

**CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT**

**CONDITIONS OF APPROVAL
MAY 25, 2017**

VESTING TENTATIVE TRACT MAP No. 6165/UGM

**GENERALLY LOCATED ON THE NORTH SIDE OF EAST CHURCH AVENUE BETWEEN SOUTH
SUNNYSIDE AND SOUTH FOWLER AVENUES**

All tentative maps are subject to the applicable provisions of the State Subdivision Map Act, Fresno Municipal Code (FMC), City policies, and City of Fresno Standard Specifications. The following specific conditions are applicable to this vesting tentative map:

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code §66020(d)(1), the imposition of fees, dedications, 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 the imposition of the fees, dedications, reservations or exactions imposed on the development project. Each local agency shall provide to the project applicant a notice in writing at the time of the approval of the project or at the time of the imposition of the fees, dedications, reservations, or other exactions, a statement of the amount of the fees or a description of the dedications, reservations, or other exactions, and notification that the 90-day approval period in which the applicant may protest has begun (please see section related to Development Fees and Charges included herein below for further information).

Improvements and payments shall not be required on or in front of any undeveloped portion of a net acreage of ten acres or more which exists after the division of land. All improvements and payments shall be completed with development.

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

The subdivider of property located within the UGM boundaries shall comply with all sewer, water and street requirements and pay all applicable UGM fees imposed under the Urban Growth Management process (with appropriate credit given for the installation of required UGM improvements) in accordance with the requirements of State Law as related to tentative tract maps.

GENERAL CONDITIONS

1. Prior to final map approval, the owner of the subject property shall execute a "Right to Farm" covenant with the City of Fresno. Said covenant is to run with the land and shall acknowledge and agree that the subject property is in or near agricultural districts located in the City and/or County of Fresno and that the residents of the subject property should be prepared to accept the inconveniences and discomfort associated with normal farm activities. The "Right to Farm" covenant shall be recorded prior to or concurrent with the recording of any Final Map of Vesting Tentative Tract No. 6165/UGM.
2. The subdivider shall comply with San Joaquin Valley Air Pollution Control District Rule 9510. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District and to pay any applicable off-site mitigation fees.
3. The subdivider shall comply with Regulation VIII and Rule 8060 of the San Joaquin Valley Air Quality Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.
4. The developer/owner shall pay the appropriate park facilities fee and/or dedicate lands for parks and recreation purposes pursuant to Ordinance Nos. 2005-112 and 2005-113 adopted by the Fresno City Council on September 27, 2005; with the exception of any alternative agreements which may be made subject to a Development Agreement.
5. Submit grading plans and a soils report to the City of Fresno Development and Resource Management Department, Development Services (Planning) Division for verification prior to Final Map approval. Grading plans shall indicate the location of any required walls and indicate the proposed width of required landscape easements or strips. Approval of the grading plan is required prior to Final Map approval.
6. At the time of Final Map submittal, the subdivider shall submit engineered construction plans to the City of Fresno Public Works, Public Utilities, and Development and Resource Management Departments for grading, public sanitary sewer system, public water system, street lighting system, public streets, and storm drainage, including other technical reports and engineered plans as necessary to construct the required public improvements and work and applicable processing fees.

7. Engineered construction plans shall be approved by the City prior to the approval of the Final Map. If, at the time of Final Map approval, such plans have not been approved, the subdivider shall provide performance security in an amount established by the City to guarantee the completion of plans.
8. Public utilities easements, as necessary, shall be shown on the Final Map and dedicated to the City of Fresno. Public utility easements beyond the limits of the Final Map, but required as a condition of development, shall be acquired at the subdivider's cost and shall be dedicated by separate instrument at the time of Final Map approval. The relocation of existing utilities necessitated by the required public improvements shall be paid for by the subdivider. The subdivider is responsible to contact the appropriate utility company for information.
9. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Chapter 15, Part IV: "Land Divisions;" Resolution No. 68-187, "City Policy with Respect to Subdivisions;" and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.
10. The subdivider shall pay applicable fees for, but not limited to, plan checks for street improvements and other grading and construction; street trees, street signs, water and sewer service, and inspections in accordance with the City of Fresno Master Fee Schedule (City Resolution No. 79-606 and No. 80-420) and any amendments, modifications, or additions thereto; and in accordance with the requirements of State law as related to tentative maps.
11. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the Fresno Municipal Code (FMC) and the State Subdivision Map Act. The subdivider shall complete all the public improvements prior to the approval of the Final Map by the City. If, at the time of Final Map approval, any public improvements have not been completed and accepted in accordance with the standards of the City, the subdivider may elect to enter into an agreement with the City to thereafter guarantee the completion of the improvements.
12. As a condition of Final Map approval, the subdivider shall furnish to the City a subdivision guarantee listing all parties having any right, title or interest and the nature of their interest per State law.

GENERAL INFORMATION

13. Prior to the issuance of building permits for the subdivision, school construction fees shall be paid to the respective school district, in which the subject property is located, in accordance with the school district's adopted schedule of fees.
14. Contact the United States Postal Service for the location and type of mailboxes to be installed in this subdivision.
 - a) 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 map (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.
15. Pursuant to Section 66456.1 of the Subdivision Map Act, which states "The right of the subdivider to file multiple Final Maps shall not limit the authority of the local agency to impose reasonable conditions relating to the filing of multiple Final Maps," any multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of FMC Chapter 15, Part IV: "Land Divisions," including but not limited to Article 36, "Final Maps."
16. The developer/owner shall obtain any and all permits required for the removal or demolition of any existing building or structure located within the subdivision boundaries. The developer/owner shall also obtain any and all permits required for the proper abandonment/closure of any existing water well, septic tank/leach field or cesspool, and irrigation pipeline on the subject property. All such permits shall be obtained prior to commencement of tract grading work, in accordance with Chapter 13 of the FMC.
17. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
18. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted (business hours: (559) 268-0109; after hours the contact phone number is (559) 488-3111 for the Fresno County Sheriff's Department). If remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (phone number (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern

San Joaquin Valley Information Center (phone number (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists.

19. If animal fossils are uncovered, the Museum of Paleontology at the University of California, Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist; if the paleontologist determines the material to be significant, a recommendation shall be made to the City as to any further site investigation or preservation measures.
20. Apportionment of Special Assessment: If, as part of this subdivision, a division will be made of any lot or parcel of land upon which there is an unpaid special assessment levied under any State or local law, including a division into condominium interest as defined in Section 783 of the Civil Code, the developer/owner shall file a written application with the City of Fresno Director of Public Works, requesting apportionment of the unpaid portion of the assessment or pay off such assessment in full.

If the subdivider elects to apportion the assessment, the application shall contain the following information:

- a. A full description of each assessed lot, parcel or interest to be divided and of how such lot, parcel or interest will be divided;
- b. A request that the Engineer apportion the amount remaining unpaid on the assessment in accordance with applicable law; and
- c. Written consent of the owner(s) of each such lot, parcel, or interest to the requested apportionment.
- d. The application shall be filed prior to the approval of the Final Map(s) by the City and shall be accompanied by a fee in an amount specified in the Master Fee Resolution for each separate lot, parcel, or interest into which the original assessed lot, parcel or interest is to be divided. The fee shall be in an amount sufficient to pay all costs of the City and the Engineer of Work responsible for determining the initial assessment in making the requested apportionment.

MITIGATION MONITORING REQUIREMENTS

21. Development of the subject property shall be subject to implementation of all applicable mitigation measures, fees, and timelines included within the Initial

Study and Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-014/R-16-013/T-6165 dated October 21, 2016.

- a) The Mitigated Negative Declaration prepared for the proposed project is tiered off of the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015). Development of the subject property shall be subject to implementation of all applicable mitigation measures included within the MEIR for subsequent projects; included herein by reference.

DEVELOPMENT AGREEMENT

22. Approval of Vesting Tentative Tract Map No. 6165/UGM is contingent upon adoption of and shall be subject to any/all terms included within a Development Agreement made by and between the City of Fresno, a municipal corporation, and High and Mighty Farms, Inc. a California Corporation; Courthouse California, LLC., an Arizona limited liability company; and Nancy M. Dunlap, Trustee of the Ruth Martori Non-QTIP Marital Trust, dated July 26, 1994; as may be adopted by the Fresno City Council.

- NOTE: With the exception of those conditions which may be required in order to implement the mitigation measures identified by Environmental Assessment No. A-16-014/R-16-013/T-6165 dated October 21, 2016, where any inconsistencies or conflicts may exist between these Conditions of Approval and the terms or provisions of the Development Agreement, the stipulations of the Development Agreement shall prevail.

ZONING & PROPERTY DEVELOPMENT STANDARDS

23. Upon conditional approval of Vesting Tentative Tract Map No. 6165/UGM, the subdivider may prepare a Final Map in accordance with the approved tentative map; and, the following:
 - a) Approval of Vesting Tentative Tract Map No. 6165/UGM is contingent upon City Council approval of Plan Amendment Application No. A-16-014.
 - b) Approval of Vesting Tentative Tract Map No. 6165 is contingent upon City Council approval of Rezone Application No. R-16-013.
 - c) Establishment of the proposed tentative map boundary represented on Vesting Tentative Tract Map No. 6165/UGM is contingent upon recordation of

a Parcel Map (final), consistent with proposed Vesting Tentative Parcel Map No. 2016-05.

24. Development of the subject property shall comply with all development standards of the RS-5 (Residential, Single-Family) zone district; Article 41 (Subdivision Design Standards); and, all applicable requirements of the Fresno Municipal Code.

Landscaping, Open Space and Walls

25. Proposed Outlot(s) "A" of Vesting Tentative Tract Map No. 6165/UGM shall be dedicated for public common open space purposes and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
26. Pursuant to Policies 1-5.8 & 2-3.9 of the Roosevelt Community Plan, the subdivider shall provide a minimum 15-foot wide landscape easement (and irrigation system) along the westerly property lines of all lots with frontage on South Sunnyside Avenue (i.e., Lots 1-11 of Vesting Tentative Tract Map No. 6165/UGM).
 - a) Construct a 6-foot high solid masonry sound wall (at finished grade of proposed site) pursuant to the solid wall requirements of Section 15-2006 & 15-2018 of the FMC behind the required 15-foot wide landscape easement along the westerly property lines of all lots with frontage on South Sunnyside Avenue (i.e., Lots 1-11 of Vesting Tentative Tract Map No. 6165/UGM).
27. Pursuant to Policies 1-5.8 & 2-3.9 of the Roosevelt Community Plan, the subdivider shall provide a minimum 15-foot wide landscape easement (and irrigation system) along the easterly property lines of all lots with frontage on South Fowler Avenue (i.e., Lots 124-133 of Vesting Tentative Tract Map No. 6165/UGM).
 - a) Construct a 6-foot high solid masonry sound wall (at finished grade of proposed site) pursuant to the solid wall requirements of Section 15-2006 & 15-2018 of the FMC behind the required 15-foot wide landscape easement along the rear property lines of all lots with frontage on South Fowler Avenue (i.e., Lots 124-133 of Vesting Tentative Tract Map No. 6165/UGM).

28. Pursuant to Section 15-4105-G-2-a of the FMC, when a Local Street intersects a Major Street and the corner lot sides onto the Local Street, the corner lot shall provide a minimum 8-foot wide landscaped strip (or easement subject to the conditions contained herein below) and irrigation system along the street side yard of the respective corner lot (i.e., Lots 1, 126-127 of Vesting Tentative Tract Map No. 6165UGM).
 - a) A greater landscape strip may be necessary for visibility purposes pursuant to Section 15-2018 of the FMC; and/or, for purposes of inclusion within the Community Facilities District (CFD) for maintenance purposes.
 - i) The subdivider shall provide minimum 10-foot wide landscape easement as necessary for purposes of inclusion within the CFD for maintenance purposes.
 - b) A minimum 6-foot high masonry wall (at finished grade of proposed site) pursuant to the solid wall shall be placed at the rear of the landscape strip or easement in accordance with the requirements of Section 15-2006 & 15-2018 of the FMC.
29. Provide a landscape strip (and irrigation system) at the end of all interior blocks (i.e., Lots 32-33, 43-44, 54-55, 64-65, 74-75, 82-83, 89-90, 97-98, 134, 137, 142-143, 149, 163-164, 178-179, 193-194, 208 of Vesting Tentative Tract Map No. 6165/UGM), in accordance with Section 15-4105-G-2-b of the FMC; and the following:
 - a) A minimum landscape strip of five feet and irrigation system is required along the street side yard of the respective corner lot; unless a minimum four-foot wide park strip is provided between the curb and sidewalk.
 - i) The landscape strip/buffer shall be located adjacent to the "sidewalk pattern" within the adjacent public street rights-of-way and shall incorporate street trees to shade the adjacent sidewalks in accordance with Public Works standards, specifications, and policies.
 - b) A minimum 6-foot high masonry wall (at finished grade of proposed site) pursuant to the solid wall shall be placed at the rear of the landscape strip or easement in accordance with the requirements of Section 15-2006 & 15-2018 of the FMC; with the following exceptions:
 - i) The wall shall not be required for proposed Lots 32, 75, 90, 97-98, or 134 of Vesting Tentative Tract Map No. 6165/UGM.

- NOTE: An opening in the masonry wall may be permitted to provide a gate for access if approved by the Public Works Director.
30. Landscaping, which is compliant with the City of Fresno “Anti-Graffiti Landscaped Buffer Development and Planting Standards,” shall be required at all interior end-blocks and adjacent to all required walls or fences that are accessible to the public and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
 31. The subdivider is required to provide street trees on all street frontages per Fresno Municipal Code standards and is responsible for the dedication of public planting and buffer landscape easements as determined by the Development and Resource Management and Public Works Departments.
 - a) Street trees shall be planted at the minimum rate of one tree for each 40 feet of street frontage; or, one tree per home (whichever is greater) by the developer.
 - i) The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC Section 15-2309.
 - NOTE: 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 California Plumbing Code as may be amended.
 32. Provide a corner cut-off area at all intersections, driveways and alleys where walls or fences and/or landscaping are proposed and/or required, in accordance with Section 15-2018 of the FMC.
 - a) Street Intersections. Vegetation and/or structures, flagpoles, signs, fences or walls may not exceed a height of three feet within the triangular sight-distance area formed by the intersecting curb lines (or edge of pavement when no curb exists) and a line joining points on these curb lines at a distance of 30 feet along both lines from their intersection.
 - i) Trees that are located within the sight distance triangle shall have a clearance of eight feet high minimum between the lowest portion of the canopy and the sidewalk and street.

- b) Driveways and Alleys. 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. Street trees shall be pruned at least seven feet above the established grade of the curb so as not to obstruct clear view by motor vehicle drivers.
33. When the grading plan establishes a top of slope beyond the required landscape strip/easement noted and the construction of the required wall(s) is to be established coincident with the top of slope then the required minimum easement width shall be expanded to include the full landscaped area up to the wall location.
34. All proposed/required landscaped easements/buffers, open space areas, pedestrian connections, entryways, pathways and/or private on-site landscaping for street tree purposes shall be improved in accordance with landscape improvement plans, which are to be submitted to the Development and Resource Management Department for review and approval prior to Final Map approval.
- NOTE: Lighting and fence/wall details for any proposed/required open spaces areas or pedestrian connections shall be provided with the submittal of the landscape improvement plans.
35. Maintenance of any/all required landscape easements, strips and/or proposed Outlots within the boundary of Vesting Tentative Tract Map No. 6165/UGM shall be provided pursuant to the Maintenance Obligations stipulated herein below or in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
36. Comply with all street tree, buffer landscaping, median island, outlot, and trail requirements included within the attached memorandum from the Department of Public Works, Streets Division dated October 07, 2016.

STREETS AND RIGHTS-OF-WAY

37. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the FMC and the State Subdivision Map Act.

38. The subdivider shall make provisions for disabled persons in accordance with the Department of Public Works standards and as required by State law. Handicap access ramps are required to be constructed in sidewalks at all corners within the limits of the tract. Where street furniture is located within the sidewalk area (fire hydrants, streetlights, etc.), a minimum of 48 inches of unobstructed path shall be maintained to satisfy the American Disabilities Act requirements. If necessary, dedicate a pedestrian easement to accommodate for the 4-foot minimum unobstructed path requirement.
39. Comply with all of the requirements included within the attached Public Works Department, Traffic and Engineering Services Division memorandums dated November 17, 2016 and December 14, 2016; and, the following:
 - a) Required improvements for South Fowler Avenue from the southern boundary of the map to East Church Avenue shall include the provision of a "Safe Route to School."

SANITARY SEWER SERVICE

The nearest sanitary sewer main to serve the proposed project are an 8-inch sewer main located in the South Fowler Avenue, a 15-inch main located in South Sunnyside Avenue, and a 48-inch trunk located in East Church Avenue. The following water improvements shall be required prior to providing City sanitary sewer service to the project:

40. Comply with all of the requirements included within the attached Department of Public Utilities, Planning and Engineering Division (Sanitary Sewer) memorandum dated October 25, 2016.

WATER SERVICE

The nearest water mains to serve the proposed project are a 14-inch main located in South Fowler Avenue, a 14-inch main located in South Sunnyside Avenue, and a 14-inch main located in East Church Avenue. The following water improvements shall be required prior to providing City water service to the project:

41. Comply with all of the requirements included within the attached Department of Public Utilities, Water Division memorandum dated October 06, 2016

SOLID WASTE SERVICE

42. This tract will be serviced as Single Family Residential properties with Basic Container Service (3 container - solid waste, green waste & recyclable material)

FIRE SERVICE

Fire service is available to the proposed tract subject to the following requirements:

43. Comply with all of the requirements included within the attached Fresno Fire Department memorandum dated October 28, 2016.

FLOOD CONTROL AND DRAINAGE

44. The subdivider shall be required to comply with the specific requirements imposed by the Fresno Metropolitan Flood Control District (FMFCD) for the subdivision 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 memorandums to the Development and Resource Management Department dated November 01, 2016.
 - 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 map 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 by the Subdivider until permanent service for the entire subdivision is provided unless such facilities, if proposed, are required to be annexed into the Community Facilities District by the Public Works Department prior to Final Map recordation.

COUNTY OF FRESNO DEPARTMENT OF PUBLIC HEALTH

45. Comply with all of the requirements included within the attached County of Fresno, Department of Public Health memorandum dated October 04, 2016.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

46. Comply with all requirements and the monitoring and reporting schedule included within the attached memorandum from the San Joaquin Valley Air Pollution Control District dated January 30, 2017.

RIGHT-OF-WAY ACQUISITION

47. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.
48. Rights-of-way acquisition shall include any rights-of-way necessary for proper drainage, signing, pole relocation, and shoulder grading. In general, this will require right-of-way to be provided approximately 10 feet outside the travel lane. The exact requirement must be determined at the project design stage based on the existing conditions and detailed design information.
49. In the event an acquisition of any easement or right-of-way is necessitated by the subject development, said acquisition will be accomplished prior to Final Map approval. The developer/owner should contact the Real Estate Section of the Public Works Department to receive procedural guidance in such acquisitions.
50. Should such acquisition not be accomplished by the subdivider prior to Final Map approval, the subdivider must request and grant to the City the full authority to attempt acquisition either through negotiation or through its power of eminent domain. The subdivider shall furnish to the City Public Works Department, Engineering Division/ Real Estate Section, an appraisal report or a request for an estimated appraisal amount (to be determined by the City of Fresno Real Estate Section) prior to preparation of a Subdivision Agreement.
51. The subdivider shall submit adequate security in the form of a cash deposit to guarantee payment of all costs associated with the acquisition, including staff time, attorney's fees, appraisal fees, court costs, and all related expenditures and costs necessary to effect the acquisition of such easements or rights-of-way.

MAINTENANCE OBLIGATIONS

The long term maintenance of all the items listed below is ultimately the responsibility of the owner/developer:

52. With the exception of those areas which may be eligible for inclusion within the Community Facilities District (CFD) as referenced herein below, obligations for retention and maintenance of required end-block landscaped areas or strips for all corner lots shall be the responsibility of the respective property owner(s) on which the landscaped area is located.
 - a) Execute a covenant for all properties for which retention and maintenance of an end-block landscaped area or strip on a corner lot is the responsibility of the respective property owner prior to recordation of a Final Map.
 - NOTE: The covenant shall disclose and acknowledge all responsibilities associated with these conditions of approval to prospective buyers when individual lots are sold and identify terms, as appropriate, to assure compliance. The covenant shall be prepared in a form approved by the City of Fresno.
53. Comply with all the requirements included within the attached Department of Public Works, Traffic and Engineering Services Division memorandum regarding Conditions for Maintenance Requirements dated December 05, 2016; and, the following:
54. If the owner/developer chooses to be annexed into the City's CFD for maintenance purposes, then an Annexation Request Package shall be submitted to the Public Works Department for review, processing, and approval.
 - NOTE: Packages must be complete with all required information in order to be accepted. The Annexation Request Form is available on-line on the City of Fresno website (<http://www.fresno.gov>) under the Public Works Department Developer Doorway.
 - a) Construction plans for all features to be maintained by a CFD for a final map shall be included in the final map submission to the Development Department for processing. Where applicable, this shall include a Street Tree Location and Street Tree Species (by street) map. Landscaping plans shall contain actual tree and plant counts by species and include the areas (in square feet) of turf, shrubs and trees, and sidewalks or other paved areas within all landscaped areas.

- NOTE: The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into the Community Facilities District (CFD). If the outlots are to be included into the CFD, the Department of Public Works will require that landscape and irrigation plans be submitted with landscape buffer plans for approval prior to inclusion into the CFD.
- b) Proceedings to place the Final Map into a CFD shall not commence until the Final Map, Landscape and Street Construction Plans are considered to be technically correct.
- c) If the developer/subdivider elects to petition for annexation into the City's Community Facilities District, he/she shall be required to provide the City of Fresno, Department of Public Works, with copies of signed acknowledgments from each purchaser of a lot within the subdivision, attesting to the purchasers understanding that the lot will have an annual maintenance assessment and that he/she is aware of the estimated amount of the assessment. The developer/subdivider shall execute and record a covenant on each lot providing notice that the subject property is subject to annual payment of the Community Facilities District assessment.
52. Should the City Council or owner/developer choose not to include all of the maintenance items or certain items listed above in a CFD, then the property owner/developer shall be responsible for establishing a Home Owners' Association (HOA) or other property based management mechanism which provides for the maintenance of these items in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
- a) The subdivider shall establish a Home Owners' Association (or other approved mechanism) to perform the above listed maintenance responsibilities pursuant to Article 40 of Chapter 15 of the Fresno Municipal Code. The Declaration of Covenants, Conditions, and Restrictions (CC&R's) described herein, shall among other things, specify level of effort, frequency, and inspection of maintenance responsibilities, name the City as a third party beneficiary for those provisions, and be subject to approval by the Director of Public Works and the City Attorney's Office. Any amendment to the above provisions or any other provision specifying any right of the City shall require the prior written consent of the City.
- NOTE: Should the owner/developer elect to establish a Home Owners' Association to perform maintenance obligations and assure

that said obligations are met, then the owner/developer may include such other items as are deemed appropriate and necessary for the sustainability of the subdivision and its amenities within the responsibilities of the association.

- b) The proposed Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and the proposed instruments for the homeowners association shall be submitted to the Development and Resource Management Department for review prior to final map approval. Said documents shall be recorded with the final map or alternatively submit recorded documents or documents for recording prior to final acceptance of subdivision improvements. Said documents shall include assignment of responsibility to the homeowners association for landscaping and other provisions as stated in the Development and Resource Management Department Guidelines for preparation of CC&Rs dated September 01, 1994.

DEVELOPMENT FEES AND CHARGES

This project is subject to the following fees and charges:

- a. Applicable Flood Fees as determined by the Fresno Metropolitan Flood Control District.

(Reference Fresno Metropolitan Flood Control District requirements included herein above and notes below for further information)

<i>SEWER CONNECTION CHARGES</i>	<i>FEE RATE</i>
b. Lateral Sewer Charge [1]	\$0.10/sq. ft. (to 100' depth)
c. Oversize Charge [1]	\$0.05/sq. ft. (to 100' depth)
d. Trunk Sewer Charge [2] Service Area: Fowler	\$344/living unit
e. Wastewater Facilities Charge [3]	\$2,119/living unit
f. Fowler Trunk Sewer Interim Fee Surety [1]	N/A
g. House Branch Sewer Charge [2]	N/A

<i>WATER CONNECTION CHARGES</i>	<i>FEE RATE</i>
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h. Service Connection Charge	Fee based on service(s) and meter(s) sizes specified by owner; fee for service(s) and Meter(s) established by the Master Fee Schedule.
i. Frontage Charge [1]	\$6.50/lineal foot
j. Transmission Grid Main Charge [1]	\$643/gross acre (parcels 5 gross acres or more)
k. Transmission Grid Main Bond Debt Service Charge [1]	\$243/gross acre (parcels 5 gross acres or more)
l. UGM Water Supply Fee [2] Service Area: 501s	\$1,738/living unit
m. Well Head Treatment Fee [2] Service Area: 501	\$79/living unit
n. Recharge Fee [2] Service Area: 501	\$56/living unit
o. 1994 Bond Debt Service [1] Service Area: 501	\$93/living unit

<u>CITYWIDE DEVELOPMENT IMPACT FEES</u>	<u>FEE RATE</u>
p. Fire Facilities Impact Fee – Citywide [4]	\$539/living unit
q. Park Facility Impact Fee – Citywide [4]	\$2278/living unit
r. Quimby Parkland Dedication Fee [2]	\$1120/living unit
s. Citywide Regional Street Fee [3]	\$8,361/adj. acre
t. New Growth Area Major Street Fee [3]	\$18,790/adj. acre
u. Police Facilities Impact Fee – Citywide [4]	\$624/living unit
u. Traffic Signal Charge [1]	\$450.94/living unit

v. Street Acquisition/Construction Charge [2] N/A

Notes:

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to approval of the final map at the rates in effect at the time of such approval. The fee indicated above is based on the tentative map. Please see the attached memorandum from the Fresno Metropolitan Flood Control District (FMFCD) for further information regarding considerations which may affect the fee obligation(s) or the timing or form of fee payment.

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. (The requirement to pay this fee is currently suspended by Fresno County. However, payment of this fee may be required if the fee has been reinstated at the time of issuance of building permits on the subject property.)

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. Contact the Council of Fresno County Governments (FCOG) to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue building permits.

* Living Unit Equivalents are calculated by multiplying the number of Net Acres by 5.8 Living Unit Equivalents for commercial or 3.0 Living Unit Equivalents for industrial to arrive at the total number of Living Unit Equivalents.

**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).

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

Conditions of Approval
Vesting Tentative Tract Map No. 6165/UGM
May 25, 2017
Page 19

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

DEPARTMENT OF PUBLIC WORKS

TO: Will Tackett, Planner III
DARM, Planning Division

FROM: Hilary Kimber, Parks Supervisor II (559.621.1345)
Public Works, Street Maintenance Division

DATE: October 7, 2016

SUBJECT: **Tract 6165; 1471 South Fowler Avenue, 1279 South Fowler Avenue**
(APN: 316-022-21) located on the north side of East Church Avenue between South Sunnyside and South Fowler Avenues. The Department of Public Works has reviewed the Tentative Tract Subdivision Map proposed by Yamabe & Horn Engineering, Inc., on behalf of Lennar Fresno Inc. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street right-of-ways, landscape easements, outlots and median islands:

GENERAL REQUIREMENTS

STREET TREE REQUIREMENTS

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 60' of street frontage or one tree per home (whichever is greater) by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC 12-306-23, Water Efficient Landscape Standards and AB 1881.

The designated street tree for South Sunnyside Avenue is:

Pistacia chinensis

Chinese Pistache

The designated street trees for South Fowler Avenue are:

Fraxinus 'Autumn Applause'

Autumn Applause Ash or

Fraxinus 'Autumn Purple'

Autumn Purple Ash

2. Street Tree Planting by Developer: For those lots having internal street tree frontage available for street tree planting, the developer shall plant one tree for each 60' of street frontage, or one tree per lot having street frontage, whichever is greater. Tree planting shall be within a 10' Public Planting and Utility Easement.
 - a. Street tree inspection fees shall be collected for each 60' of public street frontage or one tree per lot whichever is greater.
 - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."
 - c. Landscape plans for all public use areas, such as parkways, buffers, medians and trails, shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.

d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city controlled property is in conformance with the Specifications of the City of Fresno.

e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.

BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS

1. The subdivider shall provide long term maintenance for all proposed landscaped areas by either petitioning for annexation in the Community Facilities District or by forming a Home Owner's Association.

2. Maintenance Service Through Annexation into the Community Facilities District. Landscape and Irrigation plans are required and shall be submitted to the Department of Public Works for review and approval prior to a Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works street construction plan set for the final map. Fees are applicable when the subdivider elects to have landscaping maintained by annexing into the City's Community Facilities District.

A. Landscaping shall comply with Landscape Buffer Development Standards approved by the City Council on October 2, 1990. Landscape and irrigation plans shall comply with Sections 12-306-23 & 24 and 14-121 of the Fresno Municipal Code regarding Water Efficient Landscaping and Buffer landscaping.

B. Should the proposed landscape buffers and/or parkway strips be located next to an existing buffer and/or parkway strip, the planting concept shall simulate the adjacent landscape design to present a more uniform appearance on the street. Variances in the landscape concept will be acceptable, but the design of the new landscape buffer and/or parkway strip shall strive to mimic the existing as much as possible.

C. Landscape plans shall indicate grades on a cross-section detail to include fencing or wall details. All fencing shall be placed outside the landscape easement. Maximum slopes shall not exceed 4:1 with 1 foot of level ground between the slope and the back of the side walk and/or face of fence. Erosion control measures shall be implemented on all slopes of 4:1, including the use of synthetic erosion control netting in combination with ground cover species approved by the Department of Public Works/Engineering Services Division.

D. The water meter(s) serving the buffer landscaping shall be sized for the anticipated service flows.

E. No private flags, signs or identification of any kind shall be permitted in the right-of-way, within the City - controlled easement or on the fence or wall facing the street.

F. Landscaping in the right-of-way and landscape setback adjacent to water well sites shall be the responsibility of the City of Fresno Water Division and may not be included in the CFD.

MEDIAN ISLAND LANDSCAPE REQUIREMENTS

1. When median islands front onto the proposed development project, applicants shall submit Plans to the Public Works/Engineering Services showing the location and configuration of all median islands fronting the proposed project.
2. The Public Works Department will review and evaluate existing median island(s) for a determination of all required improvements prior to approval of Final Map.
3. Landscape and irrigation is required on all new construction of median islands and shall be applied in accordance with the City of Fresno, Public Works Department Standards & Specifications and FMC sections 12-306-24 and 12-306-23 and AB 1881. The Public Works Department requires all proposed median islands to be constructed with a one foot wide colored concrete strips, flush along curb edge, in a 12 inch by 12 inch brick red slate pattern.
4. Trees shall not be planted in sections which are less than eight (8) feet wide unless approved by the Public Works Department. Sections less than eight (8) feet shall be capped with concrete as an integral part of the off site improvements, whether the median is landscaped or not.


OUTLOTS


1. The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into the Community Facilities District (CFD). If the outlots are to be included into the CFD, the Department of Public Works will require approved landscape and irrigation plans to be submitted with landscape buffer plans prior to inclusion into the CFD.
2. Outlots which are utilized for water well purposes **will not** be included in the CFD. The Water Division Department in Public Utilities will provide the maintenance of all plant material on the well site.



DATE: November 17, 2016

TO: Will Tackett
Development and Resource Management Department

THROUGH: Jill Gormley, TE, Traffic and Engineering Manager, City Traffic Engineer 
Public Works Department, Traffic & Engineering Services Division

FROM: Louise Gilio, Traffic Planning Supervisor 
Public Works Department, Traffic & Engineering Services Division

SUBJECT: Public Works Conditions of Approval
TT 6165, 1279 and 1471 South Fowler Avenue
High & Mighty Farms, Inc. / Yamabe & Horn Engineering, Inc.

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

Provide the following information prior to the acceptance of the final map submittal. This can result in additional conditions of approval.

1. Provide a cross section on the map for the proposed 54' street or construct the proposed roadway to one of the Public Works Standard Drawings.

General Conditions:

1. Street Dedications: Provide corner cut dedications at all intersections for accessibility ramps.
2. Outlots: If the subdivider seeks to dedicate to the City, in fee, an outlot for open space purposes, subdivider shall prove to the City that the outlot is free of toxic or hazardous materials pursuant to the requirements of *City Administrative Order 8-1*, including, but not limited to, performing a Phase I Soils Investigation. The soils Investigation report shall be submitted to the Public Works Department for review and approval. The subdivider must obtain Public Works approval of the soils investigation report and complete any mitigation work identified by the soils investigation prior to subdivider's submittal of the Final Map to the Development Department. Any and all costs associated of the soils investigation and any required mitigation work shall be performed at the sole expense of the subdivider.
3. The construction of any overhead, surface or sub-surface structures and appurtenances in the public right of way is prohibited unless an encroachment covenant is approved by the City of Fresno Public Works Department, Traffic and Engineering Services Division, (559) 621-8681. Encroachment permits must be approved prior to issuance of building permits.
4. Street widening and transitions shall also include utility relocations and necessary dedications.
5. Overhead Utilities: Underground all existing offsite overhead utilities with the limits of this map in accordance with *Fresno Municipal Code Section 15-4114* and *Resolution No. 78-522/88-229*.

6. Submit a complete set of construction plans, as applicable, in a single package, to the Public Works Department for review and approval. Examples: street construction, signing, striping, traffic signal and streetlight.

Frontage Improvement Requirements:

Public Streets:

Fowler Avenue: Arterial

1. Dedication Requirements:
 - a. Dedicate **57' – 59'** of property, from section line, for public street purposes, within the limits of this application and continue south to Church Avenue, per Public Works Standards **P-52 and P-69**. Includes the 12' pattern for sidewalk.
 - b. Dedicate corner cuts for public street purposes at the intersection of Fowler and Pitt Avenues.
 - c. Relinquish direct access rights to Fowler Avenue from all lots within this subdivision.
2. Construction Requirements:
 - a. Construct concrete curb, gutter and sidewalk within the limits of this subdivision to Public Works Standard **P-5**. The curb shall be constructed to a **12'** residential pattern.
 - b. Construct concrete curb and gutter from the southern boundary of this map to Church Avenue.
 - c. Construct **20'** of permanent paving within the limits of this subdivision and continue south to Church Avenue.
 - d. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-7** for Arterial Streets.

Sunnyside Avenue: Collector

1. Dedication Requirements:
 - a. Dedicate **2'** of property, for pedestrian or public street purposes to accommodate a 12' pattern within the limits of this application, per Public Works Standards **P-53, P-54**.
 - b. Relinquish direct access rights to Sunnyside Avenue from all lots within this subdivision.
2. Construction Requirements:
 - a. Construct concrete curb, gutter and sidewalk, within the limits of this subdivision, to Public Works Standard **P-5**. The curb shall be constructed to a **12'** residential pattern.
 - b. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
 - c. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-8** for Collector Streets.

Interior Streets:

1. Dedicate, design and construct all curb, gutter, sidewalk, (both sides), permanent paving, cul-de-sacs, easements and underground street lighting systems on all interior local streets to Public Works Standard **P-56**. All driveways shall be constructed to Public Works Standards **P-1** (54' street) and/or **P-4** (50' street) and **P-6**. Pedestrian easements are required behind driveways with sidewalk patterns less than 10'.
2. All streets and pedestrian ways shall connect to other streets and pedestrian ways to form a continuous vehicular and pedestrian network with connections within the subdivision and to

adjacent development. Pedestrian paths of travel must meet current accessibility regulations. Sidewalks are recommended on both sides of the street. Identify ramps within the proposed subdivision wherever sidewalks are provided.

3. Garage or carport setbacks are recommended to be a minimum of 18' from the back of walk or curb, whichever is greater.
4. Provide a 10' visibility triangle at all driveways.
5. Design local streets with a minimum of 250' radius.
6. Local street lengths exceeding 800' and four way intersections shall provide traffic calming measures. Additional dedications may be required.

Specific Mitigation Requirements: This tract will generate **156 a.m. / 208 p.m.** peak hour trips, based on 208 single family residences. Comply with the mitigation measure requirements of the Traffic Engineering Manager in TIS-16-021.

1. Relinquish direct vehicular access rights to :
 - a. the north property line of lot 127.
 - b. the south property line of lots 1 and 126.
2. The intersection of Fowler and Pitt Avenues shall be designed with a full median opening to allow for left turns-in and left turns-out.
3. The first order of work shall include a minimum of two points of vehicular access to the major streets for any phase of this development.
4. Construct the entry at the intersection of Fowler and Pitt to Public Works Standard **P-86**.

Traffic Signal Mitigation Impact (TSMI) Fee: This project shall pay the current Traffic Signal Mitigation Impact Fee (TSMI 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 for single family units (fee rate as shown in the Master Fee Schedule).

Fresno Major Street Impact (FMSI) Fee : This Map is in the **New Growth Area**; therefore pay all applicable growth area fees and City-wide regional street impact fees

Fresno Major Street Impact (FMSI) Requirements:

Fowler Avenue: Arterial (New Growth Area)

1. Where not existing: Dedicate and construct one southbound 12' number one travel lane, one 12' number two travel lane and a 5' shoulder within the limits of this subdivision and continue to Church Avenue. Details of said street shall be depicted on the approved tentative tract map. Dedication shall be sufficient to accommodate arterial standard and any other grading or transitions as necessary based on a **55 MPH** design speed.

Sunnyside Avenue: Collector (Growth Area Street)

1. Where not existing: Dedicate and construct one northbound 12' number one travel lane, one 12' number two travel lane, a 5' shoulder and a 12' center two-way left turn lane within the limits of this subdivision. Stripe 200' left turn pockets at all major intersections. An additional 12' of paving shall be required to accommodate the 250' left turn pockets. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed.

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 certificate of occupancy.

City Hall
2600 Fresno Street, 4th Floor
Fresno, California 93721
Ph. (559) 621-8800
www.fresno.gov

Scott L. Mozier, P.E.
Public Works Director

December 14, 2016

Will Tackett, Supervising Planner
Development and Resources Management Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) ADDENDUM 1 DATED DECEMBER 5, 2016 FOR THE PROPOSED TRACT 6165, ON FOWLER AVENUE BETWEEN CALIFORNIA AND CHURCH AVENUES TIS 16-021, T6165

PROJECT OVERVIEW

We have reviewed the Traffic Impact Study (TIS) Addendum 1 dated December 5, 2016 prepared by Yamabe & Horn Engineering, Inc. for the proposed Tract 6165, "project", which plans to develop an approximately 69.7 acres site with housing and retail uses. The TIS dated October 2016 analyzed the project in phases. Phase 1 plans to construct 208 single family dwelling units. Phase 2 proposes to construct 312 multi-family dwelling units; a 130 bed senior assisted living facility; 27,500 square feet of office use; 80,000 square feet of retail uses; and 7,000 square feet of fast food restaurant uses. Addendum 1 dated December 5, 2016 proposes to add the senior assisted living facility and single family/multi-family components to Phase 1. The project site is currently vacant.

Addendum 1 evaluated the impacts at the intersections of Fowler and Church Avenues and Fowler and Jensen Avenues during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 9th Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the project in Phase 1:

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Single Family (ITE Code 210)	208 DU	1,980	39	117	156	132	76	208
Single Family (ITE Code 210)	90 DU	857	17	51	68	57	33	90
Assisted Living (ITE 254)	130 beds	346	12	7	19	13	16	29
Total Phase 1		3,183	68	175	243	202	125	327

DU = dwelling units

sf = square feet

Based on the analyses included in the TIS, the study intersections are currently operating at or above the TIZ III LOS D standard. With the addition of Phase 1 the project, the study intersections are projected to continue to operate at or above the TIZ III LOS D standard.

The results of the analyses with approved/pending projects and cumulative growth are included in the October 2016 TIS.

GENERAL COMMENTS and CONDITIONS

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per ADT, per the Master Fee Schedule, at the time of building permit. Based on the Phase 1 weekday total ADT of 3,183 for the proposed project, the fee for Phase 1 would be \$149,982.96 payable at the time of the building permit. The Phase 2 fee of \$398,493.84 is based on the Phase 2 weekday total ADT of 8,457.

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2035 General Plan circulation element and are included in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the 2035 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
3. The project shall pay the 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, based on vesting rights, prior to issuance of building permits.

4. The proposed project shall pay the \$288 Traffic Impact Study review fee for review of the document. Proof of payment shall be provided to the Traffic & Engineering Services Division.
5. The proposed project shall widen Fowler Avenue to two (2) southbound through lanes from the northern project boundary to the intersection with Church Avenue prior to occupancy of Phase 1.
6. The proposed project shall construct a traffic signal with protected left-turn phasing at the intersection of Fowler and Church Avenues prior to occupancy of any development in Phase 2. The intersection shall also be modified to have the following configuration:
 - Eastbound – one (1) left-turn lane, one (1) through lane and one (1) shared through-right turn lane
 - Westbound – one (1) left-turn lane, one (1) through lane and one (1) shared through-right turn lane
 - Northbound – one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
 - Southbound – one (1) left-turn lane, one (1) through lane and one (1) shared through-right turn lane
7. The proposed project shall make modification to the traffic signal at the intersection of Fowler and Jensen Avenues to include left-turn phasing on the northbound and southbound approaches prior to occupancy of any development in Phase 2. The intersection shall also be modified to have the following configuration:
 - Eastbound – one (1) left-turn lane, one (1) through lane and one (1) shared through-right turn lane
 - Westbound – one (1) left-turn lane, one (1) through lane and one (1) shared through-right turn lane
 - Northbound – one (1) left-turn lane and one (1) shared through-right turn lane
 - Southbound – one (1) left-turn lane and one (1) shared through-right turn lane
8. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
9. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.

If you have any further questions regarding this matter, please contact me at (559) 621-8792 or jill.gormley@fresno.gov .

Sincerely,



Jill Gormley, TE
City Traffic Engineer / Traffic Engineering Manager
Public Works Department, Traffic & Engineering Services

C: Copy filed with Traffic Impact Study
Louise Gilio, Traffic Planning Supervisor
Scott Tyler, Yamabe & Horn Engineering, Inc.



**DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM**

Date: October 25, 2016

To: WILL TACKETT, Supervising Planner
Planning and Development

From: KEVIN GRAY, Supervising Engineering Technician
Department of Public Utilities, Planning and Engineering Division

Subject: SEWER REQUIREMENTS FOR VESTING TENTATIVE TRACT MAP 6165, PLAN AMENDMENT APPLICATION No. A-16-014 AND REZONE APPLICATION No. R-16-013

General

Plan Amendment Application No. A-16-014, Rezone Application No. R-16-013, and Vesting Tentative Map of Tract No. 6165 were filed by Brian Yengoyan of Citadel Development Group, on behalf of High and Mighty Farms, and pertain to ± 78 acres of property located on the north side of East Church Avenue between South Sunnyside and South Fowler Avenues. Proposed is a comprehensive development comprised of a mix of uses including single family residential, multiple family residential, assisted living, office, retail, and open space.

Plan Amendment Application No. A-16-014 proposes to amend the Fresno General Plan and the Roosevelt Community Plan from Medium-Low Density Residential (± 22 acres), Medium Density Residential (± 35 acres), Residential Multi-Family Urban Neighborhood (± 15 acres), Neighborhood Park (± 6 acres) to Medium Density Residential (± 50 acres), Residential Multi-Family Urban Neighborhood (± 18 acres), Community Commercial (± 7 acres), and Neighborhood Park (± 3 acres).

Rezone Application No. R-16-013 proposes to amend the Official Zone Map to reclassify the 78 acres to

RS-5 (Residential Single Family, Medium Density) (± 50 acres), RM-2 (Residential Multi Family Urban Neighborhood) (± 18 acres), CC (Commercial-Community) (± 7 acres), P (Neighborhood Park) (± 3 acres).

Vesting Tentative Map of Tract No. 6165 is a request to subdivide the subject property into a 208-lot conventional single family residential subdivision with public streets.

Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is an 8-inch sewer main located in South Fowler Avenue, 15-inch main located in South Sunnyside Avenue, 48-inch trunk located in East Church Avenue. Sewer facilities are available to provide service to the site subject to the following requirements:

1. Connection to the existing 48-inch sewer trunk in S. Fowler Avenue shall not be allowed.
2. Installation of sewer house branch(s) shall be required.



A Nationally Accredited Public Utility Agency

3. Separate sewer house branches are required for each lot.
4. Sanitary sewer connection to the existing 48-inch Trunk in Church Avenue shall be required for parcel C only.
5. Abandon any existing on-site private septic systems.

Sanitary Sewer Fees

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

1. Sewer Lateral Charge.
2. Oversize Sewer Area: 35.
3. Trunk Sewer Charge: Fowler
4. Sewer Facilities Charge (Residential).



**DEPARTMENT OF PUBLIC UTILITIES – WATER DIVISION
MEMORANDUM**

DATE: October 6, 2016

TO: WILL TACKETT, Supervising Planner
Development and Resource Management Department – Current Planning

THROUGH: MICHAEL CARBAJAL, Planning Manager
Department of Public Utilities – Water Division

FROM: ROBERT DIAZ, Senior Engineering Technician *R.A.D.*
Department of Public Utilities – Water Division

**SUBJECT: WATER REQUIREMENTS FOR VESTING TENTATIVE TRACT T-6165,
REZONE APPLICATION R-16-013 AND PLAN AMENDMENT A-16-014**

General

Plan Amendment Application No. A-16-014, Rezone Application No. R-16-013, and Vesting Tentative Map of Tract No. 6165 were filed by Brian Yengoyan of Citadel Development Group, on behalf of High and Mighty Farms, and pertain to ±78 acres of property located on the north side of East Church Avenue between South Sunnyside and South Fowler Avenues, South Fowler Avenue, 1279 South Fowler Avenue & APN: 316-022-21 . Proposed is a comprehensive development comprised of a mix of uses including single family residential, multiple family residential, assisted living, office, retail, and open space.

Water Service

The nearest water mains to serve the proposed project are a 14-inch main located in East Church Avenue, a 14-inch main located in South Sunnyside Avenue and a 14-inch main located in South Fowler Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. Construct a 14-inch water main (including fire hydrants) from the existing 14-inch main located in South Fowler Avenue from East Church Avenue north to the existing 14-inch water main in South Fowler Avenue.
2. Separate water services with meter boxes shall be provided to each lot.
3. Destruct any existing on-site well in compliance with the State of California Well



Standards, Bulletin 74-81 and 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.

4. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through any combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Assistant Public Utilities Director.
5. Engineered improvement plans prepared by a Registered Civil Engineer are required for proposed additions to the City Water System.
6. All Public water facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.

Water Fees

The following Water Connection Charges and fees shall be paid for the project.

1. Wet-ties, Water service(s) and/or meter(s) installation(s)
2. UGM Water Supply Area Number: 501s



FIRE DEPARTMENT

DATE: October 28, 2016

TO: Will Tackett, Supervising Planner
Development Department/Current Planning

FROM: BYRON BEAGLES, Fire Prevention Engineer
Fire Department, Prevention Technical Services Division

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 6165, A-16-14, R-16-013,
TENTATIVE PARCEL MAP 2016-05

Proposed project is a standard 36 foot wide public street 208 lot single family home subdivision adjacent to 4 large parcels proposed for various commercial and residential uses that will be submitted for additional entitlements at a future date.

1. The 6.6 acre Community Commercial parcel is more than 2.0 miles from Fire Station 15 and all buildings constructed on this parcel must have fire sprinklers installed regardless of square footage.
2. Provide public fire hydrants per Public Works Standards for single family home residential development. The fire hydrant system shall be in service before delivery of lumber on site unless otherwise approved with a temporary water supply for model home construction only.
3. Two means of emergency access must be available during construction. Access roadways during construction shall be paved or provided with an all-weather driving surface approved by the Fire Department. All construction work on this project is subject to interruption if the road system becomes impassable for fire apparatus

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.45

Page 1 of 4

PUBLIC AGENCY

WILL TACKETT
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, ROOM 3043
FRESNO, CA 93721-3604

DEVELOPER

BRIAN YENGOYAN, CITADEL DEVELOPMENT
GROUP, INC.
1589 W. SHAW AVE.
FRESNO, CA 93711

PROJECT NO: 6165

ADDRESS: NWC CHURCH AND FOWLER

APN: 316-022-21

SENT: 11/1/16

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
BH	\$307,330.00	NOR Review	\$1,774.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$4,950.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$307,330.00		Total Service Charge: \$6,724.00		

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 2/28/17 based on the site plan submitted to the District on 10/04/16 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
TRACT
No. 6165

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
 b. Grading and drainage patterns shall be as identified on Exhibit No. 1
 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 "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".
 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.

FR
TRACT No. 6165

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

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FR
TRACT No. 6165

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, 1997 (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:

JAMES K. O'LOONEY, HIGH & MIGHTY FARMS, INC.

4650 N. DEL MAR AVE.

FRESNO, CA 93704

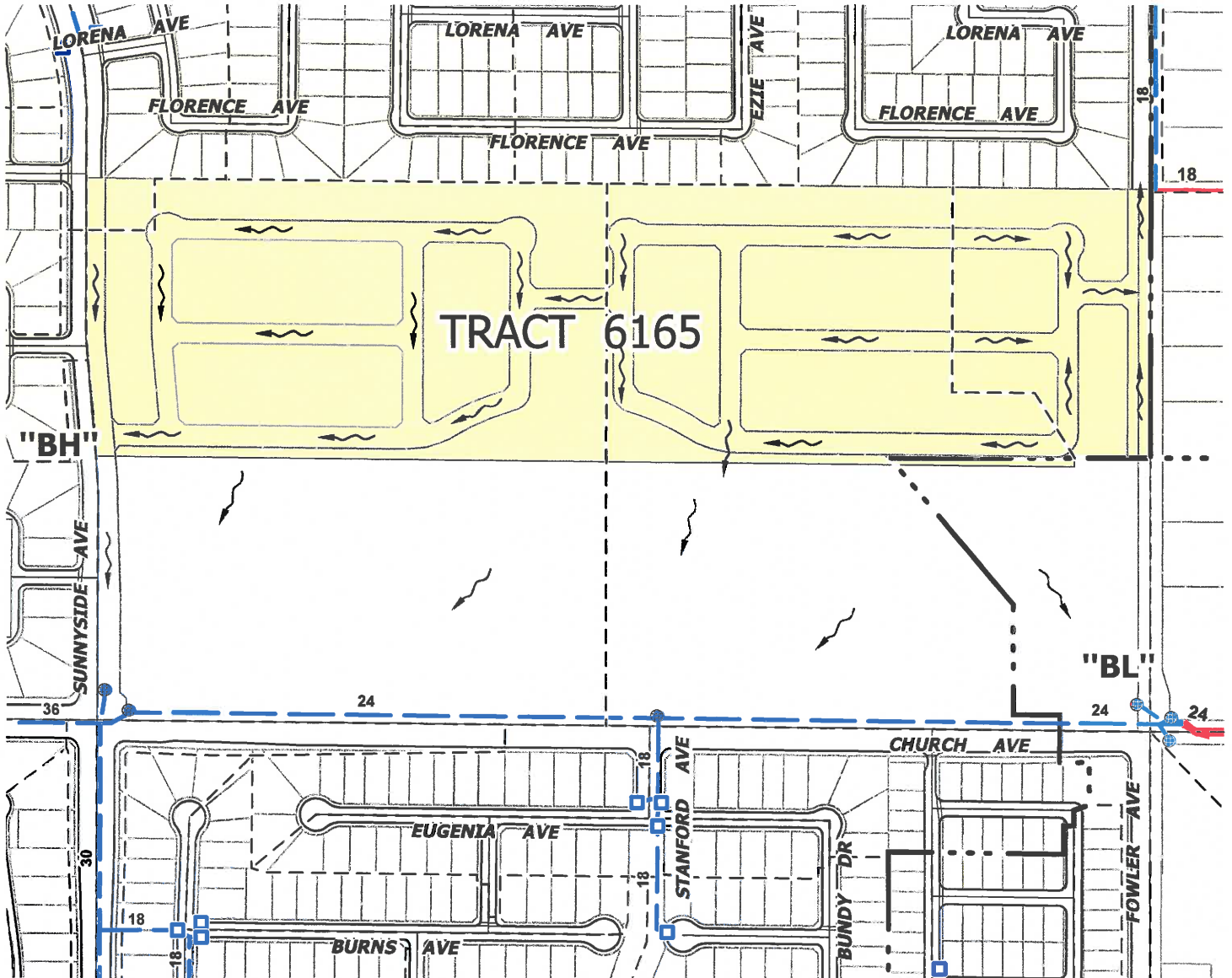
YAMABE & HORN ENGINEERING, INC.

1300 E. SHAW AVE., SUITE 176







FRESNO, CA 93710

FR TRACT No. 6165

NOTE: THIS MAP IS SCHEMATIC.
 DISTANCES, AMOUNT OF CREDITABLE
 FACILITIES, AND LOCATION OF INLET
 BOUNDARIES ARE APPROXIMATE.



LEGEND

-  Existing Temporary Inlet To Remain
-  Existing Master Plan Facilities
-  Future Master Plan Facilities
-  Inlet Boundary
-  Drainage Area Boundary
-  Direction Of Drainage



1" = 400'

TRACT 6165 DRAINAGE AREA "BH"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



Prepared by: wadet

Date: 10/31/2016

Path: K:\Autocad\DWGS\0EXHIBIT\TRACTS\6165.mxd

OTHER REQUIREMENTS
EXHIBIT NO. 2

The District's existing Master Plan drainage system is designed to serve medium density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed land use. The developer shall be required to mitigate the impacts of the increased runoff from the proposed use to a rate that would be expected if developed to medium density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by the proposed land use, to a two-year discharge which would be produced by the property if developed medium density residential. Implementation of the mitigation measures may be deferred until time of development.

Lot coverage must be provided to the District prior to submittal of improvement plans. The final drainage fee will be calculated commensurate with the lot coverage provided by the developer. If the lot coverage indicates a density higher than Master Planned, mitigation may be required. The lot coverage calculated by the District includes the front yard walkway, sidewalk walkway and the rear yard patio equaling an additional 6% of impervious area in addition to the City's typical lot coverage calculation.

Permanent service for the west half of the proposed tract is available through temporary facilities located at Church and Sunnyside Avenues. Our records indicate that there may not be continuous existing curb and gutter to convey runoff to the temporary inlet locations. The developer shall be required to provide documentation and/or improvements satisfactory to the City of Fresno to allow for conveyance of storm water to the inlet locations.

The District recommends a stub street or other means of conveyance to provide surface drainage from the east side of proposed Tract 6165 to the temporary facilities located at Stanford and Church Avenues. If a stub street or other means of conveyance is not provided to Church Avenue for the east side of the proposed tract then the District recommends temporary facilities until permanent service is available.

Development No. Tract 6165

210.45 "6165"

**CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS AND ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-16-014
REZONE APPLICATION NO. R-16-013
VESTING TENTATIVE MAP OF TRACT NO. 6165**

FMFCD

Return Completed Form to:

Will Tackett, Development Services/Planning
Email: Will.Tackett@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-16-014, Rezone Application No. R-16-013, and Vesting Tentative Map of Tract No. 6165 were filed by Brian Yengoyan of Citadel Development Group, on behalf of High and Mighty Farms, and pertain to ±78 acres of property located on the north side of East Church Avenue between South Sunnyside and South Fowler Avenues. Proposed is a comprehensive development comprised of a mix of uses including single family residential, multiple family residential, assisted living, office, retail, and open space.

Plan Amendment Application No. A-16-014 proposes to amend the Fresno General Plan and the Roosevelt Community Plan from Medium-Low Density Residential (±22 acres), Medium Density Residential (±35 acres), Residential Multi-Family Urban Neighborhood (±15 acres), Neighborhood Park (±6 acres) to Medium Density Residential (±50 acres), Residential Multi-Family Urban Neighborhood (±18 acres), Community Commercial (±7 acres), and Neighborhood Park (±3 acres).

Rezone Application No. R-16-013 proposes to amend the Official Zone Map to reclassify the 78 acres to RS-5 (*Residential Single Family, Medium Density*) (±50 acres), RM-2 (*Residential Multi Family Urban Neighborhood*) (±18 acres), CC (*Commercial-Community*) (±7 acres), P (*Neighborhood Park*) (±3 acres).

Vesting Tentative Map of Tract No. 6165 is a request to subdivide the subject property into a 208-lot conventional single family residential subdivision with public streets.

APN: 316-022-21 ADDRESS: 1471 South Fowler Avenue, 1279 South Fowler Avenue (Tract only)

DATE ROUTED: September 30, 2016

COMMENT DEADLINE: October 14, 2016

Preliminary Meeting of the SUBDIVISION REVIEW COMMITTEE:

1:30 P.M. TUESDAY, October 11, 2016, CITY HALL-THIRD FLOOR SOUTH, ROOM 3054

Meeting of the SUBDIVISION REVIEW COMMITTEE WITH SUBDIVIDER AND PROJECT ENGINEER:

1:30 P.M. TUESDAY, October 25, 2016, CITY HALL-THIRD FLOOR SOUTH, ROOM 3054

Your attendance at the review meetings will be appreciated. If you are unable to attend and you have comments you wish to make, please forward your comments to Will.Tackett@fresno.gov prior to the meeting date of October 11, 2016; or mail the comments to Development and Resource Management Department, Development Services/Planning, 2600 Fresno Street, Room 3043, Fresno, California 93721-3604. Thank you.



County of Fresno

DEPARTMENT OF PUBLIC HEALTH
DAVID POMAVILLE, DIRECTOR

October 4, 2016

Will Tackett
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

LU0018698
2602

Dear Mr. Tackett:

PROJECT NUMBER: A-16-014, R-16-013 & TT-6165

Plan Amendment Application No. A-16-014, Rezone Application No. R-16-013, and Vesting Tentative Map of Tract No. 6165 were filed by Brian Yengoyan of Citadel Development Group, on behalf of High and Mighty Farms, and pertain to ± 78 acres of property located on the north side of East Church Avenue between South Sunnyside and South Fowler Avenues. Proposed is a comprehensive development comprised of a mix of uses including single family residential, multiple family residential, assisted living, office, retail, and open space.

Plan Amendment Application No. A-16-014 proposes to amend the Fresno General Plan and the Roosevelt Community Plan from Medium-Low Density Residential (± 22 acres), Medium Density Residential (± 35 acres), Residential Multi-Family Urban Neighborhood (± 15 acres), Neighborhood Park (± 6 acres) to Medium Density Residential (± 50 acres), Residential Multi-Family Urban Neighborhood (± 18 acres), Community Commercial (± 7 acres), and Neighborhood Park (± 3 acres).

Rezone Application No. R-16-013 proposes to amend the Official Zone Map to reclassify the 78 acres to RS-5 (*Residential Single Family, Medium Density*) (± 50 acres), RM-2 (*Residential Multi Family Urban Neighborhood*) (± 18 acres), CC (*Commercial-Community*) (± 7 acres), P (*Neighborhood Park*) (± 3 acres).

Vesting Tentative Map of Tract No. 6165 is a request to subdivide the subject property into a 208-lot conventional single family residential subdivision with public streets.

APN: 316-022-21 ADDRESS: 1471 South Fowler Avenue, 1279 South Fowler Avenue (Tract only)

Recommended Conditions of Approval:

- Construction permits for the development should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.

Promotion, preservation and protection of the community's health

1221 Fulton Mall / P.O. Box 11867 / Fresno, California 93775 / Phone (559) 600-3271 / FAX (559) 455-4646

Email: EnvironmentalHealth@co.fresno.ca.us ❖ www.co.fresno.ca.us ❖ www.fcdph.org

Equal Employment Opportunity ❖ Affirmative Action ❖ Disabled Employer

- 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.

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 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.

- 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.

Comments/Concerns:

Since specific tenants for this application have not been identified, the full range of CC uses must be considered. The potential adverse impacts could include (but are not limited to) storage of hazardous materials and/or wastes, solid waste, water quality degradation, excessive noise, and odors.

Recommended Conditions of Approval for Future Tenants:

- Should a retail food establishment be proposed, prior to issuance of building permits, the tenant(s) shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- Should a food facility be proposed, prior to operation, the applicant(s) shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- Prior to operation, future tenants may be required to apply for and obtain a license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.
- The applicant, or any tenant leasing space, should be advised that construction and operating permits may be required by the State of California, Department of Health Services for wholesale food manufacturing. Contact the staff at the Division of Food and Drug at (559) 445-5323 for more information.
- If the tenant(s) propose to use and/or store hazardous materials and/or hazardous wastes, they shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 (<http://cers.calepa.ca.gov/> or <https://www.fresnocupa.com/>). Contact the Certified Unified Program Agency (CUPA) at (559) 600-3271 for more information.

- Should underground storage tanks be proposed, the applicant shall submit three (3) sets of complete plans and specifications regarding any proposed installation of underground petroleum storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency (CUPA), at (559) 600-3271 for more information.
- Future tenants may be required to obtain a Medical Waste Permit from the California Department of Health Services, Medical Waste Management Program. Call (916) 449-5671 for more information.
- Should a body art facility (i.e. tattoo, piercing, branding or permanent cosmetics facility) be proposed, prior to issuance of building permits, the tenant shall submit complete body art facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Body Art Program at (559) 600-3357 for more information.
- The applicant should be advised of the State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities and Chapter 19; Waste Tire Haulers and facilities, may require the Owner/Operator to obtain a Tire Program Identification Number (TPID) and possibly a waste and used tire hauler permit from the California Department of Resources Recycling and Recovery (CalRecycle). Contact the local Tire Enforcement Agency at (559) 600-3271 for additional information.

REVIEWED BY:

Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II

(559) 600-3271

kt

cc: Tolzmann, Rogers, Bravo & Jackson- Environmental Health Division (CT 14.14)
Brian Yengoyan- Applicant (brian@citadeldg.com)
James O'Looney- Owner (james.olooney@gmail.com)

JAN 30 2017

RECEIVED

Planning Department
City of Fresno
2600 Fresno St., 3rd Floor
Fresno, CA 93721-3604

FEB 01 2017

**DEVELOPMENT DEPARTMENT
CITY OF FRESNO**

Re: Air Impact Assessment (AIA) Application Approval
ISR Project Number: C-20160269
Land Use Agency: City of Fresno
Land Use Agency ID Number: Unknown

To Whom It May Concern:

The San Joaquin Valley Air Pollution Control District (District) has approved the Air Impact Assessment (AIA) application for The Oaks project located at 1471 South Fowler in Fresno, California. Pursuant to District Rule 9510, Section 8.4, the District is providing the City of Fresno with the following information:

- A notification of AIA approval (this letter)
- A statement of tentative rule compliance (this letter)
- A summary of project emissions and emission reductions
- A summary of the off-site mitigation fees
- A copy of the Air Impact Assessment application
- An approved Monitoring and Reporting Schedule

Certain emission mitigation measures proposed by the applicant may be subject to approval or enforcement by the City of Fresno. No provision of District Rule 9510 requires action on the part of the City of Fresno; however, please review the enclosed list of mitigation measures and notify the District if the proposed mitigation measures are inconsistent with your agency's requirements for this project. The District can provide the detailed emissions analysis upon request.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

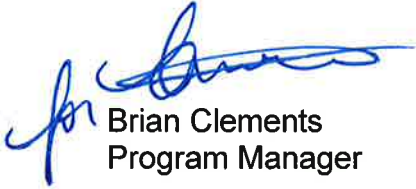
Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

Page 2

If you have any questions, please contact Ms. Sharla Yang at (559) 230-5934.

Sincerely,

Arnaud Marjollet
Director of Permit Services



Brian Clements
Program Manager

AM: sy

Enclosures

Off-site Emissions Estimator Worksheet

Applicant/Business Name:	High & Mighty Farms, Inc.
Project Name:	The Oaks
Project Location:	Fresno, CA
District Project ID No.:	20160269

Project Construction Emissions											
Project Phase Name	ISR Phase	Construction Start Date	NOx				PM10				
			Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)	Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)	
Phase 1: 208 DU and park	1	08/01/2017	3.5074	2.8059	0.7015	0.0000	0.1718	0.0944	0.0774	0.0000	0.0774
Phase 1: 208 DU and park (cont)	2	01/01/2018	3.1081	2.4864	0.6217	0.0000	0.1976	0.1086	0.0890	0.0000	0.0890
Phase 1: 208 DU and park (cont)	3	01/01/2019	2.7359	2.1887	0.5472	0.0000	0.1677	0.0922	0.0755	0.0000	0.0755
Phase 1: 208 DU and park (cont)	4	01/01/2020	2.5000	2.0000	0.5000	0.0000	0.1458	0.0801	0.0657	0.0000	0.0657
Phase 1: 208 DU and park (cont)	5	01/01/2021	0.6077	0.4861	0.1216	0.0000	0.0328	0.0180	0.0148	0.0000	0.0148
Phase 2: Assisted Living/Age Restricted Living	6				0.0000	0.0000			0.0000	0.0000	14.2810
	7	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 3: Apartments	8	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
	9	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 4: Commercial, Retail, Office	10	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
	11	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
	12	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total			12.4591	9.9671	2.4920	0.0000	0.7157	0.3933	0.3224	0.0000	14.6034

Total Achieved On-Site Reductions (tons)		
ISR Phase	NOx	PM10
1	0.7015	0.0774
2	0.6217	0.0890
3	0.5472	0.0755
4	0.5000	0.0657
5	0.1216	0.0148
6	2.8463	14.2810
7	0.0000	0.0000
8	0.0000	0.0000
9	0.0000	0.0000
10	0.0000	0.0000
11	0.0000	0.0000
12	0.0000	0.0000
Total	5.3383	14.6034

Project Operations Emissions (Area + Mobile)											
Project Phase Name	ISR Phase	Operation Start Date	NOx				PM10				
			Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)	Unmitigated Baseline (TPY)	Mitigated Baseline (TPY)	Achieved Onsite Reductions (tons)	Required Offsite Reductions (tons)	
Phase 1: 208 DU and park	1				0.0000	0.0000			0.0000	0.0000	0.0000
	2				0.0000	0.0000			0.0000	0.0000	0.0000
	3				0.0000	0.0000			0.0000	0.0000	0.0000
	4				0.0000	0.0000			0.0000	0.0000	0.0000
Phase 1: 208 DU and park	5				0.0000	0.0000			0.0000	0.0000	0.0000
	6	08/01/2018	2.8376	2.4581	2.8463	4.2478	3.4645	2.0364	14.2810	3.0415	3.0415
Phase 2: Assisted Living/Age Restricted Living	7				0.0000	0.0000			0.0000	0.0000	0.0000
	8	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 3: Apartments	9	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
	10	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Phase 4: Commercial, Retail, Office	11	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
	12	ON HOLD	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total			2.8376	2.4581	2.8463	4.2478	3.4645	2.0364	14.2810	3.0415	3.0415

Total Required Off-Site Reductions (tons)		
ISR Phase	NOx	PM10
1	0.0000	0.0000
2	0.0000	0.0000
3	0.0000	0.0000
4	0.0000	0.0000
5	0.0000	0.0000
6	4.2478	3.0415
7	0.0000	0.0000
8	0.0000	0.0000
9	0.0000	0.0000
10	0.0000	0.0000
11	0.0000	0.0000
12	0.0000	0.0000
Total	4.2478	3.0415

Note: TPY = Tons Per Year



San Joaquin Valley Air Pollution Control District



Indirect Source Review (ISR) - Air Impact Assessment (AIA) Application Form

A. Applicant Information

Applicant/Business Name: High & Mighty Farms, Inc.			
Mailing Address: 4650 N. Del Mar Ave.	City: Fresno	State: CA	Zip: 93704
Contact: James K O'looney	Title: Secretary & Treasurer		
Is the Applicant a licensed state contractor? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, please provide State License number:			
Phone: 858-361-7355	Fax: 559-229-4741	Email: james.olooney@gmail.com	

B. Agent Information (if applicable)

Agent/Business Name: Citadel Development Group, Inc.			
Mailing Address: 1589 west Shaw, suite 8	City: Fresno	State: CA	Zip: 93711
Contact: Brian Yengoyan	Title: CEO		
Phone: 559-360-1471	Fax: NA	Email: brian@citadeldg.com	
If an Agent is signing the Air Impact Assessment Application on behalf of the Applicant, a signed letter from the Applicant giving the Agent authorization is required.			

C. Project Information

Project Name: The Oaks		Tract Number(s) (if known): 6165	
Project Location	Street: 1471 South Fowler	City: Fresno	Zip: 93727
Cross Streets: Church Ave & Fowler Ave		County: Fresno	
Permitting Agency: City of Fresno		Planner: Will Tackett	
Mailing Address: 4650 N. Del Mar Ave.		City: Fresno	State: CA Zip: 93704
Permit Type and Number (if known): NA		Last Discretionary Approval Date: NA	

D. Project Description

Please briefly describe the project (e.g.: 300 multi family residential units apartments and 35,000 square feet of commercial uses):
 This is a mixed-use planned development that will include approx. 285 single family units and 300 multifamily housing with 6.6 ac commercial retail and office services that will all be connected by a 2.8ac central park. See the attached land plan.

Please check the box next to each applicable land use below:			Select land use setting below:
<input checked="" type="checkbox"/> Commercial / Retail	<input type="checkbox"/> Light Industrial	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural
<input checked="" type="checkbox"/> Office	<input type="checkbox"/> Heavy Industrial	<input type="checkbox"/> Recreational	
<input type="checkbox"/> Government	<input type="checkbox"/> Educational	<input type="checkbox"/> Medical	
<input type="checkbox"/> Other _____			

E. Notice of Violation

Is this application being submitted as a result of receiving a Notice of Violation (NOV) from the District?

No Yes, NOV # _____

F. Voluntary Emission Reduction Agreement

Is this project part of a larger project for which there is a Voluntary Emission Reduction Agreement (VERA) with the District?

No Yes, VERA # _____

G. Optional Section

Do you want to receive information about the Healthy Air Living Business Partners Program? Yes No

FOR APCD USE ONLY

Filing Fee Received: <u>\$ 767.00</u>	Check #: _____	Date Stamp: Finance	Date Stamp: Permit RECEIVED SEP 27 2016 Permits Services SVP/PCD
Date Paid: _____	Project #: <u>C-20160269</u>		
Applicant #: <u>C-302623</u>			

H. Parcel and Land Owner Information

	APN (000-000-00 Format)	Gross Acres	Land Owner
1.	316-022-21	77.89	High & Mighty Farms 50%, Courthouse California 5/12, Ruth Martori Non-QTIP Marital Trust 1/12
2.			
3.			
4.			

Additional sheets for listing APN numbers can be found on the District's website at www.valleyair.org.

I. Project Development and Operation

Will the project require demolition of existing structures? Yes, complete I-1 No, complete I-2

I-1. Demolition

Total square feet of building(s) footprint to be demolished:	Number of Building Stories:
Demolition Start Date (Month/Year):	Number of Days for Demolition:

I-2. Timing

Expected number of work days per week during construction?
 5 days 6 days 7 days

Will the project be developed in multiple phases?
 Yes, complete I-3 No, complete I-4

I-3. Phased Site Development and Building Construction

In addition to the information below the applicant may submit a phase specific activity timeline. The phase specific activity timeline form can be found on the District's website at www.valleyair.org.

1	Start of Construction (Month/Year): 8/2017	Gross Acres: 39.6
	End of Construction (Month/Year): 8/2021	Net Acres (area devoted to buildings/structures): 37
	First Date of Occupation (Month/Year): 8/2018	Paved Parking Area (# of Spaces): NA
	Building Square Footage: NA	Number of Dwelling Units: 208
2	Start of Construction (Month/Year): 8/2019	Gross Acres: 15
	End of Construction (Month/Year): 8/2022	Net Acres (area devoted to buildings/structures): NA
	First Date of Occupation (Month/Year): NA	Paved Parking Area (# of Spaces): NA
	Building Square Footage: NA	Number of Dwelling Units: Approx: 180
3	Start of Construction (Month/Year): 8/2022	Gross Acres: 12
	End of Construction (Month/Year): 1/2024	Net Acres (area devoted to buildings/structures): NA
	First Date of Occupation (Month/Year): NA	Paved Parking Area (# of Spaces): NA
	Building Square Footage: NA	Number of Dwelling Units: Approx: 190
4	Start of Construction (Month/Year): 8/2024	Gross Acres: 6.6
	End of Construction (Month/Year): 8/2025	Net Acres (area devoted to buildings/structures): NA
	First Date of Occupation (Month/Year): NA	Paved Parking Area (# of Spaces): NA
	Building Square Footage: NA	Number of Dwelling Units: 0
5	Start of Construction (Month/Year):	Gross Acres:

	End of Construction (Month/Year):	Net Acres (area devoted to buildings/structures):
	First Date of Occupation (Month/Year):	Paved Parking Area (# of Spaces):
	Building Square Footage:	Number of Dwelling Units:
Additional sheets for phasing information can be found on the District's website at www.valleyair.org .		

I-4. Single Phase Development

Start of Construction (Month/Year):

Gross Acres:

End of Construction (Month/Year):

Net Acres (area devoted to buildings/structures):

First Date of Occupation (Month/Year):

Paved Parking Area (# of Spaces):

Building Square Footage:

Number of Dwelling Units:

J. On-Site Air Pollution Reductions (Mitigation Measures)

Listed below are categories of possible mitigation measures that will reduce a project's impact on air quality. If a category is applicable to the project, check "Yes", and please complete the corresponding page to identify specific mitigation measures within that category. If a category is not applicable to the project, check "No".

1. Construction Detailed Fleet (making a commitment to using a construction fleet that will achieve the emission reductions required by District Rule 9510)

Yes, please complete mitigation measure 1

No

2. Land Use/Location (e.g. increased density, improve walkability design, increase transit, etc.)

Yes, please complete applicable mitigation measures 2a through 2f

No

3. Neighborhood/Site Enhancements (e.g. improve pedestrian network, traffic calming measures, NEV network, etc.)

Yes, please complete applicable mitigation measures 3a through 3c

No

4. Parking Policy/Pricing (e.g. parking cost, on-street market pricing, limit parking supply, etc.)

Yes, please complete applicable mitigation measure 4a through 4e

No

5. Commute Trip Reduction Programs (e.g. workplace parking charge, employee vanpool/shuttle, ride sharing program, etc.)

Yes, please complete applicable mitigation measures 5a through 5f

No

6. Building Design (e.g. woodstoves or fireplaces)

Yes, please complete mitigation measure 6

No

7. Building Energy (e.g. exceed title 24, electrical maintenance equipment)

Yes, please complete applicable mitigation measures 7a through 7b

No

8. Solar Panels (e.g. incorporate solar panels in the project)

Yes, please complete applicable mitigation measure 8

No

K. Review Period

You may request a five (5) day period to review a draft of the District's analysis of your project before it is finalized. However, if you choose this option, it will delay the project's finalization by five (5) business days.

I request to review a draft of the District's analysis.

L. Fee Deferral Schedule

If the project's on-site air pollution reductions (mitigation measure) insufficiently reduced air pollution as outlined in Rule 9510, an off-site fee is assessed based on the excess air pollution. The money collected from this fee will be used by the District to reduce air pollution emissions 'off-site' on behalf of the project.

An Applicant may request a deferral of all or part of the 'off-site' fees up to, but not to exceed, the start date of construction. The start of construction is any of the following, whichever occurs first: start of grading, start of demolition, or any other site development activities not mentioned above.

I request a Fee Deferral Schedule, and have enclosed the Fee Deferral Schedule Application.

The Fee Deferral Schedule Application, can be found on the District's website at www.valleyair.org.

M. Change of Project Developer

The Applicant assumes all responsibility for ISR compliance for this project. If the project developer changes, the Applicant must notify the Buyer, and both Buyer and Applicant must file a 'Change of Project Developer' form with the District. If there is a change of project developer, and a 'Change of Project Developer' form is not filed with the District, the Applicant will remain liable for ISR compliance.

The Change of Project Developer form can be found on the District's website at www.valleyair.org.

N. Attachments

Required:

- Tract Map or Project Design Map
- Vicinity Map
- Application Filing Fee
\$767.00 for mixed use and non-residential projects **OR**
\$512.00 for residential projects only

If applicable:

- Letter from Applicant granting Agent authorization
- Fee Deferral Schedule Application
- Monitoring & Reporting Schedule
- Supporting documentation for selected Mitigation Measures

O. Certification Statement

I certify that I have reviewed and completed the entire application and hereby attest that the information relayed within is true and correct to the best of my knowledge. I commit to implementation of those on-site mitigation measures that I have selected above. I am responsible for notifying the District if I will be unable to implement these mitigation measures. If a committed mitigation measure is not implemented, the project may be re-assessed for air quality impacts.

(An authorized Agent may sign the form in lieu of the Applicant if an authorization letter **signed by the Applicant** is provided).

Name (printed): James K. O'Looney

Title: Secretary + Treasurer

Signature: 

Date: 9/27/2016

Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

(District Enforced Emission Reduction Measures Continued)

Project Name:	THE OAKS
Applicant Name:	HIGH & MIGHTY FARMS, INC
Project Location:	1471 SOUTH FOWLER CHRUCH AVE 7 FOWLER AVE APN(s): 316-022-21
Project Description:	LAND USE: Residential - 208 Dwelling Unit - Single Family Housing Residential - 208 Dwelling Unit - Single Family Housing Residential - 208 Dwelling Unit - Single Family Housing Residential - 208 Dwelling Unit - Single Family Housing Residential - 208 Dwelling Unit - Single Family Housing Residential - 208 Dwelling Unit - Single Family Housing Residential - 0 Dwelling Unit - Congregate Care (Assisted Living) Facility Residential - 0 Dwelling Unit - Apartments, Low Rise Commercial/Retail - 0 Square Feet - Strip Mall ACREAGE: 77.89
ISR Project ID Number:	C-20160269
Applicant ID Number:	C-302623
Permitting Public Agency:	CITY OF FRESNO
Public Agency Permit No.	UNKNOWN

Existing Emission Reduction Measures

Enforcing Agency	Measure	Quantification	Notes
There are no Existing Measures for this project.			

Non-District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Source Of Requirements
CITY OF FRESNO	Increase Density	1,957 Jobs, 0 DU	
CITY OF FRESNO	Increase Diversity	Project located in various land uses	
CITY OF FRESNO	Improve Walkability Design	13.92 Nodes/square mile	
CITY OF FRESNO	Improve Destination Accessibility	8.8 miles (distance to downtown or job center)	
CITY OF FRESNO	Improve Pedestrial Network	Within Project Site	
CITY OF FRESNO	Provide Traffic Calming Measures	75% street with improvements and 75% of Intersection with improvements	

Number of Non-District Enforced Measures: 6

District Enforced Emission Reduction Measures

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
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Indirect Source Review Complete Project Summary Sheet & Monitoring and Reporting Schedule

(District Enforced Emission Reduction Measures Continued)

Enforcing Agency	Measure	Specific Implementation	Measure For Compliance	District Review
SJVAPCD	Construction - Detailed Fleet	For each project phase, maintain records of total hours of operation for all construction equipment, greater than 50 horsepower, operated on site. Within 30-days of completing construction of each project phase, submit to the District a summary report of total hours of operation, by equipment type, equipment model year and horsepower.	(Compliance Dept. Review)	Within 30-days of completing construction for each phase
SJVAPCD	Construction and Operation - Recordkeeping	For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.	(Compliance Dept. Review)	Ongoing
SJVAPCD	Construction and Operational Dates	For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.	(Compliance Dept. Review)	Ongoing

Number of District Enforced Measures: 3



SANGER UNIFIED SCHOOL DISTRICT

1905 SEVENTH STREET • SANGER, CA 93657
(559) 524-6521 FAX 875-0311

MATTHEW J. NAVO, SUPERINTENDENT

May 24, 2016

Brian Yengoyan
Citadel Development Group
1589 W Shaw Ave., Suite #8
Fresno, CA 93704

Dear Mr. Yengoyan,

Subject: The Oaks, Northeast Corner of S. Sunnyside and E. Church Avenues

The purpose of this letter is to provide the preliminary comments of the Sanger Unified School District on the proposed development of approximately 76 acres at the northeast corner of S. Sunnyside and E Church Avenues. The project would include 208 single family residential lots on 40.44 acres; an estimated 238 apartment units on 11.9 acres (based on RM-2 zoning at 20 units per acre [density range of RM-2 is 16-30 units per acre]); age restricted housing on 10.0 acres; assisted living/memory care on 4.2 acres; commercial retail and office on 6.6 acres; and a park site (2.5 acres) with trail access.

The project will generate students that will need to be housed in Sanger Unified schools. Based on the District's current student generations rates, the proposed residential units would generate the following number of students:

Units	Grades K-6	Grades 7-8	Grades 9-12	Total K-12
208 Single Family	72	14	21	107
238 Apartments	70	15	21	106
Total	142	29	42	213

Elementary school students generated by the project would attend Sequoia Elementary School, located approximately one mile southeast of the project site at 1820 S. Armstrong Avenue. Enrollment at Sequoia Elementary School has been growing and as of the 2015-16 school year was 521. The capacity of the school is 550, so the addition of project students would cause capacity deficiencies at the school.

In addition to the impact of the project itself, there is substantial additional growth planned within the Sequoia Elementary boundaries. The District needs an additional elementary school in the project area to adequately serve the existing student population and planned development in the area. The proposed project site would be an excellent location for a new elementary school.

Based on the above, we request that you consider selling approximately 12 acres of your property to the District for use as an elementary school. Having an elementary school at this location would provide a

----- "A Tradition of Excellence" -----

Trustees: Peter R. Filippi Ismael (Mike) Hernandez James D. Karle Kenneth R. Marcantonio
Marcy Masumoto Jesse Vasquez Tammy Wolfe

great marketing tool for you, a substantial amenity for your homebuyers and renters, and a walkable, centrally located school for the larger neighborhood.

High school and middle school students from the project would currently attend Sanger High School and Washington Academic Middle School in Sanger. However, the District has purchased most of a new 120-acre educational center site located immediately southeast of the project site at the southeast corner of Fowler and Church Avenues. This site will house both a high school and a middle school. Once facilities are constructed on this site, high school and middle school students from the project will have nearby school facilities.

The project will be subject to school facilities fees charged by the District. The residential fee as of July 23, 2016, will be reduced from \$3.57 per square foot to \$3.48 per square foot. The fee on commercial and industrial development will increase from \$0.54 per square foot to \$0.56 per square foot as of July 23, 2016.

The assisted living and age-restricted housing will have a minimal impact on the District in terms of student generation. For this type of development, only the commercial/industrial fee is charged as allowed by law.

The commercial development proposed at the northwest corner of Fowler and Church is of concern being proximate to the educational center site. Our concern is primarily related to the potential attractive nuisance factor that retail commercial development can have near school sites. You have suggested that the following uses be prohibited by covenant:

- Liquor Stores
- Tattoo or Body Modification Parlors
- Pipe & Smoke Shops
- Vape Shops
- Gun/Firearm Shops
- Discount cigarette and tobacco shops

We agree with the prohibition of the above uses, but we would like to add the following to the list:

- Bars and cocktail lounges not operating in conjunction with a restaurant
- Video game arcades
- Fast food restaurants, unless a specific agreement can be reached between the District and business owner regarding satisfactory supervision of students on the premises.
- Grocery stores (less than 10,000 square feet in size), unless a specific agreement can be reached between the District and business owner regarding satisfactory supervision of students on the premises.
- Combination gas station/grocery stores (mini-marts), unless a specific agreement can be reached between the District and business owner regarding satisfactory supervision of students on the premises.
- Adult oriented businesses

Brian Yengoyan
May 24, 2016
Page 3

Thank you for the opportunity to provide our preliminary comments on the proposal. We would like the opportunity to further discuss the possibility of locating an elementary school on the project site, as well as any other aspect of this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Sepulveda', with a long horizontal flourish extending to the right.

Richard Sepulveda
Chief Operations Officer



DATE: ~~November 3, 2016~~ **Revised December 5, 2016**

TO: Will Tackett, Development Services/Planning
Development and Resource Management Department

FROM: Ann Lillie, Senior Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT: PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP NO. 6165 REGARDING MAINTENANCE REQUIREMENTS

LOCATION: 1471 South Fowler Avenue, 1279 South Fowler Avenue (tract only)

APN: 316-022-21

The proposed Public Park and Pedestrian Access (connection centered on southern boundary of this map) maintenance requirements shall be a part of this map and satisfied prior to final map approval. Reference is made to the Public Works Conditions of Approval for Vesting Tentative Parcel Map No. 2016-05 which defers these maintenance requirements to the final map processing of Vesting Tentative Tract Map No. 6165.

All parcels within Vesting Tentative Parcel Map No. 2016-05, including the remainder, will **MAY** share in the costs to provide maintenance for the proposed Public Park and Pedestrian Access. All other maintenance requirements shall be the burden of this subdivision and processed accordingly.

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

ATTENTION:			
The item below requires a separate process with additional costs and timelines. In order to avoid delays with the final map approval, the following item shall be submitted for processing to the Public Works Department, Traffic and Engineering Services Division prior to final map approval.			
X	CFD Annexation Request Package	Ann Lillie	(559) 621-8690 ann.lillie@fresno.gov

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

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

- a. Landscape and Irrigation Plans are required to be approved prior to the finalization of the CFD process and the approval of the final map.

- b. **Proposed park amenities shall be reviewed and approved by the Building & Safety Services Division or as approved in writing by the City Engineer at time of submittal for the CFD process and prior to final map approval.**

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

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

1. The Property Owner's Maintenance Requirements

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements ("Services") associated with all new Single-Family developments are the ultimate responsibility of the Developer. The Developer shall provide these Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 11 ("CFD No. 11").

The following public improvements (Existing and Proposed) are eligible for Services by CFD No. 11 as associated with this development:

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within the street rights-of-way and landscape easements; including without limitation, the median island (1/2, if fronting only one side of median), parkways, buffers, street entry medians and sides (**10' wide minimum landscaped areas allowed**) in **all Local and Major Streets**.
- All landscaping, trees, irrigation systems, hardscaping and amenities within Outlots, open spaces and trails.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, median island concrete maintenance band and cap (1/2, if fronting only one side of median), and street lights in **all Major Streets**.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, and street entry and interior median island curbing and hardscape, street paving, street name signage and street lights in **all Local Streets**.

2. The Property Owner may choose to do one or both of the following:

- a. The Property Owner may petition the City of Fresno to request annexation to CFD No. 11 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic and Engineering Services Division for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at <http://www.fresno.gov>, under the Public Works Department, Developer Doorway.
 - **Proceedings to annex the final map to CFD No. 11 SHALL NOT commence unless the final map is within the City limits and all construction plans (this includes Street, Street Light, Signal, Landscape and Irrigation plans, and any other plans needed to complete the process) and the final map are considered technically correct.**

- The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 11 are not subject to change and after acceptance for processing.**
 - Public improvements not listed above will require written approval by the Public Works Department Director or his designee.
 - All areas not within the dedicated street rights-of-way approved for Services by CFD No. 11, including but not limited to outlots, trails and landscaped areas, shall be dedicated in fee to the City of Fresno, dedicated as a public easement for maintenance purposes or as approved by the Public Works Department City Engineer.
- b. The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 11 for Services **SHALL** be included in the DCC&Rs or some other City approved mechanism for the required Services associated with this development. Contact the Planner in the Development and Resource Management Department for more details.

For questions regarding these conditions please contact me at (559) 621-8690 or ann.lillie@fresno.gov