted along the perimeter of the park site. However, this approved Project, and its corresponding environmental assessment, did not include the off-site street improvements. The purpose of this Addendum is to include the off-site improvements.

### **Revised Project Elements**

The Milburn/Dakota Park improvement Project's revised off-site improvement elements enhance safety and accessibility along North Milburn Avenue and West Dakota Avenue. This involves the installation of 12' sidewalks on the eastern side of Milburn Avenue, adjacent to the Park, along with planters and street lighting for improved aesthetics and safety. A curb with an ADA-accessible ramp will be installed at the intersection of North Milburn Avenue and West Dakota Avenue.

A transition zone spanning 215' west of this intersection will convert Dakota Avenue from a standard two-lane configuration to a two-lane road with a two-way left turn center median. A new Class II bike lane will also be added on the northern side of Dakota Avenue for cyclist safety.

East of the North Milburn Avenue and West Dakota Avenue intersection, the Project includes the installation of 12' sidewalks with planters and continued street lighting along the north side of West Dakota Avenue. The road geometry will consist of three lanes total with two 11' lanes traveling east and west and a 10' two-way left turn lane in between. Entry and exit driveways into the Milburn Dakota Park parking lot will be provided, with an 8' shoulder separating them from the 5' bike lane for cyclist safety during ingress and egress.

Along all segments of West Dakota Avenue that are adjacent to Milburn Dakota Park, the road geometry will remain consistent with 12' sidewalks with planters and continued street lighting along the north side, and the lanes discussed above. The road geometry will change at the eastern boundary of the Park along West Dakota Avenue, with a 190' transition zone that will mark the end of the two-way left turn lane, returning the road to a standard two-lane configuration.

The Revised Project also incorporates stormwater management features, including bioretention basins, dry wells, and manholes with baffle walls. These features are designed to capture and treat runoff, ensuring compliance with Fresno Metropolitan Flood Control District (FMFCD) requirements and preventing significant impacts on water quality.

The proposed improvements also include vacating approximately 6,587 square feet of right-of-way (ROW) along Dakota Avenue, transferring jurisdiction from the County to the City of Fresno. As the current City

limit line runs along the centerline of Dakota Avenue, the section south of the centerline, currently under County jurisdiction, will be incorporated into the City's jurisdiction.

CEQA Section 15162 provides that when an Environmental Impact Report ("EIR") has been adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

**FINDINGS PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES.**

- (1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

**Finding  
(1):**

As discussed above, the Project has undergone minor revisions since it was approved in 2021, necessitating the inclusion of off-site improvements that were not part of the original Project description. However, these changes are not substantial in nature, and thus do not require major revisions to the previous MND.

The additions of 12-foot sidewalks, ADA-compliant ramps, street lighting and a Class II bike lane are designed to improve safety and accessibility. The proposed transition zone on West Dakota Avenue will improve traffic flow and reduce congestion.

The jurisdictional change discussed ensures that the improvements align with City standards and integrate seamlessly into the urban infrastructure.

The Project's new elements, such as sidewalks and planter strips, enhance the visual appeal of the surrounding streetscape. The additional street lighting improves nighttime safety and visibility, contributing to the overall aesthetic and functional quality of the area.

The Revised Project's construction activities, including road widening and installation of sidewalks, are expected to generate short-term emissions. However, these emissions are not anticipated to exceed thresholds established by the SJVAPCD. Long-term emissions from the Project are expected to decrease due to improved traffic flow, reduced idling, and the promotion of active transportation.

The site's existing conditions, characterized by highly disturbed soil and urban development, limit the potential for significant impacts on biological resources.

The construction of the Revised Project involves the use of standard materials such as concrete, asphalt, and electrical components for street lighting. However, the use of these materials is standard in these types of projects, and are not expected to have a significant impact due to the use of safety protocols during construction.

Thus, the proposed changes, including off-site street improvements and jurisdictional

adjustments, do not introduce new significant environmental effects or substantially increase the severity of previously identified impacts. Therefore, no major revisions of the previous MND are required under Section 15162 of the CEQA Guidelines.

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,*

**Finding  
(2):**

The circumstances under which the Milburn/Dakota Park Project is being undertaken have not substantially changed since the approval of the original MND. The environmental context, land use designations, and regulatory framework remain consistent, and the Revised Project does not involve changes that would result in new significant environmental effects or substantially increase the severity of previously identified impacts.

The Revised Project's off-site improvements, such as the installation of sidewalks and street lighting, are consistent with the site's land use designation and contribute to the community's recreational infrastructure without altering the Project's intended use. The off-site improvements enhance the Park's integration with the surrounding urban environment. The improvements are designed to complement the existing neighborhood character, ensuring that they do not result in land use conflicts or significant environmental impacts.

The Revised Project includes road widening and the addition of safety features such as ADA-compliant ramps and street lighting. These improvements are expected to enhance public safety and reduce response times for emergency services by improving access to the park and surrounding areas.

The Public Works Department/Traffic Engineering Division has reviewed the Revised Project and determined that the expected traffic generation from both construction and operation of the Revised Project will not adversely impact the existing and projected circulation system. The addition of a two-way left-turn center median and improved road geometry is anticipated to enhance traffic flow and reduce congestion, contributing to a more efficient and safe transportation network. The Revised Project's transportation improvements, including the addition of bike lanes and pedestrian infrastructure, align with the City's objectives of promoting alternative transportation modes and reducing vehicle dependency.

The Revised Project also incorporates stormwater management features, including bioretention basins, dry wells, and manholes with baffle walls. These features are designed to capture and treat runoff, ensuring compliance with Fresno Metropolitan Flood Control District (FMFCD) requirements and preventing significant impacts on water quality.

	<p>Thus, there have been no substantial changes in the circumstances surrounding the Milburn/Dakota Park Project that would require major revisions to the previous MND. The Revised Project's off-site improvements are consistent with the existing environmental and land use context and will not result in new significant environmental effects.</p>
	<p>(3) <i>New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR, would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.</i></p>
<p><i>Finding (3):</i></p>	<p>No new information of substantial importance has been identified since adoption of the MND that show the Project will have significant effects not discussed in the MND or significant effects which are substantially more severe than those analyzed in the MND. Additionally, the mitigation measures from the original MND remain applicable and sufficient to address the impacts of the Revised Project, and no additional or different mitigation measures are required.</p> <p>The Revised Project elements discussed above are not anticipated to increase the severity of the significant effects of the Project or introduce new significant effects requiring new mitigation measures. Instead, these elements will enhance the aesthetic quality of the Park as well as public safety, while maintaining storm water runoff levels.</p> <p>Based on the evaluation under Section 15162 of the CEQA Guidelines, no new information has been identified that would necessitate the preparation of a subsequent EIR or Negative Declaration. The findings from the 2021 MND remain valid, and the Project can proceed as planned with the inclusion of the minor off-site improvements.</p>
<p>ADDENDUM PREPARED BY:</p>	<p>SUBMITTED BY:</p>
<p>DATE: August 20, 2024</p>	<p>CITY OF FRESNO CAPITAL PROJECTS DEPARTMENT</p>

Addendum to a Subsequent Environmental Impact Report  
Environmental Assessment P21-00779  
August 20, 2024