

Exhibit I



**DATE:** ~~January 26<sup>th</sup>, 2024~~ [May 21, 2024 Revised Conditions](#)

**TO:** Michael Tran, Planner II  
Planning and Development Department

**THROUGH:** ~~Harmanjit Dhaliwal, PE, Licensed Engineer Manager,  
Land Planning & Subdivision Inspection Section  
Public Works Department, Land Planning Section~~

[Jill Gormley, TE, Assistant Director](#)

[Public Works Department, Traffic & Engineering Services](#)

**FROM:** Angela Reis, Chief Engineering Technician  
~~Department of Public Works, Traffic Operations and Planning Division~~  
[Traffic Planning Section](#)

**SUBJECT:** Public Works Conditions of Approval  
**PM 2023-13 / P23-01940 a 2- parcel** subdivision  
1210 W. Olive Avenue  
Lyles Diversified, Inc / Morton & Pitalo, Inc

## **PUBLIC IMPROVEMENT REQUIREMENTS**

The Public Works Department, Traffic and Engineering Services Division, has completed its review and the following requirements are to be placed on this tentative map as a condition of approval by the Public Works Department.

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the tentative map. Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed.

Construct or install the required improvements or contact Public Works to enter into a bonded secured agreement for these improvements. This must be executed **prior** to perfection of this parcel map. Contact Harmanjit Dhaliwal at **(559) 621-8694**.

### **General Conditions**

- Map boundary shall include "Fee Title Interest".
- **Right of way:** All right-of-way "outside" of the subdivision border shall either be acquired **prior** to recordation of Parcel Map, or a deposit equal to the value of the right-of-way and an estimate of the City staff time necessary to acquire the right-of-way shall be submitted **prior** to recordation of the Parcel Map.
- Submit the following plans, as applicable, in a single package, to the Public Works Department, Engineering Services Division for review and approval, prior to the

Parcel map: Street construction; Signing and Striping; Traffic Signal and Streetlight. All required signing and striping shall be installed and paid for by the developer / owner. The signing and striping plans shall comply with the current Caltrans standards and be submitted as a part of the street improvement plans.

- Additional offsite improvements will be required at the time of future site plan review.
- Curb ramps with “Detectable Warning Devices” are required at all corners within the limits of this parcel map.
- Repair all damaged and/or off grade off-site concrete street improvements as determined by the City of Fresno Public Works Department, Construction Management Division, **(559) 621-5600**. All existing sidewalks in excess of **2%** maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.
- All existing driveway approaches which no longer provide access to approved vehicle parking areas shall be removed unless otherwise approved by the City Engineer. Such areas shall be reconstructed with curb, gutter, and sidewalk to match existing adjacent street improvements. This work shall be completed and accepted **before** a Permit of Occupancy is issued or the building is occupied per Fresno Municipal Code (FMC) 13-211.
- Provide a **30'** visibility triangle at all street intersections and a **12'** visibility triangle where all driveways and / or alleys intersect streets.
- Sidewalks shall not exceed a 5% longitudinal slope. All existing sidewalks in excess of 2% maximum cross slope must be brought into compliance prior to acceptance by Public Works.

### **Street Dedications and / or Vacations**

Identify pedestrian paths of travel along public sidewalks: Provide a minimum of 4' clear to accommodate access along the entire street frontage of this map. Pedestrian easements may be required to accomplish this. Identify all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mailboxes, newsstands, trash receptacles, tree wells, etc. within the public right of way or public easements.

The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment covenant is approved by the City of Fresno Public Works Department, Engineering Services Division. Contact Jason Camit at (559) 621-8681. Encroachment agreements must be approved **prior** to Parcel map.

### **Frontage Improvement Requirements**

All improvements shall be constructed in accordance with the *Standard Specifications and Standard Drawings* of the City of Fresno, Public Works Department. Street construction plans are required and shall be approved by the City Engineer. The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. Contact the City of Fresno Public Works Department, Engineering Services Division at **(559) 621-8670** for detailed information.

## Public Streets:

### Olive Avenue: Collector

1. Dedication:
  - a. Dedicate 4' of property for pedestrian purposes to accommodate the ultimate 12' sidewalk pattern.
  - b. Dedicate a corner cut for public street purposes at the intersection of Olive Avenue and West Avenue.
2. Construction Requirements:
  - ~~a. Planting and Irrigation of street trees shall conform to the minimum spacing, guidelines, and requirements as stated in the *Model Water Efficiency Landscape Ordinance, Public Works Standards and Specifications, Section 25 and 26.*~~
  - ~~b. If not existing construct concrete sidewalk, curb and gutter to *Public Works Standard P-5*. The curb shall be constructed to a **12'** commercial pattern. A 4' dedication for a pedestrian easement is required. Construct **5' x 6'** tree wells per *Public Works Standard P-8*. Existing 8' sidewalk, curb and gutter shall meet ADA slopes. If not, remove and replace prior to recordation of the parcel map.~~
  - c. Construct an underground street lighting system to *Public Works Standard E-1* within the limits of this subdivision. Spacing and design shall conform to *Public Works Standard E-8*. Streetlights installed on major streets shall be fed from a service pedestal with a master photo control as detailed in Section **3-3.17** of the *City Specifications and Standard Drawings E-15, E-18* or as approved by the City Engineer. -OR- Show the existing streetlight locations on the plans, -AND- that they are constructed per current City of Fresno *Public Works Standards*
  - d. If not existing to current standard construct a standard curb ramp per *Public Works Standards P-28, P-32*, based on a **25'** radius per **P-24** thru **P-27**. -OR- Modify or replace the existing ramp to meet current *Public Works Standards*, as determined by the [Public Works inspection](#) engineer **PRIOR** to [recordation of parcel map](#).

### West Avenue: Local

1. Dedication Requirements:
  - a. Dedicate a corner cut for public street purposes at the intersection of West Avenue and Hedges Ave.
2. Construction Requirements:
  - a. **If not existing** construct a 4' concrete pedestrian walkway behind all driveway approaches.
  - b. Construct a standard curb ramp per *Public Works Standards P-28, P-29, P-30, P-31* and **P-32**, based on a **20'** radius per **P-24** thru **P-27**. -OR- Modify or replace the existing ramp to meet current *Public Works Standards*, as determined by the [Public Works inspection](#) engineer **PRIOR** to [recordation of parcel map](#).

## **Hedges Avenue: Local**

1. Dedication:
  - a. Dedicate 4' of property for pedestrian purposes to accommodate the 4' clear path of travel.
  
2. Construction Requirements:
  - a. Construct a 4' concrete pedestrian walkway behind all driveway approaches if not existing.

**Traffic Signal Mitigation Impact (TSMI) Fee:** This project shall pay all applicable TSMI Fees, **at the time of Parcel Map approval**. The fees are based on the Master Fee schedule. In some cases, traffic signals may be conditioned on multiple maps. If the signal is existing at the time of the Parcel map, the applicant would not be required to construct the signal but would be required to pay the applicable fee. Contact the Public Works Department, Frank Saburit at **(559)621-8797**.

**Fresno Major Street Impact (FMSI) Fees:** This entitlement is in the **Infill Area**; therefore, pay all applicable City-wide regional street impact fees. Contact the Public Works Department, Frank Saburit at **(559)621-8797**.

**Regional Transportation Mitigation Fee (RTMF):** Pay all applicable **RTMF** fees to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148 ext. 200; [www.fresnocoq.org](http://www.fresnocoq.org). Provide proof of payment or exemption **prior to approval of parcel map**.

Questions relative to these conditions may be directed to Angela Reis (559) 621-8684 [Angela.Reis@fresno.gov](mailto:Angela.Reis@fresno.gov) in the Public Works Department, Traffic Planning Section.

## **DEPARTMENT OF PUBLIC WORKS**

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**TO:** Michael Tran, Planner II  
Planning & Development Department

**FROM:** Adrian Gonzalez, Supervising Engineering Technician  
Public Works, Land Planning & Subdivision Inspection Section

**DATE:** May 21, 2024

**SUBJECT:** P23-01940; TPM 2023-13 (APN: 450-280-35) located on the northeast corner of North West Avenue and West Olive Avenue. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street rights-of-way, landscape easements, outlots and median islands:

### **GENERAL REQUIREMENTS**

#### **STREET TREE REQUIREMENTS**

1. ~~The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 40' of street frontage or one tree per home (whichever is greater) by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with AB 1881.~~
2. ~~Street Tree Planting by Developer: For those lots having internal street tree frontage available for street tree planting, the developer shall plant one tree for each 40' of street frontage, or one tree per lot having street frontage, whichever is greater. Tree planting shall be within a 10' Public Planting and Utility Easement.~~
  - a. ~~Street tree inspection fees shall be collected for each 40' of public street frontage or one tree per lot whichever is greater.~~
  - b. ~~Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."~~
  - c. ~~Landscape plans for all public use areas, such as parkways, buffers, medians and trails, shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.~~
  - d. ~~Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city-controlled property is in conformance with the Specifications of the City of Fresno.~~
  - e. ~~Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.~~
  - f. ~~Choose appropriate trees from the list of Approved Street Trees.~~  
<https://www.fresno.gov/publicworks/developer-doorway/#tab-5>

Submit all landscape and irrigation plans, to the scale of 1" = 20', to [dpwplansubmittal@fresno.gov](mailto:dpwplansubmittal@fresno.gov) for plan review, prior to the installation of any landscaping within the right-of-way.



**DATE:** May 21, 2024

**TO:** Michael Tran, Planner II  
Planning and Development Department

**FROM:** Adrian Gonzalez, Supervising Engineering Technician  
Public Works Department, Land Planning & Subdivision Inspection Section

**SUBJECT:** PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE PARCEL MAP NO. 2023-13 (P23-01940) REGARDING MAINTENANCE REQUIREMENTS

**LOCATION:** 1210 West Olive Avenue  
**APN:** 450-280-35

The Public Works Department, Land Planning & Subdivision Inspection Section, has completed its review and the following requirements are to be placed on this tentative map as a condition of approval. These requirements are based on City of Fresno code, policy, standards and the public improvements depicted on the exhibits submitted for this development.

<b>ATTENTION:</b>			
The item below requires a separate process with additional costs and timelines. To avoid delays with the development/subdivision approval, the following item shall be submitted for processing to the Public Works Department, Land Planning & Subdivision Inspection Section, <b>and completed prior to Final Map Approval.</b>			
<b>X</b>	<b>CFD 9 Annexation Request Package</b>	Adrian Gonzalez	(559) 621-8693 <a href="mailto:Luis.Gonzalez@fresno.gov">Luis.Gonzalez@fresno.gov</a>
<b>X</b>	<b>Private Maintenance Covenant</b>		

The Community Facilities District annexation process takes from three to four months and SHALL be completed prior to final map approval. INCOMPLETE Community Facilities District (CFD) Annexation Request submittals may cause delays to the annexation process and final map approval.

All applicable construction plans for this development shall be submitted to the appropriate City Department for review and approval prior to the CFD process.

Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed and shall require a revision of this letter.



Any change affecting the items in these conditions shall require a revision of this letter.

## 1. The Property Owner's Maintenance Requirements

The long-term maintenance and operating costs, including repair and replacement, of certain required public improvements (Services) associated with all new Commercial, Industrial and Multi-Family developments are the ultimate responsibility of the Property Owner. The property owner shall provide Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 9 (CFD No. 9).

The following public improvements (**Existing and Proposed**) are eligible for Services by CFD No. 9 as associated with this development:

- All trees and irrigation systems, as approved by the Public Works Department, within the public street right-of-way. (**Major and Local Public Streets**)
- Concrete curbs, gutters, sidewalks and curb ramps, and street lights within and adjacent to public street right-of-way. (**Major and Local Public Streets**)

**NOTE: If the trees are to be maintained privately, they shall either be relocated to within 10' of the back-of-walk in the landscaped area on site or a Private Maintenance Covenant will be required.**

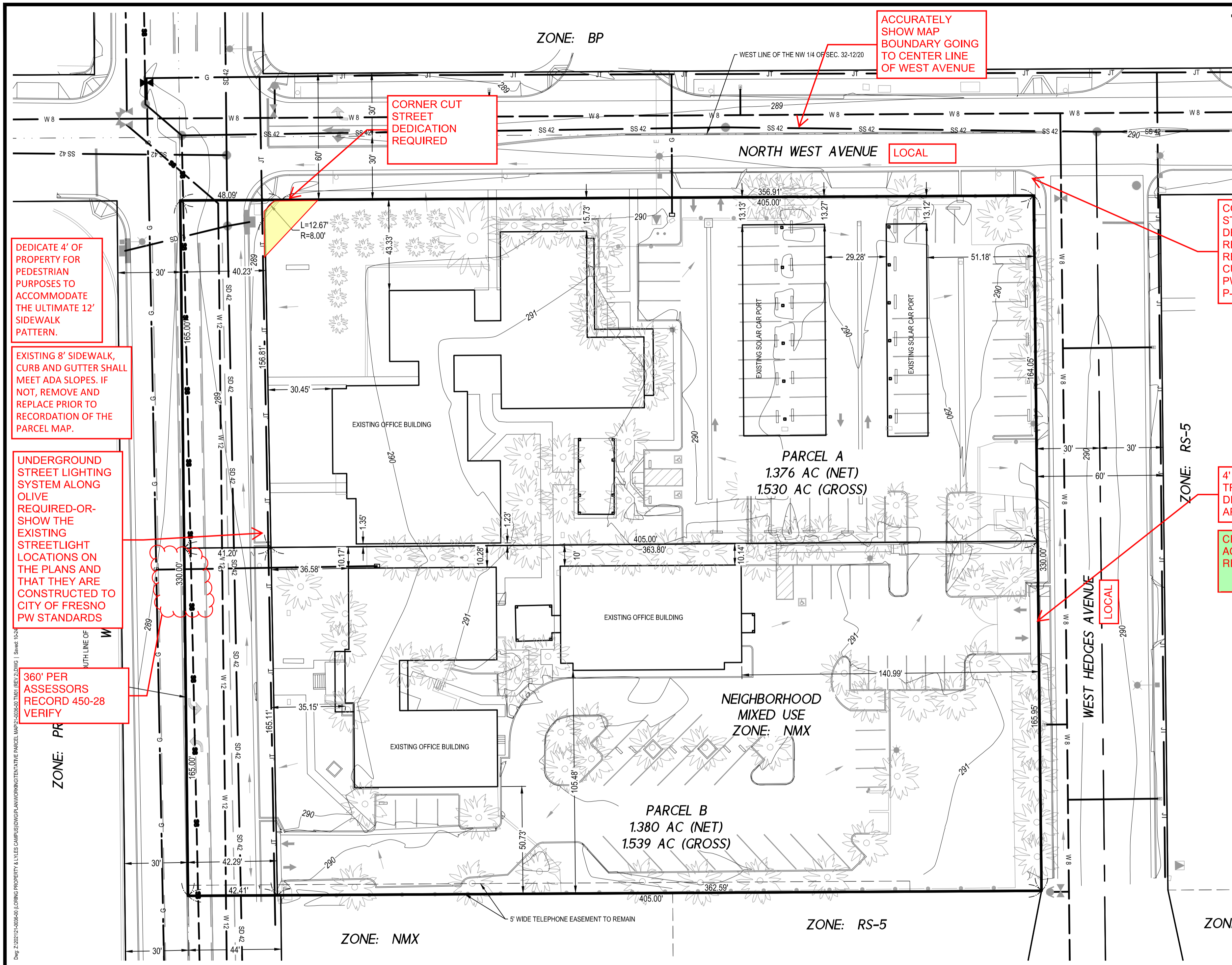
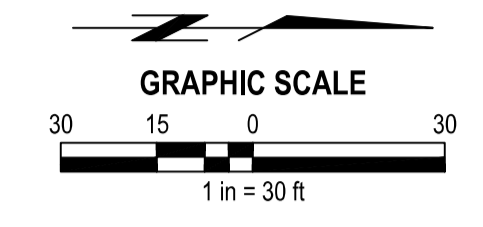
## 2. The Property Owner shall provide the following:

- a. The Property Owner may petition the City of Fresno to request annexation to CFD No. 9 by completing and submitting an Annexation Request Package to the Public Works Department, Land Planning & Subdivision Inspection Section for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at <http://www.fresno.gov>, under the Public Works Department, Developer Doorway.
  - **Proceedings to annex the final map, or territory, to CFD No. 9 SHALL NOT commence** unless the final map, or this development, is within the City limits and all construction plans (this includes Street, Street Light, Signal, Landscape and Irrigation plans, and any other plans needed to complete the process) and the final map are considered technically correct.
  - The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 9 are not subject to change after acceptance for processing.**
  - Public improvements not listed above will require written approval by the Public Works Department Director or his designee.
- b. The Property Owner may provide for Services privately for some of the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 9 for Services **SHALL** be maintained by some other City approved mechanism as approved by the City Engineer.

~~For questions regarding these conditions please contact me at (559) 621-8693 or~~  
~~[Luis.Gonzalez@fresno.gov](mailto:Luis.Gonzalez@fresno.gov)~~

# TENTATIVE PARCEL MAP 2023-13

A PLANNED UNIT DEVELOPMENT  
IN THE CITY OF FRESNO  
FRESNO COUNTY, CALIFORNIA  
PREPARED OCTOBER 24, 2023



DEDICATE 4' OF PROPERTY FOR PEDESTRIAN PURPOSES TO ACCOMMODATE THE ULTIMATE 12' SIDEWALK PATTERN.

EXISTING 8' SIDEWALK, CURB AND GUTTER SHALL MEET ADA SLOPES. IF NOT, REMOVE AND REPLACE PRIOR TO RECORDATION OF THE PARCEL MAP.

UNDERGROUND STREET LIGHTING SYSTEM ALONG OLIVE REQUIRED-OR-SHOW THE EXISTING STREETLIGHT LOCATIONS ON THE PLANS AND THAT THEY ARE CONSTRUCTED TO CITY OF FRESNO PW STANDARDS

360' PER ASSESSORS RECORD 450-28 VERIFY

ACCURATELY SHOW MAP BOUNDARY GOING TO CENTER LINE OF WEST AVENUE

CORNER CUT STREET DEDICATION REQUIRED

CORNER CUT STREET DEDICATION REQUIRED RECONSTRUCT CURB RAMP PER PW STANDARDS P-28 AND P-32

4' CLEAR PATH OF TRAVEL BEHIND DRIVEWAY APPROACH

CROSS ACCESS AGREEMENT REQUIRED

### LEGEND

- FIRE HYDRANT
- UTILITY VALVE
- UTILITY BOX
- WATER METER
- MANHOLE
- TREE
- STREET LIGHT
- TRANSFORMER
- PARKING LOT LIGHT
- PUBLIC STREET SIGN
- SEWER CLEAN OUT
- ADA PARKING STALL
- CHAINLINK FENCE
- WROUGHT IRON FENCE
- DIRECTION OF DRAINAGE FLOW

APPL. NO. P23-01940 EXHIBIT A-2 DATE 10/24/2023

**ANGELACANR** ANGELACANR  
I have reviewed this document  
2024.01.26 15:26:44-08'00"

CITY OF FRESNO DARM DEPT

BENCH MARK  
CITY BM 951  
ELEVATION = 285.91 CITY DATUM  
BRASS CAP ON CURB, SOUTH RETURN, SOUTHEAST CORNER OF WEST & MCKINLEY, NORTH SIDE OF DRAIN INLET

**MORTON & PITALO, INC.**  
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING  
Folsom • Fresno  
600 Coolidge Drive, Suite #140  
Folsom, CA 95630  
phone: (916) 984-7621  
web: www.mpengr.com

TENTATIVE PARCEL MAP FOR  
**LYLES DIVERSIFIED, INC.**  
WEST 330 FEET OF THE SOUTH 405 FEET OF LOT 54  
ROEDINGS VILLA COLONY, BOOK 2, PAGE 43 OF SURVEYS, F.C.R.  
CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA

DATE	10-24-2023
SHEET	2
OF	3



## DEPARTMENT OF PUBLIC UTILITIES

### MEMORANDUM

**DATE:** November 21, 2023

**TO:** MICHAEL TRAN – Planner II  
Planning & Development Department – Current Planning

**FROM:** DEJAN PAVIC, PE, Projects Administrator  
Department of Public Utilities – Utilities Planning & Engineering

**SUBJECT: DPU CONDITIONS OF APPROVAL FOR P23-01940 TENTATIVE  
PARCEL MAP 2023-13 – APN 450-280-35**

#### **General Requirements**

1. Engineered improvement plans, prepared by a Registered Civil Engineer, if necessary, shall be submitted for Department of Public Utilities review and approval.
2. All Department of Public Utilities facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.
3. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
4. A street work permit is required for any work in the Right-of-Way.
5. All underground utilities shall be installed prior to permanent street paving.

#### **Water Service Requirements**

The nearest water mains to serve the proposed Project are a 12-inch water main located in West Olive Avenue, an 8-inch water main located in North West Avenue and an 8-inch water main located in West Hedges Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. On-site water facilities shall remain private.
2. Installation of water service(s) and meter box(es) shall be required if the existing water services and meters at the property are not adequate and/or operational.
3. The applicant shall be financially responsible for the abandonment of any unused water services previously installed to the property, if any.
4. Destroy any existing on-site well(s) in compliance with the State of California Well Standards, Bulletins 74-81 and 74-90, or current revisions, issued by California

Department of Water Resources, Fresno County standards, and City of Fresno standards. Applicant shall comply with Fresno Municipal Code (FMC) Section 6-518, as may be amended from time to time.

### **Water Supply Requirements**

The existing property is currently served with 3 (three) 2.0-inch water services and meters.

1. Water Capacity Fee charges for the installation of new water services and meters to serve the property.
  - a. The Water Capacity Fee charge assessed to the applicant shall be based on the number and size of service connections and water meters required to serve the property.
  - b. If the total domestic, commercial, industrial, and irrigation water demands for the Project can be accommodated with the existing water services and meters, the applicant shall not be required to pay Water Capacity Fee charges.
  - c. If the total domestic, commercial, industrial, and irrigation water demands for the Project cannot be accommodated with the existing water services and meters, and an additional water meter or a larger water meter is required, the applicant shall be required to pay Water Capacity Fee charges.
  - d. If a larger water meter or fire service is required to accommodate the new, larger water demands, then the Water Capacity Fee charge shall be calculated by subtracting the Water Capacity Fee charge associated with the existing water services and meters from the Water Capacity Fee charge associated with the larger water meter size required for the Project.
  - e. The Water Capacity Fee charges by meter size are defined in the City's Master Fee Schedule (MFS).
  - f. The City reserves the right to require the applicant to increase or decrease the size of a water meter for the Project to ensure that it is properly sized to accommodate fire protection requirements and to allow for accurate volumetric flow measurements at low- and high-flow conditions.
  - g. The Water Capacity Fee charge for any new or expanded service connection shall be payable prior to the issuance of a building permit at the fee level in effect on the date such permit is issued.
2. The applicant shall be required to pay all other water-related fees and charges in accordance with the City's MFS and the FMC.

### **Sewer Requirements**

The nearest sanitary sewer mains to serve the Project are 8-inch sewer mains located in West Olive Avenue, North West Avenue, and West Hedges Avenue. Sanitary sewer facilities are available to provide service to the Project subject to the following requirements:

1. Installation of a new sewer service branch shall be required if the existing sewer branches (sewer laterals) are not adequate and/or operational.
2. On-site sanitary sewer facilities shall be private.
3. All existing on-site private septic systems (including septic tanks) shall be destroyed and abandoned in compliance with the State of California standards, Fresno County standards, and City of Fresno standards, as may be amended from time to time. All sewer connections and sewer main extensions shall comply with FMC Section 6-303(a), as may be amended from time to time.
4. The applicant shall be financially responsible for abandonment of any unused sewer services previously installed to the property.

### **Sanitary Sewer Fees**

The following Sewer Connection Charges are due and shall be paid for the Project (if not previously paid with the existing sewer service at the property):

1. Lateral Sewer Charge.
2. Oversize Sewer Charge.
3. Wastewater Facility Sewer Charge (Non-residential).

### **Solid Waste Requirements**

1. The newly created parcels will continue to be serviced by the existing trash enclosure.
2. A cross access covenant for solid waste will be required if no additional trash enclosures are constructed.



&  
2600 Fresno Street  
Fresno, California 93721-3604  
www.fresno.gov

## **Fire Department**

November 15, 2023  
Byron Beagles

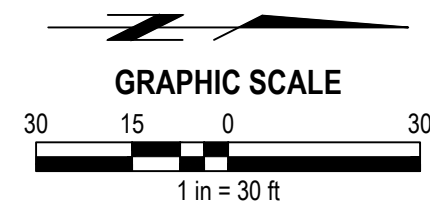
### **Comments**

See the FFD redline of stamped sheet 2 of 3.

1. Call out on the plan that the existing office building wall must comply with the 2022 CBC Section 705 for exterior wall protection adjacent to a property line. The minimum exterior wall protection must be one-hour construction with no building openings with parapet or protected roof per Section 705. Contact Building and Safety for any further details on this requirement.

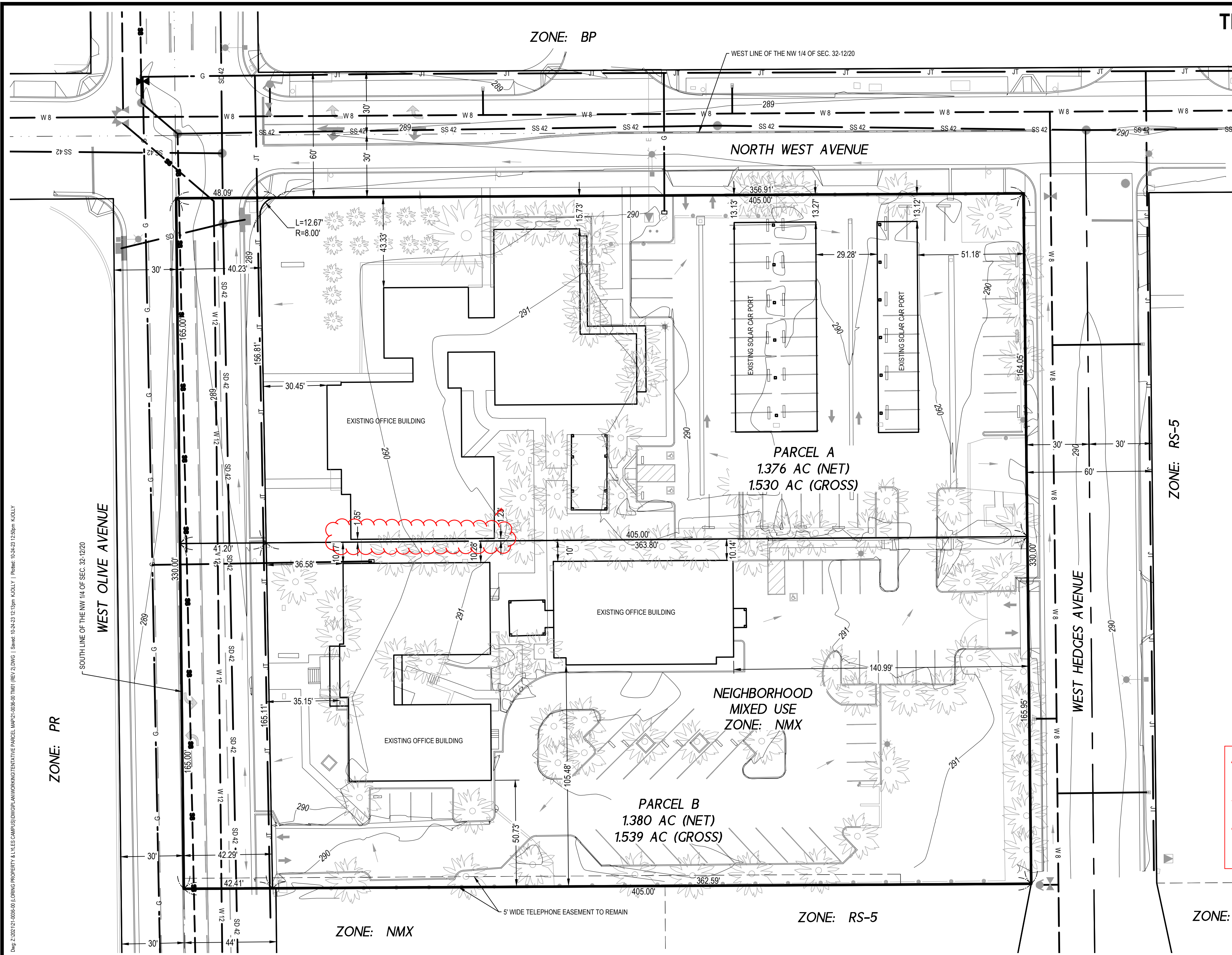
**TENTATIVE PARCEL MAP 2023-13**

A PLANNED UNIT DEVELOPMENT  
IN THE CITY OF FRESNO  
FRESNO COUNTY, CALIFORNIA  
PREPARED OCTOBER 24, 2023



**LEGEND**

- FIRE HYDRANT
- UTILITY VALVE
- UTILITY BOX
- WATER METER
- MANHOLE
- TREE
- STREET LIGHT
- TRANSFORMER
- PARKING LOT LIGHT
- PUBLIC STREET SIGN
- SEWER CLEAN OUT
- ADA PARKING STALL
- CHAINLINK FENCE
- WROUGHT IRON FENCE
- DIRECTION OF DRAINAGE FLOW



APPL. NO. P23-01940 EXHIBIT A-2 DATE 10/24/2023  
 PLANNING REVIEW BY \_\_\_\_\_ DATE \_\_\_\_\_  
 TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
**CITY OF FRESNO DARM DEPT**

BENCH MARK  
CITY BM 951  
ELEVATION = 285.91 CITY DATUM  
BRASS CAP ON CURB, SOUTH RETURN, SOUTHEAST CORNER  
OF WEST & MCKINLEY, NORTH SIDE OF DRAIN INLET



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 phone: (916) 984-7621  
 web: www.mpengr.com

TENTATIVE PARCEL MAP FOR  
**LYLES DIVERSIFIED, INC.**  
 WEST 330 FEET OF THE SOUTH 405 FEET OF LOT 54  
 ROEDINGS VILLA COLONY, BOOK 2, PAGE 43 OF SURVEYS, F.C.R.  
 CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA

DATE  
10-24-2023  
 SHEET  
**2**  
 OF  
**3**

Dwg: 20231013.0036-00 LORING PROPERTY & LYLES CAMPUS/DWP/PLANNING/TENTATIVE PARCEL MAP/21-0036-00 TMO (REV. 2/10/23) | Sheet: 10-24-23 12:13pm KCOLLY | Plotter: 10-24-23 12:59pm KCOLLY



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

**PUBLIC AGENCY**

MICHAEL TRAN  
PLANNING & DEVELOPMENT DEPARTMENT  
CITY OF FRESNO  
2600 FRESNO STREET  
FRESNO, CA 93721-3604

**DEVELOPER**

TODD R. SHELLER, LYLES DIVERSIFIED INC.  
525 W. ALLUVIAL AVE.  
FRESNO, CA 93711

PROJECT NO: **2023-013**

ADDRESS: **1210 W. OLIVE AVE.**

APN: **450-280-35**

SENT: **December 01, 2023**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
UU2	\$0.00	NOR Review	\$96.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$0.00	Amount to be submitted with first grading plan submittal.
<b>Total Drainage Fee: \$0.00</b>		<b>Total Service Charge: \$96.00</b>		

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

Pursuant to the District’s Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District’s reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 3/07/24 based on the site plan submitted to the District on 11/02/23 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Creditable storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Creditable drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Creditable facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

**FR TPM No. 2023-013**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

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No. 2023-013

Approval of this development shall be conditioned upon compliance with these District Requirements.

1.  a. Drainage from the site shall REMAIN AS EXISTING.  
 b. Grading and drainage patterns shall be as identified on Exhibit No.  
 c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
  
2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:  
 Developer shall construct facilities as shown on Exhibit No. 1 as  
 None required.
  
3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:  
 Grading Plan  
 Street Plan  
 Storm Drain Plan  
 Water & Sewer Plan  
 Final Map  
 Drainage Report (to be submitted with tentative map)  
 Other  
 None Required
  
4. Availability of drainage facilities:  
 a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).  
 b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.  
 c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.  
 d. See Exhibit No. 2.
  
5. The proposed development:  
 Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)  
 Does not appear to be located within a flood prone area.
  
6.  The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
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7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
  - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
  - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.



Debbie Campbell  
Design Engineer, RCE

Digitally signed by Debbie Campbell Date: 12/1/2023 3:57:47 PM



Shauna L. Espinoza Mendoza  
Engineer III, RCE

Digitally signed by Shauna L. Espinoza Mendoza Date: 11/21/2023 4:38:36 PM

CC:

KEITH JOLLY, MORTON & PITALO

7643 N. INGRAM AVE., STE. 105

FRESNO, CA 93711

## **OTHER REQUIREMENTS**

### **EXHIBIT NO. 2**

If not already existing, drainage covenants are required to allow surface runoff to reach the existing Master Plan Inlet in Olive Avenue.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas shall not be connected to the District's system. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. The District's policy governing said industrial site NPDES program requirements is available on the District's website at: [www.fresnofloodcontrol.org](http://www.fresnofloodcontrol.org) or contact the District's Environmental Department for further information regarding these policies related to industrial site requirements.



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Robert G. Nelson, Ed.D.

November 2, 2023

Michael Tran  
Development and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721-3604

**SUBJECT: PLANNING APPLICATION P23-01940**  
**TENTATIVE PARCEL MAP 2023-13**  
**1210 W. OLIVE AVE.**  
**APN: 450-280-35**

Dear Mr. Tran,

In response to your request for school district information regarding the above planning application for Tentative Parcel Map 2023-13 to subdivide an existing parcel into two separate parcels at 1210 West Olive Avenue, Fresno Unified School District submits the following.

Any urban commercial or residential development occurring as a result of project approval will have an impact on the District's student housing capacity. The District, through local funding, is in a position to partially mitigate its shortage of classrooms to accommodate planned population growth for the foreseeable future. However, the District recognizes that the legislature, as a matter of law, has deemed, under Government Code Section 65996, that all school facilities impacts are mitigated as a consequence of SB 50's Level 1, 2 and 3 developer fee legislative provisions.

The Fresno Unified School District levies a development fee for residential and commercial development. The current residential development fee rate is \$4.79 per square foot, and the current commercial development fee rate is \$0.78 per square foot. Any new development on the property will be subject to the development fee prior to issuance of a building permit and fees will be calculated pursuant to rates effective at the time of payment.

The project is presently within the attendance areas of the schools identified below.

Elementary School: Addams  
Middle School: Gaston  
High School: Edison

Thank you for the opportunity to comment. Please contact our office at 457-3066 if you have any questions or require additional information regarding our comments.

Sincerely,

Alex Belanger, Chief Executive  
Operational Services

AB:hh

DWC



November 21, 2023

Re: P23-01940  
TPM-2023-13 NEC of West and Olive

Dear City of Fresno,

Thank you for providing PG&E the opportunity to review the proposed plans for P23-01940 dated 11/2/2023. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at [pgeplanreview@pge.com](mailto:pgeplanreview@pge.com).

Sincerely,

PG&E Plan Review Team  
Land Management