

Exhibit E



2600 Fresno Street, Third Floor
Fresno, California 93721-3604
(559) 621-8277 FAX (559) 498-1026

Planning and Development Department
Jennifer K. Clark, AICP, Director

April 22, 2024

Please reply to:
John George
(559) 621-8073

Drew Phelps
Granville Homes
dphelps@gvhomes.com
(Sent via email only)

SUBJECT: DEVELOPMENT PERMIT APPLICATION NO. P23-01190 FOR PROPERTY LOCATED AT 1911 EAST COPPER RIVER DRIVE (APN: 579-220-49S, -71S & -33S)

The Planning and Development Department conditionally approves Development Permit Application No. P23-01190 authorizing the construction of a 114-unit multi-family residential complex. The project was determined to be an Addendum to the Final Subsequent Environmental Impact Report State Clearinghouse No. 2000021003 ("SEIR") for the proposed project pursuant to the California Environmental Quality Act (CEQA).

The approval of this project is subject to compliance with the following Conditions of Approval:

CONDITIONS OF APPROVAL

PART A – ITEMS TO BE COMPLETED

The following items are required before the issuance of building permits or final inspection:

Planner to check when completed.	
<input type="checkbox"/>	<p>Exhibit A dated October 19, 2023, Exhibits L, F-1 through F-4, E-1, E-2, and O dated August 15, 2023, and Exhibit A dated August 15, 2023 (redlined site plan from Traffic Planning).</p> <p>Revise and transfer all comments or corrections to plan exhibits and upload to the related compliance record prior to issuance of building permits (see directions below). Submit corrected exhibit(s) per all redlines, comments, and conditions to planner at least 15 days prior to submitting for building permits.</p>
<input type="checkbox"/>	<p>Contact Brittany Martin in the City of Fresno Planning and Development Department at (559) 621-8059 or via email at Brittany.Martin@fresno.gov for assignment of addresses to parcels proposed to be created from the development of the subject property.</p> <p><i>NOTE: It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final plan (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct,</i></p>

	<i>and install all mail receptacle facilities for each location as specified and approved by the USPS.</i>
<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. Depict screening of all mechanical and electrical equipment with notation on Exhibit A dated October 19, 2023, and Exhibits F-1 and F-2 dated August 15, 2023.</i>
<input type="checkbox"/>	<i>Pedestrian-oriented 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. Additionally, parking lot lighting shall, to the maximum extent feasible, be designed and installed so that light and glare is not directed onto residential use areas or adjacent public rights-of-way, consistent with Article 25 (Performance Standards). Such parking lot illumination shall be no less than 0.5 foot-candles.</i>
<input type="checkbox"/>	<i>Visibility of a driveway crossing a street lot line shall not be blocked above a height of three feet by vegetation or structures for a depth of 12 feet as viewed from the edge of the right-of-way on either side of the driveway at a distance of 12 feet. Depict all visibility triangles on Exhibit A dated October 19, 2023.</i>
<input type="checkbox"/>	<i>To reduce ambient surface temperatures in parking areas, at least 50% of the parking lot shall contain pavement of light-colored materials with a Solar Reflectance Index (SRI) of at least 29, or a combination of shading and light-colored materials. Revise Exhibit L dated August 15, 2023 to provide a data table depicting the minimum 50% parking lot shading calculation requirement.</i>
<input type="checkbox"/>	<i>According to FMC Table 15-1003, the minimum on-site open space in the RM-2 zone district is 15%. Please provide a table on Exhibit A dated October 19, 2023 and Exhibit L dated August 15, 2023 depicting the on-site open space percentage of the project.</i>
<input type="checkbox"/>	<i>Please illustrate on Exhibit L dated August 15, 2023 compliance with landscape buffer requirements in Table 15-2305-C-2 of the FMC on the western side of the propose project</i>
<input type="checkbox"/>	<i>Landscape plans must comply with the requirements stated in FMC Section 15-2304.</i>
<input type="checkbox"/>	<i>Per Section 15-1005.B.2.b of the FMC, please provide at least 3 exterior colors on Exhibits E-1 and E-2 dated August 15, 2023.</i>

PART B – OTHER AGENCY COMMENTS AND CONDITIONS REQUIREMENTS

Planner to check when completed

<input type="checkbox"/>	<p>Department of Public Works (DPW), Traffic Planning</p> <p><i>Comply with all of the requirements included within the attached Public Works memorandum dated August 31, 2023 and Exhibit A (redlined site plan) dated August 31, 2023.</i></p>
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<input type="checkbox"/>	Fire Department <i>Comply with all of the requirements included within the attached Fire Department memorandum dated October 19, 2023.</i>
<input type="checkbox"/>	Fresno County Environmental Health (FCEH) <i>Comply with all of the requirements included within the attached FCEH memorandum dated September 1, 2023.</i>
<input type="checkbox"/>	Department of Public Utilities (Sewer, Water, and Solid Waste) <i>Comply with all of the requirements included within the attached Public Utilities memorandum dated April 19, 2024.</i>
<input type="checkbox"/>	Clovis Unified School District (CUSD) <i>Comply with all of the requirements included within the attached CUSD memorandum dated August 17, 2023.</i>
<input type="checkbox"/>	Fresno Irrigation District (FID) <i>Comply with all of the requirements included within the attached FID memorandum dated September 14, 2023.</i>
<input type="checkbox"/>	Fresno Metropolitan Flood Control District (FMFCD) <i>Comply with all of the requirements included within the attached FID memorandum dated October 4, 2023. Please be advised that there are specific requirements for installation of fencing near the FMFCD easement.</i>
<input type="checkbox"/>	Development Impact Fees <i>Comply with all of the requirements included within the attached Development Impact Fee memorandum dated August 28, 2023.</i>
<input type="checkbox"/>	Building and Safety <i>Comply with all of the requirements included within the attached Building and Safety memorandum dated August 28, 2023.</i>
<input type="checkbox"/>	Pacific Gas & Electric (PG&E) <i>Comply with all of the requirements included within the attached PG&E memorandum dated September 5, 2023. Please be advised that there are specific requirements for installation of landscaping and fencing near the 10-foot public utility easement.</i>

PART C – PLANNING DEVELOPMENT CODE STANDARDS

1. Conditions of zoning were placed on the site in 2021 with approval of Rezone Application No. P21-02863. This application is subject to compliance with the mitigation measures established by the certification of Final Subsequent Environmental Impact Report State Clearinghouse No. 2000021003 prepared for Copper River Ranch.
2. Development shall take place in accordance with the policies of the Fresno General

Plan, Woodward Park Community Plan, and with the Urban Neighborhood planned land use designation.

3. Development shall take place in accordance with the RM-2/UGM/cz (*Residential Multi-Family, Urban Neighborhood/Urban Growth Management/conditions of zoning*) zone district and all other applicable sections of the Fresno Municipal Code.

PART D – MISCELLANEOUS REQUIREMENTS AND GENERAL NOTES

1. 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.
2. 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. The Planning and Development 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.

APPEALS

Please be advised that this project is subject to a variety of discretionary conditions of approval based on adopted City plans, ordinances, and policies, the interdepartmental/interagency review process, and/or the environmental assessment process, as necessary to mitigate adverse effects on the health, safety, and welfare of the community. The conditions of approval also include requirements for development and use that would, overall, enhance the project and its relationship to the neighborhood and environment.

All conditions of approval based on adopted plans, ordinances, and policies are mandatory. Conditions based on the Fresno Municipal Code (FMC) may only be modified by variance, provided the findings required by FMC Section 15-5506 can be made. Discretionary conditions of approval may be appealed but will ultimately be deemed mandatory unless appealed in writing within 15 calendar days.

If you wish to appeal the Director's decision, a written appeal must be received at the Planning and Development Department by 5:00pm on **April 22 2024**. The written appeal should be addressed to Jennifer K. Clark, Director and the project planner identified below, and include the application number referenced above, the appellant's interest in or relationship to the subject property, the decision or action being appealed, and specific reasons why the appellant believes the decision or action should not be upheld.

Submit the written appeal by mail to John.George@fresno.gov, or by email at PublicCommentsPlanning@fresno.gov. A \$937.66 fee applies to an appeal by the applicant; however, no fee applies to an appeal by a member of the public. Said fee is required prior to accepting the appeal, as required by FMC Section 15-5017-A.1, and established by the Master Fee Schedule (Please note that the fee increases every July 1st).

COMPLIANCE REVIEW PROCESS

To complete the compliance review process for building permits, relative to planning and zoning issues, upload PDF versions of the corrected exhibits (final site plan, elevations, landscape plans, irrigation plans, and operational statement; and any fees and title reports for required covenants; and any required studies or analyses) into the compliance record for final review and approval **at least 15 days before applying for building permits.**

The compliance record number for this application is **P24-01496**.

Corrected exhibits can be uploaded electronically to the citizen access portal at <https://aca-prod.accela.com/FRESNO/Default.aspx>. Contact Planner John George (John.George@fresno.gov) once any corrected exhibits are uploaded. Compliance must be completed prior to commencement of land use activity. If any conditions of approval are not met, further corrections may be required.

The final approved exhibits, stamped by the Planning and Development Department, must be substituted for the unstamped versions of the same sheets in the construction plan set submitted for plan check prior to the issuance of building permits.

EXPIRATION DATES

The exercise of rights granted by this special permit must be commenced by April 22, 2027 (three years from the date of approval), pursuant to FMC Section 15-5013. An extension of up to one additional year may be granted, provided that the findings required under FMC Section 15-5013-A.1 are made by the Director. All required improvements must be installed prior to the operation of the proposed use.

Sincerely,

John George, Planner III
Planning and Development Department

Enclosures:

Exhibit A dated October 19, 2023, Exhibits L, F-1 through F-4, E-1, E-2, and O dated August 15, 2023

Exhibit A dated August 15, 2023 (redlined site plan from Traffic Planning)

Department and Other Agency Comments Department and Other Agency Comments

Notes and Requirements for Entitlement Applications