

Exhibit E:
Conditions of Approval

CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

CONDITIONS OF APPROVAL

MAY 4, 2016

CONDITIONAL USE PERMIT APPLICATION NO. C-16-001
2740 East Shepherd Avenue

The Planning Commission will consider approval of Conditional Use Permit Application No. C-16-001 at a noticed public hearing on May 4, 2016 at 6:00 p.m. Staff recommends that the special permit application be approved subject to the conditions listed in this document.


Project Description: Brandon Broussard of Yamabe and Horn Engineering, on behalf of Vincent Ricchiuti of Heritage Development Company, has filed Conditional Use Permit Application No. C-16-001 pertaining to approximately ± 20 acres of property located on the northwest corner of East Shepherd and North Willow Avenues.

Conditional Use Permit Application No. C-16-001 requests authorization to construct a mixed use commercial and multiple-family residential gated development consisting of 255 dwelling units with one, two, and three bedroom units with product type of two-story paired homes (townhomes) and three-story, stacked flat, walk-up housing; the commercial component proposes ±34,800 square feet of trail-oriented commercial/retail uses with activity areas, a paseo for outdoor dining, corner patio area, and drive-through facilities. The project includes, landscaping, parking areas, and related improvements.

CONDITIONS OF APPROVAL

PART A – ITEMS TO BE COMPLETED

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

Planner to initial when completed		
	1.	Development shall take place in accordance with Exhibits A-1 (2 - 1 from Traffic and 1 from Fire), A-2 (2 - 1 from Traffic and 1 from Fire), A-3 (2 - 1 from Traffic and 1 from Fire), E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, E-10a, E-11, E-11a, E-12, E-12a, E-13, E-13a, E-14, E-14a, E-15,

		E-15a, F-3.0, F-3. 1, F-3.2, F-3.3, F-3.4, F-3.5, F-3.6, F-3.7, F-3.8, F-3.9, F-3.10, F-3.11, F-3.12, L-1, L-2, and L-3 dated January 7, 2016 with modifications as requested in the conditions listed below. Transfer all comments and conditions to the corrected exhibit(s) and submit to planner at least 15 days prior to issuance of building permits.
<input type="checkbox"/>	2.	Development shall take place in accordance with the attached memorandum from the Public Works Department, Median Island Maintenance, dated January 25, 2016. Provide 21 street trees along East Shepherd Avenue and 12 street trees along North Willow Avenue.
<input type="checkbox"/>	3.	Submit three copies of detailed, final landscaping and irrigation plans prepared by a landscape professional, showing the number and types of trees, to the Development Services Division. Landscape plans must comply with Section 15-2304 of the Fresno Citywide Development Code. Landscaping design must comply with Section 15-2306 of the Fresno Citywide Development Code. These plans must be reviewed and approved prior to issuance of building permits.
<input type="checkbox"/>	4.	All landscaping must comply with Sections 15-2306, 15-2307, 15-2308, 15-2309 and 15-2421 of the Fresno Citywide Development Code. Parking lot trees and landscaping shall be provided in accordance with Sections 15-2421 and 15-2422. Revise landscape plan accordingly. These plans must be reviewed and approved prior to issuance of building permits.
<input type="checkbox"/>	5.	Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division.
<input type="checkbox"/>	6.	Prior to final inspection, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division, Development and Resource Management Department (see form, attached).
<input type="checkbox"/>	7.	Pursuant to San Joaquin Valley Air Pollution Control District Rule 9510, submit an Air Impact Assessment (AIA) application to the District and pay applicable off-site mitigation fees prior to issuance of first building permit. The proposed project may be subject to other District Rules and

		<p>Regulations. More information regarding compliance with District rules and regulations can be obtained by:</p> <ul style="list-style-type: none"> • Visiting the District's website at http://www.valleyair.org/rules/1ruleslist.htm for a complete listing of all current District rules and regulation, or • Visiting the District's website at http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm for information on controlling fugitive dust emissions, or • Contacting the District's Small Business Assistance (SBA) Office by phone at (559) 230-5888.
<input type="checkbox"/>	8.	Comply with the requirements contained in the letters, February 10, 2016, from the Fresno Irrigation District (FID); Depict FID easements and include FID in the review, approval, and signing of all improvement plans which affect its easements and pipeline facilities including but not limited to Grading and Drainage, Sewer and Water, FMFCD, Street, Landscaping, Dry Utilities, and all other utilities.
<input type="checkbox"/>	9.	Development shall take place in accordance with the attached memorandum from the Department of Public Utilities, Water Division comments dated January 29, 2016.
<input type="checkbox"/>	10.	Development shall take place in accordance with the attached memorandum from Department of Public Utilities, Planning and Engineering Division dated February 29, 2016.
<input type="checkbox"/>	11.	Pay applicable Regional Transportation Mitigation Fee (RTMF) and Traffic Signal Mitigation Impact (TSMI) Fee.
<input type="checkbox"/>	12.	Development shall take place in accordance with the attached memorandum from the County of Fresno Department of Public Health Department dated January 25, 2016.
<input type="checkbox"/>	13.	Provide one additional two cell enclosure for the multi-family area for a total of nine trash/recycling enclosures. It is also recommended a second grease barrel enclosure be provided for the commercial area.
<input type="checkbox"/>	14.	Comply with Section 15-2016-C-1 of the Fresno Citywide Development Code which requires that the perimeter of solid waste and recycling storage containers be planted with drought resistant landscaping. Revise landscape plan accordingly.

<input type="checkbox"/>	15.	Verify that Section 2305-C-1 has been met. This requires that a 10-foot buffer yard be provided along the north and west property lines. The buffer area shall provide 2 trees and 6-8 shrubs for each 100 linear feet of buffer yard. Alternative planting materials may be permitted as approved by the Director. Revise landscape plan accordingly.
<input type="checkbox"/>	16.	Comply with Section 15-2305-E-1 which requires that all portions of a building that faces a public street shall have one or more landscape planters installed along a minimum of 20 percent of that building face. Revise site plan and landscape plan accordingly.
<input type="checkbox"/>	17.	Comply with Section 15-1104-B-4 which requires that screening measures such as alternate window and balcony placements, wings walls or louvers, etc., be incorporated into second stories that are within 50-feet of a rear yard of a single family lot.
<input type="checkbox"/>	18.	Show all setbacks with dimensions in site plans.
<input type="checkbox"/>	19.	Development shall take place in accordance with the attached memorandum from the Fresno Fire Department, Fire Prevention & Investigative Services dated February 16, 2016.
<input type="checkbox"/>	20.	The property owner shall petition the City of Fresno to Request Annexation to CFD No. 9 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic and Engineering Services Division. All city maintenance requirements not included for annexation to CFD No. 9 for Services <u>SHALL</u> be included in a maintenance covenant prior to issuance of building permits.
<input type="checkbox"/>	21.	Deeds of easements for required dedications shall be completed (deeds recorded) prior to issuance of building permits.
<input type="checkbox"/>	22.	Comply with all mitigation measures contained in the Fresno General Plan SCH No. 2012111015 MEIR Mitigation Measure Monitoring Checklist and Project Specific Mitigation Measures for C-16-001.
<input type="checkbox"/>	23.	Development shall take place in accordance with the attached memorandum from the Fresno Metropolitan Flood Control District dated February 17, 2016. Grading Plan Review fee of \$3,581 shall be submitted with first grading plan submittal. A drainage fee of \$167,692 is due prior to issuance of building permits.

<input type="checkbox"/>	24.	Construct Flood Control Master Plan Facilities as shown in Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER."
<input type="checkbox"/>	25.	Proposed use and operation shall comply with Article 25 - Performance Standards contained in the Fresno Citywide Development Code. Add note to revised site plan.
<input type="checkbox"/>	26.	Comply with Section 2728-D which requires that each drive-through aisle be screened with a combination of decorative walls and landscape to a minimum height of 30 inches to prevent headlight glare and direct visibility of vehicles from adjacent streets, parking lots, and the public right-of-way. Call out if proposed or revise site plan and landscape plan accordingly.
<input type="checkbox"/>	27.	Reconfigure the drive-through facilities to comply with specific limitations outlined in Fresno Municipal Code (FMC) Table 15-1102 and Section 15-2728-G-2 which requires drive-through elements to be placed to the rear or side of the building; or request a Variance, per Article 55 and meet the required findings of FMC Section 15-5506.
<input type="checkbox"/>	28.	Pursuant to Section 15-2015-B-2-e, if not existing, provide trail lighting as determined by the Public Works Director.
<input type="checkbox"/>	29.	Comply with Table 15-1103 which requires a minimum 70% frontage coverage along Willow Avenue or apply for a variance pursuant to FMC section 15-5506.
<input type="checkbox"/>	30.	Comply with Section 1104-C which requires buildings on corner lots to be located within five-feet of the street property line for 30-feet on both street frontages. Plazas meeting the requirements of Section 15-1104-E-1-c may be built at corner provided buildings are built to the edge of the plaza. Revise site plan accordingly.
<input type="checkbox"/>	31.	Provide 10% on-site open space pursuant to Sections 1104-E-1. Provide detailed calculations on revised landscape plans prior to issuance of building permits.
<input type="checkbox"/>	32.	Comply with Section 15-2003 and 15-4109-B which requires that development adjacent to trails provide pedestrian access to the trail at intervals of approximately 1 per 600 feet. Provide at least one pedestrian access point on the north side of the property along the Willow Avenue frontage. Revise site plan accordingly.

<input type="checkbox"/>	33.	Comply with section 15-2006-L-3 which requires that fences, greater than 125 feet in length in Residential Districts and/or along Major Streets, shall incorporate decorative pilasters with decorative caps spaced no more than 30 feet apart. Provide elevations and revise site plan accordingly.
<input type="checkbox"/>	34.	All proposed fencing shall be located outside of the right-of-way. A fence along the Willow street frontage appears to be proposed within the right-of-way. Revise site plan accordingly.
<input type="checkbox"/>	35.	Comply with Section 15-2308 and 15-2422 for required number of trees. Tree counts and tree details and shade calculations shall be provided on final landscape plan in accordance with the Fresno Citywide Development Code. Landscape plans must be submitted at least 2 weeks prior to issuance of building permits.
<input type="checkbox"/>	36.	Reference Section 15-2429 for bicycle parking requirements. Provide counts and revise site plan and operational statement accordingly.
<input type="checkbox"/>	37.	Provide one loading spaces in accordance with Section 15-2430 of the Fresno Citywide Development Code. Revise site plan accordingly.

PART B – OTHER REQUIREMENTS

1. Planning/Zoning/Environmental Compliance Requirements

- a) Property development standards and operational conditions are contained in Articles 11, 20, 23, 24 and 25 of the Fresno Municipal Code. Any project revisions, development and operation must comply with these property development standards and operational conditions.
- b) Property development standards and zoning requirements are contained in the attached “Project Comments from the Development Services Division” prepared for Conditional Use Permit Application No. C-16-001. Any future revisions to the proposed project shall comply with these conditions.
- c) Overall site development shall comply with the Conditions of Approval and Corrected Exhibits for Conditional Use Permit Application No. C-16-001.
- d) Development shall take place in accordance with the attached “Notes and Requirements for Entitlement Applications” as applicable.

- e) Development shall take place in accordance with the CMX/UGM (*Corridor/Center Mixed Use/Urban Growth Management*) zone district and all other applicable sections of the Fresno Municipal Code.
- f) Development shall take place in accordance with the policies of the Fresno General Plan and the Woodward Park Community Plan.
- g) Comply with the operational statement submitted for the proposed project dated January 7, 2016.
- h) Any changes to approved elevations are subject to review and approval by the Development and Resource Management Department.

2. City and Other Services

Development shall take place in accordance with the attached memoranda and letters from the following City of Fresno Departments and partner agencies:

- Public Works Department, Engineering Division (Traffic & Engineering Division) dated February 3, 2016 and February 17, 2016
- Public Works Department, Median Island Maintenance dated January 25, 2016
- Fire Department/Fire Prevention/Tech Services dated February 16, 2016
- Department of Public Utilities (for sewer) dated February 29, 2016
- Department of Public Utilities (for water) dated January 29, 2016
- Department of Public Utilities (for solid waste) dated February 11, 2016
- Building and Safety Services dated February 9, 2016
- Fresno Irrigation District dated February 10, 2016
- Fresno Metropolitan Flood Control District dated February 17, 2016
- County of Fresno Department of Public Health dated January 25, 2016
- San Joaquin Valley Air Pollution Control District dated March 23, 2016

3. Miscellaneous Requirements

- a) Building plans and permits are required.
- b) Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:

- i) All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
 - ii) All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
 - iii) Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.
- c) Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.

Please be advised that this project may be subject to a variety of discretionary conditions of approval. These conditions based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the health, safety and welfare of the community, and recommend conditions for development that would on the whole enhance the project and its relationship to the neighborhood and environment.

APPEALS

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings pursuant to FMC Section 15-5506 can be made. Discretionary conditions of approval will ultimately be deemed mandatory unless appealed. In the event you wish to appeal any of these conditions, you must state your appeal (in writing or in testimony) at or prior to the Planning Commission hearing for this project scheduled on May 4, 2016 at 6:00 p.m. or thereafter.

EXPIRATION DATES

The exercise of rights granted by this special permit must be commenced within three years from the date of approval (presumably on May 4, 2019). There is no extension. All improvements must be installed prior to the operation of the proposed use, unless otherwise stated in the conditions of approval.

Pursuant to Section 15-5308 of the Fresno Municipal Code an expiration date of seven years from the date of approval has been established for Conditional Use Permits. Therefore, the approval for C-16-001 (drive-through facilities only) shall expire on May 4, 2023 and a new conditional use permit must be obtained prior to that expiration date.

Enclosures: Exhibit 1: Exhibits A-1 (2 - 1 from Traffic and 1 from Fire), A-2 (2 - 1 from Traffic and 1 from Fire), A-3 (2 - 1 from Traffic and 1 from Fire), E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, E-10a, E-11, E-11a, E-12, E-12a, E-13, E-13a, E-14, E-14a, E-15, E-15a, F-3.0, F-3. 1, F-3.2, F-3.3, F-3.4, F-3.5, F-3.6, F-3.7, F-3.8, F-3.9, F-3.10, F-3.11, F-3.12, L-1, L-2, and L-3 dated January 7, 2016
Exhibit 2: Comments from Partner Agencies & Departments
Exhibit 3: "Project Comments from the Development Services Division" prepared for Conditional Use Permit Application No. C-16-001
Exhibit 4: Operational Statement dated January 7, 2016
Exhibit 5: [Notes and Requirements for Entitlement Applications](#)
Exhibit 6: Landscape Certification Form

Y OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
CONDITIONAL USE PERMIT APPLICATION NO. C-16-001

Public Works - Traffic Engineering

RECEIVED

JAN 22 2016

TRAF ENGIN DIV

Return Completed Form to:

Christopher Preciado, Development Services/Planning

Email: Christopher.Preciado@fresno.gov and

Joann.Zuniga@fresno.gov

Development and Resource Management

2600 Fresno Street, Third Floor

Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit Application No. C-16-001 was filed by Brandon Broussard of Yamabe and Horn Engineering, on behalf of Vincent Ricchiuti, and pertains to ± 20.16 acres of property located on the northwest corner of East Shepherd and North Willow Avenues. The applicant proposes a mixed use commercial and multiple-family residential gated development consisting of 255 dwellings with one, two, and three bedrooms units with product type of two-story paired homes (townhomes) and three-story, stacked-flat, walk-up housing; the commercial component proposes $\pm 34,800$ square feet of trail-oriented commercial/retail uses with activity areas, a paseo for outdoor dining, and corner patio area. The property is zoned AE-20 (*Exclusive Twenty Acre Agricultural/Urban Growth Management*); new Code classification will be CMX (*Corridor Mixed Use/Urban Growth Management*).

APN: 568-010-20 ZONING: AE-20/UGM / CMX/UGM ADDRESS: 2740 East Shepherd Avenue

DATE ROUTED: January 22, 2016

COMMENT DEADLINE: February 12, 2016

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

YES

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

SUBMIT DEDICATIONS EARLY TO AVOID
DELAYS (2-MONTH PROCESSING TIME)

REQUIRED CONDITIONS OF APPROVAL:

STREET DEDICATIONS REQUIRED PRIOR TO PERMITS

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

SEE EMAIL FOR CONDITIONS + CPI

REVIEWED BY:

JAIRO MATA ENGINEER II

Name and Title

621-8714

Telephone Number

2-17-16

Date



DATE: February 17, 2016

TO: Christopher Preciado
Development and Resource Management Department

FROM: Jairo Mata, Engineer II
Public Works Department, Traffic and Engineering Services Division

SUBJECT: Conditions of Approval for **C-16-001**

ADDRESS: 2740 East Shepherd Avenue

APN: 568-010-20

ATTENTION:

The items below require a separate process with additional fees and timelines, in addition to the CUP/SPR permit process. In order to avoid delays in obtaining a building permit, the following items shall be submitted to the contacts shown below.

X	Geometrically Approved Drawing (GAD): Submit a GAD to Public Works Traffic and Engineering for the review and approval of public street improvements.	Scott Sehm	Public Works Department (559) 621-8712 Scott.sehm@fresno.gov
X	Maintenance Agreement / CFD	Ann Lillie	Public Works Department (559) 621-8690 ann.lillie@fresno.gov
X	Deed (up to 2 month processing time) Deed documents for the required dedications must conform to the format specified by the city and shall be prepared by the applicant's engineer. The cost of deed document processing and recordation fee must be paid at the time of deed submittal and submitted with verification of ownership prior to the issuance of building permits.	Jeff Beck	Public Works Department (559) 621-8560 jeff.beck@fresno.gov

PUBLIC IMPROVEMENT REQUIREMENTS

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

Repair all damaged and/or off grade off-site concrete street improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600. Pedestrian paths of travel must also meet current ADA regulations.

Underground all existing off-site overhead utilities within the limits of this site/map as per FMC Section 12-1011 and Resolution No. 78-522/88-229.

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

Street work on major streets shall be designed to include Intelligent Transportation Systems (ITS) conduit in accordance with the Public Works ITS specifications.

North Willow Avenue: Super Arterial

1. Construction Requirements:
 - a. Remove the existing curb ramp and construct a standard curb ramp per Public Works Standard(s) **P-28** and **P-32**, based on a **25'** radius per **P-24**.
 - b. Modify the existing trail as needed to accommodate the widening on Yeargin Avenue.
 - c. Trail: Submit signing and striping plans for review and approval for all crossings.

East Shepherd Avenue: Arterial

1. Construction Requirements:
 - a. Construct **20'** of permanent paving per Public Works Standard **P-50**, within the limits of this application and transition paving as necessary.
 - b. Construct a **20'** wide emergency access to Public Works Standard **P-67**.
 - c. Site Plan approval of a street type approach (**P-77**) is a tentative approval until such time that a qualified Civil Engineer prepares street plans that provide the sufficient cross drainage approved by the City Engineer in accordance with Public Works Standard **P-10**. If grades are not sufficient, construct to Public Works Standards **P-2**, and **P-6**.
 - d. Provide a **10'** visibility triangle at all driveways.
 - e. Construct concrete curb and gutter to Public Works Standard **P-5**. The curb shall be constructed as approved on the **GAD**.
 - f. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-7** for Arterials.
 - g. Construct standard curb ramps per Public Works Standards.
 - h. Construct an **80'** bus bay curb and gutter at the north west corner of Willow and Shepherd to Public Works Standard **P-73**, complete with a **10'** monolithic sidewalk.
 - i. Modify the existing trail to accommodate any openings or widenings.
 - j. Trail: Submit signing and striping plans for review and approval for all crossings.

East Yeargin Drive: Local

1. Dedication Requirements
 - a. Dedicate an additional **20'** of property for public street purposes to accommodate exiting traffic.
2. Construction Requirements:
 - a. Construct **20'** of permanent paving per Public Works Standard **P-50**.

- b. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **7'** commercial pattern to match the existing improvements to the east.
- c. Construct a modified curb ramp per Public Works Standard **P-31**.

Street Construction Plans are required and shall be approved by the City Engineer. All improvements shall be constructed in accordance with the City of Fresno, Public Works Department Standard Drawings and Specifications. The performance of any work within the public street right of way (including pedestrian and utility easements) requires a **STREET WORK PERMIT** prior to commencement of work. When preparing Street Plans and/or Traffic Control Plans, contact (Randy Schrey) at (559) 621-8807, **10 working days** in advance, to make sure that sidewalks or an approved accessible path remain open during construction. Submit construction plans for all required work, in a single package, to the City of Fresno's, Traffic and Engineering Services Division. All work shall be reviewed, approved, completed and accepted prior to obtaining a certificate of occupancy. Utility poles, street lights, signals, etc. shall be relocated as determined by the City Engineer.

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

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

PRIVATE IMPROVEMENT REQUIREMENTS

Off-Street Parking Facilities and Geometrics

1. Off-Street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawing(s) **P-21, P-22, P-23**.
2. Install **30"** state standard "STOP" sign(s) at location(s) shown. Sign shall be mounted on a **2"** galvanized post with the bottom of the sign **7'** above ground; located behind curb and immediately behind a major street sidewalk. A "right turn only" sign is also required, at the same location; install a **30" x 36"** state standard sign immediately below the stop sign on the same post.
3. Provide parking space needs, circulation, access, directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as noted on **Exhibit "A1-A3"**.
4. Drive Through: resubmit the site plan identifying a minimum of a **10** car stack. Use **20'** per car (stacking shall not to block proposed parking or parking aisles).

Traffic Signal Mitigation Impact (TSMI) Fee: A Traffic Impact Study has been submitted. Comply with the mitigation measures in the attached letter from the Traffic Engineer dated November 20, 2015. This project shall pay all applicable TSMI Fees **at the time of building permit**. Contact the Public Works Department, Frank Saburit at (559)621-8797. The fees are based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual.

TSMI fee is credited against traffic signal and Intelligent Transportation System (ITS) improvements, provided that the improvements are; constructed at ultimate locations, contained within the build out of the 2025 General Plan circulation element and are included in the latest Nexus Analysis for TSMI fee. Project specific impacts that are not consistent with the *2025 General Plan, Public Works Standard Drawings* or not incorporated in the

TSMI fee infrastructure costs, are not reimbursable unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS improvements in the next update; upon the inclusion of the added infrastructure, the applicant shall agree to pay the newly calculated 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. If the applicant is conditioned with improvements that are credited / reimbursable with this fee, they should work with the Department of Public Works and identify, with a Professional Engineer's estimate, the costs associated with the improvements, prior to paying the TSMI fee at time of building permit.

Specific Mitigated Measures

Willow and Shepherd Avenue: Arterial

1. Construct median islands, modify paving and transition as needed. Details of said street shall be depicted on the approved street plans.

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

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

Prior to resubmitting a corrected exhibit, provide the following information on the site plan:

A. General Requirements

1. **Parcel of Record:** Provide a legal description and identify the entire parcel at the time of permits.
2. **Easements:** Identify and dimension.

B. Offsite Information:

1. **Street Improvements and Furniture:** Identify existing and proposed sidewalks (provide width), ADA ramps (provide radius), street lights, traffic signals, etc.
2. **ADA:** Identify the required 4' minimum path of travel along the public sidewalk adjacent to property, as required by the California Administration Code (Title 24). A pedestrian easement may be required if Title 24 requirements cannot be met.

C. Onsite Information:

1. **Parking Lot:**
 - a. **Stalls:** Provide length and width. No obstructions shall be within the 3' vehicular overhang.
 - b. **Circulation Aisles:** provide widths
 - c. **Walkways:** provide width adjacent to parking stalls (7' min)
 - d. **Lighting:** not to be within the 3' vehicular overhang
 - e. **Planters:** provide planter radii

Questions relative to these conditions may be directed to Jairo Mata at 559 621-8714 Jairo.Mata@fresno.gov , in the Public Works Department, Traffic and Engineering Services Division.





DATE: February 3, 2016

TO: Christopher Preciado, Development Services/Planning
Development and Resource Management Department

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

SUBJECT: CONDITIONS OF CONDITIONAL USE PERMIT APPLICATION NO. 2016-001
FOR MAINTENANCE REQUIREMENTS

ADDRESS: 2740 East Shepherd Avenue
APN: 568-010-20

ATTENTION:

The item below requires a separate process with additional costs and timelines. In order to avoid delays with the development approval, the following item (s) shall be submitted for processing to the Public Works Department, Traffic and Engineering Services Division **prior** to Building Permits.

X	Private Maintenance Covenant	Ann Lillie	(559) 621-8690 ann.lillie@fresno.gov
X	CFD Annexation Request Package		

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

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

Any change affecting the items in these conditions requires revision of this letter.

Delays to the final development approval will occur if the maintenance requirements are not met. Time-lines for the processing of the annexation to the CFD and private maintenance covenant require three to four months and SHALL be completed prior to Building Permit approval.

All applicable construction plans for this development are to be submitted to the Traffic and Engineering Services Division for review and approval prior to the CFD and private maintenance covenant process and shall be deemed technically correct. If Landscape and Irrigation Plans

are required, approval of the plans is required prior to the finalization of the CFD process and the approval of this development.

1. The Property Owner's Maintenance Requirements

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

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

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within public street rights-of-way, required public trail easements, and landscape easements located between required sound walls and adjacent to public streets; including without limitation, median islands (1/2 if frontage is only on one side) and parkways. **(Shepherd and Willow)**
- All amenities such as benches, drinking fountains, trash receptacles, City required fencing and low voltage lighting, as approved by the Public Works Department for officially designated and required public trails. **(Shepherd and Willow)**
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, median capping and maintenance bands (1/2 if frontage is only on one side), and traffic calming structures in the street rights-of-way. **(Shepherd and Willow)**
- All costs associated with the street lights (including repair and replacement) within public street rights-of-way. **(Shepherd and Willow)**
- All costs associated with signals (including repair and replacement) located within public street rights-of-way at non-standard locations. **(Shepherd and Willow)**

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

- I. The Property Owner may petition the City of Fresno to request annexation to CFD No. 9 by completing and submitting an Annexation Request Package to the Public Works Department, 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 territory to CFD No. 9 SHALL NOT commence** unless this development is within the City limits and all construction plans (this includes Street, Street Light, Signal and Landscape and Irrigation plans as applicable) are considered technically correct.
- The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall**

mean that the facilities and quantities to be maintained by CFD No. 9 are not subject to change after acceptance for processing.

- The annexation process takes from three to four months and SHALL be completed prior to building permit approvals. The review and approval of Landscape and Irrigation Plans are required to be approved by the Public Works Department prior to the completion of the annexation process.
- Public improvements not listed above will require special approval by the Public Works Department Director or his designee.

-OR-

- II. The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 9 for Services SHALL be included in a maintenance covenant 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.

Any change to this development that would affect these conditions shall require a revision of this letter.

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

DEPARTMENT OF PUBLIC WORKS

TO: Christopher Preciado, Planner II
Planning Division

FROM: Hilary Kimber, Parks Supervisor II (559-621-1345)
Public Works, Median Island Maintenance

DATE: January 25, 2016

SUBJECT: SITE PLAN REVIEW NO. C-16-001

The Department of Public Works offers the following comments regarding 2740 East Shepherd Avenue (APN: 568-010-20) located on the northwest corner of East Shepherd and North Willow Avenues:

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 trail 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 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.
2. There are approximately 1245 lineal feet of street frontage along E. Shepherd Ave. resulting in the requirement of twenty one (21) street trees.
3. There are approximately 700 lineal feet of street frontage along N. Willow Ave. resulting in the requirement of twelve (12) street trees.
4. As per the discussion on January 6, 2016 between Brandon Broussard from Yamabe & Horn Engineering, Inc., Arakel Arisian from the Arisian Group and myself, the developer is considering removing the existing plant material on both Willow and Shepherd along with the irrigation system and installing a landscape that would be integrated with the proposed shopping center and homes. The existing 2" point of connection for landscape irrigation may be utilized for the new landscaping and the water billing would be changed from the City of Fresno to the developer. This proposal is acceptable but a maintenance agreement must be initiated between the developer and the City of Fresno for continued maintenance within the rights-of-way.
5. Public Works requires a landscape and irrigation plan to be submitted for all landscaping within the right-of-way to be submitted to the scale of 1"=20 prior to installation.



FIRE DEPARTMENT

DATE: February 16, 2016

TO: CHRISTOPHER PRECIADO, Planner III
Development and Resource Management Department

FROM: LAURIE SAWHILL, Senior Fire Prevention Inspector
Fire Department, Community Risk Reduction Unit

18

SUBJECT: 2740 E SHEPHERD, C-16-001

The Fire Department's conditions of approval include the following:

Install on site hydrants with a minimum 8 inch main and a fire flow of 2500 GPM in all sprinklered apartment areas. Public and private hydrants for multi-family dwellings are spaced a maximum of 450 feet apart. The current hydrant spacing as shown on the site plan appears adequate. Include notes on plans regarding required main size and GPM.

In the commercial areas install on site hydrants)with a minimum 8 inch main and a fire flow of 1500 GPM per public works standards. Private hydrants for commercial sites are spaced a maximum of 600 feet apart. Public hydrants in commercial areas are spaced a maximum of 450 feet apart.

Note on plan: Fire hydrants and access roads shall be installed, tested and approved and shall be maintained serviceable prior to and during all phases of development. The 4 1/2" outlet shall face the access lane.

Access roadways shall be constructed within 10' of the fire hydrant.

Note on plan: Turns in private drives for fire apparatus access shall have minimum 44 foot centerline turn radius.

Vertical access is required for aerial truck ladder set up where buildings or portions of buildings are more than 30 feet in height at the eaves, measured from natural grade. 26' (minimum) driveways shall be located adjacent to at least one (long) side of such building. 26 feet minimum lanes shall be provided adjacent to two (2) sides of such buildings that exceed 150 feet in length or width. The vertical access driveway shall be located a

minimum of 15 feet from the building and a maximum of 30 feet from the building. The drive shall extended 45' beyond each end of the building to allow for access to the corners of the building and to accommodate a set up area out of the collapse zone. It appears you may have difficulties meeting the vertical access requirement, NFPA 13 systems will be required in all buildings where the vertical access cannot be met.

Access drives shall have their curbs painted red and stenciled FIRE LANE every 50' or approved FIRE LANE signs posted at 50 foot intervals. Driveways shall be in alignment to accommodate the use of Fire Department aerial apparatus. Vertical access driveway's (near edge or back of parking stalls) shall be located at least 15 feet, but not more than 30 feet from the building. See plans for locations of fire lanes.

Provide approved police/fire bypass lock ("Best" padlock model 21B700 series or electric cylinder switch model 1W7B2) on drive access gate/s. All electrified gates shall be equipped with both the Best electric cylinder lock 1W7B2 and "Click to Enter" system. A Knox padlock may not be used in place of the Best padlock model 21B700. Gates/fences shall not obstruct minimum width required for fire lanes.

Provide approved visual recognition/feature sign at the "Click to Enter" gate locations.

Electric gates shall be provided with battery back-up.

Provide a covenant for shared fire fighting access and water supply.

The entire width of a required access way shall remain unobstructed to a vertical height of 13 feet, six inches. Coordinate landscape plan to meet this requirement with assumed plant growth.

All private streets and driveways that are provided for common access and are required for Fire Department access shall be constructed to a minimum unobstructed width of 20 feet. For drives separated by a median, 16 foot minimum lanes are required.

Streets listed shall be identified as fire lanes as provided in the California Vehicle Code, Section 22500.1. Designate curbs as fire lanes (red curb with "Fire Lane" in 3 inch white letters every 50 feet or approved signs every 50 feet).

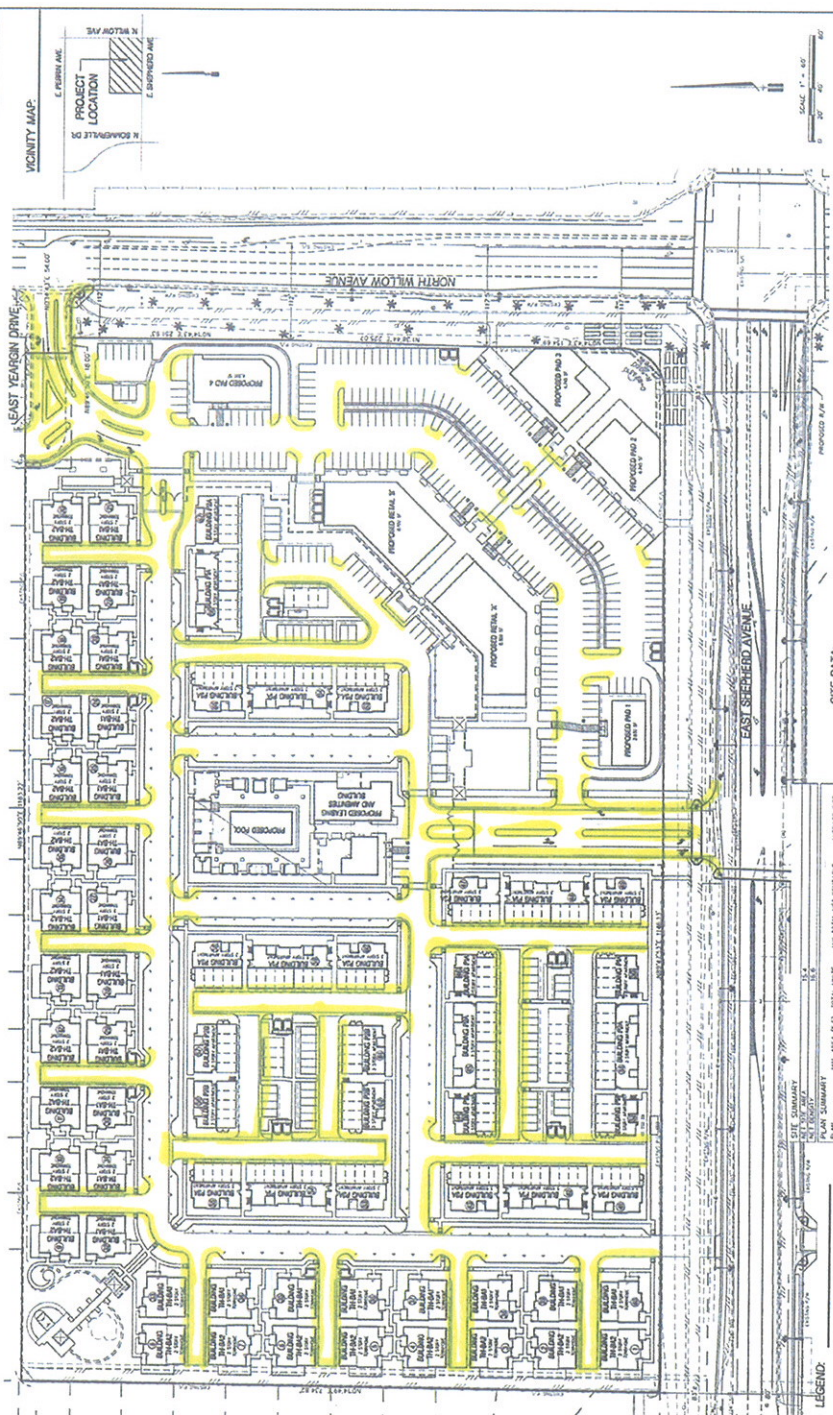
Loading zones shall not be located in required fire lanes.

This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of DARM when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.

All revisions to plans shall be called out with a cloud or delta.

If you have questions and would like more information regarding FFD Development Policies please see the following:

<http://www.fresno.gov/Government/DepartmentDirectory/Fire/FirePreventionandInspection/policies.htm>



BUILDING AREA	0.00000000	0.00000000
FOOTING AREA	0.00000000	0.00000000
BUILDING COVERAGE	0.00000000	0.00000000
TOTAL DWELLING UNIT SQ. FT.	0.00000000	0.00000000
TOTAL LOT AREA SQ. FT.	0.00000000	0.00000000
LOT COVERAGE PERCENT	0.00000000	0.00000000

SHEET INDEX	
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	SITE PLAN
3	SITE PLAN
4	LANDSCAPE PLAN
5	LANDSCAPE PLAN

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DATE	DESCRIPTION	AMOUNT	CHECK	BALANCE
1/1/72	OPENING BALANCE	100.00		100.00
1/15/72	PAYROLL	25.00		75.00
1/22/72	RENT	15.00		60.00
1/29/72	UTILITIES	10.00		50.00
2/5/72	SALES	30.00		80.00
2/12/72	PAYROLL	25.00		55.00
2/19/72	RENT	15.00		40.00
2/26/72	UTILITIES	10.00		30.00
3/5/72	SALES	30.00		60.00
3/12/72	PAYROLL	25.00		35.00
3/19/72	RENT	15.00		20.00
3/26/72	UTILITIES	10.00		10.00
4/2/72	SALES	30.00		40.00
4/9/72	PAYROLL	25.00		15.00
4/16/72	RENT	15.00		0.00
4/23/72	UTILITIES	10.00		10.00
4/30/72	SALES	30.00		40.00
5/7/72	PAYROLL	25.00		15.00
5/14/72	RENT	15.00		0.00
5/21/72	UTILITIES	10.00		10.00
5/28/72	SALES	30.00		40.00
6/4/72	PAYROLL	25.00		15.00
6/11/72	RENT	15.00		0.00
6/18/72	UTILITIES	10.00		10.00
6/25/72	SALES	30.00		40.00
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7/16/72	UTILITIES	10.00		10.00
7/23/72	SALES	30.00		40.00
7/30/72	PAYROLL	25.00		15.00
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8/13/72	UTILITIES	10.00		10.00
8/20/72	SALES	30.00		40.00
8/27/72	PAYROLL	25.00		15.00
9/3/72	RENT	15.00		0.00
9/10/72	UTILITIES	10.00		10.00
9/17/72	SALES	30.00		40.00
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10/1/72	RENT	15.00		0.00
10/8/72	UTILITIES	10.00		10.00
10/15/72	SALES	30.00		40.00
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11/12/72	SALES	30.00		40.00
11/19/72	PAYROLL	25.00		15.00
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12/10/72	SALES	30.00		40.00
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DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM



Providing Life's Essential Services

Date: February 29, 2016

To: CHRISTOPHER PRECIADO, Planner II
Planning and Development

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

Subject: SEWER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-16-001

General

Conditional Use Permit Application No. C-16-001 was filed by Brandon Broussard of Yamabe and Horn Engineering, on behalf of Vincent Ricchiuti, and pertains to ± 20.16 acres of property located on the northwest corner of East Shepherd and North Willow Avenues, 2740 East Shepherd Avenue & APN: 568-010-20. The applicant proposes mixed use commercial and multiple-family residential gated development consisting of 255 dwellings with one, two and three bedrooms units with product type of two-story paired homes (townhomes) and three-story, stacked-flat, walk-up housing; the commercial component proposes $\pm 34,800$ square feet of trail-orientated commercial/retail uses with activity areas, a paseo for outdoor dining, and corner patio area. The property is zoned AE-20 (Exclusive Twenty Acre Agricultural/Urban Growth Management); new Code classification will be CMX (Corridor Mixed Use/Urban Growth Management).

Sewer Requirements

The nearest sanitary sewer mains to serve the proposed project is an 8-inch sewer main located in East Shepherd Avenue east of North Winery Avenue. Sewer facilities are available to provide service to the site subject to the following requirements:

1. Construct an 8-inch sanitary sewer main (including sewer house branches to adjacent properties) in East Shepherd Avenue from the existing manhole to the east to Willow Avenue.
2. Abandon any existing on-site private septic systems.
3. Installation of sewer house branch(s) shall be required.
4. On-site sanitary sewer facilities shall be private.
5. All underground utilities shall be installed prior to permanent street paving.
6. A Preliminary sewer design layout shall be prepared by the Developer's Engineer and submitted to the Department of Public Utilities for review and conceptual approvals prior to submittal or acceptance of the developers final map and engineered plan & profile



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improvement drawing for City review.

7. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City Sewer System.
8. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.
9. The Project Developer shall contact Wastewater Management Division/Environmental Services at (559) 621-5100 prior to pulling building permits regarding conditions of service for special users.

Sewer Fees

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

1. Sewer Lateral Charge
2. Sewer Oversize Service Area: #43
3. Herndon Trunk Enhancement Fee.
4. Sewer Facility Charge (Non-Residential)
5. Upon connection of this Project to the City Sewer System the owner shall be subject to payment of Sewer Facility charges per Fresno Municipal Code Section 6-304 and 6-305. Sewer Facility Charges consist of two components, a Wastewater Facilities Charge and Trunk Sewer Charge where applicable.
6. Sewer Facility Charges are collected after occupancy on a monthly basis over time based on metered (water or sewer effluent) usage. The developer may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect, at that time, per Fresno's Master Fee Resolution. The developer shall provide data regarding estimated sewer discharge rates [flow] and loading [BOD/TSS levels] required for calculating the estimated charges.



Department of Public Utilities – Water Division



DATE: January 29, 2016

TO: CHRISTOPHER PRECIADO, Planner II
Development Department/Current Planning

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

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

R.A.D.

SUBJECT: WATER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-16-001

General

Conditional Use Permit Application No. C-16-001 was filed by Brandon Broussard of Yamabe and Horn Engineering, on behalf of Vincent Ricchiuti, and pertains to ±20.16 acres of property located on the northwest corner of East Shepherd and North Willow Avenues, 2740 East Shepherd Avenue & APN: 568-010-20. The applicant proposes mixed use commercial and multiple family residential gated development consisting of 255 dwellings with one, two and three bedrooms units with product type of two-story paired homes (townhomes) and three-story, stacked-flat, walk-up housing; the commercial component proposes ±34,800 square feet of trail-orientated commercial/retail uses with activity areas, a paseo for outdoor dining, and corner patio area. The property is zoned AE-20 (Exclusive Twenty Acre Agricultural/Urban Growth Management); new Code classification will be CMX (Corridor Mixed Use/Urban Growth Management).

Water Requirements

The nearest water main to serve the proposed project is a 14-inch main located in North Willow Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. On-site water facilities shall be private.
2. Service connection to the 14-inch main located in East Shepherd Avenue shall not be allowed.



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DEPARTMENT OF PUBLIC UTILITIES

Date: February 11, 2016

To: CHRISTOPHER PRECIADO, Planner II
Development and Resource Management Department , Current Planning

From: MIKEAL CHICO, Management Analyst II
Solid Waste Management Division

A handwritten signature in black ink, appearing to read "mjc", located to the right of the "From:" line.

Subject: Conditional Use Permit Application No. C-16-001 was filed by Brandon Broussard of Yamabe and Horn Engineering, on behalf of Vincent Ricchiuti, and pertains to ± 20.16 acres of property located on the northwest corner of East Shepherd and North Willow Avenues, 2740 East Shepherd Avenue & APN: 568-010-20. The applicant proposes mixed use commercial and multiple –family residential gated development consisting of 255 dwellings with one, two and three bedrooms units with product type of two-story paired homes (townhomes) and three-story, staked-flat, walk-up housing; the commercial component proposes $\pm 34,800$ square feet of trail-orientated commercial/retail uses with activity areas, a paseo for outdoor dining, and corner patio area. The property is zoned AE-20 (Exclusive Twenty Acre Agricultural/Urban Growth Management); new Code classification will be CMX (Corridor Mixed Use/Urban Growth Management).

General

This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Allied Waste at 559-275-1551 or 800-493-4285 .

Does Project Affect Your Agency/Jurisdiction

Yes - Project has or will be required to provide a trash enclosure.

Suggestions to Reduce Impacts/Address Concerns

3-cell trash enclosure required for restaurants.

Backing limit of 45' for solid waste vehicle.

Provide 44' (centerline) turning radius.

Recommended Conditions of Approval

2-cell trash enclosure required.

3-cell trash enclosure required.

The Solid Waste Management Division recommends one additional two cell enclosure for the multi-family area for a total of 9 trash/recycling enclosures in this part of the project. The additional enclosure may prevent containers being over filled and limit refuse truck visits to the multi-family area. It is also recommended a 2nd grease barrel enclosure for a total of two. Currently, only one grease barrel enclosure is proposed north of retailing "B" pad within the retailing area.

Additional Information

Location of enclosures is acceptable.

Multi-Family Solid Waste Service Requirements
(2 Units = 1 Cubic Yard of Solid Waste and Recyclable Pick Up Per Week)

UNITS	CUBIC YD PU/ WK	# OF ENC	TIMES PER WEEK, ROUNDED UP, WITH BIN SIZE:					
			1 CYB	2 CYB	3 CYB	4 CYB	5 CYB	6 CYB*
255	128	1	64	32	21	16	13	11
255	128	2	32	16	11	8	6	5
255	128	3	21	11	7	5	4	4
255	128	4	16	8	5	4	3	3
255	128	5	13	6	4	3	3	2
255	128	6	11	5	4	3	2	2
255	128	7	9	5	3	2	2	2
255	128	8	8	4	3	2	2	1
255	128	9	7	4	2	2	1	1

*6 cubic yard bin requires front load access (there are no wheels).

**CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
CONDITIONAL USE PERMIT APPLICATION NO. C-16-001**

Building & Safety Services

RECEIVED
JAN 22 2016
City of Fresno
Building & Safety Services

Return Completed Form to:

Christopher Preciado, Development Services/Planning
Email: Christopher.Preciado@fresno.gov and
Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit Application No. C-16-001 was filed by Brandon Broussard of Yamabe and Horn Engineering, on behalf of Vincent Ricchiuti, and pertains to ±20.16 acres of property located on the northwest corner of East Shepherd and North Willow Avenues. The applicant proposes a mixed use commercial and multiple-family residential gated development consisting of 255 dwellings with one, two, and three bedrooms units with product type of two-story paired homes (townhomes) and three-story, stacked-flat, walk-up housing; the commercial component proposes ±34,800 square feet of trail-oriented commercial/retail uses with activity areas, a paseo for outdoor dining, and corner patio area. The property is zoned AE-20 (*Exclusive Twenty Acre Agricultural/Urban Growth Management*); new Code classification will be CMX (*Corridor Mixed Use/Urban Growth Management*).

APN: 568-010-20 ZONING: AE-20/UGM / CMX/UGM ADDRESS: 2740 East Shepherd Avenue
DATE ROUTED: January 22, 2016 COMMENT DEADLINE: February 12, 2016

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

*Plans / permits req'd
Note separation between
Town Homes - will determine
CBC vs. CRC*

REQUIRED CONDITIONS OF APPROVAL:

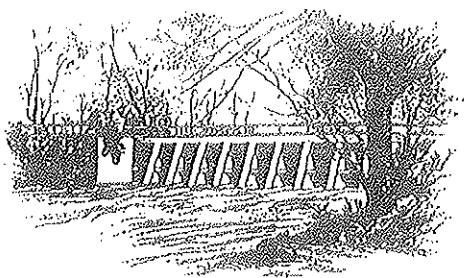
IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY:

4/20/16
Name and Title

8256
Telephone Number

2.9.16
Date



YOUR MOST VALUABLE RESOURCE - WATER

February 10, 2016



TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

Christopher Preciado
City of Fresno
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Conditional Use Permit Application No. C-16-001
NW Shepard and Willow
FID's Maupin No. 118 & Teague No. 119

Dear Mr. Preciado:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. C-16-001 for which the applicant proposes a mixed use commercial and multiple-family residential gated development located on the northwest corner of Shepard and Willow Avenues, APN: 568-010-20. The approximate 20.16 acres of property is zoned AE-20. FID has the following comments:

1. FID's active Maupin No. 118 pipeline runs southerly along the west side of the subject property in an exclusive easement recorded June 20, 2005 as Document No. 20050135880, Official Records of Fresno County, crosses Shepard Avenue approximately 80 feet south of the subject property and ties into FID's active Teague No. 119 pipeline located at the southwest corner of the subject property, as shown on the attached FID exhibit map.
2. The attached plans for the Maupin Pipeline indicates this section of the pipeline was installed in 1996 (20 years old) as a 36-inch diameter ASTM C-361 A-25 Rubber Gasket Reinforced Concrete Pipe (RGRCP) which meets FID's standards for development (residential, industrial, commercial) parcels or urban areas. FID normally requires pipelines which have reached their normal life expectancy to be replaced; however the existing pipe is acceptable. FID will hold the developer liable for all repairs and/or replacement of the pipeline due to damage from developer's construction activities.
3. The attached plans for the Teague Pipeline indicates this section of the pipeline was installed in 1996 (20 years old) as a 30-inch diameter ASTM C-361 A-25 Rubber Gasket Reinforced Concrete Pipe (RGRCP) which meets FID's standards for development (residential, industrial, commercial) parcels or urban areas. FID normally requires pipelines which have reached their normal life expectancy to be replaced; however the

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BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President JERRY PRIETO, JR.
CHRISTOPHER WOOLF, GEORGE PORTER, GREGORY BEBERIAN, General Manager GARY R. SERRATO

existing pipe is acceptable. FID will hold the developer liable for all repairs and/or replacement of the pipeline due to damage from developer's construction activities.

4. FID requires its easement be shown on the map with proper recording information, and that FID be made a party to signing the final map. FID also requires it review, approve and be made a party to signing all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer and Water, FMFCD, Street, Landscaping, Dry Utilities, and all other utilities.
5. FID requires the applicant submit a grading and drainage plan for FID approval which shows that the proposed development will not endanger the structural integrity of the pipeline, or result in drainage patterns that will adversely affect FID or the applicant.
6. FID does not allow FID owned property or easements to be in common use with public utility easements but will, in certain instances, allow its property to be in common use with landscape easements if the City of Fresno enters into an appropriate agreement with FID. FID requires all structures, signs, block walls and fences be located outside of its property and easements.
7. Trees shall be kept away from the pipeline and pipeline easement. This would be FID's preference. The advantage is the City and FID would have better control over encroachments as well as better access to patrol and maintain the easement. If there is a leak, the damage would be minimized. Trees would be located outside the FID easement.
8. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within FID's easement and the grading contractor will be responsible for the repair of all damage to the pipeline caused by contractors grading activities.
9. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses and more detail becomes available.

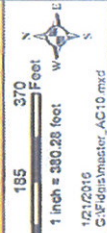
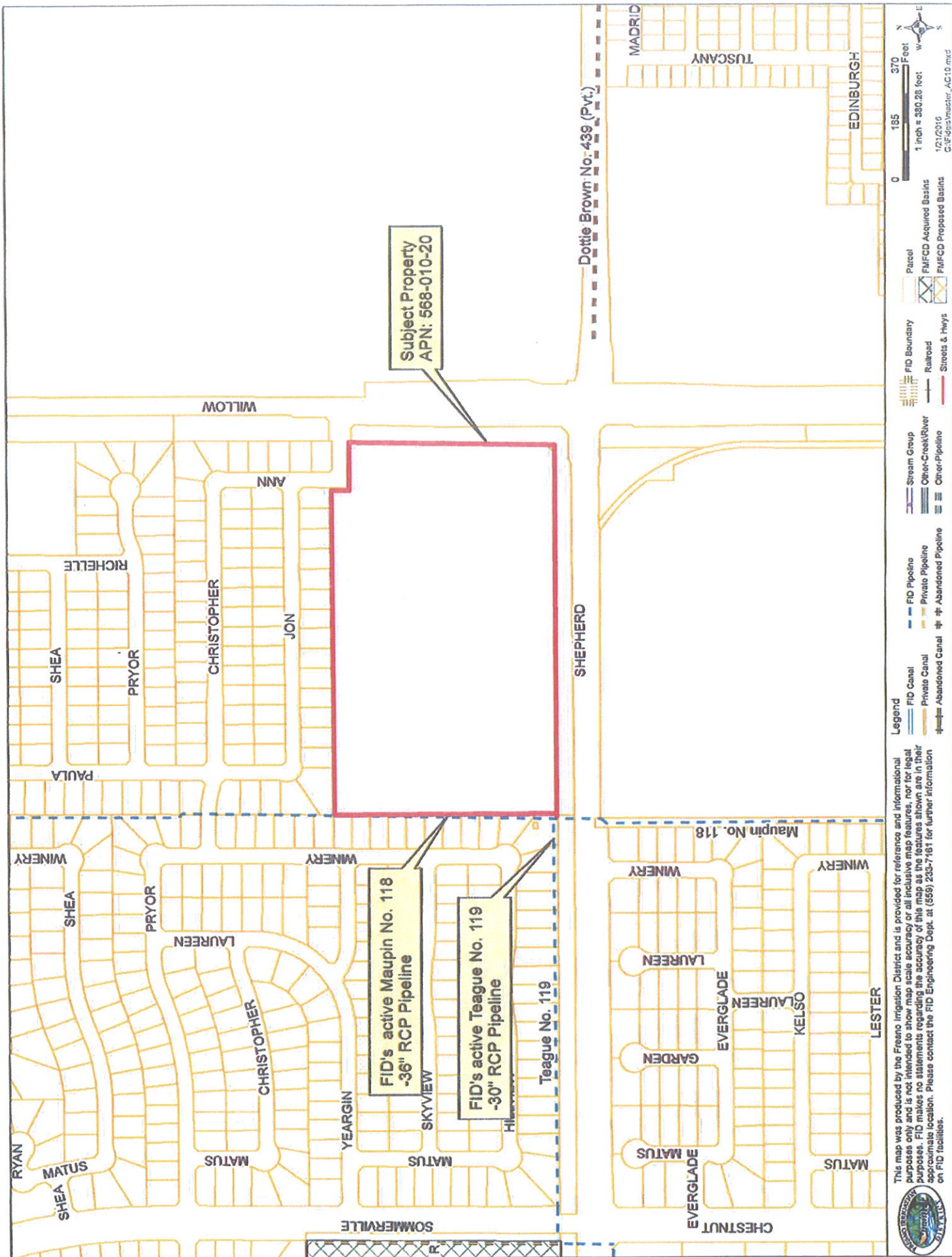
Thank you for submitting the proposed project for our review. We appreciate the opportunity to review and comment on the subject documents for this project. If you have any questions please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or CLundeen@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachment



- Legend**
- Parcel
 - FID Boundary
 - Stream Group
 - FID Pipeline
 - FID Canal
 - Abandoned Canal
 - Other-Creek/River
 - Private Pipeline
 - Abandoned Pipeline
 - Railroad
 - Streets & Hwys
 - FIMCD Acquired Basins
 - FIMCD Proposed Basins

This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7181 for further information on FID facilities.





County of Fresno

DEPARTMENT OF PUBLIC HEALTH
DAVID POMAVILLE, DIRECTOR

January 25, 2016

Christopher Preciado
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

LU0018344
2602

Dear Mr. Preciado:

PROJECT NUMBER: C-16-001

Conditional Use Permit Application No. C-16-001 was filed by Brandon Broussard of Yamabe and Horn Engineering, on behalf of Vincent Ricchiuti, and pertains to ± 20.16 acres of property located on the northwest corner of East Shepherd and North Willow Avenues. The applicant proposes a mixed use commercial and multiple-family residential gated development consisting of 255 dwellings with one, two, and three bedrooms units with product type of two-story paired homes (townhomes) and three-story, stacked-flat, walk-up housing; the commercial component proposes $\pm 34,800$ square feet of trail-oriented commercial/retail uses with activity areas, a paseo for outdoor dining, and corner patio area. The property is zoned AE-20 (*Exclusive Twenty Acre Agricultural/Urban Growth Management*); new Code classification will be CMX (*Corridor Mixed Use/Urban Growth Management*).

APN: 568-010-20 ZONING: AE-20/UGM/CMX/UGM ADDRESS: 2740 East Shepherd Avenue

Recommended Conditions of Approval for Multiple-Family Residential Units:

- 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.
- Prior to the issuance of building permits, the applicant shall submit complete pool & spa facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Recreational Health Program at (559) 600-3357 for more information.
- Prior to operation, the applicant shall apply for and obtain a permit to operate public swimming pools from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Recreational Health Program at (559) 600-3357 for more information.

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

- Due to the proximity of the proposed residential uses to an existing thoroughfare, consideration should be given to conformance with the Noise Element of the City of Fresno General Plan. A noise study should be conducted in order to identify the potential noise impacts and offer mitigation alternatives.
- 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.
- 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 retail commercial tenants for this application have not been identified, the full range of CMX uses must be considered. The potential adverse impacts could include (but are not limited to) storage of hazardous materials and/or wastes, medical waste, solid waste, water quality degradation, excessive noise, and odors.

Recommended Conditions of Approval for Future Retail Commercial Tenants:

- Prior to issuance of building permits, retail food establishments 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.
- Prior to operations, retail food establishments 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 operations, 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 is proposing 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 (<https://www.fresnocupa.com/> or <http://cers.calepa.ca.gov/>). Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- Any tenant proposing to utilize underground petroleum storage tank systems shall, prior to issuance of building permits, submit three (3) sets of complete plans and specifications regarding installation of the underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency 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.
- 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.

REVIEWED BY:

Kevin
Tsuda

Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, o=Fresno
County Department of Public Health,
ou=Environmental Health Division,
email=ktsuda@co.fresno.ca.us, c=US
Date: 2016.01.25 14:07:33 -08'00'

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

(559) 600-3271

kt

cc: Tolzmann, Rogers, Baruti, Gill & Jackson- Environmental Health Division (CT 55.05)
Vincent Ricchiuti- Owner/Applicant (vincent@prfarms.com)
Arakel Arisian- Consultant (arakel@arisiangroup.com)
Brandon Broussard- Engineer (bbroussard@yhmail.com)

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.413

Page 1 of 5

PUBLIC AGENCY

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

DEVELOPER

VINCENT RICCHIUTI, HERITAGE DEVELOPMENT
COMPANY
2917 E. SHEPHERD
CLOVIS, CA 93619

PROJECT NO: 2016-001

ADDRESS: 2740 E. SHEPHERD AVE.

APN: 568-010-20

SENT: 2/17/16

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
R	\$167,692.00	NOR Review	\$704.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$3,581.00	Amount to be submitted with first grading plan submittal.
		Storm Drain Plan Review		For amount of fee, refer to www.fresnofloodcontrol.org for form to fill out and submit with first storm drain plan submittal (blank copy attached).
Total Drainage Fee: \$167,692.00		Total Service Charge: \$4,285.00		

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/29/16 based on the site plan submitted to the District on 1/22/16. 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:

- Fees related to undeveloped or phased portions of the project may be deferrable.
- 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.
- Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- 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.
- Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

FR CUP No. 2016-001

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 5

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.

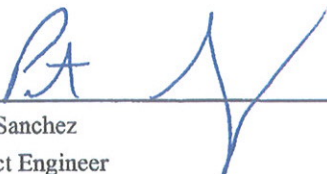
FR CUP No. 2016-001

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


Page 3 of 5

FR CUP No. 2016-001

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.



Peter Sanchez
District Engineer



Michael Maxwell
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 5

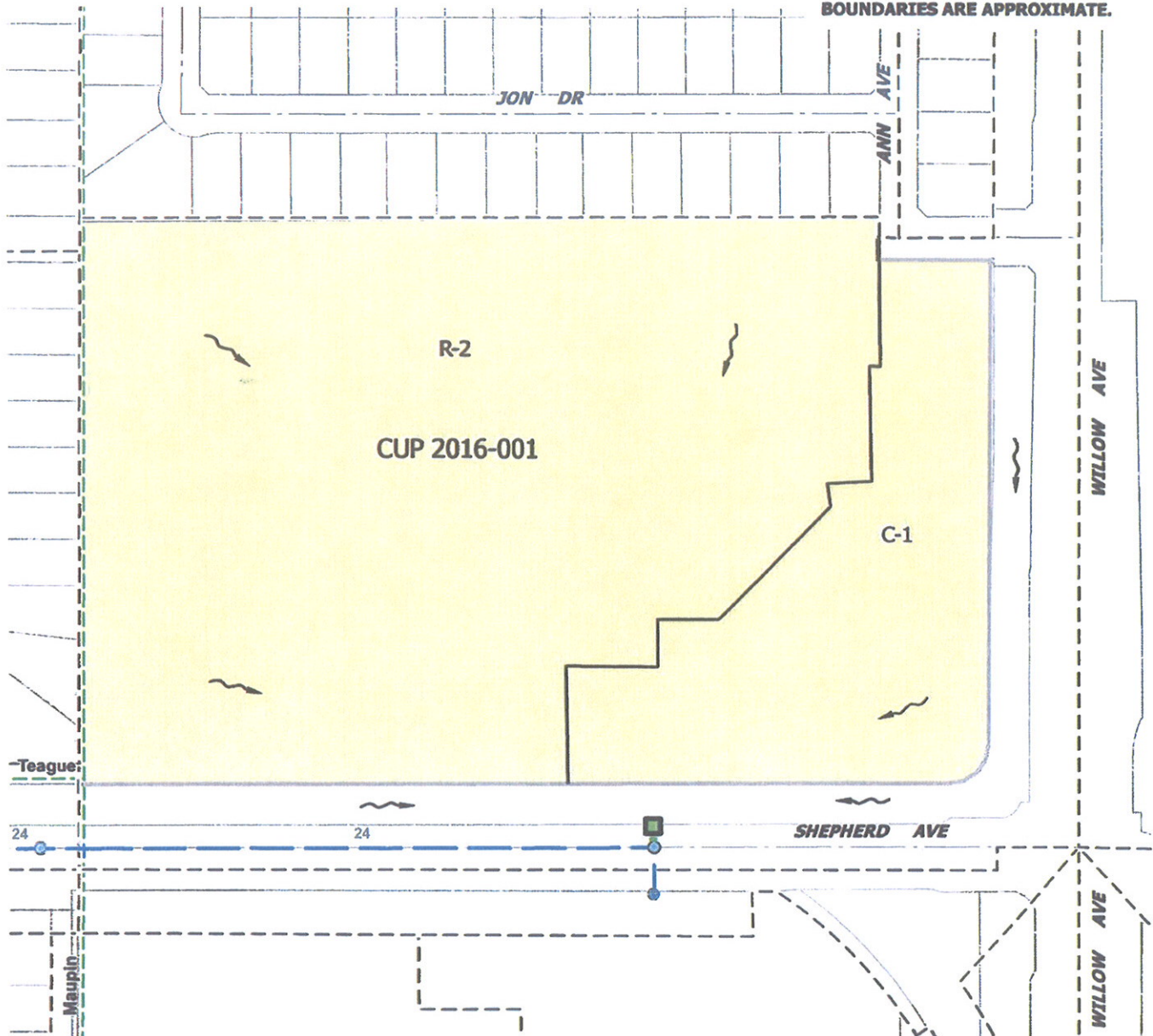
CC:

BRANDON BROUSSARD, YAMABE & HORN ENGINEERING, INC.
2985 N. BURL AVENUE, #101
FRESNO, CA 93727

ARAKEL ARISIAN, ARISIAN GROUP
389 CLOVIS AVENUE, SUITE 200
CLOVIS, CA 93612

FR CUP No. 2016-001

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



LEGEND

-  Creditable Facilities (Master Plan Facilities To Be Constructed By Developer)-Pipeline (Size Shown) & Inlet.
-  Existing Master Plan Facilities
-  Inlet Boundary
-  Direction of Drainage
-  Limits of CUP 2016-001



CUP 2016-001
DRAINAGE AREA "R"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



Prepared by: wadet
Date: 2/16/2016
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OTHER REQUIREMENTS

EXHIBIT NO. 2

The cost of construction of Master Plan facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee of the drainage area served by the facilities. A Development Agreement shall be executed with the District to effect such credit. Reimbursement provisions, in accordance with the Drainage Fee Ordinance, will be included to the extent that developer's Master Plan costs for an individual drainage area exceed the fee of said area. Should the facilities cost for such individual area total less than the fee of said area, the difference shall be paid upon demand to the City/County or District.

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 medium-high density residential and commercial land uses. "The developer shall be required to mitigate the impacts of the increased runoff from the proposed medium-high density residential and commercial land uses 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 medium-high density residential and commercial density development, to a two-year discharge, which would be produced by the property if developed medium density residential.

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

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

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

Development No. CUP 2016-001



March 23, 2016

Phillip Siegrist
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Project: Conditional Use Permit Application No. C-16-001

District CEQA Reference No: 20160057

Dear Mr. Siegrist:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of mixed use commercial and multiple-family residential gated development consisting of 255 dwelling units and approximately 34,800 square feet of commercial space located at northwest corner of East Shepherd and North Willow Avenues in Fresno, CA. The District offers the following comments:

District Comments

- 1) The CEQA referral submitted to the District does not provide sufficient information to allow the District to assess the project's potential impact on air quality. The District recommends that a more detailed preliminary review of the project be provided. Preliminary review documents should include a project summary detailing, at a minimum, the land use designation, project size, estimates of potential mobile and stationary emission sources, and proximity to sensitive receptors and existing emission sources.
 - 1a) Project Emissions should be identified and quantified.
 - i) Permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. Preparation of an Environmental Impact Report (EIR) is recommend should emissions from either source exceed the following amounts: 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM10).
 - ii) Pre- and post-project emissions should be identified.

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

- 1b) Nuisance Odors should be discussed as to whether the project would create objectionable odors affecting a substantial number of people.

Toxic Air Contaminants (TACs) –are defined as air pollutants that which may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. The most common source of TACs can be attributed to diesel exhaust fumes that are emitted from both stationary and mobile sources. If the project is located near residential/ sensitive receptors, the proposed project should be evaluated to determine the health impact of TACs to the near-by receptors. If the analysis indicates that TACs are a concern, the District recommends that a Health Risk Assessment (HRA) be performed. If an HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. More information on TACs, prioritizations and HRAs can be obtained by:

- E-mailing inquiries to: hramodeler@valleyair.org; or
- Visiting the District's website at:
http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm.

- 2) If preliminary review indicates that a Mitigated Negative Declaration should be prepared, in addition to the effects identified above, the document should include:

2a) Mitigation Measures – If preliminary review indicates that with mitigation, the project would have a less than significant adverse impact on air quality, the effectiveness of each mitigation measure incorporated into the project should be discussed.

2b) District's attainment status – The document should include a discussion of whether the project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. Information on the District's attainment status can be found online by visiting the District's website at <http://valleyair.org/aqinfo/attainment.htm>.

- 3) If preliminary review indicates that an Environmental Impact Report (EIR) should be prepared, in addition to the effects identified above, the document should also include the following:

3a) A discussion of the methodology, model assumptions, inputs and results used in characterizing the project's impact on air quality.

3b) A discussion of the components and phases of the project and the associated emission projections, (including ongoing emissions from each previous phase).

- 4) Based on information provided to the District, the proposed project would equal or exceed 50 residential units and 2,000 square feet of commercial space; Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review).

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

- 5) Particulate Matter 2.5 microns or less in size (PM2.5) from under-fired charbroilers (UFCs) pose immediate health risk. Since the cooking of meat can release carcinogenic PM2.5 species like polycyclic aromatic hydrocarbons (PAH), controlling emissions from under-fired charbroilers will have a substantial positive impact on public health.

Charbroiling emissions occur in populated areas, near schools and residential neighborhoods, resulting in high exposure levels for sensitive Valley residents. The air quality impacts on neighborhoods near restaurants with UFCs can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises environmental concerns.

In addition, the cooking emissions source category is one of the largest single contributors of directly emitted PM2.5 in the Valley. Photochemical modeling conducted for the 2012 PM2.5 Plan showed that reducing commercial charbroiling emissions is critical to achieving PM2.5 attainment in the Valley.

The District will amend Rule 4692 (Commercial Charbroiling) in 2016, with a 2017 compliance date, to add emission control requirements for UFCs, as committed to in the District's 2012 PM2.5 Plan. Installing charbroiler emissions control systems during construction of new facilities is likely to result in substantial economic benefit compared to costly retrofitting.

Therefore, the District strongly recommends that your agency require new restaurants that will operate UFCs to install emission control systems during the construction phase. To ease the financial burden for Valley businesses that wish to install control equipment before it is required, the District will offer incentive funding

during the time leading up to the 2016 amendment. Restaurants with UFCs may be eligible to apply for funding to add emission control systems. Please contact the District at (559) 230-5858 for more information.


- 6) The proposed project may require District permits. Prior to the start of construction the project proponent should contact the District's Small Business Assistance Office at (559) 230-5888 to determine if an Authority to Construct (ATC) is required.
- 7) The proposed project may be subject to the following District rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).
- 8) The District recommends that a copy of the District's comments be provided to the project proponent.

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Ms. Debbie Johnson at (559) 230- 5817.

Sincerely,

Arnaud Marjollet
Director of Permit Services


for
Brian Clements
Program Manager

AM: dj



San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT



March 23, 2016

Phillip Siegrist
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Project: Conditional Use Permit Application No. C-16-001

District CEQA Reference No: 20160057

Dear Mr. Siegrist:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of mixed use commercial and multiple-family residential gated development consisting of 255 dwelling units and approximately 34,800 square feet of commercial space located at northwest corner of East Shepherd and North Willow Avenues in Fresno, CA. The District offers the following comments:

District Comments

- 1) The CEQA referral submitted to the District does not provide sufficient information to allow the District to assess the project's potential impact on air quality. The District recommends that a more detailed preliminary review of the project be provided. Preliminary review documents should include a project summary detailing, at a minimum, the land use designation, project size, estimates of potential mobile and stationary emission sources, and proximity to sensitive receptors and existing emission sources.

1a) Project Emissions should be identified and quantified.

- i) Permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. Preparation of an Environmental Impact Report (EIR) is recommend should emissions from either source exceed the following amounts: 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), or 15 tons per year particulate matter of 10 microns or less in size (PM10).

ii) Pre- and post-project emissions should be identified.

Seyed Sadredin

Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95358-8718
Tel: (209) 557-8400 FAX: (209) 557-8475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-8000 FAX: (559) 230-8081
www.valleyair.org

Southern Region
34948 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585
www.healthyliving.com

- 1b) Nuisance Odors should be discussed as to whether the project would create objectionable odors affecting a substantial number of people.

Toxic Air Contaminants (TACs) –are defined as air pollutants that which may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. The most common source of TACs can be attributed to diesel exhaust fumes that are emitted from both stationary and mobile sources. If the project is located near residential/ sensitive receptors, the proposed project should be evaluated to determine the health impact of TACs to the near-by receptors. If the analysis indicates that TACs are a concern, the District recommends that a Health Risk Assessment (HRA) be performed. If an HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. More information on TACs, prioritizations and HRAs can be obtained by:

- E-mailing inquiries to: hramodeler@valleyair.org; or
- Visiting the District's website at:
http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm.

- 2) If preliminary review indicates that a Mitigated Negative Declaration should be prepared, in addition to the effects identified above, the document should include:

2a) Mitigation Measures – If preliminary review indicates that with mitigation, the project would have a less than significant adverse impact on air quality, the effectiveness of each mitigation measure incorporated into the project should be discussed.

2b) District's attainment status – The document should include a discussion of whether the project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. Information on the District's attainment status can be found online by visiting the District's website at <http://valleyair.org/aqinfo/attainment.htm>.

- 3) If preliminary review indicates that an Environmental Impact Report (EIR) should be prepared, in addition to the effects identified above, the document should also include the following:

3a) A discussion of the methodology, model assumptions, inputs and results used in characterizing the project's impact on air quality.

3b) A discussion of the components and phases of the project and the associated emission projections, (including ongoing emissions from each previous phase).

- 4) Based on information provided to the District, the proposed project would equal or exceed 50 residential units and 2,000 square feet of commercial space; Therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review).

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

- 5) Particulate Matter 2.5 microns or less in size (PM_{2.5}) from under-fired charbroilers (UFCs) pose immediate health risk. Since the cooking of meat can release carcinogenic PM_{2.5} species like polycyclic aromatic hydrocarbons (PAH), controlling emissions from under-fired charbroilers will have a substantial positive impact on public health.

Charbroiling emissions occur in populated areas, near schools and residential neighborhoods, resulting in high exposure levels for sensitive Valley residents. The air quality impacts on neighborhoods near restaurants with UFCs can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises environmental concerns.

In addition, the cooking emissions source category is one of the largest single contributors of directly emitted PM_{2.5} in the Valley. Photochemical modeling conducted for the 2012 PM_{2.5} Plan showed that reducing commercial charbroiling emissions is critical to achieving PM_{2.5} attainment in the Valley.

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Sincerely,

Arnaud Marjollet
Director of Permit Services





Brian Clements
Program Manager

AM: dj



2600 Fresno Street-Third Floor
Fresno, California 93721-3604
(559) 621-8277 FAX (559) 488-1020

Development and Resource Management Department
Jennifer K. Clark, Director

**Project Comments from the Development Services Division
May 4, 2016**

PROJECT DESCRIPTION

Pre-application Review for 2740 East Shepherd Avenue was submitted by Brandon Broussard and pertains to 20.03-acres of property located on the north side of East Shepherd Avenue, between N. Somerville Drive and N. Willow Avenue. The site consists of Assessor's Parcel Number 568-010-20 which is currently an agricultural use. The applicant proposes to construct a 255-unit multiple-family residential development consisting of 2 and 3-story units, and 34,800 square feet of commercial retail shops, including two fast food drive-through facilities. Access is off East Shepherd Avenue and Yeargin Drive, sidewalks on Shepherd and Yeargin, with internal driveways and pedestrian walkways.

APN: 568-010-20 ADDRESS: 2740 E Shepherd Avenue

GENERAL INFORMATION

ZONING		
Existing	CMX (<i>Corridor Center Mixed Use</i>)	
Requested	N/A	
Pending	N/A	
PLANS		
Community Plan	Woodward Park	
Specific Plan	N/A	
Redevelopment	N/A	
PREVIOUS ACTIONS		
Applications	N/A	
Covenants/ Easements	N/A	
Development Agreements	N/A	
TRACT MAP or LOT SPLIT		

PROPERTY DEVELOPMENT STANDARDS

Use the website below to access the Zoning Ordinance (Chapter 15) to find more information on zoning/property development standard requirements:

<http://www.fresno.gov/NR/ronlyres/B8FCD661-4F6D-4B29-A1C2-6DF4E907D9A3/0/DevCodeSept2015CLEAN.pdf>

USE PERMITTED (Table 15-1102: Land Use Regulations – Mixed-Use Districts)					
CMX: The Corridor/Center Mixed-Use designation is higher intensity than Neighborhood Mixed-Use, and is intended to allow for horizontal and vertical mixed-use development in multiple story buildings along key circulation corridors where height and density can be easily accommodated. Ground-floor retail and upper-floor residential or offices are the primary uses, with personal and business services and public and institutional space as supportive.					
Multiple Family Residential and Commercial/Retail are permitted “by right”					
Drive-Through Facilities are permitted subject to a conditional use permit with specific limitations and additional regulations outlined in FMC Section 15-2728.					
Table 15-1103-1: Lot and Intensity Standards – Employment Districts					
Residential Density					
	Required	A minimum of 16 units per acre and a maximum of 30 dwelling units per acre. <i>Minimum densities are not required for projects submitted before January 1, 2019.</i>			
	Proposed	12.75 dwelling units per acre			
MAXIMUM FLOOR AREA RATIO (FAR)					
	Permitted	1.5			
	Proposed	0.12			
Table 15-1103-2: Building Form and Standards – Employment Districts					
BUILDING HEIGHT					
	Permitted	60’ Transition Standards apply where CMX District abuts an RS Residential Single-family District. * Setback buildings <u>30 feet within 40 feet, or 40 feet within 50 feet of an RS District.</u>			
	Proposed	2 story: 30 feet set back 20 feet from RS district. 3 story: 40 feet			
YARDS					
	Required Building Setback			Proposed Building Setback	
	Street Side (Shepherd)	No requirements		Street Side (Shepherd)	Residential: 16.7’ Commercial: 4.75’

	Front (Willow)	Max 10' for 70% of the coverage.		Front (Willow)	18' & 1.3'
	Rear (North)	20'		Rear (North)	20+
	Rear (West)	20'		Rear (West)	20+
	Required Landscaping Setback (note: per 15-2305-B-3: all required setback areas except areas used for exit or entry, shall be landscaped)			Proposed Landscaping Setback	
	Street Side (Shepherd)	No requirements		Street Side (Shepherd)	Varies Enhanced trail
	Front (Willow)	None		Front (Willow)	Varies Enhanced trail
	Rear (North)	None		Rear (North)	None
	Rear (West)	None		Rear (West)	None
	Required Parking Setback			Proposed Parking Setback	
	Shepherd (measured from curb)	30'		Shepherd (measured from curb)	30+
	Willow (measured from curb)	30'		Willow (measured from curb)	30+

LANDSCAPING

Areas to be Landscaped: (Section 15-2305)

A. **Parking Areas.** Parking areas shall be landscaped in compliance with Article 24, Parking and Loading.

B. **Required Setbacks.**

- a. **All Districts.** For permitted paved areas, refer to the underlying Base District.
- b. **Residential Uses with Four or More Dwelling Units and Mixed-Use.** All required setbacks, except for areas used for exit and entry, shall be landscaped.
- c. **Lot Perimeters.** Landscape buffers shall be installed and maintained along side and rear lot lines between differing land uses, in accordance with the sections of this article and the following standards:
- d. **Landscape Setback.** All areas between site perimeter walls/fencing and lot lines facing a street shall be landscaped. Landscaping shall be installed and maintained in accordance with the sections of this article and the following standards:
 1. Planting areas more than 10 feet in width shall be planted with medium and large trees and medium and large shrubs to span the entire length.
 2. Planting areas 10 feet or less in width shall at the very least be planted with small trees and small to medium size shrubs to span the entire length.
 3. Vines may be included for areas adjacent to concrete or masonry walls.
 4. The landscape design shall provide total wall/fence screening from top to bottom for the entire length within five years.
 5. Trees shall be planted so the canopies could touch for the entire length within fifteen years.

C. **Building Perimeters.**

- a. All portions of a building that face a public street shall have one or more landscape planters installed along a minimum of 20 percent of that building face. This standard does not apply where a building is located within three feet of a public sidewalk, in which case the building perimeter shall be paved and treated in a manner similar to the adjacent sidewalk.
- b. The minimum width of the planter shall be three feet. Planters may be raised or at grade and may include potted plants.

Landscape Design Standards: (Section 15-2306)

A. **Buffering and Screening.** Natural landscape materials (trees, shrubs, and hedges) must be used alone or with walls and/or berms to screen or buffer differing land uses, prevent graffiti, provide transition between adjacent lots, and screen the view of parking, storage, service areas, refuse collection facilities and enclosures, utility enclosures, drive-throughs, utility pipes and boxes visible from a public street, alley, or pedestrian space or walkway. Plant material must be mature enough at the time of planting and appropriately located to provide an effective buffer or screen within five years of planting.

B. **Water-Wise Landscaping.** Landscape designs shall feature plant species such as drought-tolerant and climate adaptive plants that thrive in the San Joaquin Valley region to take advantage of the adaptability of regionally appropriate plants to local environmental conditions and to conserve energy and water.

SPACE BETWEEN BUILDINGS		
	Main Buildings	§15-1104-B - RS Transition Standards apply
	Accessory Buildings	N/A
	Garages	N/A
FRONTAGE & CORNER FRONTAGE COVERAGE		
	Required	<p>Minimum Frontage Coveage: 70%</p> <p>Corner Frontage Coverage: Buildings on corner lots must be located within five feet of the street property line for the minimum length specified in Table 15-1103. Plazas maybe located at the street corner provided the plaza meets the requirements of Section 15-1104-E.1.c and buildings are built to the edge of the plaza.</p>
	Proposed	<p>Frontage: As proposed, the project does not meet the 70% frontage coverage. A variance shall be required.</p> <p>Corner Coverage: Proposed corner buildings are located within 5 feet of the property lines. There is an existing improved trail between the subject property and the street frontage. Project complies with corner coverage requirement.</p>
On-Site Open Space		
	Required	10%
	Proposed	TBD- Applicant to provide On-Site Open Space calculation in Site Summary or Site Data Tables on Exhibit A-1
Trails (Section 15-2003)		

	Required	<p>Access to trails shall be provided per Section 15-4109-B, Trails and Natural Features.</p> <ul style="list-style-type: none"> Homes should front onto a trail, or other communal area, unless: <ul style="list-style-type: none"> The proposed homes would face a Major Street; Development adjacent to a trail shall be planned to provide pedestrian access to the trail(s) at intervals of approximately 1 per 600 feet if homes or a commercial center back onto to the natural feature. The exact locations may be adjusted at the discretion of the Review Authority based on site conditions, safety, and pedestrian convenience. Should cul-de-sacs terminate near the feature, each cul-de-sac shall provide a path to the feature. Where development is backed onto an adjacent trail, privacy walls and security walls shall be set back from the trail by a minimum distance of 10 feet and such setback shall be landscaped to be compatible with the trail landscape. <p>To the extent feasible, vehicle crossings shall be limited to two per 660 feet.</p>
	Proposed	<p>Proposed homes front onto the trail/Willow Avenue frontage. Pedestrian access is provided at intervals less than the required amount distance.</p> <p>A 6' high wrought iron fence is proposed. Therefore, a 10 foot setback is not required.</p>
FENCES, HEDGES, WALLS (Section 15-2006 Fences, Walls, and Hedges)		

Required	<p>Fences, walls, dense hedges, and similar structures, collectively referred to as “fences” for purposes of this section, shall comply with the following standards.</p> <p>Fences shall comply with setback requirements unless a greater setback is required by an operative plan, adopted policy, or condition of project approval.</p> <p>Parking Lot Entrances. Fence and gate locations may need to provide greater setbacks to allow for vehicle stacking.</p> <p>Height and Location for All Other Districts (CMX)</p> <p>Front Yard</p> <p>a. <u>Wrought Iron or Tubular Steel.</u> A fence up to four feet in height may be installed on the front property line. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.</p> <p>b. All other fences are permitted up to three feet in height and shall comply with the main building setback, minus five feet.</p> <p>Street-Side Yard</p> <p>a. <u>Wrought Iron or Tubular Steel.</u> A fence up to four feet in height may be installed on the property line. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.</p> <p>b. All other fences are permitted up to three feet in height and shall comply with the main building setback, minus five feet.</p> <p>Interior and Rear Yards. Fences may be placed on property lines.</p> <p>Other Yards. Outside of the required front yard and street-side yards, the maximum height for fences is seven feet (regardless of location on the site) unless the fence is part of Outdoor Storage per Section 15-2013, Outdoor Service Yards and Storage.</p> <p>Bollards. Bollards, up to three feet in height may be placed at the rear of required landscape areas.</p> <p>Decorative Features. Fences, greater than 125 feet in length in Residential Districts and/or along Major Streets, shall incorporate decorative pilasters with decorative caps spaced no more than 30 feet apart. This shall not apply to industrial districts, unless the industrial district is located on the same side of the street as existing, planned, or zoned residences.</p>
Proposed	<p>A six foot high wrought iron fence is proposed along the street side yard of the residential portion along Shepherd and in front of the residential portion that fronts Willow.</p> <p>The section of the fence that faces Willow shall stay out the right of way and remain along the property line.</p> <p>A seven foot high block wall is proposed along the interior side and rear lines.</p> <p>Applicant shall incorporate decorative pilasters into wrought iron fencing.</p>

OFF-STREET PARKING		
Required	Table 15-2408: Required On-Site Parking Spaces, Mixed Use Districts	
	<u>Residential</u>	
	<ul style="list-style-type: none"> • Studio or 1 bedroom = .75 space; • 2 bedroom = 1 space; • 3 or more bedrooms = 1.5 spaces. • Required parking shall be covered. One additional space must be provided for every 4 units for projects greater than 4 units. 	
	48 one bedroom units x .75 = 36 required spaces.	
	147 two bedroom units x 1 = 147 required spaces	
	60 three bedroom units x 1.5 = 90 required spaces.	
	= 273 / 4 = 68 additional spaces required	
	= 273 = 68 = 341 required spaces (273 covered)	
	<u>Non-Residential</u>	
	1 space per 600 square feet 34,800 SF/ 600 = 58 spaces required.	
	Section 15-2414: Location of Required Parking	
	Front and Street-Side Setbacks. No parking spaces shall be located within the front and street side setback areas. In single-family districts it is appropriate to park vehicles on driveways, however this parking shall not count towards meeting the required parking.	
	Section 15-2429: Bicycle Parking	
	<u>Residential</u>	
	Short-term bicycle parking: None required.	
	Long-term bicycle parking: 1 bicycle space per 15 units , not required if units provide individual garages.	
	<u>Commercial</u>	
	Short Term bicycle parking: 2, or 1 per 10,000 sq. ft. of net building area whichever is greater; Or, Per the California Green Building Standards, whichever is greater. 7 spaces required	
	Long Term bicycle parking: Per the California Green Building Standards Code	

	Proposed	335 garage 208 open 543 Total 4 bicycle parking spaces provided. Provide a minimum of 7 bicycle parking spaces.
ACCESS (Section 15-2418 Parking Access)		
	Required	Vehicular access from a dedicated and improved street or alley to off-street parking and loading facilities on the property requiring off-street parking and loading. The design of said access to withstand industrial usage shall be approved by the Department of Public Works.
	Proposed	Two points of access are proposed.
OUTDOOR ADVERTISING		
	Permitted	Subject to the provisions in Article 26 Signs
	Proposed	Site plan and operational statement does not include outdoor advertising.
LOADING SPACES		
	Required	The provisions of Section 15-2430 shall apply. 1 space required for 7,000 – 40,000 square feet.
	Proposed	No loading spaces are proposed. Provide 1 loading space.
TREES (Section 15-2308 Trees & Section 15-2422 Parking Lot Trees)		

Required	<p>A minimum of 50% parking lot shading is required.</p> <p>Multi-Family Residential and Mixed-Use Districts. A minimum of one tree per unit.</p> <p>255 units = 255 trees required.</p> <p>Parking Lot Trees: (Section 15-2422)</p> <p>1. Shading Required. Provide one tree for each two parking spaces, unless it can be demonstrated to the satisfaction of the Review Authority that less trees can be provided and 50 percent parking lot shading would still be met.</p> <p>208 open spaces = 104 parking lot trees requires.</p> <p>2. Shade may be provided by canopies, shade structures, trees, or other equivalent mechanism. If shade is provided by trees, the amount of required shading is to be reached within 15 years.</p> <p>3. Distribution. Trees shall be distributed relatively evenly throughout the parking area.</p> <p>4. Species. Required trees for parking lots shall be selected from a list maintained by the City.</p> <p>5. Size. All trees shall be a minimum 15-gallon size with a one-inch diameter as measured 48 inches above natural grade.</p> <p>255 + 104 = 359 total on-site trees required.</p> <p>Bicycle Parking: Section 15-2429 (short term & long term)</p> <p>Per the California Green Building Standards Code</p>
Proposed	Provide tree count analysis on landscape plans

SUMMARY AND OTHER COMMENTS /REQUIREMENTS

A. Miscellaneous

- (1) Provide shade calculations on the landscape plan for parking lot shading in accordance with the **attached** *Development Department, Performance Standards for Parking Lot Shading*, including tree species and tree counts.
- (2) See the **attached** Notes and Requirements for Entitlement Applications for additional general notes and requirements.
- (3) An Indirect Source Review (ISR) must be submitted to the San Joaquin Valley Air Pollution Control District. Provide documentation that this has been submitted to the Air District.

B. Local Plans and Policies

- (1) Fresno General Plan
 - Subject to General Plan Design Guidelines (**attached**)

Attachments: General Notes and Requirements for Entitlement Applications
General Plan Design Guidelines

Other Requirements:

Section 15-2015 Outdoor Light and Illumination:

- *Multiple-Unit Residential Buildings.* Aisles, passageways, recesses, parking areas, carports, garages, etc., related to and within the building complex shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandal-resistant covers.
- *Pedestrian-Oriented Lighting.* In Multi-Family, Mixed-Use, and Commercial Districts, exterior lighting with an intensity of at least 0.25 foot-candles at the ground level shall be provided for a secure nighttime pedestrian environment by reinforcing entrances, public sidewalks and open areas with a safe level of illumination.
- *Non-Residential Buildings.* All exterior doors, during the hours of darkness, shall be illuminated with a minimum of 0.5 foot-candle of light.
- *Trails/Paseos.* As determined by the Public Works Director.

Section 15-2016 Trash and Refuse Collection Areas

Location:

1. Solid waste and recycling storage areas shall not be located within any required setback or any landscaped areas except where a rear yard abuts an alley. Where a rear yard abuts an alley, the solid waste and recycling storage area may be located within the required rear yard setback however the gates may not swing open into the alley.
2. In non-residential developments that abut a Residential District, enclosures shall be located as far as possible from the residential district as feasible and be proximate to the non-residential development. Enclosure gates shall not open into drive aisles and shall not block the visibility of pedestrians and drivers. Refer to Section 15-2018, Intersection Visibility.
3. Solid waste and recycling areas shall be consolidated to minimize the number of collection sites and located so as to reasonably equalize the distance from the building spaces they serve.
4. Solid waste and recycling storage areas shall be accessible to haulers. Storage areas shall be located so that the trucks and equipment used by the solid waste and recycling collector(s) have sufficient maneuvering areas and, if feasible, so that the collection equipment can avoid backing. Project applicants are responsible for procuring current equipment size and turning radius from the City or its contracted solid waste and recycling collector(s).

Landscaping. When visible from a Major Street or a Local Street that serves residential neighborhoods, the perimeter of enclosures, excluding gates, shall be planted, with drought-resistant landscaping, including a combination of shrubs and/or climbing evergreen vines. This subsection does not apply to Industrial Districts.

Section 15-2307: General Landscaping Standards

Section 15-2309: Irrigation Specifications

Section 125-2310: Installation and Completion

Section 125-2311: Maintenance

Section 15-2419 Parking lot Surface Standards:

C. Surfacing. All parking areas shall be graded, paved, and improved and all sites shall be properly drained and subject to the approval of the City Engineer. No unpaved area shall be used for parking unless used as Temporary Parking per Section 15-2760.

Section 15-2420: Parking Area Lighting:

15-2421 Parking Lot Landscaping

A. Heat Island Reduction. A heat island is the increase in ambient temperature that occurs over large paved areas compared to natural landscape. In order to reduce ambient surface temperatures in parking areas, areas not landscaped shall be shaded, of light colored materials with a Solar Reflectance Index (SRI) of at least 29, or a combination of shading and light colored materials as follows:

1. All Other Districts: At least 50 percent.
3. Exception: This requirement shall not apply to truck loading and parking areas within Employment Districts.

B. Landscaping. Landscaping of parking areas shall be provided and maintained according to the general standards of Article 23, Landscape, as well as the standards of this subsection.

Perimeter Parking Lot Landscaping. The following shall apply to Multi-Family, Mixed-Use, Office and Commercial developments.

1. Layout. Landscaped areas shall be well-distributed throughout the parking lot area. A minimum of 10 percent of any parking lot area shall be landscaped. For the purpose of calculating required parking lot landscaping, parking lot areas are deemed to include parking and loading spaces as well as aisles, vehicle entry and exit areas, and any adjacent paved areas. Parking lot area does not include enclosed vehicle storage areas. Parking lot landscaping may be provided in any combination of:
 - a. Landscaped planting strips between parking areas and adjacent buildings or internal pedestrian walkways;
 - b. On-site landscaping at the parking lot perimeter.

Section 15-2422 Parking Lot Trees

Trees required for parking lots are in addition to trees required elsewhere on the site as prescribed in other sections of this Code.

B. Mixed-Use and Non-Residential Districts.

1. Shading Required. Provide one tree for each two parking spaces, unless it can be demonstrated to the satisfaction of the Review Authority that less trees can be provided and 50 percent parking lot shading would still be met.
2. Shade may be provided by canopies, shade structures, trees, or other equivalent mechanism. If shade is provided by trees, the amount of required shading is to be reached within 15 years.
3. Distribution. Trees shall be distributed relatively evenly throughout the parking area.
4. Species. Required trees for parking lots shall be selected from a list maintained by the City.
5. Size . All trees shall be a minimum 15-gallon size with a one-inch diameter as measured 48 inches above natural grade.

NWC Shepherd & Willow Mixed-Use Development

Operational Statement

The NWC Shepherd & Willow Mixed-Use Development is being submitted by Heritage Development Company, who is requesting authorization to develop and manage a mixed use project consisting of 255 gated multifamily units and approximately 34,800 square feet of commercial/retail uses.

Project Details

- Project site address: 20 acres at the northwest corner of Shepherd and Willow Avenues
- Assessor's parcel number: 568-010-20
- Existing General Plan land use designation: Corridor Mixed Use (CMX)
- Existing zone district: Exclusive Agricultural AE-5
- Community plan: Woodward Park Community Plan area
- Current use: The existing site is currently in an agricultural use.

Outreach Plan

The project applicant plans to have a neighborhood meeting within 30-45 days of submittal. We intend to share information about the project and obtain feedback regarding the proposed development plan. The project team will make efforts to meet with concerned neighbors and follow up with stakeholders as needed.

Neighborhood Compatibility

This project is designed to integrate into the surround neighborhood in several ways. The multifamily component of the project is designed to effectively buffer from the neighboring single family residences by locating higher density and commercial components in the center of the project and oriented towards Shepherd and Willow Avenues. The specific strategies proposed include:

- Development of paired homes along the western and northern boundaries. This product type is designed with privacy in mind, as there will only be one unit per building adjacent to the property line.
- Buildings will be placed 20 feet from the property line, and the setback area will be landscaped.
- Side elevations of the product adjacent to single family residential will be designed with higher windows on the second story to prevent line of sight into single family backyards.
- Wooden fence will be replaced with ornamental block wall.
- The project will be professionally managed with 24-hour service.

The entire project is designed with to integrate the trail and allow pedestrian connectivity. The commercials uses will be an amenity for the surrounding neighborhood by providing desired goods and services, as well as community spaces and activity areas.

Relevance to the Fresno General Plan

The project places heavy emphasis on many of the planning principles and design consideration identified in the Fresno General Plan. The current conceptual plan puts importance on housing diversity, neighborhood compatibility, pedestrian walkability, trail integration, and activity spaces. Specifically, the proposed development supports and meets the following General Plan objectives:

1. LU-2 Infill Development and Redevelopment
2. LU-5 Diverse Housing Stock
3. LU-6 Enhanced Commercial Development
4. LU-10 Regional Cooperation on Land Use
5. D-1 "Sense of Place"
6. D-2 "Gateway" Routes
7. D-3 Distinctive Landscaping
8. D-4 Safe, Walkable, and Attractive Urban Environment
9. MT-1 Multi-Modal Transportation
10. MT-4 Bicycles (Trails)
11. MT-5 Pedestrian Facilities (Walkability)
12. MT-6 Trails and Paths
13. POSS-1 High Quality Parks
14. POSS-3 Park Design

Detailed Description of Project Uses

The proposed development consists of two multifamily product types. The first is 80 units of two-story paired homes (townhomes), designed to provide a buffer and transition from the neighboring single family residences. The second is 175 units of three-story, stacked-flat, walk-up units, located in the heart of the project, adjacent to the Sugar Pine trail and proposed commercial uses. In total, there will be 56 1-bedroom, 139 2-bedroom, and 60 3-bedroom units. Each unit will have at least one garage (two garage spaces for each paired home), with an overall multifamily parking ratio of 2.1. The multifamily portion of the project will also include a clubhouse and recreational area (approximately 5,500 square feet), which will include a fitness area, club room, kitchen, business center, swimming pool, and other amenities. The project also features 3 additional outdoor activity areas, including a kid's play area and dog park.

The commercial/retail portion of the project is designed as a trail-oriented development, offering several pedestrian access points from the trail and 3 connection points to the multifamily uses. There are several activity areas within the commercial/retail project including an entry park designed to be a place for residents and patrons, a paseo for outdoor dining between the shop buildings, and corner patio area between the pad buildings closest to the intersection. The project applicant intends to have a tenant mix of eating establishments and neighborhood serving uses. Parking for the commercial/retail use is spread relatively evenly, with a total parking count of 230 stalls resulting in a parking ratio of 6 per 1,000 square feet of retail (to be finalized based on tenant mix).

Hours of Operation, Employees, Daily Users

The proposed hours of operation are as follows:

- The primary multifamily entry located off Shepherd Avenue will be open during the day while the leasing office is open, which is currently planned for 9:00 am to 6:00 pm hours of operation. At all other times, the gate will be closed with access via remote entry and call box.
- The secondary resident gate located off Jeargin will remain closed with remote access only.
- The retail center is currently planned to be open during tenant hours, which could be from 5:00 am to midnight.

Number of employees will depend on the tenant mix, but the development will be a job generator for the City of Fresno

The project traffic study included with this application addresses number of daily trips.

Security Measures

The multifamily portion of the project will be gated. A security plan and management program for entire project will be put into place.

Other Pertinent Matters

- Open space and landscape
 - o The project has several open space areas, including multiple access points to the trail on the south and east sides of the project.
 - o There are open space/activity areas for both the multifamily and commercial portions of the project.
 - o All landscaping will include drought tolerance materials and irrigation techniques.
- Trail Oriented Commercial Design
 - o All commercial/retail uses are oriented towards the trail and intersection. This will increase privacy for the neighboring homes while offering the community new services and amenities.
 - o The project is designed with the trail in mind, which is reflected by multiple access points, several open space areas, and our desire to attract tenants that would benefit by proximity to the trail.
 - o Pad buildings along the trail are located at or near the property line.
- Trash Service
 - o Paired homes – we are proposing three sets of trash compartments for this product type. If possible, we would like to include a trash and recycling bin in each compartment.
 - o Stacked-flat, walk-ups – we are proposing 5 sets of trash compartments in the garage court areas.
 - o Commercial retail – we are proposing 3 sets of trash compartments, all which will be screened and professional managed.

- Drive-Thru Pads Alternatives
 - o The site plan shows two drive-thru pads, although we would like to include an alternative option where the drive-thru and pad building (3,000SF) on Shepherd could be replaced with a larger pad building (4,000SF), no drive-thru.
 - o We also would like to address a comment from the DRC letter, which states that “the stacking lane cannot face the street.” We believe that our proposed plan with stacking along the trail provides will provide for the most pedestrian friendly and visually appealing outcome. We request a variance on this issue, per Article 55 of the new development code, as this property has “unique and special conditions” with both exterior perimeters bounded by trails.
- Trail Landscaping
 - o We would like to propose enhanced landscaping for the trail adjacent to the project. The landscape plan would be approved by the City, but installed and maintained by the project applicant.
 - o As part of a cohesive development plan, we would like to include project signage within the trail.
- Entry Points
 - o There will be two entry points to the project, which includes a traffic signal on Shepherd and a modified entry off Jeargin.
 - o An emergency vehicle access point is provided off Shepherd on the west side of the project.

City of Fresno Notes and Requirements for Entitlement Applications

(Note: Not all requirements will be applicable to all projects)

GENERAL

1. Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. *This special permit is granted, and the conditions imposed, based upon the Operation Statement provided by the applicant. The Operation Statement is material to the issuance of this special permit. Unless the conditions of approval specifically require operation inconsistent with the Operation Statement, a new or revised special permit is required if the operation of this establishment changes or becomes inconsistent with the Operation Statement.* Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the special permit or any other enforcement remedy available under the law. The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.
2. No uses of land, buildings, or structures other than those specifically approved pursuant to this site plan shall be permitted.
3. Development shall take place in accordance with the Standards, Specifications, and Standard Drawings of the City of Fresno Public Works Department; <http://www.fresno.gov/Government/DepartmentDirectory/PublicWorks/DeveloperDoorway/Technical+Library/StandardSpecificationsandDrawings.htm>
4. Development shall take place in accordance with all city, county, state and federal laws and regulations.
5. Owners and persons having ownership interest in businesses operating in the City of Fresno (including leasing out any commercial or industrial property, or renting out four or more dwelling units) are required by the Fresno Municipal Code to obtain a Business Tax Certificate. Contact the City of Fresno Finance Department's Business Tax Division at (559) 621-6880 for more information. Information and an application form is available at the following website: <http://www.fresno.gov/Government/DepartmentDirectory/Finance/BusinessLicenseandTax/businessstaxapplication.htm>
6. All proposed building(s) or structure(s) constructed on the property must comply with the prevailing California Building Code Standards.
7. Any building modifications and/or additions not included with this application are not approved with this special permit and would be subject to a new special permit.

City of Fresno Notes and Requirements For Entitlement Applications

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8. For projects initiated in response to code enforcement action, the exercise of rights granted by this special permit must be commenced by six months. Completion of the project, including improvements, shall occur by 12 months.

FENCES/WALLS, LANDSCAPING, PARKING

9. Temporary fences to secure projects under construction are allowed. Any temporary fence shall be adequately secured and constructed to prevent overturning due to wind, vandalism, and/or casual contact by the general public. The construction shall be performed in such a manner as to minimize any potential safety hazard, which may occur as a result of improper fence installation or damage to the fence.
10. Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation.
11. No structures of any kind (*including signs and/or fences*) may be installed or maintained within the required-landscaped areas. No exposed utility boxes, transformers, meters, piping (excepting the backflow prevention device), etc., are allowed to be located in the landscape areas or setbacks or on the street frontages of the buildings. All transformers, etc., shall be shown on the site plan. The backflow device shall be screened by landscaping or such other means as may be approved.
12. Provide shade calculations on the landscape plan for parking lot shading in accordance with the attached *Development Department, Performance Standards for Parking Lot Shading*, including tree species and tree counts.
13. Disperse trees over the parking lot area to provide 50 percent shading of the parking area surface within 15 years. (This requirement may be reduced to 40 percent for existing development if it is demonstrated that the constraints of an existing site would make it impossible to meet the normal standards.) Trees shall also be planted in the required landscaped area along the periphery of the development in order to shade and enhance adjacent property and public rights-of-way. Refer to the attached "Performance Standards for Parking Lot Shading," for the tree list and further details.
14. Trees shall be maintained in good health. However, trees may not be trimmed or pruned to reduce the natural height or overall crown of the tree, except as necessary for the health of the tree and public safety; or as may otherwise be approved by the Development and Resource Management Department.
15. Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division. **(Include this note on the site and landscape plans.)**

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16. Prior to final inspection, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division, Development Department.
17. Future tenant improvements shall be reviewed and approved by the Development and Resource Management Department to ensure that adequate off-street parking is provided.
18. The parking lot design must accommodate the provision of trees in accordance with the attached Parking Lot Shading Policy.
19. A minimum number of accessible parking stalls are required for the proposed project per State of California Building Code, "Development Requirements for Handicapped Accessibility."
20. All accessible stalls shall be marked with the international symbol of spaces and a warning that vehicles in violation of Section 10-1017 of the Municipal Code shall be towed away. The international symbol and tow-away warning shall be posted conspicuously on seven-foot poles. **(Include this note on the site plan.)**
21. All accessible parking stalls shall be placed adjacent to facility access ramps or in strategic areas where the handicapped shall not have to wheel or walk behind parked vehicles while traveling to or from accessible parking stalls and ramps. **(Include this note on the site plan.)**
22. Lighting where provided to illuminate parking, sales or display areas shall be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works. **Depict all proposed lights on the site plan.**
23. Bicycle parking spaces shall be supplied at a rate of 10% of the automobile spaces provided pursuant to Section 12-306-I-2.1c of the Fresno Municipal Code (FMC). Bicycle parking spaces shall each consist of one slot in a bike rack. They shall be grouped in racks which allow four feet of clearance on all sides. There shall be adequate space between rack slots to park, lock, and remove bicycles. Bicycle parking spaces and the required four-foot clearance shall be protected from motor vehicle encroachment by means of fixed barriers not less than six inches or more than three in height. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open spaces, and shall be located proximal to structures.
24. All general provisions of Section 12-306-I of the FMC shall apply to all parking areas. http://library.municode.com/HTML/14478/level3/MUCOFR_CH12LAUSPLZO_ART3GE_COAPZO.html#MUCOFR_CH12LAUSPLZO_ART3GECOAPZO_S12-306PRDEST

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SIGNAGE

25. All future signs shall be architecturally compatible with the proposed building(s). Provide a set of drawings, with descriptive information, including, materials, design and colors to allow for a preliminary assessment of the future signage. It is recommended that you provide a copy of the signage early in the project process to allow for staff comment.
26. Signs, *other than directional signs, if applicable*, are not approved for installation as part of this special permit. **(Include this note on the site plan.)**
27. All proposed signs shall conform to the current sign ordinance. Applications for a sign permit and requirements for submittal are available at the Development and Resource Management Department's Public Front Counter or online at <http://www.fresno.gov/Government/DepartmentDirectory/PlanningandDevelopment/Planning/SignsandBanners.htm>
28. Window signs are limited to four square feet in area, providing information about hours of operation and emergency, sale or rental information only. Exterior signage such as banners, flags and pennants are prohibited. However, special event banner signs are permitted for 30 days if approved by the Development and Resource Management Department, attached to the building, and not exceeding 32 square feet in area.
29. Permanent window signs over six square feet in area can be submitted for approval under a sign review application.

MISCELLANEOUS

30. Noise levels shall not exceed the decibel levels described in Section 10-102.b of the FMC at anytime, measured at the nearest subject property line. http://library.municode.com/HTML/14478/level3/MUCOFR_CH10REREPUNUREPRCOUS_ART1NORE.html#MUCOFR_CH10REREPUNUREPRCOUS_ART1NORE_S10-102DE
31. There shall be adequate vehicular access from a dedicated and improved street or alley to off-street parking and loading facilities on the property requiring off-street parking and loading. Vehicular and/or pedestrian access shall be provided and shall remain clear at all times.
32. The address listed in the conditions of approval is the 'Official Address' given to the building. If you would like separate suite or unit numbers for a building, provide a floor plan and contact the City of Fresno Development and Resource Management Department for 'Official Addresses'. **Only those addresses assigned by the City of Fresno will be recognized as 'Official Addresses'**. The United States Post Office will only recognize addresses assigned by the City of Fresno. If a non-official address is given to a building and or/separate suites, the City of Fresno has the authority to

City of Fresno Notes and Requirements For Entitlement Applications

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charge a fee and have those addresses corrected. In addition, the United States Post Office will cease mail delivery to those addresses that are not 'Official Addresses'.

33. All projects, including projects that involve less than one acre of property, are required to comply with the City of Fresno's Urban Storm Water Quality Management and Discharge Control Ordinance, FMC Chapter 6, Article 7 (FMC Sections 6-701 *et seq.*)

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

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

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

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

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

34. Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
35. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately. **(Include this note on the site plan.)**
36. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (Phone: (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (Phone: (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists. An archeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation. **(Include this note on the site plan.)**

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37. If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist and, if the paleontologist determines the material to be significant, it shall be preserved. **(Include this note on the site plan.)**
38. Connection to a municipal water system is required unless approved measures are included in the project conditions of approval for an alternative water supply.
39. Connection to a municipal City of Fresno sewer system is required unless approved measures are included in the project conditions for alternative wastewater treatment facilities.
40. City of Fresno water and sewer connection charge obligations applicable to this project will be computed during the building construction plan check process and shall be payable at time of issuance of building permit unless other arrangements have been approved to defer such payments to a later date. For information relating to water and sewer service requirements and connection charges, contact Frank Saburit at (559) 621-8277.
41. Open street cuts are not permitted; all utility connections must be bored.
42. CROSS-CONNECTION CONTROL. A backflow prevention device may be required on the water service. Contact the Department of Public Utilities, Water Division (559) 621-5300 for requirements relating to approved devices, locations, testing and acceptance. This requirement must be satisfied prior to final occupancy.
43. This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of the Development and Resource Management when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.
44. Outdoor storage of materials, including ISO containers, is prohibited. All materials shall be stored within a completely enclosed building, unless approved by the Development and Resource Management Department. **(Include this note on the site plan)**
45. If video surveillance cameras are required or installed, provide signs under the surveillance cameras which notify the public that the subject property is monitored by video surveillance.

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FEES

(Not all fees will be applicable to all projects)

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

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- e) Reuse being more intensive than the original use, the developer shall be required to pay the difference between the current amount of the Street Impact Fee obligation for the old use and the current amount of the Street impact Fee obligation for the new use.

49. FRESNO COUNTY FACILITY IMPACT FEE

Fresno County adopted a Facilities Impact Fee, but the requirement to pay this fee was subsequently suspended by Fresno County. If the fee has been reinstated at the time of issuance of building permits for this project, or an alternative fee system has been adopted by Fresno County, proof of payment or payment of this fee will be required for issuance of building permits.

50. REGIONAL TRANSPORTATION MITIGATION FEE (RTMF)

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

51. SCHOOL FEES

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

52. FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD) FEES

- a) A FMFCD Development Fee is required for review of proposed development projects, including applications for plan amendments, rezones, special permits, subdivisions, and grading plans. This fee is based on project acreage and must be paid directly to FMFCD in order for that agency to review projects and provide a Notice of Requirements. For more information, contact Fresno Metropolitan Flood Control District at (559) 456-3292.
- b) FMFCD drainage fees are due, if required, prior to issuance of building permits and are payable at the rate in place at the time of building permit issuance. Unpaid drainage fee obligations that were unpaid for a prior project at the site of a new project must be satisfied by the developer of the new project. Drainage fees may be paid at the Development and Resource Management Department prior to, or at the time of building permit issuance. They may also be paid directly to FMFCD, and proof of payment provided to the City, in order to obtain construction permits.

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

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

City of Fresno Notes and Requirements For Entitlement Applications

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

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

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

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

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



CERTIFICATION OF THE INSTALLATION OF REQUIRED LANDSCAPING AND LANDSCAPE IRRIGATION SYSTEM

City of Fresno Planning and Development Department
2600 Fresno Street Room 3043
Fresno, California 93721-3604

ATTN: _____
[printed name of planner who processed the project listed below]

REGARDING: _____
[Conditional Use Permit No. / Site Plan Review No./ Variance No. / Tract No.]

I, _____, hereby certify, under penalty of perjury, that all
[printed name of landscape professional]
landscaping and related irrigation system improvements have been installed as required
pursuant to the final corrected landscape plans/exhibits approved by the City of Fresno for the
above development project. These landscape exhibits, numbered _____,
[numbers from entitlement file]
were submitted on _____ and were approved on _____
[date] [date]
by the above-named planner.

Certified by: **X** _____
[signature of landscape professional]

Certified on: _____
[date signed] [type of license, and license number of the signer]

Telephone (with area code): (_____) _____

Business Address: _____
