

**City of Fresno
Development and Resource Management Department**

**Conditions of Approval
September 18, 2019**

Conditional Use Permit Application No. P19-02037

Planner: Phillip Siegrist 559-621-8061

PROJECT DESCRIPTION

Conditional Use Permit Application No. P19-02037 was filed by Mike de Alba, of De Alba Architecture, on behalf of Star Housing Project, Inc., and pertains to an approximately ±0.78 acre parcel of property located on the south side of North State Street between West Mission Avenue and North Golden State Boulevard, in Highway City. The applicant requests authorization to construct a multiple family residential development consisting of six dwelling units located in two-story, detached townhouse buildings with private garages. In addition, the project proposes on and off-site improvements including but not limited to on-site guest parking; on and off-site trees and landscaping; a two-cell trash enclosure; and installation of curbs, gutters, and sidewalks. All units are proposed as market rate and the subject property is not located on a site listed in the Housing Element Sites Inventory (2013-2023 RHNA). The subject property is zoned RS-5 (*Single Family Residential, Medium Density*) which permits Multi-Unit Residential with an approved Conditional Use Permit.

**APN: 508-110-35S
ADDRESS: 5240 NORTH STATE STREET
EXHIBITS: A, E-F, & O uploaded on 05/10/2019
ZONING: RS-5 (*Residential Single-Family, Medium Density*)**

PART A - ITEMS TO BE COMPLETED

The following items are required prior to issuance of building permits:

Planner to check when completed

<input type="checkbox"/>	Development shall take place in accordance with Exhibits A, E-F, & O uploaded on 05/10/2019. Transfer all comments and conditions on Exhibits to the corrected exhibit(s) and submit to planner at least 15 days prior to issuance of building permits.
<input type="checkbox"/>	<i>All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings so as not to be visible from major streets, highways, passenger railways, or abutting Residential Districts. Please revise site plan to depict this requirement.</i>
<input type="checkbox"/>	<i>All overhead utilities must be undergrounded Please revise site plan and/or landscape plan to comply with Section 15-2017 of the FMC.</i>
<input type="checkbox"/>	<i>A visibility triangle per Subsection C shall be provided. Potential pedestrian conflict areas are identified and need to be revised as per Section 15-2018-D of the FMC.</i>
<input type="checkbox"/>	<i>Pursuant to Section 15-2305-C of the FMC, landscape buffers shall be installed and maintained along side and rear lot lines between differing land uses. This requirement has not been met. Please revise site/landscape plans in accordance with this section of the FMC (see Tables 15-2305-C-1 and C-2).</i>
<input type="checkbox"/>	<i>Each new home shall provide at a minimum, lighting proximate to the main entrance, the garage/carport, and alley, if present.</i>
<input type="checkbox"/>	<i>Aisles, passageways, recesses, etc., related to and within the building complex shall be</i>

	<i>illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandal-resistant covers.</i>
<input type="checkbox"/>	<i>Provide pedestrian-Oriented Lighting in accordance with FMC Section 15-2015-B-2-c: exterior lighting with an intensity of at least 0.25 foot-candles at the ground level shall be provided for a secure nighttime pedestrian environment by reinforcing entrances, public sidewalks and open areas with a safe level of illumination.</i>
<input type="checkbox"/>	<i>Pursuant to Section 15-2305-E of the FMC, all portions of a building that face a public street shall have one or more landscape planters installed along a minimum of 20 percent of that building face. This requirement has not been met. Please revise site/landscape plans to comply.</i>
<input type="checkbox"/>	<i>Lighting design shall be coordinated with the landscape plan to ensure that vegetation growth will not substantially impair the intended illumination. Please revise plans to comply with this requirement.</i>
<input type="checkbox"/>	<i>Plans proposed show light and glare might be directed onto residential use areas or adjacent public rights-of-way. Please demonstrate plans are consistent with Article 25, Performance Standards.</i>
<input type="checkbox"/>	<i>Demonstrate that the project provides a minimum of 50% parking lot shading.</i>
<input type="checkbox"/>	<i>Project must provide a minimum two-foot clearance of low-growing plants where a vehicle overhang is permitted. Please revise plan to comply.</i>
<input type="checkbox"/>	<i>Pursuant to FMC Section 15-2016-C, solid waste and recycling storage areas shall not be located within any required setback or any landscaped areas except where a rear yard abuts an alley. Demonstrate compliance with this requirement.</i>
<input type="checkbox"/>	<i>Demonstrate compliance with Type 1 Landscape Buffer Requirements in accordance with Table 15-2305-C-2.</i>
<input type="checkbox"/>	<p><i>1. The developer shall be required to comply with the specific requirements imposed by the Fresno Metropolitan Flood Control District (FMFCD) for the development or any amendments or modifications to those requirements which may be granted by the FMFCD Board of Directors, pursuant to Section 13-1307 of the Fresno Municipal Code. These requirements are identified in the District's memorandum to the Planning and Development Department dated June 28, 2019.</i></p> <p><i>a. Any temporary basin constructed for or used by this subdivision requires approval of FMFCD and the City of Fresno, and may only be implemented through a covenant between the City and the Developer prior to final site plan approval. Temporary basins shall be fenced within seven days of the time a basin becomes operational, and fencing shall conform to City of Fresno Public Works Standard No. P-98. The Fresno Mosquito and Abatement District shall be provided access rights and a means of entry for inspection and mosquito abatement activities for all on-site basins (refer to attached map of mosquito abatement districts in the Fresno-Clovis Metropolitan Area). Attached hereto, and incorporated by reference, is a copy of the updated Public Works Standard No. P-97 for temporary on-site ponding basins, and a copy of the City of Fresno's Guidelines for Ponding Basin / Pond Construction and Management, dated October 29, 2004. Maintenance of temporary ponding basins shall be provided through annexation to the Community Facilities District in accordance with the maintenance requirements included herein below; unless the City Engineer determines that maintenance may occur by the developer through a covenant agreement until such time that permanent drainage service is available.</i></p>

PART B - OTHER AGENCY COMMENTS AND CONDITIONS

To be checked when completed where applicable	
<input type="checkbox"/>	<p>1. <u>Air Pollution Control District:</u></p> <p><i>The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above. The District has no comments at this time.</i></p> <p><i>District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. To identify District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office (559) 230-5888. Current District rules can be found at www.valleyair.org/rules/1ruleslist.htm .</i></p> <p><i>If you have any questions or require further information, please call the District at (559) 230-6000 and ask to speak to the ISR/CEQA group.</i></p>
<input type="checkbox"/>	<p>2. <u>Airports:</u></p> <p><i>The City of Fresno Airports Department anticipates no adverse impacts on Fresno Yosemite International Airport or Fresno Chandler Executive Airport from the proposed project.</i></p>
<input type="checkbox"/>	<p>3. <u>Council District Committee:</u></p> <p><i>On June 3, 2019, the Council District 2 Project Review Committee recommended approval of the proposed project by a vote of 4-0 with no additional comments or recommendations.</i></p>
<input type="checkbox"/>	<p>4. <u>DPU Planning and Engineering:</u></p> <p><u>Sewer Requirements</u></p> <p><i>The nearest sanitary sewer main to serve the proposed project is an 8-inch sewer main located in North State Street. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:</i></p> <ol style="list-style-type: none"><i>1. Per Public Works Standards Specifications 17-6 "INSTALLATION OF SEWER HOUSE BRANCHES", House Branch Sewers 8" in diameter or greater connecting to Sewer mains shall require the construction of a manhole at the point of connection.</i><i>2. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.</i><i>3. Installation of sewer house branch(s) shall be required.</i><i>4. Street work permit is required for any work in the Right-of-Way.</i><i>5. On-site sanitary sewer facilities shall be private.</i><i>6. Abandon any existing on-site private septic systems.</i><i>7. The Project Developer shall contact Wastewater Management Division/Environmental</i>

Services at (559) 621-5100 prior to pulling building permits regarding conditions of service for special users.

Sanitary Sewer Fees

The following Sewer Connection Charges are due and shall be paid for the Project:

- 1. Sewer Lateral Charge.*
- 2. Sewer Oversize Area.*
- 3. Sewer Facility Charge (Non-Residential)*
- 4. Upon connection of this Project to the City Sewer System the owner shall be subject to payment of Sewer Facility charges per Fresno Municipal Code Sections 6-304 and 6-305. Sewer Facility Charges consist of two components, a Wastewater Facilities Charge and Trunk Sewer Charge where applicable.*
- 5. Sewer Facility Charges are collected after occupancy on a monthly basis over time based on metered (water or sewer effluent) usage. The developer may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect, at that time, per Fresno's Master Fee Resolution. The developer shall provide data regarding estimated sewer discharge rates [flow] and loading [BOD/TSS levels] required for calculating the estimated charges.*

5. DPU Water Division:

- 1. On-site water facilities shall be private.*

The water supply requirements for this project are as follows:

- 1. The existing property is currently served with one 1-inch water meter.*
 - a. If the total domestic, commercial, industrial and irrigation water demands for the applicant's proposed project can be accommodated with the existing one 1-inch water meter, then the applicant shall not be required to pay a Water Capacity Fee Charge.*
 - b. If the total domestic, commercial, industrial and irrigation water demands for the applicant's proposed project cannot be accommodated with the one 1-inch water meter, and an additional water meter or a larger water meter is required, then the applicant shall be required to pay a Water Capacity Fee Charge.*
 - c. 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 meter size from the Water Capacity Fee Charge associated with the larger water meter size required for the applicant's project. The Water Capacity Fee Charges for different meter sizes are published in the City's Master Fee Schedule.*
 - d. The City reserves the right to require an applicant to increase or decrease the size of a water*

	<p><i>meter for a project or a property to ensure that the meter is properly sized to accommodate fire protection requirements, and to allow for accurate volumetric flow measurements at low- and high-flow conditions.</i></p> <p><i>e. 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.</i></p> <p><i>2. The project applicant shall be required to pay all other water-related fees and charges in accordance with the City's Master Fee Schedule and Municipal Code.</i></p>
<input type="checkbox"/>	<p>6. <u>Fire Review:</u></p> <p><i>Approved as submitted. No appointment or initial required. Approval of this plan does not authorize or approve any omission or deviation from applicable adopted codes and adopted standards. Final approval is subject to field inspection</i></p> <p><i>This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of DARM when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.</i></p>
<input type="checkbox"/>	<p>7. <u>Fire Review:</u></p> <p><i>P-No Comment on 05/01/2019 by Brennen C Henry B-Pending on 05/01/2019 by Brennen C Henry</i></p>
<input type="checkbox"/>	<p>8. <u>Flood Control District:</u></p> <p><i>See attached FMFCD Notice of Requirements (NOR). NOR & Grading plan review fees due. Drainage fees due.</i></p>
<input type="checkbox"/>	<p>9. <u>Fresno Area Express:</u></p> <p><i>No Comment</i></p>
<input type="checkbox"/>	<p>10. <u>Fresno County Environmental Health:</u></p> <p><i>Recommended Conditions of Approval:</i></p> <ul style="list-style-type: none"><i>• The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the City's municipal code.</i><i>• 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.</i> <p><i>Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found</i></p>

	<p><i>in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.</i></p> <p><i>• 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 Certified Unified Program Agency at (559) 600-3271 for more information.</i></p>
<input type="checkbox"/>	<p>11. <u>Irrigation District:</u></p> <p>FID does not own, operate, or maintain any facilities located on the subject property.</p>
<input type="checkbox"/>	<p>12. <u>PG&E:</u></p> <p>No Comment</p>
<input type="checkbox"/>	<p>13. <u>Planner Review:</u></p> <p><i>Pursuant to FMC Section 15-906-D-3 & 4, the street facing facade shall provide for better compatibility with adjacent single-family homes.</i></p> <p><i>Comply with redlines/comments/corrections on the marked site plan and elevation exhibits.</i></p>
<input type="checkbox"/>	<p>14. <u>Police Review:</u></p> <p>No Comment</p>
<input type="checkbox"/>	<p>15. <u>Public Works (CFD):</u></p> <p><i>The property owner shall be responsible for installation and maintenance of the landscaping and irrigation within the rights of way fronting this development.</i></p>
<input type="checkbox"/>	<p>16. <u>Public Works ROW Landscaping:</u></p> <p><i>The Site Plan submitted by MDA for Star Housing Project, Inc. on plans dated October 14, 2018 shows two (2) onsite trees planted within ten (10) feet of the back of the sidewalk. Approved trees will be counted as onsite trees planted in-lieu-of street trees.</i></p> <p><i>Public Works requires a landscape and irrigation plan be submitted to the scale of 1"=20' prior to the installation of any landscaping.</i></p>
<input type="checkbox"/>	<p>17. <u>Public Works Traffic Planning:</u></p> <p><i>TRAFFIC PLANNING CONDITIONS OF APPROVAL AND RED-LINED EXHIBIT CP1 HAVE BEEN UPLOADED.</i></p> <p><i>IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT ANDREINA AGUILAR AT (559) 621-8674 OR AT ANDREINA.AGUILAR@FRESNO.GOV.</i></p>
<input type="checkbox"/>	<p>18. <u>Department of Public Works, Land Division:</u></p> <p>City of Fresno Development Impact Fee estimate. Reference document: P19-02037 - 5240 N State St.pdf</p>
<input type="checkbox"/>	<p><u>DPU Solid Waste Management:</u></p>

Multi-Family Service Requirements

For the purpose of establishing city solid waste service policies, multi-family complexes are defined as complexes composed of three (3) dwelling units or more per parcel. These service requirements apply to all multi-family complexes within the City of Fresno.

1. All trash bins provided to multi-family complexes must be serviced with a frequency of at least twice per week. This standard does not apply to frequency of service for recycling bins. Solid Waste bin service will be provided by the City of Fresno, per FMC 9-405.
2. All multi-family complexes are required to subscribe for recycling services, per FMC 9-405.1. Recycling services may be provided by the City of Fresno or any private recycling service provider. Recycling services must include at the minimum cardboard, newspaper, paper, glass, plastics, beverage containers, and metal recycling.
3. All trash and recyclable material must be placed in approved containers, per FMC 9-404. At no time may trash and recyclable material be placed on the ground or pavement.
4. Bin enclosures, if provided on site, must be used exclusively for the storage of trash and recycling bins, per public works standard specifications P-33 & P-34.
5. All Solid Waste and Recycling service collectively must equal or exceed a 2:1 ratio of 2 units per one cubic yard of service per week. This minimum service applies to all multi-family complexes. (i.e. 24 unit complex must have a minimum of 12 cubic yards of solid waste and recycling service per week.)
6. Service Route Permits and Location Permits are required for all private trash company service within the City of Fresno, per FMC 9-408. All private company trash service arrangements must be pre-approved through Solid Waste Management Division.
7. Developer will need to provide a 44' (centerline) turning radius at all corners and a T-turnaround (or hammerhead) area where the solid waste vehicle is to turn around.
8. ADA requirement for multifamily residential
9. Developer shall install (or construct) a trash enclosure for the project that complies with the City's ADA requirements as defined in the City's standard drawings, details and specifications. The certificate of occupancy for the project shall be withheld until developer installs (constructs) the trash enclosure in accordance with the City's ADA requirements.

PART C - PLANNING DEVELOPMENT CODE STANDARDS

1. Density and Intensity Standards

	Standard Requirement	Proposal	Complies?
	<i>5 to 12 units per acres</i>	<i>7.7 dwelling units per acre</i>	Yes

2. General Site Regulations

	Standard Requirement	Proposal	Complies?
	<i>Subject to Development standards of the RM-1 (Multiple Family Residential, Medium High Density) zone district, pursuant to §15-906 of the FMC</i>		<i>Yes, provided the street facing facade provides for better compatibility with adjacent single-family homes.</i>

3. Site Design This section is not applicable

4. Parking and Loading

Provide 1.5 spaces per unit. One covered space shall be designated for each unit. One additional uncovered guest parking space must be provided for every 2 units.

5. Landscaping

1. Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division. **(Include this note on the site and landscape plans.)**
2. New landscaping shall have an automatic irrigation system designed to provide adequate and efficient coverage of all plant material. Irrigation systems shall comply with the requirements of the California Green Building Standards Code and/or the California Model Water Efficient Landscape Ordinance and/or the California Plumbing Code as may be amended.
3. Additional landscaping requirements including landscape plan requirements, landscape design standards, and general landscaping standards can be found in Chapter 15, Article 23 of the Fresno Municipal Code.

6. Facade The street facing facade shall provide for better compatibility with adjacent single-family homes.

7. Fencing

Fences, greater than 125 feet in length in Residential Districts and/or along Major Streets, shall incorporate decorative pilasters with decorative caps spaced no more than 30 feet apart. This shall not apply to industrial districts, unless the industrial district is located on the same side of the street as existing, planned, or zoned residences.

8. Special Use Requirements This section is not applicable.

Operational Requirements

PART D - PLANNING - OTHER REQUIREMENTS

1. Development shall take place in accordance with the policies of the Fresno General plan, West Area Community Plan, Highway City Neighborhood Specific Plan and with the Residential - Medium Density planned land use designation.

2. Development shall take place in accordance with the RS-5 (*Residential Single-Family, Medium Density*) zone district and all other applicable sections of the Fresno Municipal Code
3. Comply with the operational statement submitted for the proposed project dated April 29, 2019.
4. Comply with all applicable mitigation measures detailed in the attached Master Environmental Impact Report (MEIR) Mitigation Monitoring Checklist for the Fresno General Plan and any applicable project specific mitigation measures contained in the environmental assessment adopted for the project.
5. Development shall comply with all prior special permits on the property, and any applicable conditions of zoning.

PART E - MISCELLANEOUS AND GENERAL NOTES AND REQUIREMENTS

1. Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. *This special permit is granted, and the conditions imposed, based upon the Operation Statement provided by the applicant. The Operation Statement is material to the issuance of this special permit. Unless the conditions of approval specifically require operation inconsistent with the Operation Statement, a new or revised special permit is required if the operation of this establishment changes or becomes inconsistent with the Operation Statement.* Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the special permit or any other enforcement remedy available under the law. The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.
2. Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:
 - a) All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
 - b) All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
 - c) Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.
3. No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished, or moved in any zoning district, except in accordance with the provisions of this Code. Specific uses of land, buildings, and structures listed as prohibited in any zoning district are hereby declared to be detrimental to the public health, safety, and welfare.
4. Development shall take place in accordance with the Standards, Specifications, and Standard Drawings of the City of Fresno Public Works Department; [Click Here](#)
5. Development shall take place in accordance with all city, county, state and federal laws and regulations.
6. Owners and persons having ownership interest in businesses operating in the City of Fresno (including leasing out any commercial or industrial property, or renting out four or more dwelling units) are required by the Fresno Municipal Code to obtain a Business Tax Certificate. Contact the

City of Fresno Finance Department's Business Tax Division at (559) 621-6880 for more information. Information and an application form is available at the following website: [Click Here](#)

7. All proposed building(s) or structure(s) constructed on the property must comply with the prevailing California Building Code Standards.
8. Any building modifications and/or additions not included with this application are not approved with this special permit and would be subject to a new special permit.
9. A permit granted under this Code shall automatically expire if it is not exercised or extended within three years of its issuance. Refer to section 15-5013, Expiration of Planning Entitlements, for more information about the exercise of rights.

FENCES/WALLS, LANDSCAPING, PARKING

10. Nothing in this Development Code shall be deemed to prohibit the erection of temporary fencing around construction sites in compliance with the Building Code and other applicable provisions of the Fresno Municipal Code.
11. Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation.
12. Fences, hedges, and walls shall be maintained in good repair, including painting, if required, and shall be kept free of litter or advertising. Where hedges are used as screening, trimming or pruning shall be employed as necessary to maintain the maximum allowed height. Fences shall be maintained and shall stand upright and shall not lean.
13. All planting and other landscape elements shall be permanently maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Wherever necessary, plantings shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Yards shall be maintained free of refuse, debris, rubbish, or other accumulated matter and/or materials, and shall be maintained clean. Grass shall not exceed six inches in height.
14. Trees shall be maintained by property owners to be free from physical damage or injury arising from lack of water, chemical damage, accidents, vandalism, insects, and disease. Any tree showing such damage shall be replaced with another tree.
15. No tree for which a Tree Removal Permit is required shall be removed until all conditions of the permit have been satisfied and the decision has become final. In addition, tree(s) approved for removal in conjunction with a development application shall not be removed before the issuance of a Building Permit or unless all of the conditions of approval of the development applications are satisfied.
16. The review authority shall issue a Tree Removal Permit if any of the following general criteria is met:
 - a) The tree(s) is irreparably diseased or presents a danger of falling that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices so that the public health or safety requires its removal.
 - b) The tree(s) can potentially cause substantial damage to existing or proposed main structure(s) (e.g. dwellings, other main structures, or public infrastructure) or interfere with utility services and cannot be controlled or remedied through reasonable relocation or modification of the structure or utility services.
 - c) The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the Review Authority that there are no reasonable alternatives to preserve the tree(s).

17. Future tenant improvements shall be reviewed and approved by the Development and Resource Management Department to ensure that adequate off-street parking is provided.
18. The number of trees required for parking lot shading are in addition to trees required elsewhere on the site as prescribed in other sections of this Code
19. Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
20. A minimum number of accessible parking stalls are required for the proposed project per State of California Building Code, "Development Requirements for Handicapped Accessibility."
21. All accessible stalls shall be marked with the international symbol of spaces and a warning that vehicles in violation of Section 10-1017 of the Municipal Code shall be towed away. The international symbol and tow-away warning shall be posted conspicuously on seven-foot poles. **(Include this note on the site plan.)**
22. Applicants are encouraged to provide shared vehicle and pedestrian access between adjacent properties for convenience, safety, and efficient circulation. A joint access covenant shall be required. **(Include this note on the site plan.)**
23. All general standards of Section 15-2015 of the FMC shall apply when lighting is provided to illuminate parking, sales or display areas. **Depict all proposed lights on the site plan.**
24. Bicycle parking spaces shall be supplied according to Table 15-2429-D: Required On-Site Bicycle Parking Spaces of the Fresno Municipal Code (FMC). Each bicycle parking space shall be a minimum of 30 inches in width and eight feet in length and shall be accessible without moving another bicycle. At least 30 inches of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces to allow for the maneuvering of bikes. Overhead clearance shall be a minimum of seven feet. A minimum five foot aisle between each row of bicycle parking shall be provided for bicycle maneuvering beside or between each row, when multiple rows are proposed. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open spaces, and shall be located proximal to structures.
25. All general provisions of Section 15-2403 of the FMC shall apply to all parking areas.

SIGNAGE

26. All future signs shall be architecturally compatible with the proposed building(s). Provide a set of drawings, with descriptive information, including, materials, design and colors to allow for a preliminary assessment of the future signage. It is recommended that you provide a copy of the signage early in the project process to allow for staff comment.
27. Signs, other than directional signs, if applicable, are not approved for installation as part of this special permit. **(Include this note on the site plan.)**
28. All proposed signs shall conform to the current sign ordinance. Applications for a sign permit and requirements for submittal are available at the Development and Resource Management Department's Public Front Counter or online at: [Click Here](#)
29. Window signs limited to the hours of operation, address, occupancy, and emergency information, subject to the following standards:
 - a) Operational windows signs shall not be mounted or placed on windows higher than the second story.
 - b) The maximum area of exempt window signage shall not exceed three square feet in area.
30. Banners, streamers, moving signs, and inflatables (including air dancers, balloons, and similar objects) are allowed subject to Temporary Use Permit approval for establishments within Non-

Residential Districts. Signs of this type do not count toward total maximum sign area. No sign per this section shall be displayed for more than 30 days, and a period of 30 must lapse before displaying another sign. Signs shall not be displayed for more than 60 total days during a calendar year.

31. Every sign displayed within the city, including exempt signs, shall be maintained in good physical condition and shall comply with adopted regulations. All defective or broken parts shall be replaced. Exposed surfaces shall be kept clean, in good repair, and painted where paint is required.

MISCELLANEOUS

32. Noise levels shall not exceed the decibel levels described in Section 15-2506 of the FMC at anytime, measured at the nearest subject property line.
33. No vibration shall be produced that is transmitted through the ground and is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.
34. Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street. Except for public street lights and stadium lights, no light, combination of lights, or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half foot-candle.
35. No use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the lot where the use is located. Windows shall not cause glare that may disrupt adjoining properties, traffic on adjacent streets, etc. Glare or heat reflected from building materials shall be mitigated so as to not disrupt surrounding properties.
36. The address listed in the conditions of approval is the 'Official Address' given to the building. If you would like separate suite or unit numbers for a building, provide a floor plan and contact the City of Fresno Development and Resource Management Department for 'Official Addresses'. **Only those addresses assigned by the City of Fresno will be recognized as 'Official Addresses'**. The United States Post Office will only recognize addresses assigned by the City of Fresno. If a non-official address is given to a building and or/separate suites, the City of Fresno has the authority to charge a fee and have those addresses corrected. In addition, the United States Post Office will cease mail delivery to those addresses that are not 'Official Addresses'.
37. All projects, including projects that involve less than one acre of property, are required to comply with the City of Fresno's Urban Storm Water Quality Management and Discharge Control Ordinance, FMC Chapter 6, Article 7 (FMC Sections 6-701 *et seq.*)

When a project involves one acre or more of construction activity (including, but not limited to, grading) the developer is required to obtain a stormwater discharge permit for construction, with a Notice of Intent (NOI) filed **prior to** commencement of any grading construction activity. Contact the Fresno office of the California Regional Water Quality Control Board at 559-445-6281 regarding the required NOI and stormwater discharge permit. Additional information on California's construction stormwater regulation may be obtained from the Water Board via the internet:

www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

Helpful information for preparing and implementing stormwater pollution prevention plans may also be obtained from the California Stormwater Quality Association via its website, www.casqa.org

When a project involves specified nonresidential activities (certain commercial and industrial activities), an ongoing industrial stormwater discharge permit is also required. Contact the Fresno office of the California Regional Water Quality Control Board at 559-445-6281 to find out whether your project/business requires an industrial stormwater discharge permit, and to obtain details on securing this permit. Additional information on industrial stormwater regulations may be obtained from the following website:
www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml,

The California Stormwater Quality Association has additional information on preparing stormwater pollution prevention plans for industrial activities (www.casqa.org).

38. Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
39. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately. **(Include this note on the site plan.)**
40. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (Phone: (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (Phone: (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists. An archeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation. **(Include this note on the site plan.)**
41. If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist and, if the paleontologist determines the material to be significant, it shall be preserved. **(Include this note on the site plan.)**
42. Connection to a municipal water system is required unless approved measures are included in the project conditions of approval for an alternative water supply.
43. Connection to a municipal City of Fresno sewer system is required unless approved measures are included in the project conditions for alternative wastewater treatment facilities
44. City of Fresno water and sewer connection charge obligations applicable to this project will be computed during the building construction plan check process and shall be payable at time of issuance of building permit unless other arrangements have been approved to defer such payments to a later date. For information relating to water and sewer service requirements and connection charges, contact Frank Saburit at (559) 621-8277.
45. Open street cuts are not permitted; all utility connections must be bored.
46. **CROSS-CONNECTION CONTROL.** A backflow prevention device may be required on the water service. Contact the Department of Public Utilities, Water Division (559) 621-5300 for requirements relating to approved devices, locations, testing and acceptance. This requirement must be satisfied prior to final occupancy.
47. This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of the Development and Resource Management when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.
48. Open storage (outside an enclosed building) shall be limited to vehicles, boats, recreational vehicles, and trailers. Outdoor storages areas shall be screened from public view by building

façades or solid fences. At the discretion of the Review Authority, the treatment of the ground surface of the open storage area may be gravel or other materials as prescribed by the San Joaquin Valley Air Pollution Control District, the Public Works Department, the Fire Department, and the Fresno Metropolitan Flood Control District. All open storage must be depicted on the site plan and described in operational statement. If it is not, it is not allowed on the site.

49. If video surveillance cameras are required or installed, provide signs under the surveillance cameras which notify the public that the subject property is monitored by video surveillance.

FEES

(Not all fees will be applicable to all projects)

50. **NOTICE TO PROJECT APPLICANT:** In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.
51. **CITYWIDE DEVELOPMENT IMPACT FEES**
- a) Traffic Signal Charge (FMC Section 12-4.1101 to 12-4.1103) This project shall pay its Traffic Signal Mitigation Impact Fee at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual. Refer to the adopted Master Fee Schedule for fee rate. This fee shall be paid at time of building permit.
 - b) Fire Facilities Fee (FMC Section 12-4.901 to 12-4.906) (based on building square footage, or residential units)
 - c) Police Facilities Fee (FMC Section 12-4.801 to 12-4.806) (based on building square footage, or residential units)
 - d) Parks Facilities Fee (FMC Section 12-4.701 to 12-4.706) (based on the number of residential units)
52. **CITYWIDE REGIONAL AND NEW GROWTH MAJOR STREET IMPACT FEES (FMC Section 12-4.1006)**
- a) Street Impact Fees shall be due and payable at the time of building permit issuance unless otherwise required by State law.
 - b) Street Impact Fees will be a condition on all development entitlements granted.
 - c) New construction on vacant parcels shall be calculated on a net acreage (adjusted acre basis) of the entire property subject to the development entitlement based upon planned land use. Notwithstanding, fees shall be based upon actual land use for developments in the C-M zone district and for development projects developed inconsistent with the plan land use.
 - d) New construction on property that is partially developed, Street Impact Fees will be applied to the incremental increase proportionate to the respective floor to area ratios (25% for commercial and 40% for industrial). In no case shall anyone pay more than the amount of the total net acreage of the parcel multiplied by the applicable fee rate.
 - e) Reuse being more intensive than the original use, the developer shall be required to pay the difference between the current amount of the Street Impact Fee obligation for the old use and the current amount of the Street impact Fee obligation for the new use.
53. **FRESNO COUNTY FACILITY IMPACT FEE**
Fresno County adopted a Facilities Impact Fee, but the requirement to pay this fee was

subsequently suspended by Fresno County. If the fee has been reinstated at the time of issuance of building permits for this project, or an alternative fee system has been adopted by Fresno County, proof of payment or payment of this fee will be required for issuance of building permits.

54. REGIONAL TRANSPORTATION MITIGATION FEE (RTMF)

Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption prior to issuance of certificate of occupancy.

55. SCHOOL FEES

School fees must be paid, if required, prior to the issuance of building permits. Contact Central Unified School District. Provide proof of payment (or no fee required) prior to the issuance of building permits.

56. FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD) FEES

57. SEWER CONNECTION CHARGES (FMC Section 6-304(a)). The following sewer connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New sewer connection charges adopted by the Council prior to the issuance of building permits may also be applied.

- a) Lateral Sewer Charge (based on property frontage to a depth of 100')
- b) Oversize Sewer Charge (based on property frontage to a depth of 100')

Effective January 9, 1999, Ordinance No. 98-97 also amended certain sewer connection charges. Fresno Municipal Code Article 15, Section 12 provides property owners the incentives and deletes certain sewer connection charges pursuant to the Simple Tiered Equity Program (STEP) and the Employment Development Program (EDP). For additional information on the STEP and EDP, contact the Department of Public Utilities, Administration Division at (559) 621-8600.

58. WATER CONNECTION CHARGES: (FMC Sections 6-507 to 6-513). The following water connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New water connection charges adopted by the Council **prior to** issuance of building permits may also be applied.

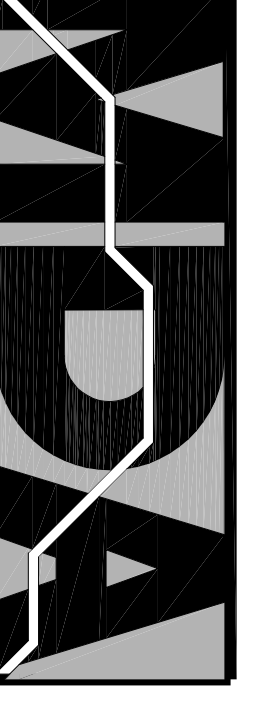
- a) Frontage Charge (based on property frontage)
- b) Transmission Grid Main Charge (based on acreage)
- c) Transmission Grid Main Bond Debt Services Charge (based on acreage)
- d) UGM Water Supply Fee (based on living units, living unit equivalents or acreage)
- e) Wellhead Treatment Fee (based on living units or living unit equivalents)
- f) Recharge Fee (based on living units or living unit equivalents)
- g) 1994 Bond Debt Service Charge (based on living units or living unit equivalents)
- h) Service Charges (based on service size required by applicant)
- i) Meter Charges (based on service need)

59. Deferment of the payment of Citywide development impact fees for Fire, Police, Parks, Streets, and Traffic Signals is available for projects located within the Downtown Priority Areas in accordance with the provisions of City of Fresno Resolutions Nos. 2009-265 and 2010-19.

KEYED COLOR/MATERIAL SCHEDULE

SYB	MATERIAL	FINISH	COLOR
STUCCO	STUCCO	(PAINTED)	INTERIOR GREEN (B-24)
GLAZING	GLAZING	(PAINTED)	INTERIOR GREEN (B-24)
CONC. ROOFING	CONC. ROOFING	(PAINTED)	DUAL GLAZING - CLEAR
DOOR	DOOR	(PAINTED)	WILSON BURGESS WILSON (B2)
GRABBAR	GRABBAR	(PAINTED)	LEIF ANDERSON COPR #1289
STONE VENEER	STONE VENEER	(PAINTED)	BROWN
			BEIGE

NOTES:
 1. ALL COLOR SELECTIONS TO BE APPROVED BY THE CITY OF FRESNO, AND BY THE OWNER.
 2. MINIMUM FOR RESPONSE: LOFT AND FINISH APPROVE SAME TO ARCHITECT FOR APPROVAL.
 3. APPROVAL TO RESPONSE: 10/24/20. FINISH APPROVE SAME TO ARCHITECT FOR APPROVAL FOR REVIEW AND APPROVAL. SELECT A LESS OPAQUE STONE OR BUILDING FOR COLOR FOR REVIEW AND APPROVAL.
 4. APPROVAL TO RESPONSE: 10/24/20. FINISH APPROVE SAME TO ARCHITECT FOR APPROVAL FOR REVIEW AND APPROVAL. SELECT A LESS OPAQUE STONE OR BUILDING FOR COLOR FOR REVIEW AND APPROVAL.
 5. APPROVAL TO RESPONSE: 10/24/20. FINISH APPROVE SAME TO ARCHITECT FOR APPROVAL FOR REVIEW AND APPROVAL. SELECT A LESS OPAQUE STONE OR BUILDING FOR COLOR FOR REVIEW AND APPROVAL.



MIKE DE ALBA AND ASSOCIATES
 5129 N FIRST STREET TEL: 559-225-2800
 FRESNO, CA 93710 FAX: 559-225-1522
 E-MAIL: MICHAEL@ALBA.COM

CONTRACTOR/OWNER/ARCHITECT NEW CONSTRUCTION ROOM DRAFTING
 REVISIONS
 2019 MICHAEL DE ALBA & ASSOCIATES

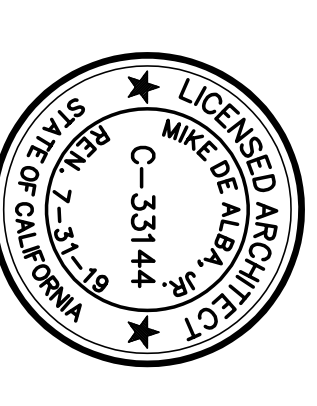
STAR HOUSING PROJECT INC.

STAR HOUSING PROJECT INC.

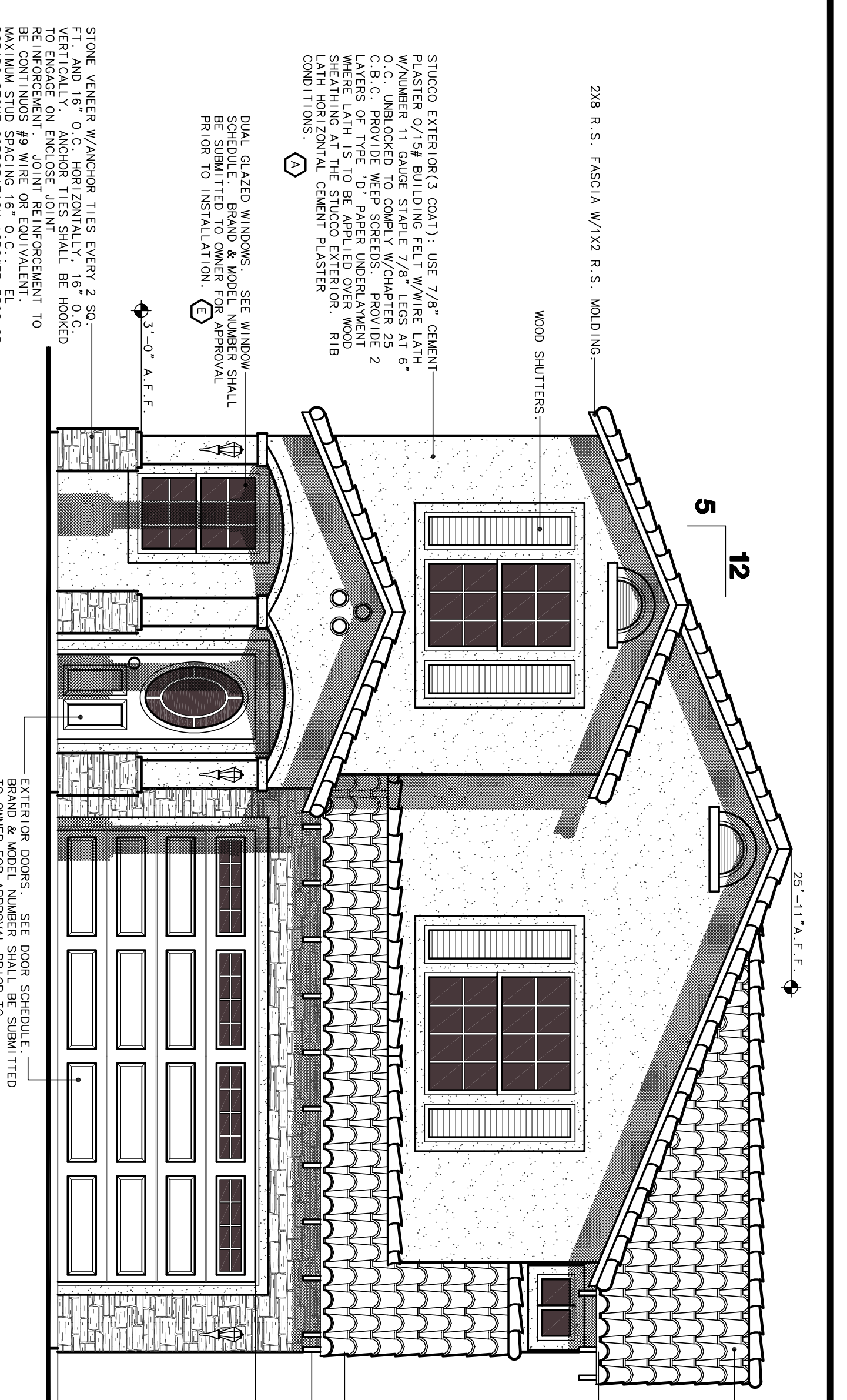
NO.	REVISIONS	DESCRIPTION	DATE

APPL. NO. P19-02037 EXHIBIT EF DATE 04/05/2019
 PLANNING REVIEW BY DATE 04/05/2019
 TRAFFIC ENG. DATE 04/05/2019
 APPROVED BY DATE 04/05/2019
 CITY OF FRESNO DARM DEPT

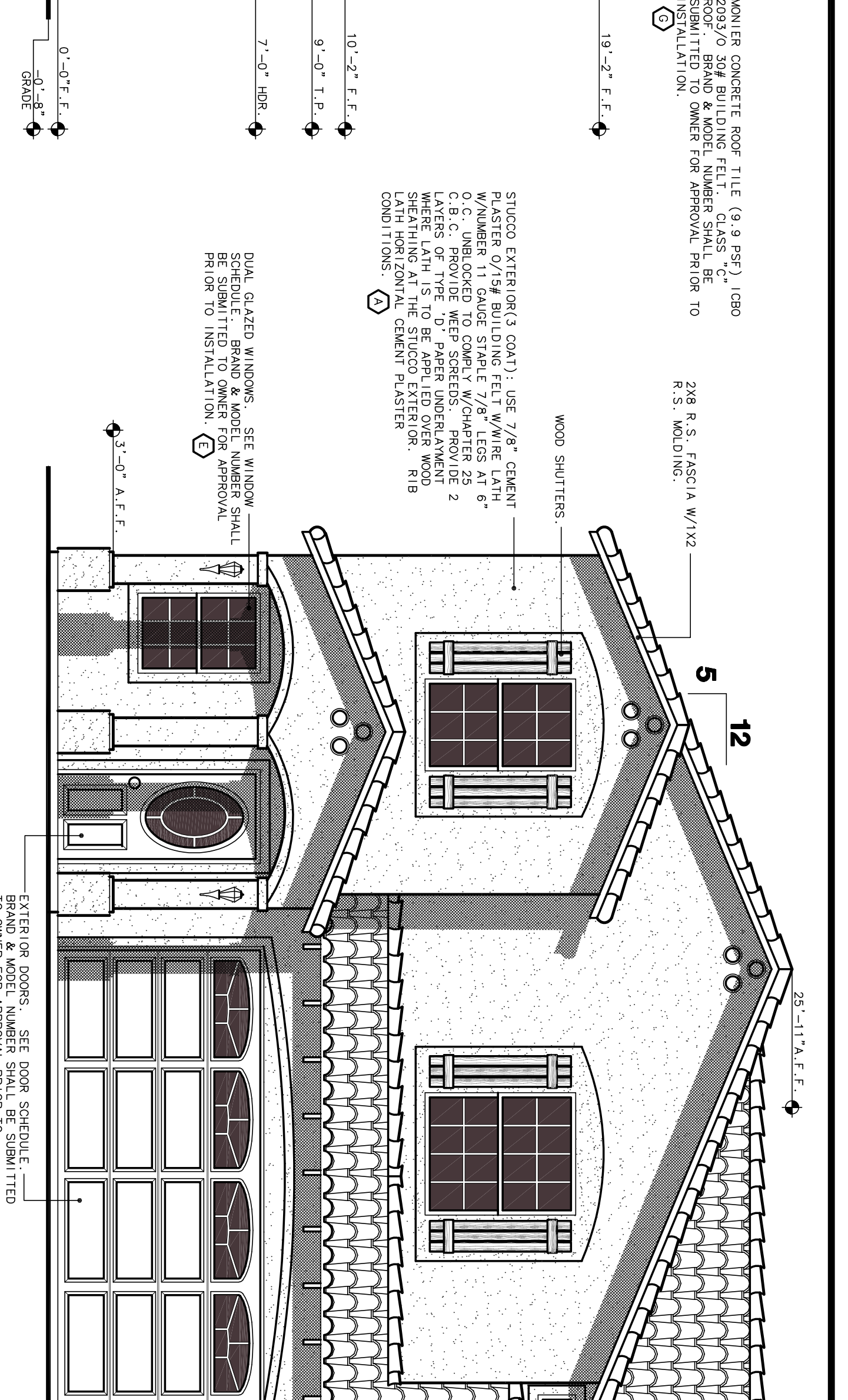
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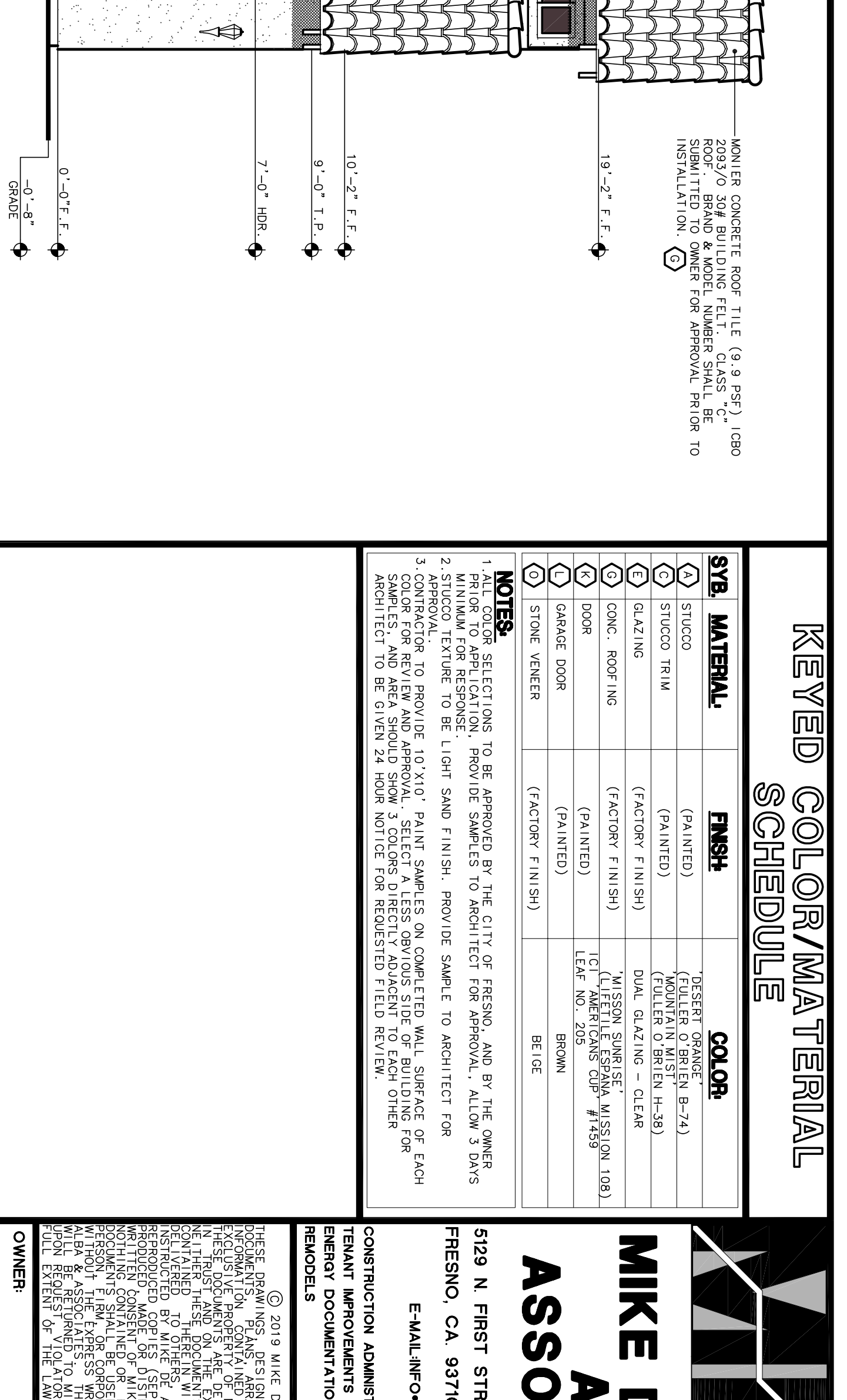
JOB# - 181000 SHEET NO. A.3
 DATE - 05/04/19 SCALE - AS NOTED
 DRAWN BY - MRS. APPROVED BY - MIKE DE ALBA



FRONT ELEVATION
 SCALE: 1/4" = 1'-0"
 (09/19/19 A)



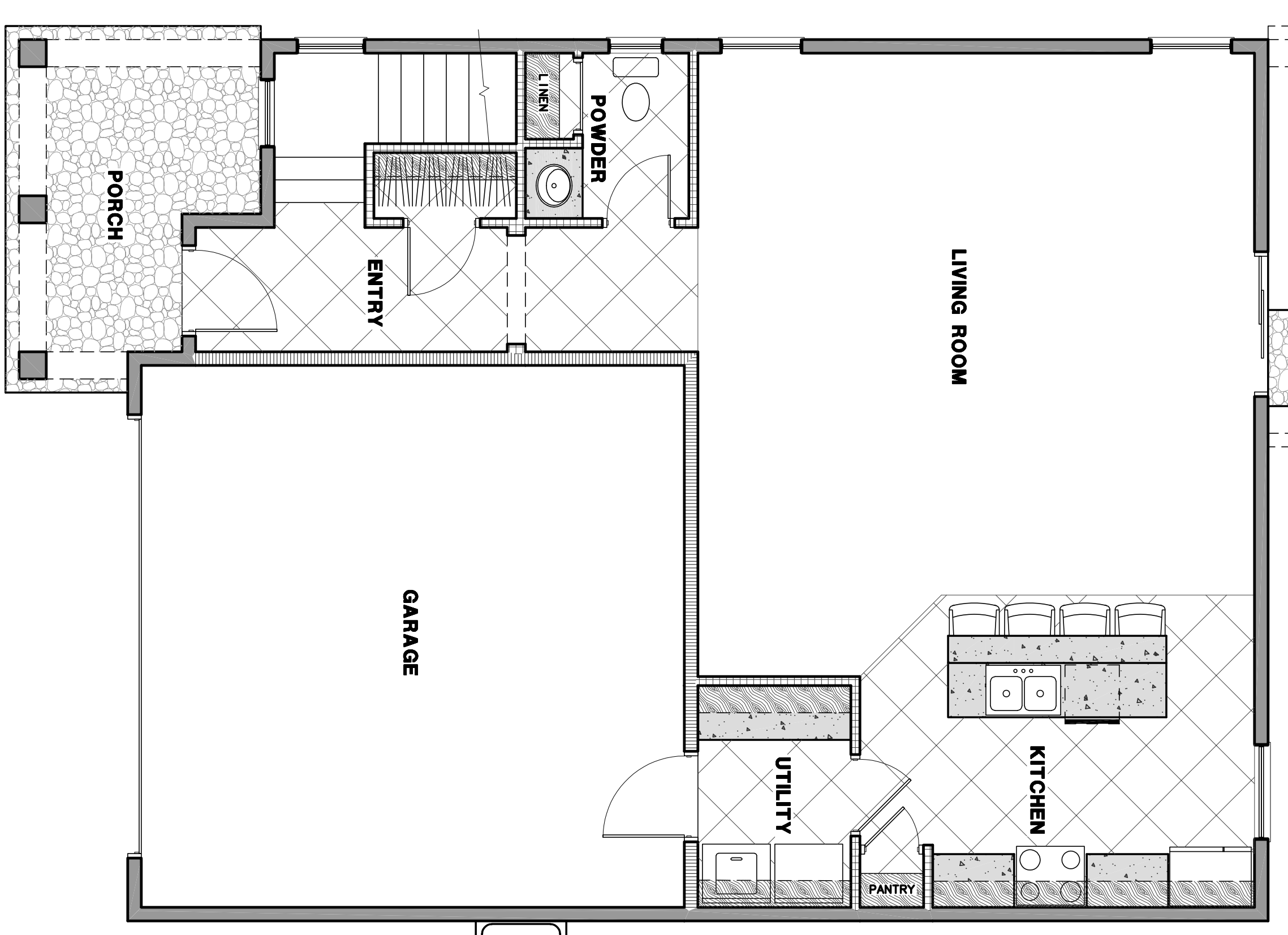
LEFT ELEVATION
 SCALE: 1/8" = 1'-0"
 (09/19/19 B)



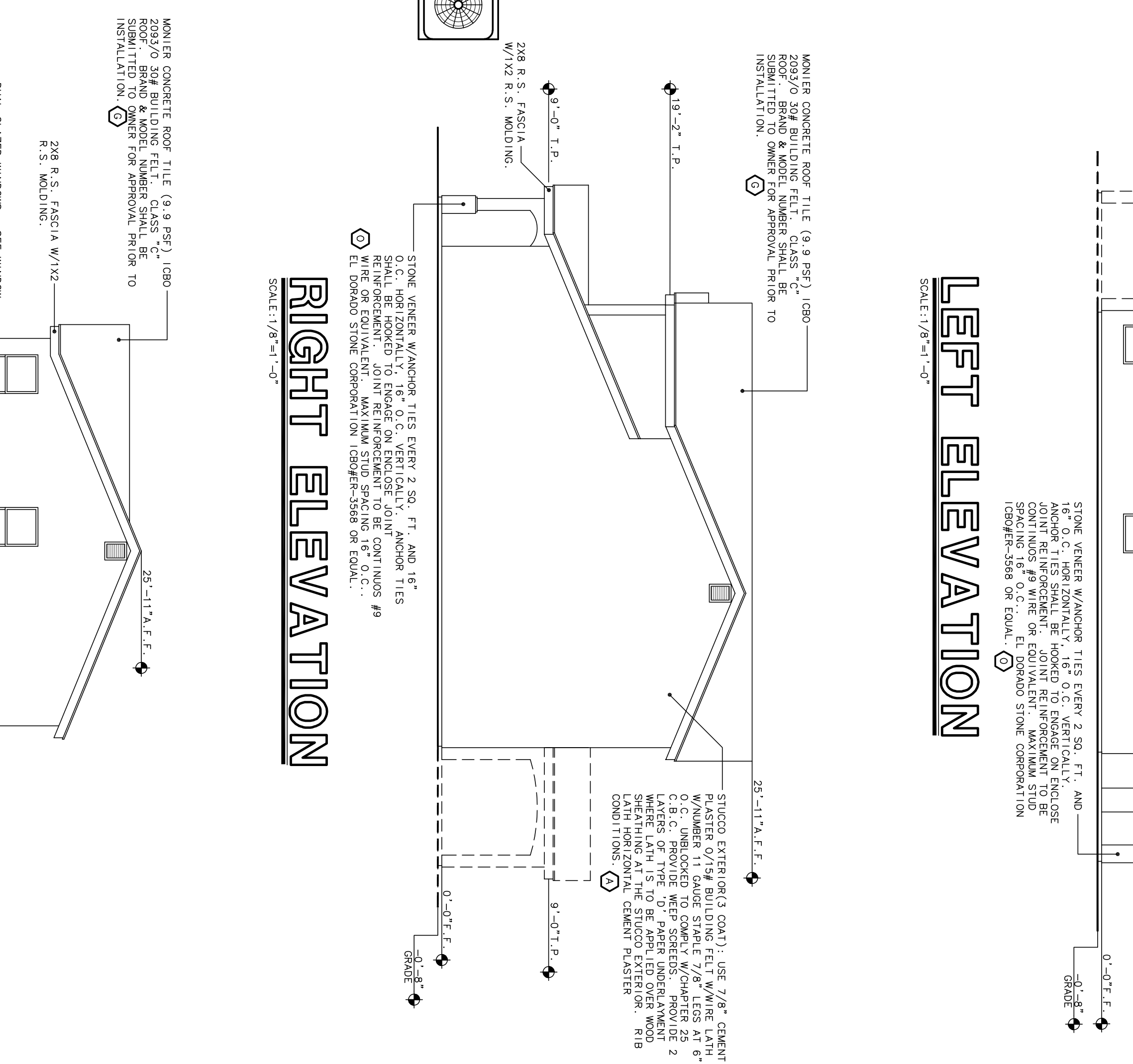
RIGHT ELEVATION
 SCALE: 1/8" = 1'-0"
 (09/19/19 C)

Add Note: All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings so as not to be visible from major streets, highways, passenger railroads, or abutting Residential Districts.

The street facing facade shall provide for better compatibility with adjacent single-family homes. Provide an additional elevation and floor plan demonstrating compliance with this requirement.



FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 (11/05/19/00)



FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 (05/09/19/00)



SUBJECT: Conditions of Approval for **P19-02037**

DATE: June 6, 2019

TO: Phillip Siegrist, Planner III
Development and Resource Management Department

FROM: Andreina Aguilar, Engineer I
Public Works Department, Traffic Planning Section

APN: 508-110-35s

ADDRESS: 5240 NORTH STATE STREET

ATTENTION:			
The items below require a separate process with additional fees and timelines, in addition to the development permit process. Submit the following items early to avoid delaying approval of building permits. Final approval of the site plan is contingent on receipt of all items checked below.			
	To be completed:	Point of Contact	Department and Contact Information
X	<p>Vacation (4 month processing time) A Feasibility Study is required to determine viability and to establish conditions, if any. If approved, recordation of the vacation is required prior to issuance of building permits.</p> <p>Reserve 3' Street Easement behind the drive approach from the vacation.</p>	Jason Camit	Public Works Department (559) 621-8681 Jason.Camit@fresno.gov

ATTENTION:
Prior to resubmitting the corrected exhibit, provide the following information on the site plan:
<p>A. GENERAL REQUIREMENTS</p> <ol style="list-style-type: none"> 1. Revise the legal description on the site plan. <p>B. ONSITE INFORMATION:</p> <ol style="list-style-type: none"> 1. Identify the turning template on the site plan for all large vehicles (solid waste). Identify in the operational statement the maximum size of vehicle to enter and exit the site. 2. Identify a 12' visibility triangle at all driveways and points of ingress/egress into public right of way per Fresno Municipal Code (FMC) 15-2018B. 3. Parking Lot: <ol style="list-style-type: none"> a. Stalls: Provide length and width dimensions. Identify the vehicular overhang adjacent to continuous curbing. b. Provide a 27' backup distance for parking stalls.

PUBLIC IMPROVEMENT REQUIREMENTS

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 exhibits submitted. 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 additional offsite improvements, including but not limited to, concrete curb, gutter, sidewalk, approaches, ramps, pavement, utility relocations, etc. in accordance with City of Fresno's Public Works Standards, Specifications and the approved street plans.

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. Pedestrian paths of travel must also meet current accessibility regulations.

Underground all existing off-site overhead utilities within the limits of this site/map as per FMC Section 15-2017.

The construction of any overhead, surface or sub-surface structures and appurtenances in the public right of way is prohibited unless an encroachment permit is approved by the City of Fresno Public Works Department, Traffic and Engineering Services Division, (559) 621-8693. Encroachment permits must be approved **prior** to issuance of building permits.

State Street: 54' Local (Retired API-1 see attachment)

1. Vacation Requirements:
 - a. Vacate **23'** of right of way adjacent to this application per **Exhibit "A"**.
2. Construction Requirements:
 - a. Construct **20'** of permanent paving per Public Works Standard **P-50**, within the limits of this application and transition paving as necessary.
 - b. Construct driveway approaches to Public Works Standards **P-4 and P-6**, as approved on the site plan.
 - c. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.
 - d. Remove abandoned (existing driveway approaches not identified for utilization) or reduce excessive width driveway approaches as noted on **Exhibit "A"**, and install sidewalk, curb and gutter per City of Fresno Public Works Standard Drawing **P-5** to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-211.
 - e. Remove existing curb and construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **7'** residential pattern to match existing conditions. Construct a **5.5'** residential sidewalk. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).

Street Construction Plans are required and shall be approved by the City Engineer. All improvements shall be constructed in accordance with the City of Fresno, Public Works Department Standard Drawings and Specifications. The performance of any work within the public street right of way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. When preparing Street Plans and/or Traffic Control Plans, contact Harmanjit Dhaliwal at (559) 621-8694, **10 working days** in advance, to make sure that sidewalks or an approved accessible path remain open during construction. Submit construction plans for all required work, in a single package, to the City of Fresno's, Traffic and Engineering Services Division. All work shall be reviewed, approved, completed, and accepted

prior to obtaining a certificate of occupancy. Utility poles, street lights, signals, etc. shall be relocated as determined by the City Engineer.

Two working days before commencing excavation operations within the street right of way and/or utility easements, all existing underground facilities shall have been located by Underground Services Alert (USA) Call 811.

All survey monuments within the area of construction shall be preserved or reset by a person licensed to practice Land Surveying in the State of California.

PRIVATE IMPROVEMENT REQUIREMENTS

Off-Street Parking Facilities and Geometrics: The parking lot is required to meet the City of Fresno's Parking Manual, Public Works Standards and Specifications. Parking must also comply with the California Building Code's accessibility requirements and the Fire and Solid Waste Department's minimum turning templates. The site plan must meet all criteria for final approval. Owner shall assume full responsibility for circulation and emergency vehicle response time if not constructed to the Public Works Parking Manual, Standards and Specifications.

1. Off-Street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawings **P-21, P-22, P-23**.
2. Parking: Provide parking space needs, circulation, access, directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as noted on **Exhibit "A"**. No obstructions shall be within the **3'** overhang.
3. Multi-Family Gates: If gates are proposed, provide a minimum of **20'** from the proposed gate to the back of walk, for vehicle stacking at the main gate.

Traffic Signal Mitigation Impact (TSMI) Fee: This project shall pay all applicable TSMI Fees **at the time of building permit**. Contact the Public Works Department, Frank Saburit at (559)621-8797. The fees are based on the Master fee schedule.

Fresno Major Street Impact (FMSI) Fees: This entitlement is in the **New Growth Area**; therefore pay all applicable growth area fees and 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.fresnocog.org. Provide proof of payment or exemption **prior** to issuance of certificate of occupancy.

Questions relative to these conditions may be directed to Andreina Aguilar (559) 621-8674 or Andreina.Aguilar@fresno.gov in the Public Works Department, Traffic Planning Section.

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

File No. 210.413

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PUBLIC AGENCY

PHILLIP SIEGRIST
DEVELOPMENT AND RESOURCE MANAGEMENT
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOR
FRESNO, CA 93721-3604

DEVELOPER

MIKE DE ALBA, DE ALBA ARCHITECTURE
5129 N. FIRST ST.
FRESNO, CA 93710

PROJECT NO: **2019-02037**

ADDRESS: **5240 N. STATE ST.**

APN: **508-110-35S**

SENT: *6/28/19*

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
AH	\$5,954.00	NOR Review	\$50.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$151.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$5,954.00		Total Service Charge: \$201.00		

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 2/29/20 based on the site plan submitted to the District on 6/07/19 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.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Master Plan 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 CUP No. 2019-02037

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 4

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

1. a. Drainage from the site shall BE DIRECTED TO STATE STREET.
 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.

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NOTICE OF REQUIREMENTS

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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



Gary W. Chapman
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

CC:

STAR HOUSING PROJECT INC.

4460 W. SHAW AVE., #247

FRESNO, CA 93722

FR CUP No. 2019-02037

OTHER REQUIREMENTS
EXHIBIT NO. 2

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.

Development No. CUP 2019-02037



COUNCIL DISTRICT 2 PROJECT REVIEW COMMITTEE MEETING

Fresno City Hall **Room 3054**, Third Floor-North, 2600 Fresno Street, Fresno CA 93721-3604

ACTION AGENDA

Monday, June 3, 2019- 5:30 P.M.

- 1. ROLL CALL** *Attendees were Rosie Hendry, David Rodriguez, Bill Scott, Linnea Feath*
Staff Liaison: Bruce Barnes & Jose Valenzuela

With the resignation of members Linda East and Phillip Arball, the Committee will wait to see what the new D2 Councilmember will decide with new appointees to serve.

- 2. APPROVAL OF AGENDA AND MEETING ACTION AGENDA**

- a. Approval of Agenda and Action Agenda for Action Agenda for April 22, 2019

<http://m3.fresno.gov/upload/files/67336132/2019422D2ActionAgenda.docx>

Hendry moved to approve, Second by Feath

- 3. COMMITTEE BUSINESS**

- 4. PROJECT REVIEW – Old Matters** *(click http links for each projects documents)*

None

- 5. PROJECT REVIEW – New Matters** *(click http links for each projects documents)*

- A. Plan Amendment - Rezone Application No. P19-02030** was filed by Bryan Sassano of SIM-PBK Architects and pertains to 11.8 acres located at 4259 W. Bullard Ave. The applicant proposes to change the current zoning from CC - Commercial/Community to an RM-2 with a Residential - Urban Neighborhood land use designation that will support 16-plus dwelling units per acre. The applicant seeks this plan amendment for the construction of one hundred ninety two (192) multi-family dwelling units.

<http://m3.fresno.gov/upload/files/15021208/FinalPacketP1902033P1902030.pdf>

Applicant Bill Robinson provided an overview of the project and answered questions the committee had.

The committee had concerns relating to vehicular access along North Figarden Drive, sound barriers along abutting commercial and residential uses, and garage parking.

Committee approved subject to the recommendations by the Traffic Division and Traffic Impact Study.

Hendry moved to approve, second by Feath.

Approved 4-0

- B. Development Permit Application No. P19-02033** was filed by Bryan Sassano of SIM-PBK Architects and pertains to 11.8 acres located at 4259 W. Bullard. The applicant proposes the construction of one hundred ninety two (192) multi-family dwelling units. Anticipated build-out will be performed in one phase. The project construction will consist of twenty four multi-family buildings and a community building. This application is tied to Plan Amendment - Rezone application no. P19-02030. [See link above.](#)

Applicant Bill Robinson provided an overview of the project and answered questions the committee had.

The committee had concerns relating to vehicular access along North Figarden Drive, sound barriers along abutting commercial and residential uses, and garage parking.

Committee approved subject to the recommendations by the Traffic Division and Traffic Impact Study.

Hendry moved to approve, second by Feath.

Approved 4-0

- C. Development Permit Application No. P19-02035** was filed by Mike De Alba of De Alba Architects and pertains to .20 acres located at 4277 W. Regency Avenue. The applicant proposes the new construction of a 2-unit detached multi-family townhouse. The property is currently zoned RM-1.

<http://m3.fresno.gov/upload/files/10302587/P1902035MultiUnitTownhouse.pdf>

Hendry moved to approve, second by Scott.

Approved 4-0

- D. Conditional Use Permit Application No. P18-03989** was filed by Mike de Alba, DeAlba Architecture, on behalf of Star Housing Project, Inc., and pertains to 0.22 acre of property located at 267 West Spruce Avenue in the Pinedale Neighborhood Community, north of West Herndon Avenue between North Ingram and North Blackstone Avenues in Northwest Fresno. The applicant proposes a market rate 2-unit attached multiple family residential townhouse development on property zoned RS-5 (Residential Single Family, Medium Density).

<http://m3.fresno.gov/upload/files/110838482/P1903989267WSpruce2unitattachedTownhomes.pdf>

Hendry moved to approve, second by Feath.

Approved 4-0

- E. Conditional Use Permit Application No. P18-03987** was filed by Mike de Alba, DeAlba Architecture, on behalf of Star Housing Project, Inc., and pertains to 0.22 acre of property located at 293 West Beechwood in the Pinedale Neighborhood Community, north of West Herndon Avenue between North Ingram and North Blackstone Avenues in Northwest Fresno. The applicant proposes a market rate 2-unit detached multiple family residential townhouse development on property zoned RS-5 (Residential Single Family, Medium Density).

<http://m3.fresno.gov/upload/files/96011403/P1903987293WBeechwood2unitattachedTownhomes.pdf>

Scott moved to approve, second by Hendry.

Approved 4-0

- F. Conditional Use Permit Application No. P19-02037** was filed by Mike De Alba of De Alba Architects and pertains to .78 acres located at 5240 N. State St. The applicant proposes the construction of new 6-unit detached townhouses. The area is currently zoned RS-5.

<http://m3.fresno.gov/upload/files/43185909/D2CommitteePacket.pdf>

Feath moved to approve, second by Hendry.

Approved 4-0

- G. Conditional Use Permit Application #P19-00809** was filed by Joseph Sharp of SAC Wireless and pertains to the property located at 6575 N. Santa Fe Avenue. The applicant proposes to construct a 70' monopine wireless facility tower at the property within a 30'x30' lease area along with associated ground equipment including GPS antennae, equipment cabinets, generator plug-ins, telco boxes, etc. The property is zoned for CC/UGM/cz.

<http://m3.fresno.gov/upload/files/54949817/District2Packet63209.pdf>

Scott moved to approve, second by Hendry.

Approved 4-0

- H. Conditional Use Permit No. P19-01960** was filed by Damon Miller of Universal Shack on behalf of The Chicken Shack and pertains to the property located at 7675 N. Blackstone Suite #114. The applicant is proposing an alcohol license type 41, as well as tenant improvements to the interior. The zoning is CR/UGM/cz.

<http://m3.fresno.gov/upload/files/80008313/P1901960District2CommitteePacket.pdf>

Applicant was not in attendance and the committee moved to continue the item to the next available project review meeting.

6. STAFF INFORMATIONAL REPORT

None

7. PUBLIC COMMENTS

None

8. UNSCHEDULED MATTERS

Unscheduled matters are items added to the agenda without the required 72-hour legal notice requirement. These items may be discussed but official action may not be taken until legal notices are given as required by law.

9. ADJOURNMENT

6:45 p.m.

CITY OF FRESNO

DEVELOPMENT AND IMPACT FEE ESTIMATE

The following estimates are based on preliminary conceptual information. The exact fee obligation will be computed at the time of development by Public Works Department, Land Division & Engineering. The fee rates in effect at the time of development shall apply.

Proposed Development: Multi-Family Townhouses - 5240 N. State Street

A.P.N.: 508-110-35S

Planned Land Use: Medium-Density Single-Family Residential

Current Zoning: RS-5

Site Area: +/- 0.78 acres

Living Units / LUE: Six (6) Living Units (B.U.I.L.D. Act Credit: One (1) Living Unit)

Entitlement: P19-02037

Estimate Date: June 10, 2019

WATER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Water Service & Meter Charge	2"	1	EA.	\$2,671.00	\$2,671.00	[1] [6]
Irrigation Water Meter Charge	1"	1	EA.	\$330.00	\$330.00	[1] [6]
Frontage Charge		100	L.F.	\$6.50	<i>previously satisfied</i>	
Water Capacity Fee	2"	0.5	EA.	\$10,912.00	\$5,456.00	[1] [6]
Water Capacity Fee	1"	0.5	EA.	\$4,365.00	<i>previously satisfied</i>	[1]
Total Water Connection Charges					\$8,457.00	[1]

SEWER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
House Branch Sewer Charge		[2]	EA	\$0.00	[2]	[2]
Lateral Sewer Charge		10,000	Sq.Ft.	\$0.10	<i>previously satisfied</i>	
Oversized Sewer Charge		10,000	Sq.Ft.	\$0.05	<i>previously satisfied</i>	
Wastewater Facilities Charge		STEP		[3]	[3]	[4] [7]
Trunk Sewer Charge	Cornelia	STEP		[3]	[3]	[5] [7]
Total Sewer Connection Charges					\$0.00	[3]

CITYWIDE/REGIONAL IMPACT FEES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Citywide Fire Facilities Impact Fee	MFR	5	Units	\$588.00	\$2,940.00	[7]
Citywide Park Facility Impact Fee	MFR	5	Units	\$2,959.00	\$14,795.00	[7] [9]
Citywide Police Facilities Impact Fee	MFR	5	Units	\$454.00	\$2,270.00	[7]
Citywide Regional Street Charge	SFR	0.65	AC	\$7,830.00	\$5,089.50	[6]
New Growth Area Major Street Charge	SFR	0.65	AC	\$21,555.00	\$14,010.75	[6]
Citywide Traffic Signal Charge	MFR	5	Units	\$341.00	\$1,705.00	[6]
Total Citywide/Regional Impact Fees					\$40,810.25	

Total Fees and Charges **\$49,267.25**

CITY OF FRESNO

DEVELOPMENT AND IMPACT FEE ESTIMATE

Notes:

Within the City of Fresno's sphere of influence there are other sewer and water utility providers. If the project is within one of those districts, the developer must provide confirmation from the representative Districts that all conditions for sewer and/or water connections and services have been satisfied, prior to issuance of Building Permit

Outside agencies developer impact fees: It is the developer's responsibility to contact those agencies for their fee estimates. These agencies include but are not limited to; Fresno County, Council of Fresno County Governments (FCOG), Fresno Metropolitan Flood Control District (FMFCD), various School Districts that serve the City of Fresno, etc.

- On July 22, 2008, the Fresno County Board of Supervisors passed Ordinance No. 2008-023 requiring the payment of County Public Impact Facilities Impact Fees. The effective date of this ordinance is September 20, 2008. Contact the County of Fresno, Public Works and Planning Department to determine payment of this fee obligation. Confirmation by the County of Fresno is required before the City of Fresno can issue building permits. For further information regarding the Fresno County Facilities Impact Fees, please contact Fresno County Department of Public Works & Planning at (559) 600-4078.
- The Board of Directors of the Fresno County Regional Transportation Mitigation Fee Agency approved Resolution No. 2009-01 requiring the payment of Regional Transportation Mitigation Fee. The effective date of this resolution is January 1, 2010. Please contact the Council of Fresno County Governments (FCOG) at (559) 233-4148 to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue the Certificate of Occupancy.
- Payment of Fresno Metropolitan Flood Control District (FMFCD) impact fees may be required. Please contact FMFCD at (559) 456-3292 to determine fee obligation.
- Payment of applicable school district fees is required prior to issuance of Building Permit. Please contact the respective school district to satisfy your fee obligation. Confirmation by the respective school district is required before the City of Fresno can issue building permits

[1] Fees for Water Service Connections and/or Meters, and Water Capacity due at time of development. Charges based on service and/or meter sizes, (Rates as established by the Master Fee Schedule), determined by the Developer.

[2] Sewer House branches to be installed by Developer at the Developer's cost.

[3] Upon occupancy of the project, the subdivider shall pay the appropriate sewer facility charge pursuant to the Simple Tiered Equity Program (STEP) as determined by the Department of Public Utilities, Wastewater Division, Environmental Services Section (559-621-5153).

[4] The Wastewater Facilities Charge (WWFC) is applicable to single family, duplex, and triplex developments. (FMC 6-302(i)); For Condominium conversions, WWFC may stay in the S.T.E.P. if the project continues to be master metered for water. If the condominiums are individually metered, the developer will pay the pro-rated portion of these fees.

[5] The Trunk Sewer Charge is applicable to single family, duplex, and triplex developments. (FMC 6-302(i)); For Condominium conversions, Trunk Sewer Charges may stay in the S.T.E.P. if the project continues to be master metered for water. If the condominiums are individually metered, the developer will pay the pro-rated portion of these fees.

[6] Due at Building Permit

[7] Due with Certificate of Occupancy

[8] Construction Fee Credits may be applicable. Contact the Public Works Engineering Services Division at (559) 621-8685 for more information.

[9] Parks fee applicable only to residential developments

[10] Fee not applicable on replacement or reconstruction of an existing structure that has been destroyed or demolished provided that the Building Permit for new construction is obtained within one year after the building is destroyed or demolished, and there is no change in the land use designation. (Res. Nos. 2005-428, 429)

[11] Subject to the acceptance date of the vesting tentative map, fee may not be applicable until 2-years after the date of Final Map recordation; when applicable, fee is due at Building Permit for all un-developed lots at the fee rate then in effect.

Prepared and Reviewed By: Frank Saburit

Date: June 10, 2019

621-8797

**City of Fresno Public Works Department
Land Division & Engineering**

June 26, 2019

Alondra Williams
Department and Resource Management
City of Fresno
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Conditional Use Permit Application No. P19-02037
N/W Shaw and Cornelia avenues

Dear Ms. Wilson:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. P19-02037 for which the applicant is proposes to allow a 6 unit detached multi-family residential townhouse on property zoned RS-5, APN: 508-110-35S. FID has the following comments:

1. FID does not own, operate or maintain any facilities located on the subject property, as shown on the attached FID exhibit map.
2. For informational purposes, FID's Herndon No. 39 runs westerly, crosses Gates Avenue approximately 3,300 feet northeast of the subject property, crosses Golden State Boulevard approximately 1,500 feet northwest of the subject property, and crosses Island Waterpark Drive approximately 1,900 feet west of the subject property, as shown on the attached FID exhibit map. Should this project include any street and or utility improvements along Gates Avenue, Golden State Boulevard, Island Waterpark Drive, or in the vicinity of this canal, FID requires it review and approve all plans.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachment