



## DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

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

Jennifer K. Clark, Director

July 5, 2017

Please reply to:  
Kira Noguera  
(559) 621-8091

Surina Mann  
Figarden Petroleum, Inc.  
2190 Meridian Park Boulevard, Suite G  
Concord, CA 94520

Dear Ms. Mann:

**SUBJECT: CONDITIONAL USE PERMIT APPLICATION NO. C-17-013 FOR  
PROPERTY LOCATED AT 5647 NORTH FIGARDEN DRIVE (APN:  
509-290-07)**

The Development and Resource Management Department approved the above application on July 5, 2017 subject to the conditions of approval listed below. Conditional Use Permit Application No. C-17-013 was filed by Julio Tinajero of Milestone Associates, on behalf of Surina Mann of Figarden Petroleum, and pertains to ±2.41 acres of property located on the southwest corner of North Figarden Drive and West Bullard Avenue. The applicant proposes development of a commercial center consisting of a 3,764 square-foot convenience store, an ARCO fuel facility consisting of eight multi-product fuel dispensers under an overhead canopy, a 4,000 square-foot retail building, and a 3,462 square-foot quick serve restaurant with a drive-through service window. A request to establish a State of California Alcoholic Beverage Control Type 20 alcohol license (Package Store – sale of beer and wine for consumption off the premises where sold) for the ampm convenience store was denied.

The property is zoned CC/UGM (*Commercial – Community/Urban Growth Management*). A Negative Declaration was prepared for Environmental Assessment No. C-17-013 dated June 12, 2017. The approval of this project is subject to compliance with the following Conditions of Approval:

### CONDITIONS OF APPROVAL

#### PART A – ITEMS TO BE COMPLETED

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

Planner to check when completed		
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<input type="checkbox"/>	1.	Development shall take place in accordance with redlined Exhibits A-1, E-1, E-2, E-3, E-4, E-5, F-1, and F-2 dated June 22, 2017. Transfer all red line comments and conditions to the corrected exhibit(s) <b>and submit to planner prior to issuance of building permits.</b>
	2.	No alcohol sales are permitted at this location. The applicant shall not establish a Type 20 alcohol license (Package Store – sale of beer and wine for consumption off the premises where sold) for the ampm convenience store.
<input type="checkbox"/>	3.	Revise Site Plan to show a screen wall in accordance with Section 15-2008 of the Fresno Municipal Code (FMC).
<input type="checkbox"/>	4.	Comply with comments from Department of Public Works, Traffic and Engineering dated April 12, 2017. Title report to be submitted <b>prior to submittal for building permits.</b> Dedications may be required upon verification of the right of way.
<input type="checkbox"/>	5.	Dedications for the project may be required. Deed documents (up to 2 month processing time) 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 <b>prior to the issuance of building permits.</b> Contact Jeff Beck at (559) 621-8560 or jeff.beck@fresno.gov.
<input type="checkbox"/>	6.	Corrected exhibits must include all corrections redlined from Public Works, Traffic Engineering <b>prior to issuance of building permits.</b>
<input type="checkbox"/>	7.	<b>Prior to issuance of building permits</b> , submit a Community Facilities District Annexation Request to the Public Works Department. Contact Ann Lillie at (559) 621-8690; or, via email at <a href="mailto:Ann.Lillie@fresno.gov">Ann.Lillie@fresno.gov</a> . See memorandum from the Public Works Department, Traffic and Engineering Services Division related to maintenance requirements referenced herein below for further information.
<input type="checkbox"/>	8.	The project shall pay the Traffic Signal Mitigation Impact (TSMI) Fee <b>prior to issuance of building permit.</b> See memorandum from the Public Works Department, Traffic and Engineering Services Division Manager referenced herein below for further information.
<input type="checkbox"/>	9.	The project shall pay the Fresno Major Street Impact (FMSI) Fee, <b>prior to issuance of building permit.</b> (This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.) See memorandum from the Public Works Department, Traffic and Engineering Services Division Manger referenced herein below for further information.
<input type="checkbox"/>	10.	Provide proof of payment (or exemption based on vested rights) of the Regional Transportation Mitigation Fee (RTMF) <b>prior to issuance of building permit.</b> Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno CA 93721; (559) 233-4148, ext. 200; <a href="http://www.fresnocog.org">www.fresnocog.org</a> .



<input type="checkbox"/>	11.	Submit two 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. <b>These plans must be reviewed and approved prior to issuance of building permits.</b>
<input type="checkbox"/>	12.	Landscaping must be in place <b>before issuance of the certificate of occupancy</b> . 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"/>	13.	<b>Prior to final inspection</b> , 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"/>	14.	Comply with lighting conditions, Section 15-2015 Outdoor Lighting and Illumination of the Fresno Municipal Code (FMC), and demonstrate that the project will not create significant direct glare beyond on the boundaries of the property. Revise Site Plan to fully depict lighting plans.
<input type="checkbox"/>	15.	An Indirect Source Review (ISR) must be submitted to the San Joaquin Valley Air Pollution Control District prior to project approval. Provide documentation that this has been submitted to the Air District. Consult with the San Joaquin Valley Air Pollution Control District to identify additional District rules or regulations that apply to this project, as noted in their memo dated March 31, 2017, <b>prior to issuance of building permits.</b>
<input type="checkbox"/>	16.	Pay all applicable Fresno Metropolitan Flood Control District Fees <b>prior to issuance of building permits.</b>

## PART B – OTHER REQUIREMENTS

### 1) Planning/Zoning/Environmental Compliance Requirements

- a. Development shall take place in accordance with the policies of the Fresno General Plan and the Bullard Community Plan.
- b. Development shall take place in accordance with the CC/UGM (*Commercial – Community/Urban Growth Management*) zone district.
- c. Development shall take place in accordance with the Comments from Planning/Development Standards dated July 5, 2017.
- d. Development shall take place in accordance with the operational statement dated October 14, 2016.



- e. All fences, hedges and walls shall conform to Section 15-2006 of the FMC.
- f. All on-site lighting shall conform to Section 15-2508 of the FMC.
- g. All elevations shall conform to Section 15-2011 Screening of Mechanical and Electrical Equipment of the FMC.
- h. The addresses of the new structures shall be assigned prior to application for building permit. Suite numbers shall be assigned at the time individual tenants submit plans for building permits.

## 2) City and Other Services

- a. Development shall take place in accordance with the attached memoranda and letters from City of Fresno Departments and partner agencies, including:
  - Department of Public Works, Traffic and Engineering dated April 12, 2017, including the Review of Traffic Impact Study comments dated March 14, 2017;
  - Department of Public Works, Median Island Maintenance dated March 22, 2017;
  - Department of Public Utilities, Planning and Engineering Division (Sewer) dated March 6, 2017;
  - Department of Public Utilities, Solid Waste dated March 8, 2017;
  - Department of Public Utilities, Water Division dated March 20, 2017;
  - Fresno Fire Department dated February 28, 2017;
  - Fresno Police Department dated March 28, 2017;
  - San Joaquin Valley Air Pollution Control District dated May 31, 2017;
  - Fresno Unified School District dated March 23, 2017;
  - County of Fresno, Department of Public Health dated February 23, 2017;
  - Fresno Metropolitan Flood Control District dated March 8, 2017;
  - Fresno Irrigation District dated March 2, 2017.

## 3) Miscellaneous Requirements

- a. 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.

- 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. 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.

## **APPEALS**

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 conditional use permit 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.

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 Section 15-5506 can be made. Discretionary conditions of approval will ultimately be deemed mandatory unless appealed in writing to the Director within 15 days. In the event you wish to appeal the Director's decision, you may do so by filing a written appeal with the Director. The appeal shall include the appellant's interest in or relationship to the subject property, the decision or action appealed and specific reasons why the applicant believes the decision or action appealed should not be upheld.

If you wish to appeal the decision, a written request must be received at the Development and Resource Management Department in accordance with section 15-5017 of the FMC by **July 20, 2017**. The written request should be addressed to Jennifer K. Clark, Director, and include the application number referenced above and a statement of reasons for the appeal.

## **BACKCHECK PROCESS**

**Please Note:** To complete the back-check process for building permits relative to planning and zoning issues, submit three copies of this corrected, final site plan to Kira Noguera in the Development Services Division for final review and approval before applying for building permits.

It may be necessary to resubmit these "corrected exhibits" a second time if not all the conditions have been complied with or are not shown on the exhibits. Once the "corrected exhibits" are approved by the Development Services Division, please place these exhibits in the plan check set and contact the Development Services Division, along with Traffic Planning, to set up an appointment to signoff and stamp these exhibits. Please bring one additional copy of the site plan exhibit(s) to this



**appointment so that the Development Services Division has a final signed-off copy of the site plan.**

Copies of the final approved site plan, elevations, landscaping, and irrigation plans stamped by the Development Services Division must be submitted for unstamped copies of the same in each of the sets of construction plans submitted for plan check prior to the issuance of building permits.

## **EXPIRATION**

The exercise of rights granted by this special permit must be commenced by July 5, 2020 (three years from the date of approval). There is no extension. All improvements must be installed prior to the operation of the proposed use.

Should you need further assistance or have any questions, please call me at (559) 621-8023 or via e-mail at [Kira.Noguera@fresno.gov](mailto:Kira.Noguera@fresno.gov).

## **DEVELOPMENT SERVICES DIVISION**

Enclosures: Exhibits A-1, E-1, E-2, , E-3, E-4, E-5, F-1, and F-2 dated June 22, 2017  
Comments from Planning/Development Standards dated July 5, 2017  
Comments from Partner Agencies and Departments  
Operational Statement  
Notes and Requirements for Entitlement Applications

c: Job Address File: 5647 North Figarden Drive



- ① NEW 40' X 113' FUELING ISLAND CANOPY
- ② NEW UNDERGROUND FUEL STORAGE TANK
- ③ NEW 42' x 115' FUELING ISLAND CONCRETE SLAB
- ④ PROPOSED LANDSCAPING
- ⑤ NEW MULTI-PRODUCT DISPENSER (MPD)  
W/ GUARD POST (TYPICAL OF 8)
- ⑥ NEW TRASH ENCLOSURE
- ⑦ PROPOSED PAVED AREA TO PW STDS P-21,  
P-22, & P-23
- ⑧ PROPOSED BIKE RACK
- ⑨ CONSTRUCT A 10' CONCRETE SIDEWALK TO  
PW STD P-5, WHERE MISSING

- 10 NOT USED.
- 11 CONSTRUCT AN UNDERGROUND STREET LIGHTING SYSTEM TO PW STDs E-1 & E-7
- 12 INSTALL 30" STATE STD "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 MAJOR STREET SIDEWALK, WHERE "RIGHT TURN ONLY" SIGN ALSO REQUIRED AT SAME LOCATION, INSTALL 30"x36" STATE STANDARD SIGN IMMEDIATELY BELOW THE STOP SIGN ON SAME POST.
- 13 CONSTRUCT A DRIVEWAY APPROACH TO STDs P-6 & P-2
- 14 INSTALL "DO NOT ENTER EXIT ONLY" SIGN

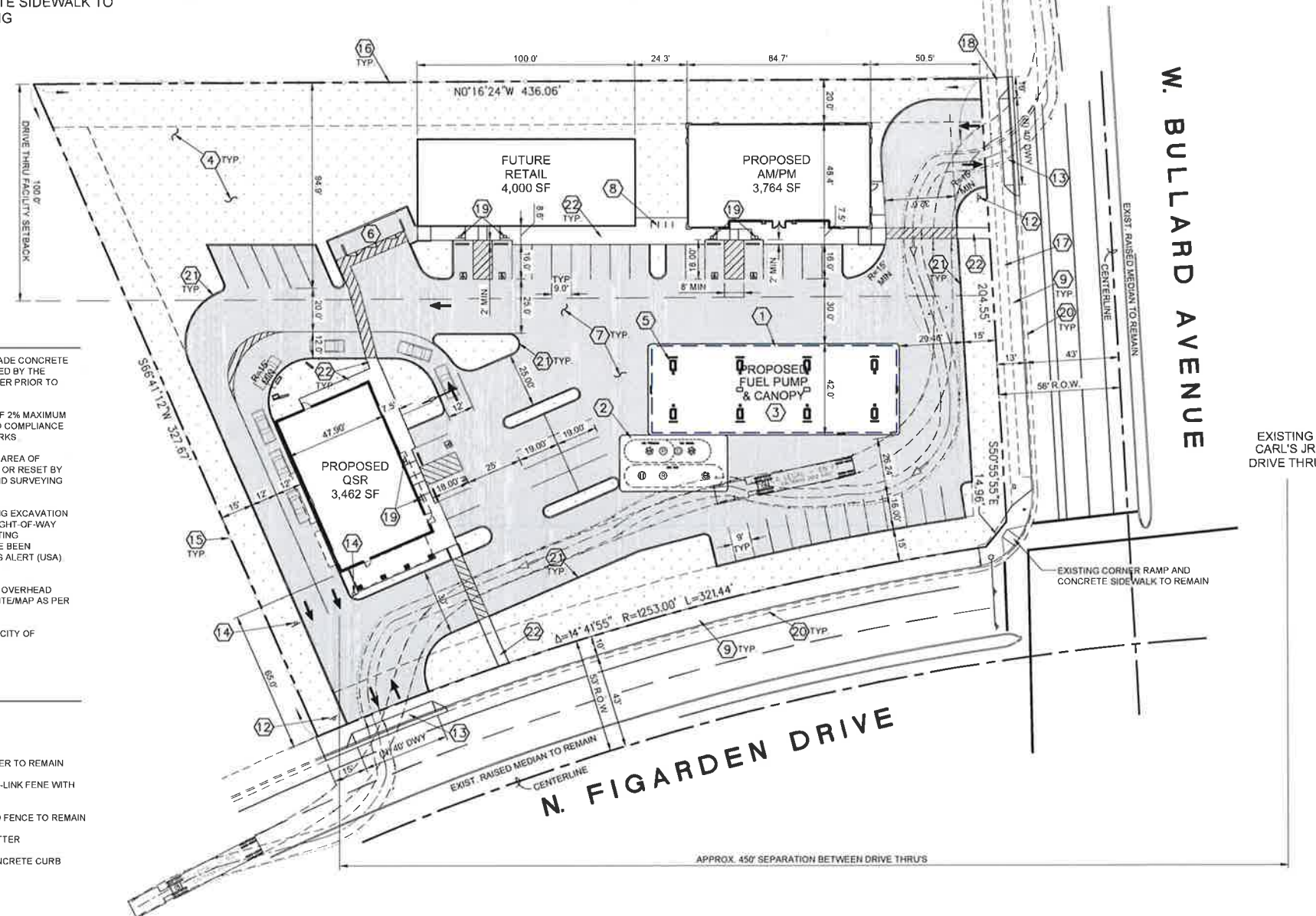
- 15) EXISTING 6' HIGH CHAIN-LINK FENCE WITH SLATS TO REMAIN
- 16) ~~EXISTING 6' HIGH WOOD TO REMAIN~~ Screen wall required (15-2008)
- 17) REMOVE EXISTING CONCRETE SIDEWALK AND REPLACE WITH NEW SIDEWALK PER PW STD P-5
- 18) REMOVE EXISTING TEMPORARY DRIVEWAY & REPLACE WITH CURB, SUTTER, & SW PER PW STD P-5
- 19) ACCESSIBILITY SIGNAGE PER ADA STDS.
- 20) EXISTING CURB & GUTTER TO REMAIN
- 21) PROPOSED 6" HIGH CURB
- 22) PROPOSED CONCRETE WALK



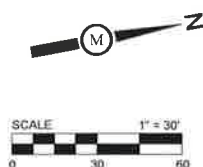
VICINITY MAP  
NOT TO SCALE

1. REPAIR ALL DAMAGED AND/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER PRIOR TO OCCUPANCY.
2. ALL EXISTING SIDEWALKS IN EXCESS OF 2% MAXIMUM CROSS SLOPE MUST BE BROUGHT INTO COMPLIANCE PRIOR TO ACCEPTANCE BY PUBLIC WORKS.
3. ANY 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.
4. 2 WORKING DAYS BEFORE COMMENCING EXCAVATION OPERATIONS WITHIN IN THE STREET RIGHT-OF-WAY AND UTILITY EASEMENTS, ALL EXISTING UNDERGROUND FACILITIES SHALL HAVE BEEN LOCATED BY UNDERGROUND SERVICES ALERT (USA). CALL 1-800-624-2444
5. UNDERGROUND ALL EXISTING OFFSITE OVERHEAD UTILITIES WITHIN THE LIMITS OF THIS SITE/MAP AS PER FMC SECTION 15-4114.
6. PROPOSED PARKING LOT STRIPING TO CITY OF FRESNO PARKING MANUAL STDs.

	PROPERTY LINE
	CENTERLINE
	EXISTING CURB & GUTTER TO REMAIN
	EXISTING 6' HIGH CHAIN-LINK FENCE WITH SLATS TO REMAIN
	EXISTING 6' HIGH WOOD FENCE TO REMAIN
	PROPOSED CURB & GUTTER
	PROPOSED 6' HIGH CONCRETE CURB
	PROPOSED CONCRETE
	PROPOSED PARKING LOT PAVING
	PROPOSED LANDSCAPED AREAS



## SITE PLAN



LOT DATA:

A.P.N.:	509-290-07
TOTAL ACREAGE:	104,980 SF (2.41 AC)
EXISTING PARCELS:	1
PROPOSED PARCELS:	1
EXISTING ZONE:	CC - COMMUNITY COMMERCIAL
PROPOSED ZONE:	CC - COMMUNITY COMMERCIAL
EXISTING USE:	VACANT
PROPOSED USE:	CONVENIENCE STORE, GASOLINE SALES, RETAIL, AND RESTAURANT WITH DRIVE-THRU
LOT COVERAGE:	10.7% (11,226 SF)

PARKING DATA:

REQUIRED:	
C-STORE (3764/250 SF):	15 SPACES
RETAIL (4000/450 SF):	9 SPACES
RESTAURANT (3462/150 SF):	23 SPACES
REQUIRED:	47 SPACES
PROVIDED:	
STANDARD SPACE (9'x18')	42 SPACES
ACCESSIBLE SPACE (9'x18')	<u>6 SPACES</u>
PROVIDED:	48 SPACES

## PROPERTY DESCRIPTION

PARCEL "A" OF LOT LINE ADJUSTMENT 2007-09, RECORDED  
JANUARY 13, 2009 AS DOCUMENT NO. 2009-0003803 OF OFFICIAL  
RECORDS. LOCATED IN THE CITY OF FRESNO, COUNTY OF  
FRESNO, STATE OF CALIFORNIA.

APN: 509-290-07

SITE UTILITIES:  
SEWAGE DISPOSAL:  
WATER SUPPLY:  
DRAINAGE:

PROVIDED BY:  
CITY  
CITY  
CITY

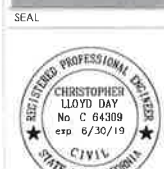
## APPLICANT

FIGARDEN PETROLEUM, INC.  
CONTACT: SURINA MANN  
2190 MERIDIAN PARK BLVD, STE. G  
CONCORD, CA 94520  
PHONE: (925) 446-6806

## DESIGN FIRM

**MILESTONE ASSOCIATES**  
CONTACT: JULIO TINAJERO  
1000 LINCOLN ROAD, STE. H202  
YUBA CITY, CA 95991  
PHONE: (530) 755-4700

APPL NO. C-17-013 EXHIBIT A-1 DATE 6/22/17  
 PROJ ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 COND. APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT



ISSUES / REVISIONS

04-09-17	REVISIONS PLAN
05-10-17	REVISIONS PLAN
05-14-18	CUP SURVEILLANCE
DATE	DESCRIPTION
DRAWN BY: STAFF	
CHK'D BY: J. FINAJERO	

**ARCO / QSR / RETAIL CENTER**  
FIGARDEN PETROLEUM, INC.  
5647 N. FIGARDEN DRIVE  
FRESNO, CALIFORNIA  
A.P.N. 509-290-07



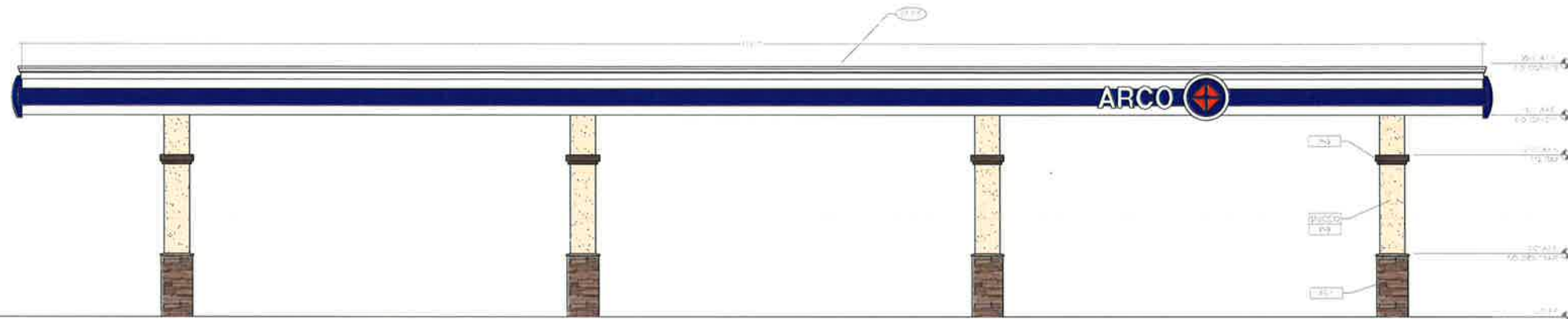
SHEET TITLE

SITE PLAN

PROJECT NO: 16-946

DD1

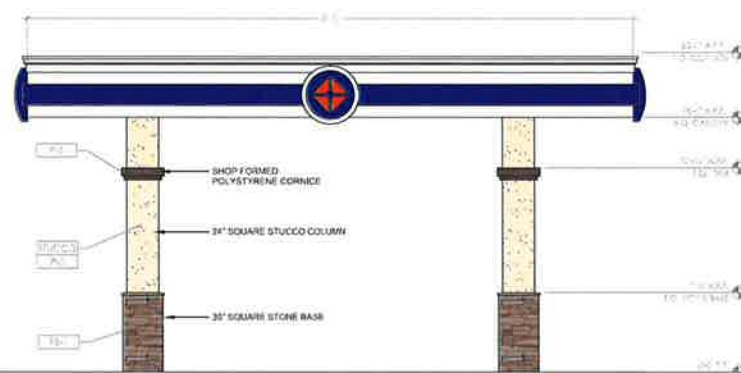




1 EAST ELEVATION  
3/16" = 1'-0"



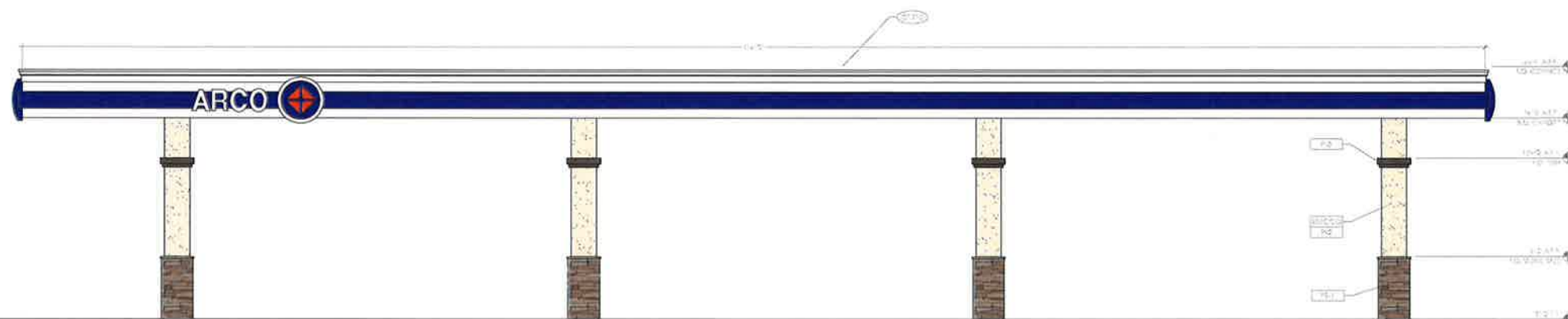
2 NORTH ELEVATION  
3/16" = 1'-0"



3 SOUTH ELEVATION  
3/16" = 1'-0"

**COLOR LEGEND**

	P-2 DUNN EDWARDS DE6128, "SAND DUNE"
	P-3 DUNN EDWARDS DEC756, "WEATHERED BROWN", HIGH GLOSS
	FS-1 MANUFACTURED STONE VENEER MFG: CULTURED STONE PRODUCT: PRO-FIT LEDGESTONE COLOR: "SHALE"



4 WEST ELEVATION  
3/16" = 1'-0"

APPL NO. C-17-013 EXHIBIT E-1 DATE 8/22/17  
 PROJ ENG. DATE  
 TRAFFIC ENG. DATE  
 COND. APPROVED BY DATE  
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT



ISSUES / REVISIONS

NO.	DESCRIPTION	DATE

DRAWN BY: STAFF  
 CHKD BY: J. TINAJERO

ARCO / OSR / RETAIL CENTER  
 FIGARDEN PETROLEUM, INC.  
 5647 N. FIGARDEN DRIVE  
 FRESNO, CALIFORNIA  
 A.P.N. 509-290-07



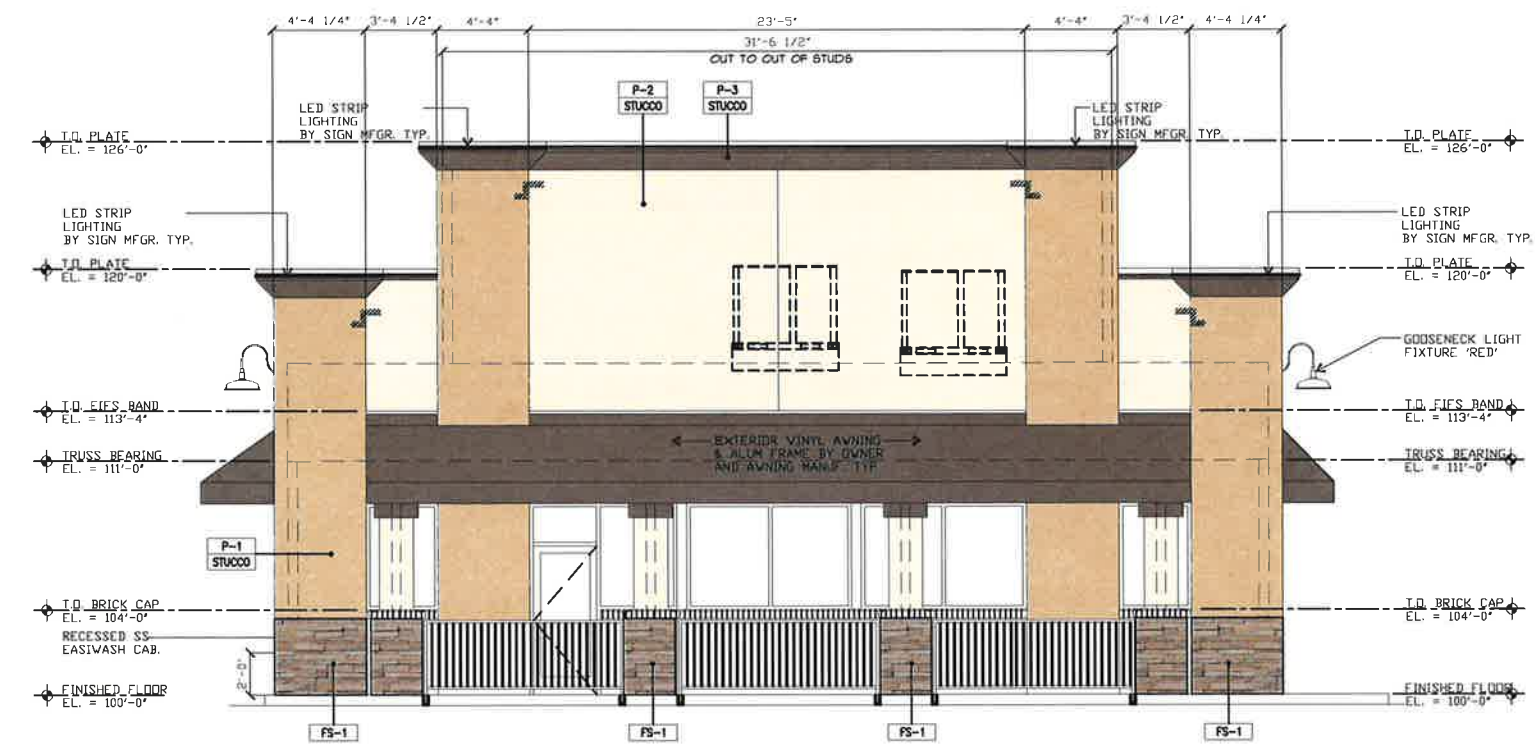
SHEET TITLE  
 FUEL CANOPY  
 ELEVATIONS

PROJECT NO: 14-946

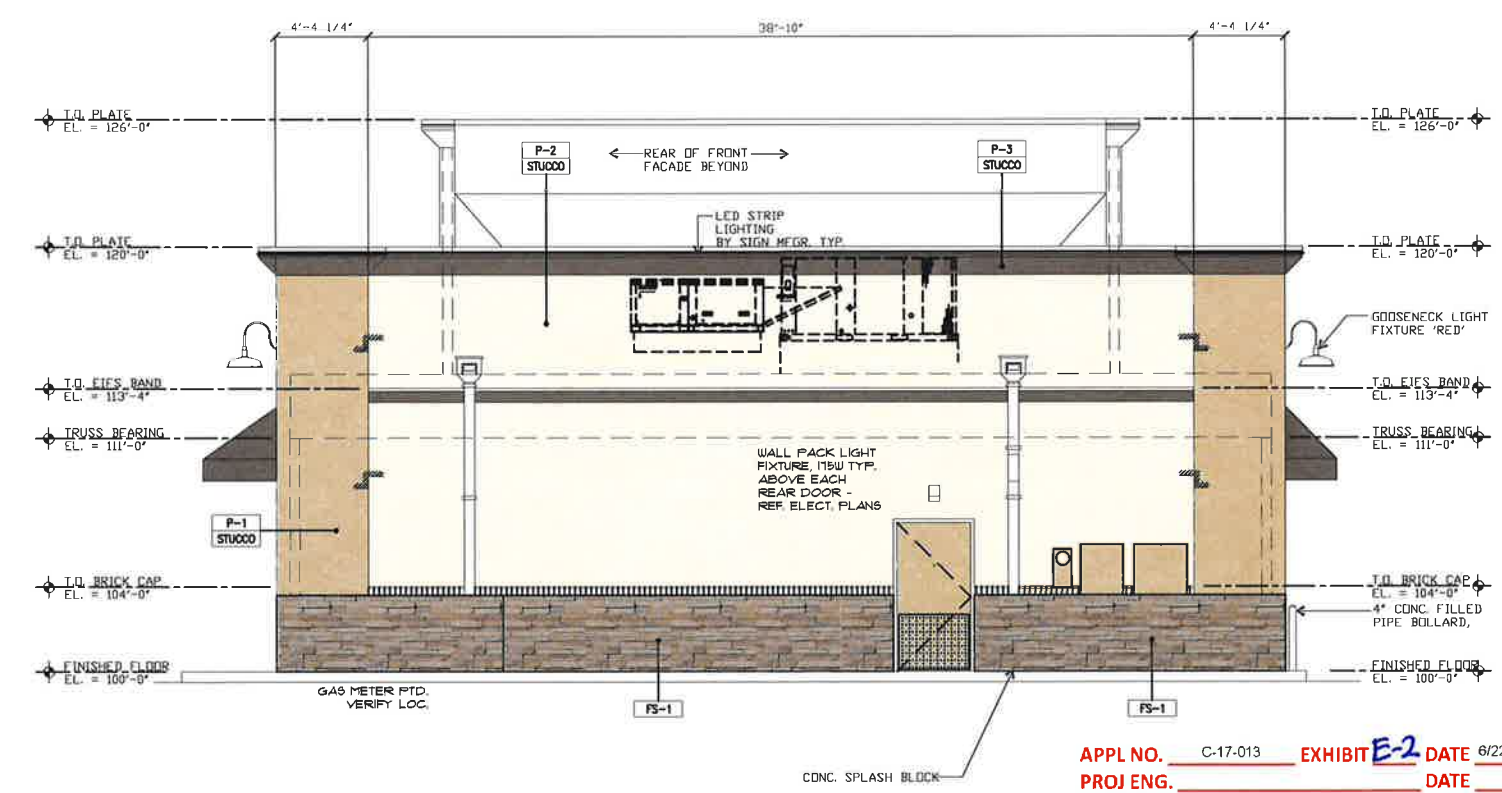


**COLOR LEGEND**

- P-1 DUNN EDWARDS, DE8130, "WOODED ACRE"
- P-2 DUNN EDWARDS DE8128, "SAND DUNE"
- P-3 DUNN EDWARDS DEC756, "WEATHERED BROWN", HIGH GLOSS
- FS-1 MANUFACTURED STONE VENEER  
MFG: CULTURED STONE  
PRODUCT: PRO-FIT LEDGESTONE  
COLOR: "SHALE"



**A EAST ELEVATION**  
1/4" = 1'-0"



**B WEST ELEVATION**  
1/4" = 1'-0"

APPL NO. C-17-013 EXHIBIT E-2 DATE 6/22/17  
 PROJ ENG. DATE  
 TRAFFIC ENG. DATE  
 COND. APPROVED BY DATE  
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT



**Milestone Associates**  
 CIVIL ENGINEERING  
 1000 LINCOLN PARKWAY, SUITE 400, FRESNO, CALIFORNIA 93701  
 TEL: (559) 755-4700 FAX: (559) 755-4657



**QUICK SERVE RESTAURANT**  
 4371 W. BULLARD AVENUE  
 FRESNO, CALIFORNIA

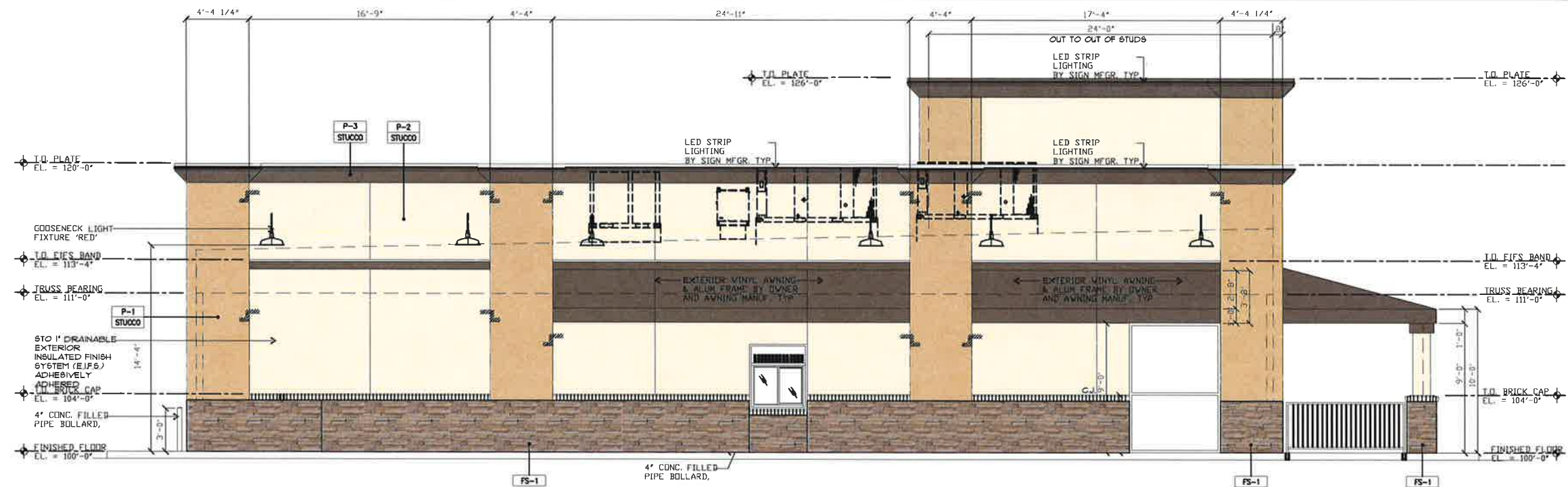
**EXTERIOR ELEVATIONS**

DATE 6/8/17

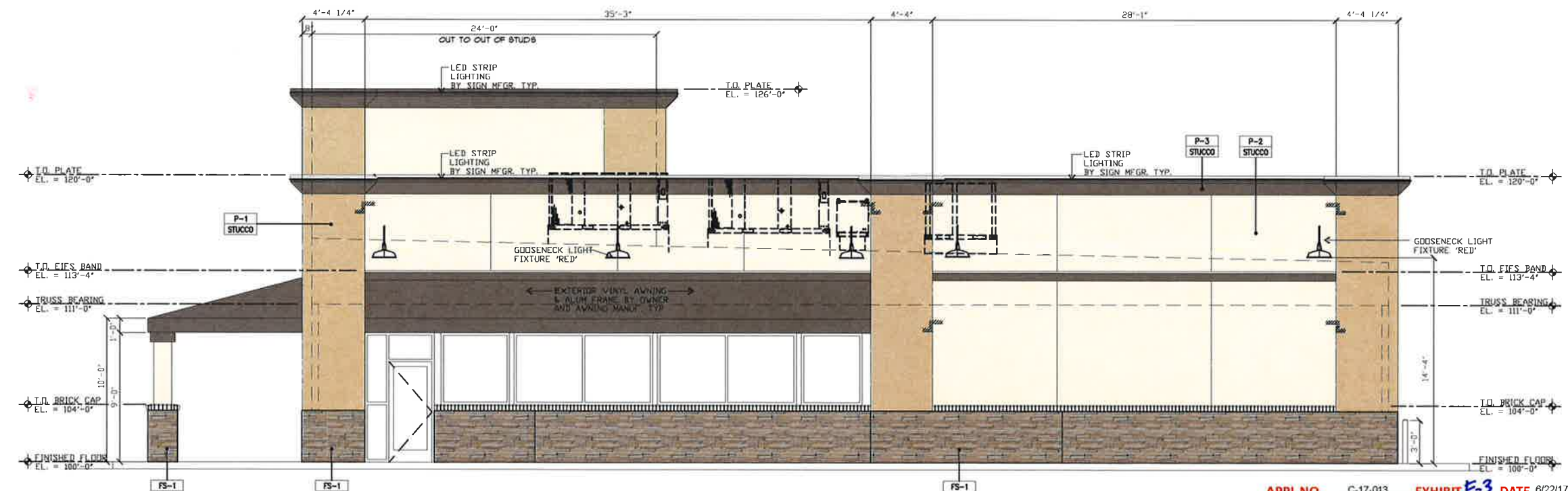
DRAWN BY: STAFF  
 CHECKED BY: J. TINAJERO

SHEET NO. **DD2.1**





**A SOUTH ELEVATION**  
1/4" = 1'-0"



**B NORTH ELEVATION**  
1/4" = 1'-0"

APPL NO. C-17-013 EXHIBIT E-3 DATE 6/22/17  
 PROJ ENG. DATE  
 TRAFFIC ENG. DATE  
 COND. APPROVED BY DATE  
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT

**Milestone Associates**  
 CIVIL ENGINEERS  
 1500 LINCOLN ROAD, STE. 4002, FRESNO, CA 93701  
 TEL (559) 750-4700 FAX (559) 750-4567



**QUICK SERVE RESTAURANT**  
 4371 W. BULLARD AVENUE  
 FRESNO, CALIFORNIA

**EXTERIOR ELEVATIONS**

DATE  
6/8/17

DRAWN BY:  
STAFF  
 CHECKED BY:  
J. TINAJERO

SHEET NO.  
**DD2.2**





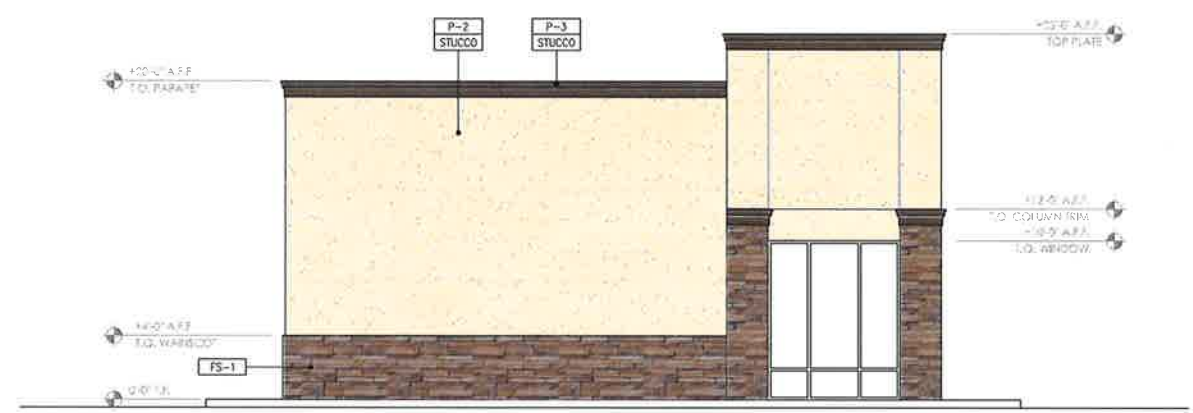




1 FRONT ELEVATION (EAST)  
3/16"=1'-0"

**COLOR LEGEND**

- P-1 DUNN EDWARDS DE6130, "WOODED ACRE"
- P-2 DUNN EDWARDS DE6128, "SAND DUNE"
- P-3 DUNN EDWARDS DEC756, "WEATHERED BROWN", HIGH GLOSS
- FS-1 MANUFACTURED STONE VENEER  
MFC: CULTURED STONE  
PRODUCT: PRO-FIT LEDGESTONE  
COLOR: "SHALE"



2 LEFT ELEVATION (SOUTH)  
3/16"=1'-0"



3 RIGHT ELEVATION (NORTH)  
3/16"=1'-0"



4 REAR ELEVATION (WEST)  
3/16"=1'-0"



ISSUES / REVISIONS

NO.	DATE	DESCRIPTION

DRAWN BY: STAFF  
CHKD BY: J. TINAJERO

ARCO / OSR / RETAIL CENTER  
FIGARDEN PETROLEUM, INC.  
5647 N. FIGARDEN DRIVE  
FRESNO, CALIFORNIA  
A.P.N. 509-290-07



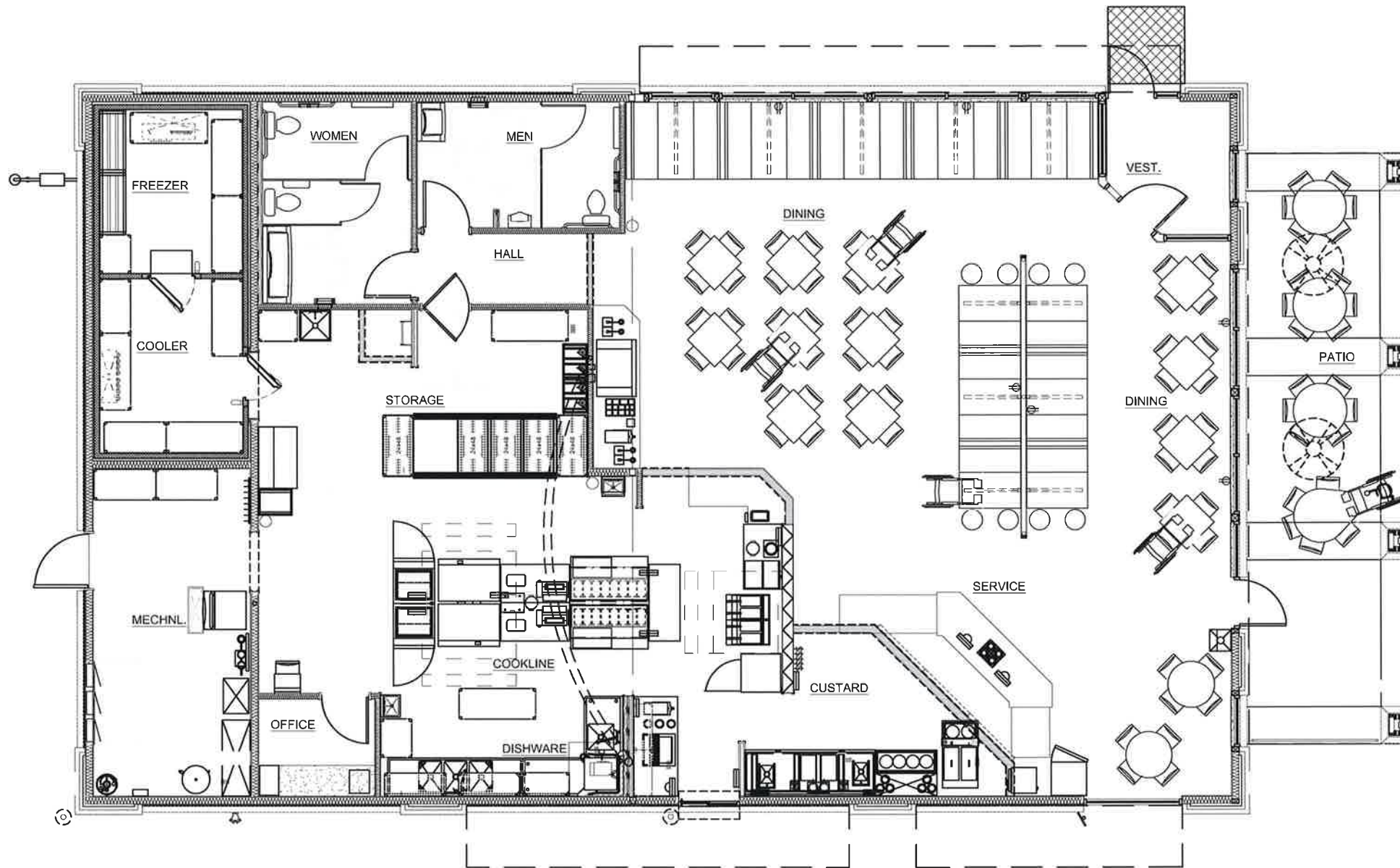
SHEET TITLE  
EXTERIOR ELEVATIONS  
RETAIL BUILDING

PROJECT NO: 16-946

APPL NO. C-17-013 EXHIBIT **E-5** DATE 6/22/17  
 PROJ ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 COND. APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT

DD4





**A ARCHITECTURAL FLOOR PLAN**  
1/4" = 1'-0"

APPL NO. C-17-013 EXHIBIT **F-1** DATE 6/22/17  
 PROJ ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
 COND. APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT

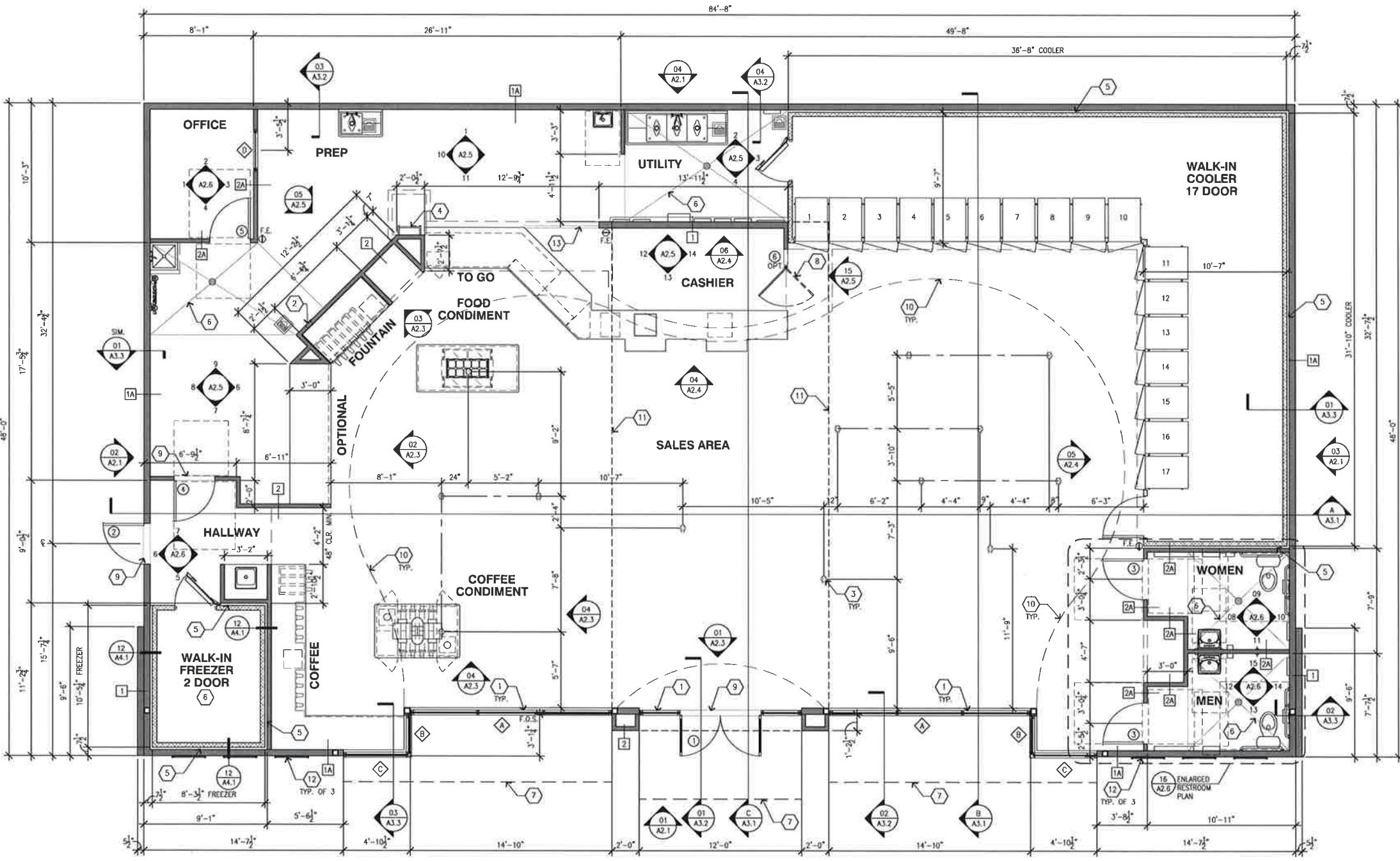
**Milestone Associates**  
*Engineering*  
1000 LACON ROAD, SUITE 400, FRESNO, CA 93701  
 TEL (559) 735-4700 FAX (559) 735-4067

SEAL

**QUICK SERVE RESTAURANT**  
 4371 W. BULLARD AVENUE  
 FRESNO, CALIFORNIA

**ARCHITECTURAL FLOOR PLAN**  
 DATE 6/8/17  
 DRAWN BY: STAFF  
 CHECKED BY: J. TINAJERO  
 SHEET NO. **DD2.0**





01 CONSTRUCTION FLOOR PLAN  
SCALE: 1/4"=1'-0"

### ROOM FINISH SCHEDULE

INTERIOR FINISHES	SALES	CASHIER	HALLWAY	RESTROOMS	OFFICE	PREP/UTILITY	WALK-IN
FLOOR	GLAZED PORCELAIN TILE REFER TO FINISH CALLOUT ON A1.2.				COLORED CONCRETE SEALER REFER TO FINISH CALLOUT ON A1.2.		CLEAR CONCRETE SEALER REFER TO FINISH CALLOUT ON A1.2.
BASE	CERAMIC SANITARY COVE BASE REFER TO FINISH CALLOUT ON A1.2.				CERAMIC TOP SET THIN LIPSTONE BASE. REFER TO FINISH CALLOUT ON A1.2.		INTEGRAL METAL COVE BASE WITH 3/8" RADIUS, BY COOLER MFR. REFER TO SPECIFICATION ON Q1.2.
WALLS	PAINTED SMOOTH FINISH 5/8" GYPSUM BOARD, REFER TO CALLOUT ON SHEET A2.3 - A2.6.			WALL TILE OVER 5/8" WATER RESISTANT GYPSUM BOARD. REFER TO CALLOUT ON A2.6.	PAINTED SMOOTH FINISH 5/8" GYPSUM BOARD. REFER TO CALLOUT ON SHEET A2.6.	WALL TILE AND FRP OVER 5/8" WATER RESISTANT GYPSUM BOARD. REFER TO CALLOUT ON A2.5.	
FASCIA/SOFFIT	FASCIA PAINTED SMOOTH FINISH 1/2" GYPSUM BOARD. REFER TO CALLOUT ON A2.3 & A2.4. SOFFIT PAINTED SMOOTH FINISH 5/8" WATER RESISTANT GYPSUM BOARD. REFER TO CALLOUT ON A1.3.			NOT APPLICABLE.			
CEILING	PAINTED PLYWOOD AND OPEN WEB TRUSSES. REFER TO CALLOUT ON A1.3.	PAINTED SMOOTH FINISH 5/8" GYPSUM BOARD. REFER TO CALLOUT ON A1.3.	PAINTED SMOOTH FINISH 5/8" WATER RESISTANT GYPSUM BOARD. REFER TO CALLOUT ON A1.3.	PAINTED SMOOTH FINISH 5/8" GYPSUM BOARD. REFER TO CALLOUT ON A1.3.	WASHABLE SUSPENDED WHITE CEILING TILE REFER TO CALLOUT ON A1.3.	STUCCO-GALVALUM. BY COOLER MFR. REFER TO CALLOUT ON Q1.2 AND A1.3.	

### GENERAL NOTES

- ALL DIMENSIONS ARE TO FACE OF STUD UNLESS NOTED OTHERWISE.
- ALL DENOTED DIMENSIONS ARE TO BE USED. PLANS SHALL NOT BE SCALED.
- EXTERIOR WALL ARE 2x6, INTERIOR WALLS 2x4 U.N.O., SEE STRUCTURAL PLANS FOR FRAMING REQUIREMENTS.
- SEE PLUMBING PLANS FOR DIMENSIONS TO PLUMBING FIXTURES.
- REFER TO SHEET Q1.1 FOR FOR EQUIPMENT PLAN.
- REFER TO SHEET Q2.1 FOR EQUIPMENT SCHEDULE.
- ALL EQUIPMENT SHALL MEET ACCESSIBILITY REACH RANGE REQUIREMENTS.
- PROVIDE PLASTIC CORNER GUARDS AT EDGES BELOW 6'-0".
- ALL COUNTERTOPS SHALL BE MAX. 34" A.F.F. WITH A 3'-FOOT WIDE TRANSACTION AREA AT CASHIER. CONTRACTOR SHALL COORDINATE WORK WITH CABINET INSTALLER FOR CABINET INSTALLATION. CONTRACTOR TO ROUTE UTILITIES THROUGH CABINETS. CONTACT CABINET INSTALLER FOR SITE SPECIFIC CABINET SHOP DRAWINGS.
- 4" HIGH BACKSPLASH AT ALL COUNTERTOPS THAT TERMINATE AT WALL. BACKSPLASH TO MATCH COUNTERTOP MATERIAL.
- THE CONTRACTOR SHALL ASSIST STORE PERSONNEL BY ASSEMBLING MERCHANDISE GONDOLAS AND SHELVING AS SHOWN ON Q1.1.
- ALL EQUIPMENT AND CABINETS SHALL BE FREE OF SHARP EDGES. CONTACT MANUFACTURER OR PREP EDGES FOR SAFETY.
- CONTRACTOR SHALL ROUTE ALL CONDENSATE DRAIN LINES TO FLOOR SINKS.
- CONTRACTOR SHALL INSTALL NEW PARTITIONS/WALLS WITH GYPSUM WALL BOARD AND FINISHES AS NOTED ON FINISH SCHEDULE AND INTERIOR ELEVATIONS ON SHEET A2.3 THRU A2.6. ALL PARTITIONS/WALLS SHALL BE BRACED FOR LATERAL FORCES, PER BUILDING CODE REQUIREMENTS.
- FLAME SPREAD CLASSIFICATIONS FOR INTERIOR WALLS SHALL COMPLY WITH LOCAL CODES.
- FIRE EXTINGUISHERS (2A:10B:C) SHALL BE INSTALLED AT SALES COUNTER, BACK ROOM, OFFICE, & FUEL CANOPY LOCATIONS IF NOT SHOWN ELSEWHERE ON THESE DRAWINGS. VERIFY WITH OWNER FOR DETAILS. CONFIRM FINAL DETAILS WITH LOCAL FIRE INSPECTOR.
- CONTRACTOR SHALL ASSIST THE OWNER WITH STORE EQUIPMENT TO PREPARE A DELIVERY STAGING AREA. COORDINATE WITH OWNER FOR THE DELIVERY SCHEDULE AND SHIPPING DAMAGES, AS APPLICABLE.
- CONTRACTOR SHALL PROVIDE A CLEAN, SMOOTH SURFACE FOR GRAPHICS INSTALLATION.
- ALL DIMENSIONS SHALL BE FIELD VERIFIED BY CONTRACTOR FROM CABINET AND EQUIPMENT CLEARANCES PRIOR TO WALL ERECTION. DISCREPANCIES SHALL BE DIRECTED TO OWNER.
- WATER HEATERS SHALL BE CAPABLE OF DELIVERING MIN. 120" WATER TO ALL SINKS.
- ALL FLOOR/WALL TILE AND COVE BASE SHALL BE INSTALLED BY THE GENERAL CONTRACTOR ACCORDING TO THE MANUFACTURER'S INSTRUCTIONS.
- ALL DOORS MUST HAVE NO MORE THAN 5 LBS OPENING FORCE AND MUST HAVE A SWEEP PERIOD OF 3 SECONDS TO CLOSE FROM 70" OPEN TO 3" FROM THE LATCH.
- CARBONATOR BACK-FLOW PREVENTOR DRAIN LINE OUTLET SHALL BE TO NEW FLOOR SINK PROVIDED FOR THIS AREA.

### KEYED NOTES

- ALUMINUM ENTRANCE AND STOREFRONT SYSTEM, REFER TO SHEET AS.1 & SPECIFICATION.
- INSTALL 6" PVC CHASE FOR FOUNTAIN SYRUP LINES.
- FLOOR RECEPTACLES, REFER TO ELECTRICAL PLANS.
- ROOF LADDER PER DETAIL 7/A4.1
- 1" MINIMUM AIR GAP AT PREFABRICATED COOLER/FREEZER
- DEPRESSED SLAB, REFER TO SLAB PLAN.
- LINE OF CANOPY ABOVE
- DOUBLE SWING METAL GATE PROVIDED BY SHOPCO
- THRESHOLD, REFER TO DOOR SCHEDULE ON SHEET AS.1
- LINE OF SOFFIT ABOVE
- LINE OF CLERESTORY CEILING OPENING
- WALL SIGNS
- TRANSITION STRIP

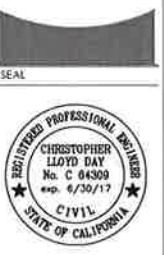
### WALL LEGEND

- WOOD FRAMED WALL
- PREFABRICATED COOLER/FREEZER WALL
- 2x6 STUDS @ 16" o.c.
- 2x6 STUDS @ 16" o.c. W/ THERMAL INSULATION
- 2x4 STUDS @ 16" o.c.
- 2x4 STUDS @ 16" o.c. W/ SOUND BATT INSULATION

APPL NO. C-17-013 EXHIBIT F-2 DATE 6/22/17  
PROJ ENG. DATE  
TRAFFIC ENG. DATE  
COND. APPROVED BY DATE  
CITY OF FRESNO PLANNING & DEVELOPMENT DEPT

### OCCUPANCY LOAD

SALES - 2,171 S.F. (2171/30)	= 72
CASHIER - 130 S.F. (130/100)	= 2
OFFICE - 72 S.F. (72/100)	= 1
RESTROOMS - 136 S.F. (EXEMPT)	= 0
PREP/UTILITY - 553 S.F. (553/200)	= 3
COOLER/FREEZER - 622 S.F. (*EXEMPT)	= 0
TOTAL (NET): 3,684 S.F.	= 78 OCCUPANTS
TOTAL (GROSS): 3,789 S.F.	
*COOLER IS A NON OCCUPABLE SPACE PER SECTION 202 DEFINITION OF AN OCCUPABLE SPACE.	
EXITS REQUIRED: 2	
EXITS PROVIDED: 2	



ISSUES / REVISIONS	
NO.	DESCRIPTION
1	REVISION ONE
2	REVISION TWO
3	REVISION THREE
4	REVISION FOUR
5	REVISION FIVE
6	REVISION SIX
7	REVISION SEVEN
8	REVISION EIGHT
9	REVISION NINE
10	REVISION TEN
11	REVISION ELEVEN
12	REVISION TWELVE
13	REVISION THIRTEEN
14	REVISION FOURTEEN
15	REVISION FIFTEEN
16	REVISION SIXTEEN
17	REVISION SEVENTEEN
18	REVISION EIGHTEEN
19	REVISION NINETEEN
20	REVISION TWENTY

DRAWN BY: STAFF  
CHKD BY: J. TINAJERO

ARCO / QSR / RETAIL CENTER  
FIGARDEN PETROLEUM, INC.  
5647 N. FIGARDEN DRIVE  
FRESNO, CALIFORNIA  
A.P.N. 509-290-07



12345 CORPORATION

SHEET TITLE

FLOOR PLAN

PROJECT NO: 16-946

DD3.0





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

**Comments from Planning/Development Standards**  
**July 5, 2017**

**PROJECT DESCRIPTION**

**Conditional Use Permit Application No. C-17-013** was filed by Julio Tinajero of Milestone Associates, on behalf of Surina Mann of Figarden Petroleum, and pertains to  $\pm 2.41$  acres of property located on the southwest corner of North Figarden Drive and West Bullard Avenue. The applicant proposes development of a commercial center consisting of a 3,764 square-foot convenience store and requests the establishment of a State of California Alcoholic Beverage Control Type 20 alcohol license (Package Store – sale of beer and wine for consumption off the premises where sold) for the AM/PM convenience store, an Arco fuel facility consisting of 8 multi-product fuel dispensers under an overhead canopy, a 4,000 square-foot retail building, and a 3,462 square-foot quick serve restaurant with a drive-through service window.

**APN: 509-290-07**

**ADDRESS: 5647 N Figarden Drive**

**GENERAL INFORMATION**

ZONING		
	Existing	CC/UGM ( <i>Commercial Community– General/Urban Growth Management</i> )
	Requested	N/A
	Pending	N/A
PLANS		
	Community Plan	Bullard
	Specific Plan	N/A
	Redevelopment	N/A
PREVIOUS ACTIONS		
	Applications	N/A
	Covenants/ Easements	N/A
	Development Agreements	N/A
<b>TRACT MAP or LOT SPLIT</b>		

**PROPERTY DEVELOPMENT STANDARDS**



Use the website below to access the Zoning Ordinance (Chapter 15, Article 12) to find more information on zoning/property development standard requirements:

<http://library.municode.com/index.aspx?clientId=14478&stateId=5&stateName=California>

USE PERMITTED					
Retail and commercial uses are permitted in the CC ( <i>Commercial Community</i> ) zone district. The sale of alcohol and the use of a drive-through requires a Conditional Use Permit pursuant to §15-1202 of the Fresno Municipal Code (FMC).					
LOT AREA					
	Required	32,670 square feet			
	Proposed	2.41 acres			
LOT DIMENSIONS					
	Required	Width- 75 feet; Depth- 100 feet.			
	Proposed	246x320 feet, approx.			
DWELLING UNIT DENSITY					
	Permitted	N/A			
	Proposed	N/A			
BUILDING HEIGHT					
	Permitted	35 Feet			
	Proposed	27 Feet			
YARDS					
	Required Building Setback			Proposed Building Setback	
	Front (Bullard)	15' minimum		Front (Bullard)	42'
	Interior Side	20'		Interior Side	20'
	Street Side (Figarden)	-		Street Side (Figarden)	57'
	Rear	-		Rear	
	Required Parking Setback			Proposed Parking Setback	
	Front (Bullard)	30'		Front (Herndon)	50'
	Required Landscaping Setback			Proposed Landscaping Setback	
	Front (Bullard)	15'		Front (Bullard)	15'



	Interior Side	15'		Interior Side	15'
	Street Side	10'		Street Side	15'
	Rear	-		Rear	15'

**Areas to be Landscaped.** The following areas shall be landscaped and may count toward the total area of site landscaping required by the zoning district regulations.

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

B. Required Setbacks.

(1) All Districts. For permitted paved areas, refer to the underlying Base District.

(2) 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.

(1) Between Commercial and Single Family uses, a Type 2 Landscape Buffer is required.

(2) A Type 2 Landscape buffer must be 15 feet wide, contain 2 large trees, 3 small to medium trees, 8 large shrubs and 10 small to medium shrubs for every 100 linear feet.

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.

E. Building Perimeters.

(1) 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.

(2) The minimum width of the planter shall be three feet. Planters may be raised or at grade and may include potted plants.



F. Unused Areas. All areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, shall be maintained clear and free of refuse, debris, or other accumulated matter.		
<b>LOT COVERAGE</b>		
	Permitted	No Requirements
	Proposed	11,226 square feet; Approx. 11%
<b>MAXIMUM FLOOR AREA RATIO (FAR)</b>		
	Permitted	1.0 maximum
	Proposed	0.10
<b>FENCES, HEDGES, WALLS</b>		
	Required	A screen wall is required by Section 15-2008.
	Proposed	<b>Proposed wood fence does not meet the requirements of a screen wall. Revise Site Plan accordingly.</b>
<b>OFF-STREET PARKING</b>		
	Required	Business and Professional Offices require 1 space per 400 sq.ft. of floor area; retail sales require 1 space per 450 sq.ft. of floor area.  Building 1 ARCO ampm: 3,764 sq. ft. – 1 per 250 Square feet=15 spaces Building 2 Proposed Retail: 4,000 sq. ft. – 1 per 450 square feet=9 spaces Building 3 Quick Serve Restaurant: 3,462 sq. ft. – 150 square feet=23 spaces 47 required spaces total.
	Proposed	48 spaces
<b>OUTDOOR ADVERTISING</b>		
	Permitted	Comply with §15-2601
	Proposed	Sign permits shall be submitted through a separate application.
<b>LOADING SPACES</b>		
	Required	n/a
	Proposed	n/a
<b>PARKING LOT SHADING</b>		
	Required	One tree for each two parking spaces, unless it can be demonstrated that less trees can be provided and 50 percent parking lot shading would still be met.
	Proposed	<b>Provide parking lot shading calculations on landscape plan.</b>



TREES (On-Site)		
	Required	One medium tree for every two parking spaces.
	Proposed	<b>Submittal of a revised landscape plan is required.</b>

## SUMMARY AND OTHER COMMENTS /REQUIREMENTS

### A. Drive Through-Facilities

Drive-through facilities shall be located, developed, and operated in compliance with the following applicable standards:

- (1) Landscaping. Each drive-through aisle shall 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.
- (2) Menu Boards. A maximum of two menu boards, not exceeding 20 square feet in area apiece, with a maximum height of six feet are permitted per drive-through.
- (3) Site and Building Design. Drive-through aisles shall be designed to reduce idling. Signage to encourage customers not to idle shall be placed either before or at the entrance of a drive-through aisle.

### B. Miscellaneous

- (1) See the **attached** Notes and Requirements for Entitlement Applications for additional general notes and requirements.
- (2) An Indirect Source Review (ISR) must be submitted to the San Joaquin Valley Air Pollution Control District prior to project approval. Provide documentation that this has been submitted to the Air District.
- (3) All general provisions of Section 15-2401 of the FMC shall apply to all parking areas.

### C. Local Plans and Policies

#### **Fresno General Plan**

- (1) **Goal 1:** Increase opportunity, economic development, business, and job creation. Use urban form, land use, and Development Code policies to streamline permit approval, promote local educational excellence and workforce relevance, significantly increase business development and expansion, retain and attract talented people, create jobs and sustained economic growth, strategically locate employment lands and facilities, and avoid over-saturation of a single type of housing, retail, or employment.
- (2) **Goal 8:** Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy,



attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

- (3) **Policy LU-1-A:** Promote Development within the Existing City Limits as of December 31, 2012. Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.





**DATE:** April 12, 2017

**TO:** Kira Noguera  
Development and Resource Management Department

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

**SUBJECT:** Conditions of Approval for **C-17-013**

**ADDRESS:** **5647 North Figarden Drive**

**APN:** **509-290-07**

**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	<b>Existing Right of Way</b> We have conflicting information for Bullard Avenue. Provide a copy of the title report to the Planner to be routed with next submittal. Dedications may be required upon verification of the right of way.	Jeff Beck	Public Works Department (559) 621-8560 jeff.beck@fresno.gov
	<b>Deed (up to 2 month processing time)</b> 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 <b>prior</b> to the issuance of building permits.		
X	<b>Maintenance Agreement / CFD</b>	Ann Lillie	Public Works Department (559) 621-8690 ann.lillie@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 accessibility regulations. All



existing sidewalks in excess of 2% maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.

Underground all existing off-site overhead utilities within the limits of this site/map as per FMC Section 15-4114.

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.

#### **West Bullard Avenue: Arterial**

1. Dedication Requirement:
  - a. A corner cut dedication may be required at the intersection of Figarden Drive and Bullard Avenue to accommodate the 4' clear path of travel behind the existing curb ramp.
2. Construction Requirements:
  - a. Construct a **30'-35'** driveway approach to Public Works Standards **P-2** and **P-6**. **If parking is allowed adjacent to the curb, provide 10' of red curbing (3 coats) on both sides of the proposed driveway approaches.**
  - b. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.
  - c. Remove the abandoned (existing driveway approaches not identified for utilization) temporary driveway approach as noted on **Exhibit "A"**, and install sidewalk, curb and gutter per City of Fresno Public Works Standard Drawing **P-5** to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-211.
  - d. Where missing construct a **10'** concrete sidewalk to Public Works Standard **P-5**. Construct **4' x 6'** tree wells per Public Works Standard **P-8 (contact Hilary Kimber 559-621-1345 for street tree requirements)**. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
  - e. 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.

#### **North Figarden Drive: Arterial**

1. Construction Requirements:
  - a. Construct a **35'** driveway approach to Public Works Standards **P-2** and **P-6**.
  - b. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.
  - c. Construct a **10'** concrete sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **10'** commercial pattern. Construct **4' x 6'** tree wells per Public Works Standard **P-8 (contact Hilary Kimber 559-621-1345 for street tree requirements)**. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
  - d. 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.



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. 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. Sign(s) shall be mounted on a **2"** galvanized post with the bottom of the lowest sign **7'** above ground, located behind curb and immediately behind a major street sidewalk.
3. Provide parking space needs, circulation, access, directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as noted on **Exhibit "A"**.
4. Drive Through: resubmit the site plan identifying a minimum of a **10** car stack. Use **20'** per car. (not to block proposed parking).

**Traffic Signal Mitigation Impact (TSMI) Fee:** This project shall pay all applicable TSMI Fees **at the time of building permit**. Contact the Public Works Department, Frank Saburit at (559)621-8797. The fees are based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual.

Trip Generation: **See TIS 17-002 for traffic impact study comments.**

**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](http://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. **Legend:** Provide line types and utility symbols
2. **Property Lines and Easements:** Accurately show, identify and dimension.
3. **Scope of work:** All items shall be listed as existing or proposed.

#### **B. Offsite Information:**

1. **Center Lines:** Identify.



2. **Street Improvements and Furniture:** Identify existing and proposed curb, gutter, sidewalks (provide width), driveway approaches (provide width), accessibility ramps (provide radius), street lights, traffic signals, utility poles, boxes, signs, fire hydrants, tree wells, etc.
3. **Accessibility:** 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.
4. **Median Islands:** Identify existing to remain.

**C. Onsite Information:**

1. **Access:** The turning template shows the truck going over curbs and driveway approach wings, this is not allowed. Redesign to allow the truck to enter and exit the site without going over curbs and driveway wings.
  - a. Identify a **12'** visibility triangle at all driveways and points of egress into public right of way, per Fresno Municipal Code (FMC) 15-2018B.
2. **Driveways:** Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.
3. **Parking Lot:**
  - a. **Stalls:** Provide length and width. Identify the **2'** vehicular overhang adjacent to continuous curbing. No obstructions shall be within the **2'** overhang.
  - b. **Curbs and/ or Wheel Stops:** 6" high
  - c. **Lighting / Accessibility signage:** not to be within the 2' vehicular overhang
  - d. **Planters:** provide planter dimensions
  - e. **Paving:** per Public Works Standards **P-21,P-22, P-23**
4. **Walls or Fencing:** Identify existing and proposed walls and fences complete with location height and type of material.

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



City Hall  
2600 Fresno Street, 4<sup>th</sup> Floor  
Fresno, California 93721  
Ph. (559) 621-8800  
[www.fresno.gov](http://www.fresno.gov)

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

March 14, 2017

Kira Noguera, Planner III  
Development and Resources Management Department  
2600 Fresno Street, 3<sup>rd</sup> Floor  
Fresno, CA 93721

**SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) DATED JANUARY 10, 2107  
FOR THE PROPOSED COMMERCIAL DEVELOPMENT ON THE SOUTHWEST  
CORNER OF FIGARDEN AND BULLARD AVENUES  
TIS 17-002, C-17-013**

### PROJECT OVERVIEW

We have reviewed the Traffic Impact Study (TIS) prepared by KD Anderson & Associates, Inc. for the proposed commercial development, "project", which plans to develop an approximately 2.41 acre site on the southwest corner of Figarden and Bullard Avenues with a 3,764 square foot convenience store with 16 fueling stations, a 4,000 square foot retail building and a 3,462 fast-food restaurant. The site is zoned CC/UGM (Commercial-Community/Urban Growth Management) and is currently vacant.

The TIS evaluated the impacts of the project by analyzing four (4) intersections in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 9<sup>th</sup> Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the project as shown in the TIS:

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Shopping Center (ITE Code 820)	4,000 sf	171	2	1	4	7	8	15
Fast-Food Restaurant w/Drive Through Window (ITE Code 934)	3,462 sf	1,718	80	77	157	59	54	113
Gasoline Service Station with Convenience Market (ITE Code 945)	16 fueling positions	2,604	81	81	163	108	108	216
<b>Total</b>		<b>4,493</b>	<b>163</b>	<b>159</b>	<b>324</b>	<b>174</b>	<b>170</b>	<b>344</b>

*sf = square feet*



Based on the analyses included in the TIS, the study intersections are currently operating above the TIZ III LOS D standard. With the addition of the project and approved/pending projects the study intersections are projected to continue to operate at or above the TIZ III LOS D standard. The intersections of Bullard and Dante Avenues and Figarden and Bullard Avenues are project to operate below the TIZ III LOS D standard in the cumulative year scenarios.

#### **GENERAL COMMENTS and CONDITIONS**

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per the Master Fee Schedule at the time of building permit. The fee is based on the square footage of the retail builds at a rate of \$2,129/1,000 square foot, the square footage of the fast-food restaurant buildings at a rate of \$12,371/1,000 square foot and the number of fueling positions at a rate of \$3,572 per fueling position. Based on the uses analyzed in the TIS, the TSMI fee would be \$108,496.40.

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

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

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; [www.fresnocog.org](http://www.fresnocog.org). Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.

Page 2 of 3



4. The proposed project shall pay the \$288 Traffic Impact Study review fee for review of the document. Proof of payment shall be provided to the Traffic & Engineering Services Division.
5. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
6. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.

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

Sincerely,



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

C: Copy filed with Traffic Impact Study  
Louise Gilio, Traffic Planning Supervisor  
Ken Anderson, KD Anderson & Associates, Inc.



# ADD SITE PLAN NOTES:

1. REPAIR ALL DAMAGED AND/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER PRIOR TO OCCUPANCY.
2. ALL EXISTING SIDEWALKS IN EXCESS OF 2% MAXIMUM CROSS SLOPE MUST BE BROUGHT INTO COMPLIANCE PRIOR TO ACCEPTANCE BY PUBLIC WORKS.
3. ANY 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.
4. 2 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 1-800-642-2444.
5. UNDERGROUND ALL EXISTING OFFSITE OVERHEAD UTILITIES WITHIN THE LIMITS OF THIS SITE/MAP AS PER FMC SECTION 15-4114.

## CONSTRUCTION NOTES

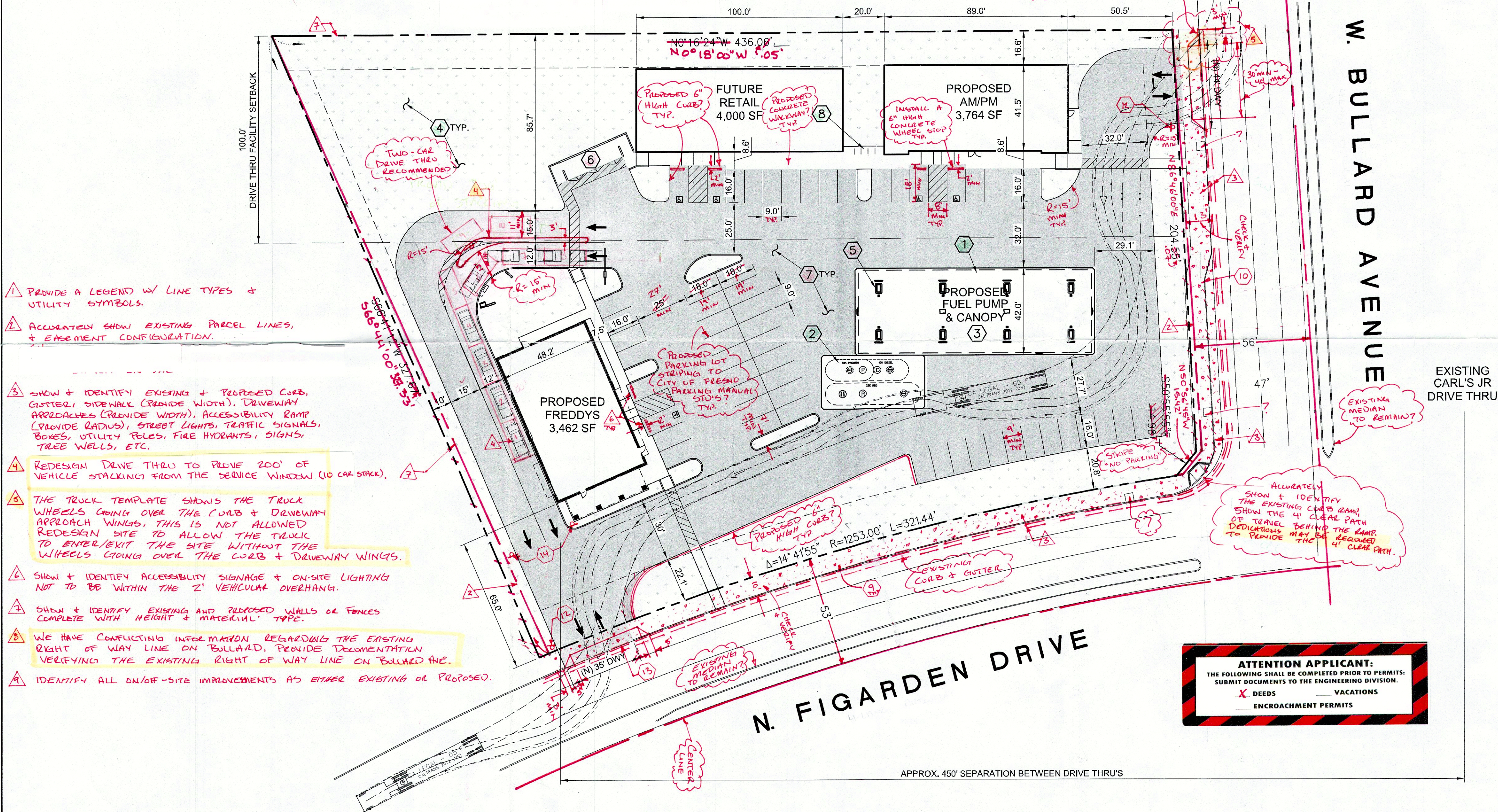
1. NEW 40' X 113' FUELING ISLAND CANOPY
2. NEW UNDERGROUND FUEL STORAGE TANK
3. NEW 42' X 115' FUELING ISLAND CONCRETE SLAB
4. PROPOSED LANDSCAPING
5. NEW MULTI-PRODUCT DISPENSER (MPD) W/ GUARD POST (TYPICAL OF 8)
6. NEW TRASH ENCLOSURE
7. PROPOSED PAVED AREA TO PW STD'S P-22 + P-23
8. PROPOSED BIKE RACK

### ADD TO CONSTRUCTION NOTES:

9. CONSTRUCT A 10' CONCRETE SIDEWALK TO PW STD P-5
10. CONSTRUCT 4'X6' TREE WELLS TO PW STD P-8
11. CONSTRUCT AN UNDERGROUND STREET LIGHTING SYSTEM TO PW STD'S E-1 + E-7
12. 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 MAJOR STREET SIDEWALK. WHERE "RIGHT TURN ONLY" SIGN ALSO REQUIRED AT SAME LOCATION, INSTALL 30" X 36" STATE STANDARD SIGN IMMEDIATELY BELOW THE STOP SIGN ON SAME POST.
13. CONSTRUCT A DRIVEWAY APPROACH TO STD P-6 + P-2
14. INSTALL "DO NOT ENTER EXIT ONLY" SIGN

CONTACT HILARY KIMBER 559-621-1345 FOR STREE TREE REQUIREMENTS

REMOVE THE EXISTING TEMPORARY DRIVEWAY + REPLACE W/ CURB, GUTTER + SIDEWALK TO PW STD P-5



1. PROVIDE A LEGEND W/ LINE TYPES & UTILITY SYMBOLS.

2. ACCURATELY SHOW EXISTING PARCEL LINES, & EASEMENT CONFIGURATION.

3. SHOW + IDENTIFY EXISTING + PROPOSED CURB, GUTTER, SIDEWALK (PROVIDE WIDTH), DRIVEWAY APPROACHES (PROVIDE WIDTH), ACCESSIBILITY RAMP (PROVIDE RADIUS), STREET LIGHTS, TRAFFIC SIGNALS, BOXES, UTILITY POLES, FIRE HYDRANTS, SIGNS, TREE WELLS, ETC.

4. REDESIGN DRIVE THRU TO PROVIDE 200' OF VEHICLE STACKING FROM THE SERVICE WINDOW (10 CAR STACK).

5. THE TRUCK TEMPLATE SHOWS THE TRUCK WHEELS GOING OVER THE CURB + DRIVEWAY APPROACH WINGS. THIS IS NOT ALLOWED. REDESIGN SITE TO ALLOW THE TRUCK TO ENTER/EXIT THE SITE WITHOUT THE WHEELS GOING OVER THE CURB + DRIVEWAY WINGS.

6. SHOW + IDENTIFY ACCESSIBILITY SIGNAGE + ON-SITE LIGHTING NOT TO BE WITHIN THE 2' VEHICLE OVERHANG.

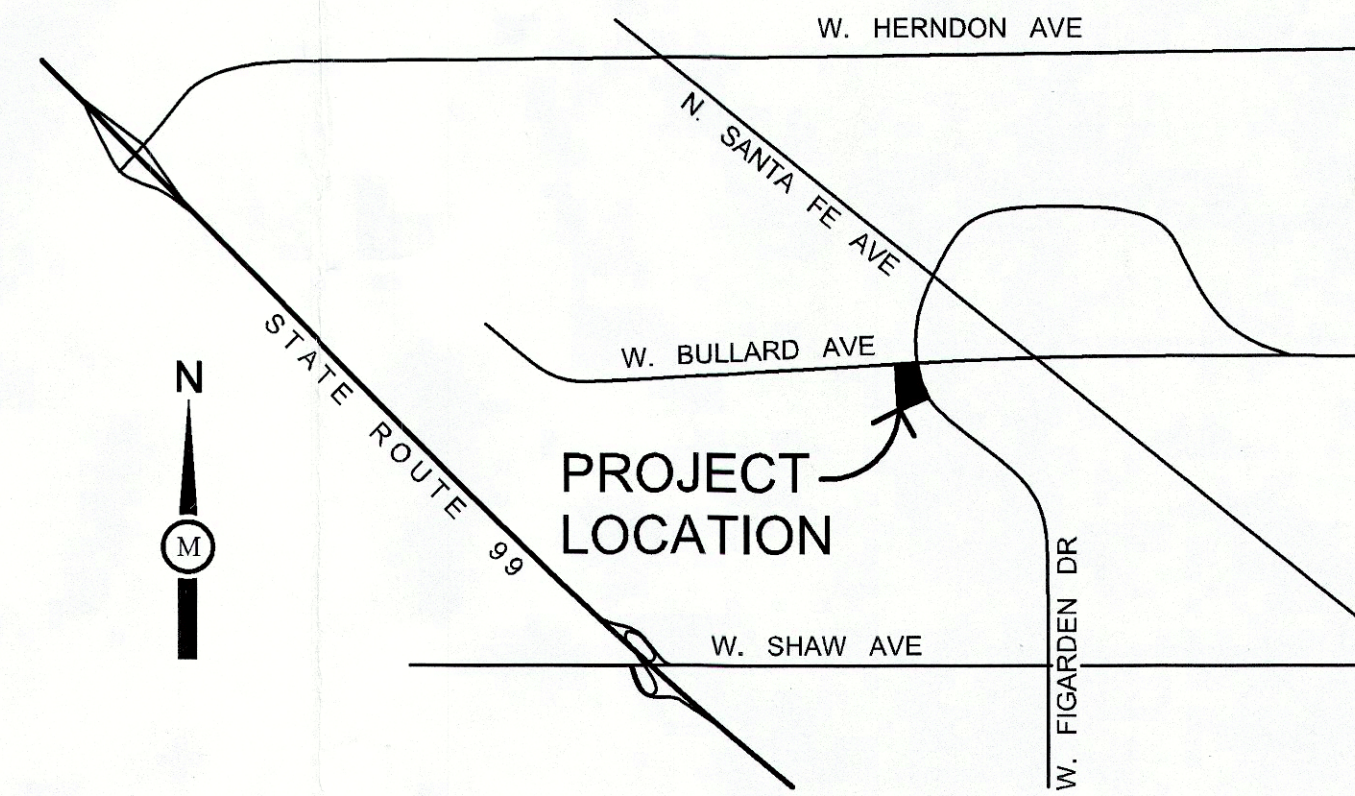
7. SHOW + IDENTIFY EXISTING AND PROPOSED WALLS OR FENCES COMPLETE WITH HEIGHT + MATERIAL TYPE.

8. WE HAVE CONFLICTING INFORMATION REGARDING THE EXISTING RIGHT OF WAY LINE ON BULLARD. PROVIDE DOCUMENTATION VERIFYING THE EXISTING RIGHT OF WAY LINE ON BULLARD AVE.

9. IDENTIFY ALL ON/OFF-SITE IMPROVEMENTS AS EITHER EXISTING OR PROPOSED.

**ATTENTION APPLICANT:**  
THE FOLLOWING SHALL BE COMPLETED PRIOR TO PERMITS:  
SUBMIT DOCUMENTS TO THE ENGINEERING DIVISION.  
X DEEDS — VACATIONS  
— ENCROACHMENT PERMITS

- LEGEND:**
- PARCEL LINE
  - CENTER LINE
  - EXISTING CURB + GUTTER
  - PROPOSED CURB + GUTTER
  - PROPOSED 6" HIGH CURB
  - PROPOSED CONCRETE
  - PROPOSED PARKING LOT PAVING



## VICINITY MAP

NOT TO SCALE

## LOT DATA:

A.P.N.:	509-290-07
TOTAL ACREAGE:	104,980 SF (2.41 AC)
EXISTING PARCELS:	1
PROPOSED PARCELS:	1
EXISTING ZONE:	CC - COMMUNITY COMMERCIAL
PROPOSED ZONE:	CC - COMMUNITY COMMERCIAL
EXISTING USE:	VACANT
PROPOSED USE:	CONVENIENCE STORE, GASOLINE SALES, RETAIL, AND RESTAURANT WITH DRIVE-THRU
LOT COVERAGE:	10.7% (11,226 SF)

## PARKING DATA:

REQUIRED:	
C-STORE (3764/250 SF):	15 SPACES
RETAIL (4000/450 SF):	9 SPACES
RESTAURANT (3462/150 SF):	23 SPACES
REQUIRED:	47 SPACES
PROVIDED:	
STANDARD SPACE (9'X18')	51 SPACES
ACCESSIBLE SPACE (9'X18')	5 SPACES
PROVIDED:	56 SPACES

## PROPERTY DESCRIPTION

PARCEL "A" OF LOT LINE ADJUSTMENT 2007-09, RECORDED JANUARY 13, 2009 AS DOCUMENT NO. 2009-0003803 OF OFFICIAL RECORDS. LOCATED IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA.

APN: 509-290-07

## SITE UTILITIES:

SEWAGE DISPOSAL:  
WATER SUPPLY:  
DRAINAGE:

## PROVIDED BY:

CITY  
CITY  
CITY

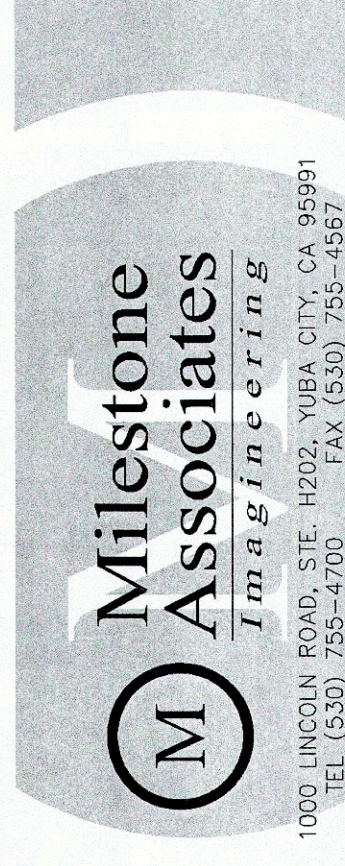


## APPLICANT

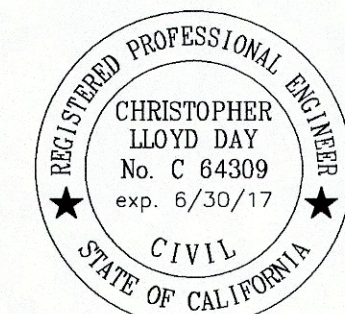
FIGARDEN PETROLEUM, INC.  
CONTACT: SURINA MANN  
2190 MERIDIAN PARK BLVD, STE. G  
CONCORD, CA 94520  
PHONE: (925) 446-6806

## DESIGN FIRM

MILESTONE ASSOCIATES  
CONTACT: JULIO TINAJERO  
1000 LINCOLN ROAD, STE. H202  
YUBA CITY, CA 95991  
PHONE: (530) 755-4700



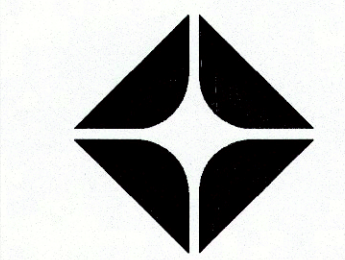
SEAL



## ISSUES / REVISIONS

DATE	DESCRIPTION
02/10/17	REVISED SITE PLAN
03/14/16	CUP SUBMITTAL
DATE	DESCRIPTION
DRAWN BY: STAFF	
CHK'D BY: J. TINAJERO	

ARCO / FREDDY'S RESTAURANT  
FIGARDEN PETROLEUM, INC.  
5647 N. FIGARDEN DRIVE  
FRESNO, CALIFORNIA  
A.P.N. 509-290-07



TESORO CORPORATION

SHEET TITLE

SITE PLAN

PROJECT NO: 16-946

DD1



DEPARTMENT OF PUBLIC WORKS

TO: Kira Noguera, Planner III  
Planning Division

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

DATE: March 22, 2017

SUBJECT: SITE PLAN REVIEW NO. C-17-013

The Department of Public Works offers the following comments 5647 North Figarden Drive (APN: 509-290-07) located on the southwest corner of North Figarden Drive and West Bullard Avenue:

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 320 lineal feet of street frontage along N. Figarden Dr. resulting in the requirement of five (5) street trees in 4' x 6' tree wells in the ten foot monolithic sidewalk.
- 3. The designated street tree for N. Figarden Dr. is:

Ginkgo biloba 'Autumn Gold'

Maidenhair Tree
- 4. There are approximately 246 lineal fee of street frontage along W. Bullard Ave. resulting in the requirement of four (4) street trees in the parkstrip.
- 5. The designated street tree for W. Bullard Ave. is:

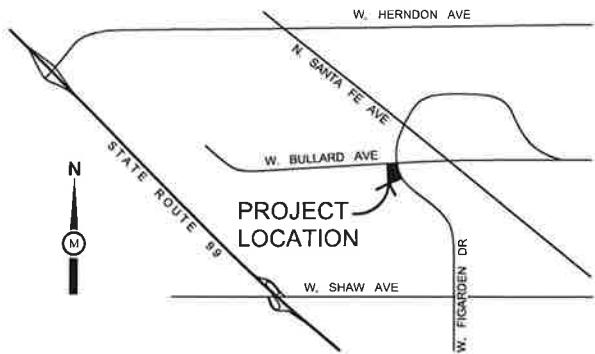
Olea europaea 'Swan Hill'

Fruitless Olive
- 6. The Preliminary Landscape Design submitted by WPLA only addresses the onsite tree requirement.
- 7. Public Works requires a landscape and irrigation plan for the trees within the right-of-way to be submitted before any landscaping is installed at the scale of 1"=20'.



CONSTRUCTION NOTES

- ① NEW 40' X 113' FUELING ISLAND CANOPY
- ② NEW UNDERGROUND FUEL STORAGE TANK
- ③ NEW 42' X 115' FUELING ISLAND CONCRETE SLAB
- ④ PROPOSED LANDSCAPING
- ⑤ NEW MULTI-PRODUCT DISPENSER (MPD) W/ GUARD POST (TYPICAL OF 8)
- ⑥ NEW TRASH ENCLOSURE
- ⑦ PROPOSED PAVED AREA TO PW STDs P-21, P-22, & P-23
- ⑧ PROPOSED BIKE RACK
- ⑨ CONSTRUCT A 10' CONCRETE SIDEWALK TO PW STD P-5, WHERE MISSING
- ⑩ CONSTRUCT 4' X 6' TREE WELLS TO PW STD P-8
- ⑪ CONSTRUCT AN UNDERGROUND STREET LIGHTING SYSTEM TO PW STDs E-1 & E-7
- ⑫ INSTALL 30" STATE STD "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 MAJOR STREET SIDEWALK. WHERE "RIGHT TURN ONLY" SIGN ALSO REQUIRED AT SAME LOCATION, INSTALL 30"x36" STATE STANDARD SIGN IMMEDIATELY BELOW THE STOP SIGN ON SAME POST.
- ⑬ CONSTRUCT A DRIVEWAY APPROACH TO STDs P-6 & P-2
- ⑭ INSTALL "DO NOT ENTER EXIT ONLY" SIGN
- ⑮ EXISTING 6' HIGH CHAIN-LINK FENCE WITH SLATS TO REMAIN
- ⑯ EXISTING 6' HIGH WOOD TO REMAIN
- ⑰ REMOVE EXISTING CONCRETE SIDEWALK AND REPLACE WITH NEW SIDEWALK PER PW STD P-5
- ⑱ REMOVE EXISTING TEMPORARY DRIVEWAY & REPLACE WITH CURB, SUTTER, & SW PER PW STD P-5
- ⑲ ACCESSIBILITY SIGNAGE PER ADA STDs.
- ⑳ EXISTING CURB & GUTTER TO REMAIN
- ㉑ PROPOSED 6" HIGH CURB
- ㉒ PROPOSED CONCRETE WALK



VICINITY MAP  
NOT TO SCALE

LOT DATA:

A.P.N.:	509-290-07
TOTAL ACREAGE:	104,980 SF (2.41 AC)
EXISTING PARCELS:	1
PROPOSED PARCELS:	1
EXISTING ZONE:	CC - COMMUNITY COMMERCIAL
PROPOSED ZONE:	CC - COMMUNITY COMMERCIAL
EXISTING USE:	VACANT
PROPOSED USE:	CONVENIENCE STORE, GASOLINE SALES, RETAIL, AND RESTAURANT WITH DRIVE-THRU
LOT COVERAGE:	10.7% (11,226 SF)

PARKING DATA:

REQUIRED:	
C-STORE (3764/250 SF):	15 SPACES
RETAIL (4000/450 SF):	9 SPACES
RESTAURANT (3462/150 SF):	23 SPACES
REQUIRED:	47 SPACES
PROVIDED:	
STANDARD SPACE (9'x18')	43 SPACES
ACCESSIBLE SPACE (9'x18')	6 SPACES
PROVIDED:	49 SPACES

PROPERTY DESCRIPTION

PARCEL "A" OF LOT LINE ADJUSTMENT 2007-09, RECORDED JANUARY 13, 2009 AS DOCUMENT NO. 2009-0003803 OF OFFICIAL RECORDS. LOCATED IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA.

APN: 509-290-07

SITE UTILITIES:  
SEWAGE DISPOSAL:  
WATER SUPPLY:  
DRAINAGE:

PROVIDED BY:  
CITY  
CITY  
CITY

N.K.  
5-9-17

APPLICANT

FIGARDEN PETROLEUM, INC.  
CONTACT: SURINA MANN  
2190 MERIDIAN PARK BLVD, STE. G  
CONCORD, CA 94520  
PHONE: (925) 446-6806

DESIGN FIRM

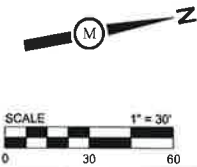
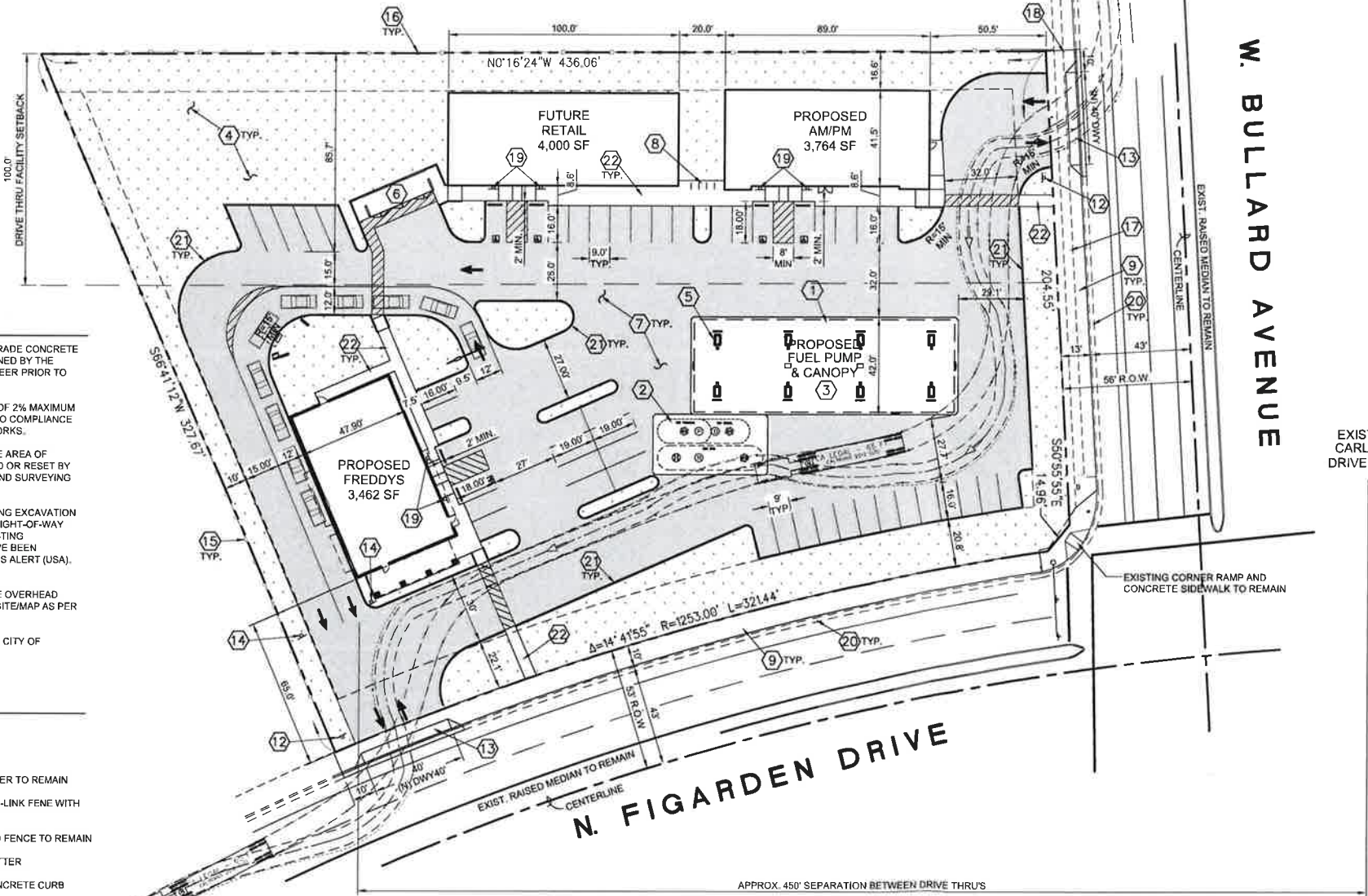
MILESTONE ASSOCIATES  
CONTACT: JULIO TINAJERO  
1000 LINCOLN ROAD, STE. H202  
YUBA CITY, CA 95991  
PHONE: (530) 755-4700

SITE NOTES

1. REPAIR ALL DAMAGED AND/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER PRIOR TO OCCUPANCY.
2. ALL EXISTING SIDEWALKS IN EXCESS OF 2% MAXIMUM CROSS SLOPE MUST BE BROUGHT INTO COMPLIANCE PRIOR TO ACCEPTANCE BY PUBLIC WORKS.
3. ANY 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.
4. 2 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 1-800-624-2444
5. UNDERGROUND ALL EXISTING OFFSITE OVERHEAD UTILITIES WITHIN THE LIMITS OF THIS SITEMAP AS PER FMC SECTION 15-4114.
6. PROPOSED PARKING LOT STRIPING TO CITY OF FRESNO PARKING MANUAL STDs.

LEGEND

- PROPERTY LINE
- CENTERLINE
- EXISTING CURB & GUTTER TO REMAIN
- EXISTING 6' HIGH CHAIN-LINK FENCE WITH SLATS TO REMAIN
- EXISTING 6' HIGH WOOD FENCE TO REMAIN
- PROPOSED CURB & GUTTER
- PROPOSED 6" HIGH CONCRETE CURB
- PROPOSED CONCRETE
- PROPOSED PARKING LOT PAVING
- PROPOSED LANDSCAPED AREAS



SITE PLAN



SEAL



ISSUES / REVISIONS

DRAWN BY: STAFF  
CHKD BY: J. TINAJERO

ARCO / FREDDY'S RESTAURANT  
FIGARDEN PETROLEUM, INC.  
5647 N. FIGARDEN DRIVE  
FRESNO, CALIFORNIA  
A.P.N. 509-290-07



SHEET TITLE

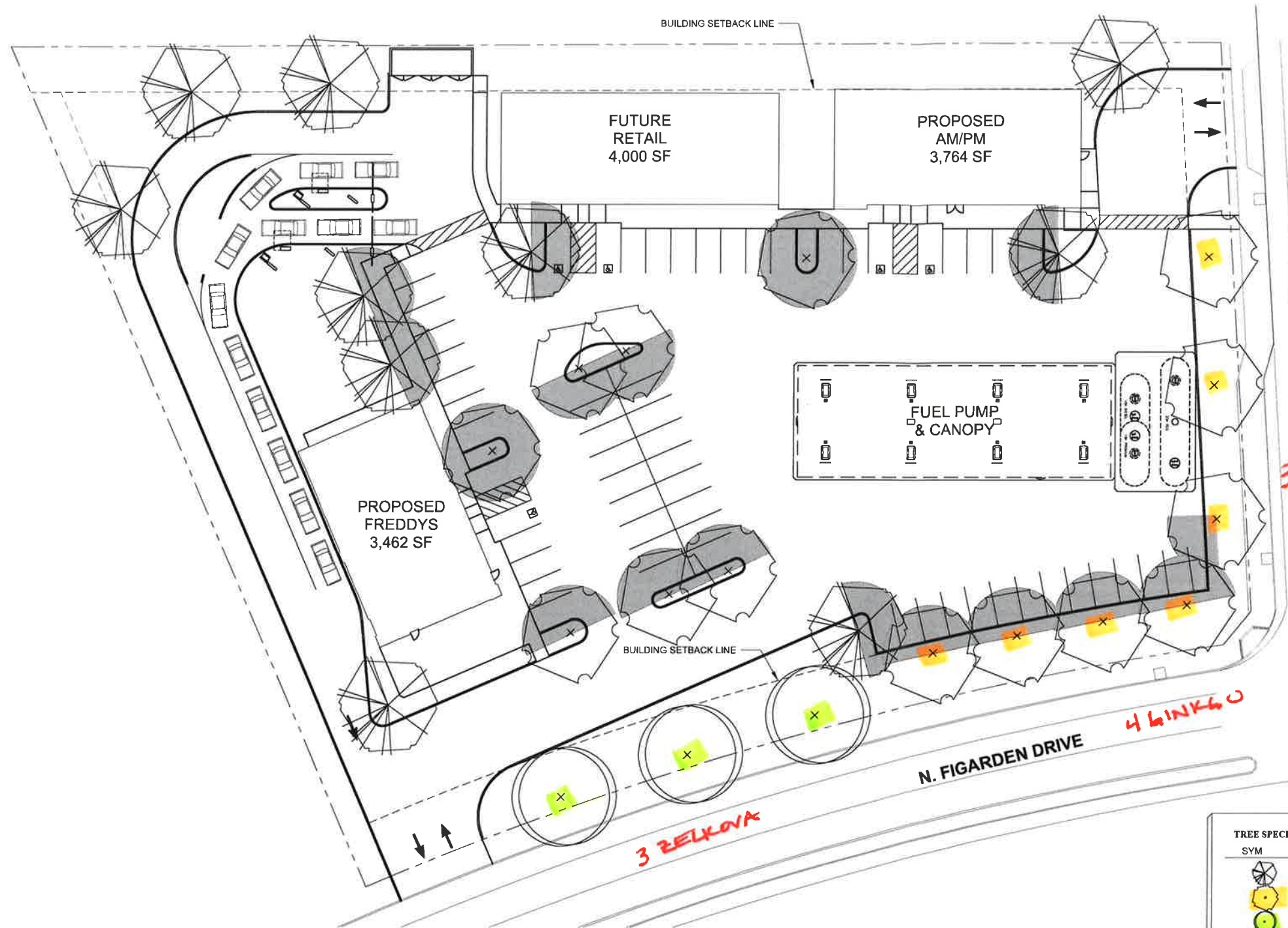
SITE PLAN

C-17-013

PROJECT NO: 16-946

DD1





# NOTES & DESIGN GUIDELINE NOTES:

CITY OF FRESNO MUNICIPAL CODE & VARIOUS DESIGN GUIDELINES:

LANDSCAPING REQUIREMENTS: THE LANDSCAPE SHALL COMPRISE A MINIMUM OF 20 PERCENT OF THE LOT AREA.  
TOTAL LOT AREA: 104,980 SF; TOTAL LANDSCAPE AREA: 26,687 SF = 25.4% OF LOT AREA.

PLAN USES NATIVE AND/OR DROUGHT TOLERANT LANDSCAPING APPROPRIATE TO THE CLIMATE AND CONDITIONS TO PROVIDE SHADE, SCREENING OF PARKING, UTILITIES, LOADING AND SERVICES FACILITIES, HELP FRAME VIEWS AND EDGES, AND PROVIDES NATURAL TRANSITIONS THAT ENHANCE THE QUALITY, WALKABILITY, SAFETY AND AESTHETICS OF THE SURROUNDING BUILT ENVIRONMENT; ENSURE HEALTHY ESTABLISHMENT AND APPROPRIATE LONG TERM CARE AND MAINTENANCE OF ALL EXISTING AND NEW LANDSCAPING PROVIDED FOR ALL TYPES OF DEVELOPMENT; PROMOTE SUSTAINABLE LANDSCAPING PRACTICES THAT LOWER URBAN HEAT ISLAND TEMPERATURES, IMPROVE AIR QUALITY, CONSERVE WATER AND ENERGY; PROVIDE TREES FOR SHADING AND AESTHETICS WHILE ENSURING ADEQUATE CLEARANCE AND VISIBILITY FOR SAFETY AND BALANCING OTHER NEEDS AND FUNCTIONS OF THE PROPERTY;



TREES SHALL BE 15-GALLON MINIMUM SIZE AT PLANTING; MINIMUM 70% OF SHRUBS SHALL BE 5-GALLON, REMAINDER SHALL BE 1-GALLON; GROUNDCOVERS SHALL BE 1-GALLON MINIMUM; MINIMUM 40% OF ALL TREES SHALL BE EVERGREEN; NO ONE SPECIES SHALL COMPRISE MORE THAN 75% OF TREES, SHRUBS, OR GROUNDCOVERS PROPOSED FOR THE SITE. STREET AND FRONTAGE TREES SHALL BE PLANTED AT NO LESS THAN 1 PER 60 FEET (COMMERCIAL DEVELOPMENT DESIGN GUIDELINES) AND BETWEEN 4' AND 10' BEHIND BACK OF SIDEWALK; SHRUBS AT LEAST 3' IN HEIGHT SHALL BE DESIGNED TO ENHANCE, SOFTEN, AND VISUALLY SCREEN LOADING AND PARKING AREAS FROM THE EYE-LEVEL OF PASSING AUTOMOBILES, TRASH ENCLOSURES, MECHANICAL EQUIPMENT, WALLS, AND OTHER UNSIGHTLY USES VISIBLE TO PUBLIC RIGHT-OF-WAY, EXCEPT NEAR STREET AND DRIVEWAY INTERSECTIONS; A 5-FOOT LANDSCAPE PLANTER SHALL BE INSTALLED AROUND THE PERIMETER OF TRASH ENCLOSURES.

LANDSCAPE IRRIGATION: LANDSCAPE PLANS SHALL COMPLY WITH THE STATE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE AS PROMULGATED BY THE CALIFORNIA DEPARTMENT OF WATER RESOURCES. LANDSCAPING AND AUTOMATIC IRRIGATION SHALL BE PROVIDED IN ACCORDANCE WITH SUBSECTION 23. WATER EFFICIENT LANDSCAPE STANDARDS AND SUBSECTION 24, LANDSCAPING, AND SECTION 12-306-N OF THE FRESNO MUNICIPAL CODE.

PARKING LOT LANDSCAPING:  
(PERFORMANCE STANDARDS FOR PARKING LOT SHADING, FEB 13, 2006).  
PLANTER ISLANDS SHALL BE 8' MIN. WIDTH WHERE ADJACENT TO NEW STANDARD STALLS, AND 6' MIN. WIDTH WHERE ADJACENT TO NEW COMPACT STALLS, AND 10' WIDE ALONG PERIPHERY EXCEPT AS MAY BE APPROVED PURSUANT TO MUNICIPAL CODE. TREES WITHIN SIGHT TRIANGLE SHALL BE LIMBED UP 8' MIN. LANDSCAPING SHALL NOT EXCEED 30" ABOVE PARKING LOT SURFACE.

PARKING LOT SHADING:  
(PERFORMANCE STANDARDS FOR PARKING LOT SHADING, FEB 13, 2006).  
SHADE TREES MUST BE PLANTED SO AS TO COVER 50% OF THE PARKING AREA WITH TREE CANOPIES WITHIN 15 YEARS OF PLANTING. TREES SHALL BE 15 GALLON MINIMUM SIZE.

ETO RATE: FRESNO, CA = 51.10  
WUCOLS REGION: #2; SUNSET CLIMATE ZONE 8/9; USDA ZONE 9B.  
STATE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE  
PERFORMANCE STANDARDS FOR PARKING LOT SHADING, UPDATED FEB. 13, 2006  
CITY WIDE DESIGN GUIDELINES ADOPTED FOR THE 2025 FRESNO GENERAL PLAN  
COMMERCIAL DEVELOPMENT DESIGN GUIDELINES  
CITY OF FRESNO MUNICIPAL CODE

SHADE CALCULATIONS							
	QUERCUS SUBER CORK OAK				15-YR SHADE	TOTAL: 2,405 SF	
					TOTAL:		
	%	100%	75%	50%	25%		
	SF	962	722	481	240		
QTY	0	0	5	0			
	GINKGO BILOBA 'AUTUMN GOLD'				15-YR SHADE	TOTAL: 6,252 SF	
					TOTAL:		
	%	100%	75%	50%	25%		
	SF	962	722	481	240		
QTY	2	0	8	2			
SHADE CALCULATIONS							
TOTAL PARKING AREA ASPHALT:					17,176 SF		
REQUIRED SHADE AREA 50%:					8,588 SF		
15-YR PROVIDED SHADE AREA:					8,657 SF		
PERCENTAGE:					50.4%		

PROPOSED PLANTING LEGEND						
TREE SPECIES						
SYM	BOTANICAL NAME	COMMON NAME	SIZE	QTY	WATER USAGE	NOTES
	QUERCUS SUBER	CORK OAK	24" BOX	10	LOW	
	GINKGO BILOBA 'AUTUMN GOLD' (MALE CLONE)	MAIDENHAIR TREE (NON-FRUITING)	15 GAL	14	MED	
	ZELKOVA SERRATA 'VILLAGE GREEN'	SAWLEAF ZELKOVA	15 GAL	3	MED	
SHRUB SPECIES						
ABRV.	BOTANICAL NAME	COMMON NAME	SIZE	QTY	WATER USAGE	NOTES
MR	MUHLENBERGIA RIGENS	DEER GRASS	5 GAL		LOW	
FC	FESTUCA GLAUCA 'ELIJAH BLUE'	BLUE FESCUE	1 GAL		LOW	
FS	FEJOA SELLOWIANA	PINEAPPLE GUAVA	5 GAL		LOW	
ND	NANDINA D. 'HARBOUR DWARF'	DWARF HEAVENLY BAMBOO	5 GAL		LOW	
RC	RHAPHIOLEPIS 'MAJ. BEAUTY'	MAJESTIC BEAUTY HAWTORN	5 GAL		LOW	
RI	ROSA 'ICEBERG'	ICEBERG ROSE	5 GAL		MED	
GROUNDCOVER SPECIES						
SYM.	BOTANICAL NAME	COMMON NAME	SIZE	QTY	WATER USAGE	NOTES
TL	TEUCRIUM LUCIDRYS	GERMANDER 'LUCIDRYS'	1 GAL		LOW	

PRELIMINARY LANDSCAPE PLAN

NOT FOR CONSTRUCTION

SCALE: 1" = 20'-0"  
0' 5' 10' 20' 30' 40' N

Milestone Associates  
1000 LINCOLN ROAD, STE 1002, WILSON, CA 95791  
TEL (916) 755-4700 FAX (916) 755-4587  
JULIO J. TINAJERO, P.E.  
PROJECT MANAGER

WPLA  
WATKINS PLANNING & LANDSCAPE ARCHITECTURE  
ERIK WATKINS, PLA  
CA #5753  
PO BOX 2285  
CARLSBAD, CA 92008  
(760) 628-5125

SEAL  
LANDSCAPE ARCHITECT  
PRELIMINARY  
STATE OF CALIFORNIA

ISSUES / REVISIONS  
DATE DESCRIPTION  
DRAWN BY: EW 9-26-16  
CHK'D BY: EW 9-26-16

ARCO / FREDDYS RESTAURANT  
NORCAL CAJUN FOODS II, INC.  
4371 WEST BULLARD AVENUE  
FRESNO, CALIFORNIA  
A.P.N. 509-290-07

3600 am/pm  
Prototype

ARCO  
RESOR CORPORATION  
SHEET TITLE

PRELIMINARY  
LANDSCAPE  
PLAN

PROJECT NO: 16-

PL





**DEPARTMENT OF PUBLIC UTILITIES  
ADMINISTRATION DIVISION  
MEMORANDUM**

**Date:** March 6, 2017

**To:** KIRA NOGUERA, Planner III  
Planning and Development

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

A red handwritten signature, likely of Kevin Gray, written over the "From:" line.

**Subject:** SEWER REQUIREMENTS FOR CONDITIONAL USE PERMIT No. C-17-013

**General**

Conditional Use Permit Application No. C-17-013 was filed by Julio Tinajero of Milestone Associates, on behalf of Surina Mann of Figarden Petroleum, and pertains to  $\pm 2.41$  acres of property located on the southwest corner of North Figarden Drive and West Bullard Avenue. 5647 North Figarden Drive and APN: 509-290-07. The applicant proposes development of a commercial center consisting of a 3,764 square-foot convenience store, a fuel facility consisting of 8 multi-product fuel dispensers under an overhead canopy, a 4,000 square-foot retail building, and a 3,462 square-foot Freddy's restaurant with a drive-through service window. The property is zone CC-UGM, Commercial – Community-Urban Growth Management.

**Sewer Requirements**

The nearest sanitary sewer mains to serve the proposed project is an 8-inch sewer main located in North Figarden Drive and a 12-inch sewer main located in West Bullard Avenue. Sewer facilities are available to provide service to the site subject to the following requirements:

1. Installation of sewer house branch(s) shall be required.
2. Abandon any existing on-site private septic systems.
3. On-site sanitary sewer facilities shall be private.
4. 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: # 18



*A Nationally Accredited Public Utility Agency*



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



City of



**DEPARTMENT OF PUBLIC UTILITIES**

**Date:** March 8, 2017

**To:** KIRA NOGUERA, Planner III  
Planning and Development

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

**Subject:** SOLID WASTE REQUIREMENTS FOR CONDITIONAL USE PERMIT No. C-17-013

Conditional Use Permit Application No. C-17-013 was filed by Julio Tinajero of Milestone Associates, on behalf of Surina Mann of Figarden Petroleum, and pertains to  $\pm 2.41$  acres of property located on the southwest corner of North Figarden Drive and West Bullard Avenue. 5647 North Figarden Drive and APN: 509-290-07. The applicant proposes development of a commercial center consisting of a 3,764 square-foot convenience store, a fuel facility consisting of 8 multi-product fuel dispensers under an overhead canopy, a 4,000 square-foot retail building, and a 3,462 square-foot Freddy's restaurant with a drive-through service window. The property is zone CC-UGM, Commercial – Community-Urban Growth Management.

**General Findings:**

- Location will be serviced by Allied Waste. Please contact at 559-275-1551 or 1-800-493-4285 for servicing.
- The proposed location of the trash enclosure is not acceptable therefore the trash enclosure shall be relocated to yield 44-foot radius path to and fro on future site plans.
- A three 3-cell enclosure is required for restaurants. Trash enclosure shall be designed to accommodate separate facilities for trash and recyclable materials along with a single 1-cell grease enclosure) constructed to current Solid Waste standards (P-33, P-34 and P-95) to be serviced weekly.

**General Requirements:**

- The area of the proposed trash enclosure will require a 44' turnaround or T-turnaround (hammerhead) for the vehicle to turn around after servicing this location or other viable exit for vehicles to exit location once service has been completed.
- The trash enclosure shall have a horizontally slopped, solid metal or fire resistant roof to prevent rainwater from mixing with the enclosure's contents and then draining out and into the storm drain or sewer system.



**Future Needs/Requirements:**

Future site plans will be required to show the new location and details of trash enclosure.





**Department of Public Utilities – Water Division**

**DATE:** March 20, 2017

**TO:** KIRA NOGUERA, Planner III  
Development Department/Current Planning

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

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

A handwritten signature in black ink, appearing to read "Robert A. Diaz", written over the "FROM:" line.

**SUBJECT: WATER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-17-013**

**General**

Conditional Use Permit Application No. C-17-013 was filed by Julio Tinajero of Milestone Associates, on behalf of Surina Mann of Figarden petroleum, and pertains to +/-2.41 acres of property located on the southwest corner of North Figarden Drive and West Bullard Avenue. The applicant proposes development of a commercial center consisting of a 3,764 square-foot convenience store, a fuel facility consisting of 8 multi-product fuel dispensers under an overhead canopy, a 4,000 square-foot retail building, and a 3,462 square-foot Fred's restaurant with a drive-through service window. The property is zoned CC/UGM (Commercial – Community/Urban Growth Management). APN 509-290-07 5665 North Figarden Drive.

**Water Requirements**

The nearest water mains to serve the proposed project are a 14-inch main located in West Bullard Avenue and a 14-inch main located in North Figarden Drive. Water service is available to the site, subject to the following requirements:

1. On-site water facilities shall be private.
2. Installation of water service & meter box shall be required.
3. Destruct any existing on-site well in compliance with the State of California Well Standards, Bulletin 74-81 and 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.





## **Water Fees**

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

1. Meter(s) installation(s)





FIRE DEPARTMENT

DATE: February 28, 2017

TO: KIRA NOGUERA, Planner III  
Development and Resource Management Department

FROM: CARL TORRENCE, Fire Prevention Inspector II *C.T.*  
Prevention and Technical Services Division

SUBJECT: 5647 N FIGARDEN DRIVE, C-17-013

Approved as submitted. No appointment or initial required. Approval of this plan does not authorize or approve any omission or deviation from applicable adopted codes and adopted standards. Final approval is subject to field inspection.

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.





March 28, 2017

City of Fresno Development Department  
Director of Planning & Development  
Special Permit, Conditional Use Permit  
2600 Fresno Street  
Fresno, California 93721-3604

**Attn. Kira Noguera, Planning Division**  
**Joann Zuniga, Planning Division**

**Re: SPECIAL PERMIT NO. C-17-013**  
**Commercial Center (AM/PM, Arco, retail building and Freddy's Restaurant)**  
**5647 N. Figarden Drive**  
**Fresno, CA 93722**  
**A.P.N. 509-290-07**

Dear Ms. Noguera,

Pursuant to your Department's request, the Fresno Police Department has reviewed the special permit application for property located at **5647 N. Figarden Drive**. The property has been zoned CC/UGM for (Commercial-Community/Urban Growth Management). The applicant proposes development of a commercial center consisting of an AM/PM convenience store, an Arco fuel facility with 8 multi-product fuel dispensers, a retail building and Freddy's Restaurant with a drive-through service window. The applicant requests authorization to establish a State of California Alcoholic Beverage Control **Type 20 alcohol license** (Package Store-sale of beer and wine for consumption off the premises where sold) for the AM/PM convenience store component. The Fresno Police Department's primary concern with the application is the propensity of the operations on the premises to generate calls for police service, and therefore, be detrimental to the public welfare.

As you know, to approve any Conditional Use Permit, the City must make the following findings:

1. All applicable provisions of the Fresno Municipal Code are complied with and the site of the proposed use is adequate in size and shape to accommodate the use, and all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,



2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,
3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. This third finding shall not apply to uses which are subject to the provisions of Section 12-306-N-39 of the Fresno Municipal Code (Regulating Adult Businesses).

The conditions are established to ensure public safety, and to minimize any impact to the surrounding area. We request the following conditions be included as Conditions of Approval for Conditional Use Permit Application No. C-17-013. These conditions will help to insure maintain an environment that is least likely to generate criminal activity, public complaints and police calls for service.

The Fresno Police Department is not in opposition of this Conditional Use Permit, providing the applicant agrees to the listed conditions. If the following conditions are not included as conditions of approval of CUP No. C-17-013, the Fresno Police Department shall oppose the approval of this Conditional Use Permit, and shall appeal such approval to the Planning Commission. As such, we request that you provide Detective Serrano #1051 with notice of the Director's decision regarding this Conditional Use Permit as well as a complete copy of the conditions of approval, if the Director approves the Conditional Use Permit.

#### **Requested Conditions of Approval:**

##### **1. Fresno Municipal Codes**

The applicant shall comply with all applicable provisions of the Fresno Municipal Codes ("FMC"), including but not limited to:

- FMC 9-502 (Amusement Devices - Permit Required)
- FMC 9-1803 (Hours of Operation of Billiard Hall)
- FMC 9-1804 (Restriction on Attendance of Minors in Billiard Rooms)
- FMC 9-1805 (Minors allowed: Family Billiard Rooms)
- FMC 9-1905 (Public Dancing - Permit Required)
- FMC 10-105 (Noise Ordinance)
- FMC 10-708 (Unlawful Nuisances - High Calls for Police Service)
- FMC 12-224 (C-M Zone, Adult Theater activities not permitted, see 12-105-T-1.1 for definition of Adult Theater, and 12-306-N-30 for additional limitations on Adult Business activities.)

A current version of the Fresno Municipal Code may be viewed at the City of Fresno's website: [www.Fresno.gov](http://www.Fresno.gov). The link to the FMC is located on the Home Page of that website.

##### **2. State and Federal Law**



The applicant shall comply with all applicable state and federal law, rules and regulations, including but not limited to the following California Business and Professions Code sections and ABC rules:

- BP 24046 (Required to Post ABC License on Premises)
- BP 25612.5 (Loitering, Open Alcoholic Beverage Containers, Consuming Alcoholic Beverages on Premises, Exterior Lighting, Litter Removal, Graffiti Removal, Signs and Barriers in Windows and Doors, Public Phones Blocked From Incoming Calls, Areas to Display Harmful Matter, Required Copies of Operating Standards Available for Public Viewing)
- BP 25631 (No sale of alcoholic beverages between 2:00 a.m. and 6:00 a.m.)
- BP 25665 (Minors Remaining in Public Premises)
- ABC Act Rule 106 (No Buy One Get One Free Drinks)
- ABC Act Rule 107 (No One Under 21 Allowed Signs Posted)
- ABC Act Rule 139 (Interior Lighting Required for Identification of Patrons)

### 3. Video Camera

Prior to exercising any privileges granted by CUP No. C-17-013 the applicant must install a fully functional color digital video camera system ("System") that meets the following requirements:

- 3.1 The System must continuously record, store, be capable of playing back images and be fully functional at all times, including during any hours the business is closed. The System must be maintained in a secured location inside of the business.
- 3.2 The System shall have the correct date and time stamped onto the image at all times.
- 3.3 The camera storage capacity should be for at least one week (seven calendar days). Such cameras must be capable of producing a retrievable and identifiable image than can be made a permanent record and that can be enlarged through projection or other means.
- 3.4 Digital video recorder must be capable of storing at least seven days of real-time activities.
- 3.5 The System shall be capable of producing a CD or digital playback feature and may be provided to an authorized representative of the Fresno Police Department within 24 hours of the initial request relating to a **criminal investigation only**.
- 3.6 The interior of the business must have at least one camera placed to focus on each cash register transaction to include the clerk as well as the customer waiting area. There



should be at least one camera focused on the entrance and the camera view should clearly show an image of the color coded height tape installed on the inside of the door jamb.

3.7 There shall be exterior cameras placed so as to record activities in the primary customer parking areas of their business. These cameras should be of sufficient quality to be able to identify persons and or vehicles utilizing the business parking lot.

3.8 All interior cameras shall record in color.

3.9 All exterior cameras shall record in color and have automatic low light switching capabilities to black and white. Exterior cameras should be in weatherproof enclosures and located in a manner that will prevent or reduce the possibility of vandalism.

It is recommended, but not required, that the owner/operator provide the IP address(s) to the Fresno Police Department Communications Center for any system that is browser-based or viewable from a remote site. The Fresno Police Department may perform periodic inspections of the System to ensure compliance with these specifications. An inoperable System may be good cause for seeking revocation of this Conditional Use Permit.

#### **4. ABC Education**

Any and all employees hired to sell alcoholic beverages shall provide evidence that they have either:

- 4.1 Completed training from the State of California Department of Alcoholic Beverage Control--Fresno District Office-administered "Leadership and Education in Alcohol and Drugs" (LEAD) Program as confirmed by receipt of an ABC-issued certificate of completion; or,
- 4.2 Completed equivalent training acceptable to the ABC-- Fresno District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.

If any prospective employee designated to sell alcoholic beverages, tobacco or inhalants does not currently have such training then:

- 4.3 The ABC-licensed proprietors shall have confirmed with the Development Department within 15 days of the final approval of the CUP or within 15 days of the opening to the public of a new store, whichever is later, that a date certain has been scheduled with the local ABC Office for said prospective employees to take the LEAD Program course; and



- 4.4 Within 30 days of taking said course the employee(s) or responsible employer shall deliver to the Planning Department each required LEAD Program Certificate evidencing completion of said course.

**5. Sale of Malt and Wine-Cooler Alcoholic Beverages**

5.1 Malt liquor or malt beverage products shall not be sold in less than six (6) pack quantities for sale. They must be sold in manufacturer pre-packaged multi-unit quantities. This will include all sizes of containers.

5.2 All wine cooler products shall not be sold in less than four (4) pack quantities for sale. They must be sold in manufacturer pre-packaged multi-unit quantities.

5.3 Single Sales of any other beer product, of any size, is permitted.

**6. Wine Alcohol Per Volume**

No wine shall be sold with an alcoholic content greater than 24% volume, except premium dessert wines priced at \$10.00 or more.

**7. Posting Property**

The applicant shall post the property with the appropriate Fresno Municipal Code signs advising that consumption of alcoholic beverages, gambling, trespassing or loitering will be in violation of municipal ordinances. The applicant must send a letter to the Fresno Police Department, signed and dated by the applicant, every 180 days that authorizes FPD peace officers to enter the applicant's real property and/or establishment to enforce against the aforementioned activities at the business. The owners and employees are responsible for abating those activities when they occur during business hours.

**8. Consumption of Alcoholic Beverages and Loitering.**

8.1 The establishment shall not allow alcoholic beverages to be consumed outside the building premises or any other adjacent property under its control. No alcoholic beverage will be consumed on any property adjacent to the premises (i.e., parking lot and sidewalks). If the alcoholic beverages are consumed on the exterior portion of adjacent property not owned or controlled by the applicant, the applicant shall immediately report such consumption to the Fresno Police Department.

8.2 The establishment shall not allow any loitering on building premises or any adjacent property under its ownership or control.

8.3 The establishment shall not allow any gambling on building premises or any adjacent property under its control.



9. **Property Responsibility**

“Frequent” responses by the Fresno Police Department arising out of or relating to the operation or management of the real property owned or controlled by the permittee causing any combination of the following: animal disturbances; violent criminal acts; illegal consumption of intoxicants in public view; gaming activities; and juvenile disturbances, or any of the other activities set forth in the Fresno Municipal Code section 10-708(g) may result in an FPD recommendation to the Director of Planning and Development to commence proceedings to revoke the Conditional Use Permit for violation of the Management of Real Property Ordinance. In addition to recommending the commencement of revocation proceedings, the FPD may pursue any of the other remedies set forth in FMC, section 10-710, including assessing fines against the proprietor for the violations of the Management of Real Property Ordinance.

“Frequent” means response by the Fresno Police Department is occurring more than 1.5 times the average number of such responses (3 calls for every 2) for property of a similar size and character within the same policing district.

10. **The establishment shall ensure that all employees involved, either directly or indirectly, in the sale of alcoholic beverages are aware of and comply with these conditions. The establishment shall have each employee sign a written acknowledgment that he/she has reviewed and understood each of these conditions. The written acknowledgement shall be maintained by the establishment and made available to the Fresno Police Department upon reasonable request.**


**FRESNO POLICE DEPARTMENT**

 Date: 3-29-17

**Captain Burke Farrah**  
**Northwest District Commander**

 Date: 03/28/17

**Sergeant Jordan Beckford**  
**Northwest District Supervisor**

 #1051 Date: 03-28-17

**Detective Dawnielle Serrano**  
**Northwest District POP**





# San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT



Kira Noguera  
City of Fresno  
Development Services/Planning Department  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

**Project: Conditional Use Permit No. C-17-013**

**District CEQA Reference No: 20170191**

**RECEIVED**  
MAY 31 2017  
DARM - DEVELOPMENT SERVICES  
CITY OF FRESNO

Dear Ms. Noguera

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of the development of a commercial center comprised of a 3,764 square-foot convenience store, a fuel facility consisting of 8 multi-product fuel dispensers under an overhead canopy, a 4,000 square-foot retail building, and a 3,462 square-foot Freddy's restaurant with a drive-through service window, located at the southwest corner of North Figarden Drive and West Bullard Avenue in Fresno, CA. The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. Based on information provided to the District, the proposed project may equal or exceed 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. 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, 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>.

**Sayed 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



3. Particulate Matter 2.5 microns or less in size (PM<sub>2.5</sub>) from under-fired charbroilers (UFCs) pose immediate health risk. Since the cooking of meat can release carcinogenic PM<sub>2.5</sub> 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<sub>2.5</sub> in the Valley. Photochemical modeling conducted for the 2012 PM<sub>2.5</sub> Plan showed that reducing commercial charbroiling emissions is critical to achieving PM<sub>2.5</sub> attainment in the Valley.

The District committed to 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 PM<sub>2.5</sub> 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 is offering incentive funding during the time leading up to the amendment to the rule. 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.

4. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM<sub>10</sub> 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). 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](http://www.valleyair.org/rules/1ruleslist.htm).



5. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Carol Flores, at (559) 230- 5935.

Sincerely,

Arnaud Marjollet  
Director of Permit Services



 Brian Clements  
Program Manager

AM:cf









*Preparing Career Ready Graduates*

## BOARD OF EDUCATION

Brooke Ashjian, President  
Claudia Cazares, Clerk  
Valerie F. Davis  
Christopher De La Cerna  
Lindsay Cal Johnson  
Elizabeth Jonasson Rosas  
Carol Mills, J.D.

REVISED REQUEST

## INTERIM SUPERINTENDENT

Robert G. Nelson

March 23, 2017

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

SUBJECT: **CONDITIONAL USE PERMIT NO. C-17-013-ABCUP  
5647 N. FIGARDEN DR.**

Dear Ms. Noguera,

In response to the City's request for comments on the pending Conditional Use Permit (C.U.P.) referenced above, Fresno Unified School District (FUSD) has the following comments and concerns.

The applicant is proposing the development of a commercial center consisting of a 3,764 square-foot AM/PM convenience store, an ARCO fuel facility, a 4,000 square-foot retail building, and a 3,462 square-foot Freddy's restaurant to be located at 5647 North Figarden Drive, and is requesting authorization to establish a State of California Alcoholic Beverage Control Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) alcohol license. It is located within approximately 2,175 feet from Figarden Elementary School.

As per the State of California's Alcohol Beverage Control Act, an alcohol license can be refused by the State if the location is "within at least 600 feet from schools." Per California Business and Professions Code Section 23789(b), "The department is specifically authorized to refuse the issuance, other than renewal or ownership transfer, of any retail license for premises located within at least 600 feet of schools and public playgrounds or nonprofit youth facilities, including, but not limited to, facilities serving Girl Scouts, Boy Scouts, or Campfire Girls. This distance shall be measured pursuant to rules of the department." The District **does not support** the license request and continues to have concerns regarding potentially dangerous interaction between our students and the proposed operation. FUSD's response on this project is subject to the Alcohol Beverage Control Act and the Fresno Police Department's review and support of the project with regard to the concentration and use of alcohol-related business in close proximity to school sites.

The Fresno Unified School District levies a commercial/industrial development fee and the current fee rate is \$0.56 per square foot. Any new development on the property will be subject to the development fee prior to issuance of a building permit and fees will be calculated pursuant to rates effective at the time of payment.

If you have any questions or require additional information regarding our comments and concerns, please contact our office at (559) 457-3066.

Sincerely,

Alex Belanger, Assistant Superintendent  
Facilities Management and Planning

AB:hl

c: Stephen Zoller, Principal, Figarden Elementary School





# County of Fresno

## DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director  
Dr. Ken Bird, Health Officer

February 23, 2017

LU0018861  
2602

Kira Noguera  
Development & Resource Management  
2600 Fresno Street, Third Floor  
Fresno, CA 93721-3604

Dear Ms. Noguera:

PROJECT NUMBER: C-17-013

**Conditional Use Permit Application No. C-17-013** was filed by Julio Tinajero of Milestone Associates, on behalf of Surina Mann of Figarden Petroleum, and pertains to  $\pm 2.41$  acres of property located on the southwest corner of North Figarden Drive and West Bullard Avenue. The applicant proposes development of a commercial center consisting of a 3,764 square-foot convenience store, a fuel facility consisting of 8 multi-product fuel dispensers under an overhead canopy, a 4,000 square-foot retail building, and a 3,462 square-foot Freddy's restaurant with a drive-through service window. The property is zoned CC/UGM (*Commercial- Community/Urban Growth Management*).

**APN: 509-290-07**

**ZONING: CC/UGM**

**ADDRESS: 5647 North Figarden Drive**

Recommended Conditions of Approval for AM/PM Fuel Facility & Freddy's Restaurant:

- Prior to issuance of building permits, the applicants will be required to 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 operation, the applicants shall apply for and obtain permits 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.
- Should alcohol sales be proposed, the applicant shall first obtain their license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 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.
- Facilities that use and/or store hazardous materials and/or hazardous wastes 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. Your proposed business will handle

***Promotion, preservation and protection of the community's health***

1221 Fulton Mall / P. O. Box 11867, Fresno, CA 93775

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hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/> or <https://www.fresnocupa.com/>). For more information please contact the local Certified Unified Program Agency (CUPA) at (559) 600-3271.

- Prior to the issuance of building permits, the AM/PM facility applicant shall submit three (3) sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency (CUPA), at (559) 600-3271 for more information.
- Prior to operations, the AM/PM facility applicant shall apply for and secure a Permit to Operate an Underground Storage Tank System 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 tenants for this application have not been identified, the full range of CC zoning 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 Tenants:

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

(559) 600-3271

---

kt

cc: Tolzmann, Rogers, Moreno, Mak, San Miguel & Bains- Environmental Health Division (CT 42.12)  
Surina Mann- Applicant ([surina.mann@norcaloffice.com](mailto:surina.mann@norcaloffice.com))  
Julio Tinajero- Designer ([julio@milestone-ae.com](mailto:julio@milestone-ae.com))



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

File No. 210.413

Page 1 of 4

**PUBLIC AGENCY**

KIRA NOGUERA  
DEVELOPMENT AND RESOURCE MANAGEMENT  
CITY OF FRESNO  
2600 FRESNO ST., THIRD FLOOR  
FRESNO, CA 93721-3604

**DEVELOPER**

SURINA MANN, FIGARDEN PETROLEUM, INC.  
2190 MERIDIAN PARK BLVD., SUITE G  
CONCORD, CA 94520

PROJECT NO: **2017-013**

ADDRESS: **5647 N. FIGARDEN DR.**

APN: **509-290-07**

SENT:

3/8/17

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
EF	\$18,390.00	NOR Review	\$94.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$477.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$18,390.00		Total Service Charge: \$571.00		

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/17 based on the site plan submitted to the District on 2/22/17 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

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

FR  
CUP  
No. 2017-013



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

Page 2 of 4

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

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


**FR  
CUP No. 2017-013**




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

Page 3 of 4

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

  
Debbie Campbell  
Design Engineer

  
Gary W. Chapman  
Project Engineer

**FR  
CUP  
No. 2017-013**



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

Page 4 of 4

CC:

JULIO TINAJERO, MILESTONE ASSOCIATES

---

1000 LINCOLN RD., SUITE H202

---

YUBA CITY, CA 95991

---

**FR CUP No. 2017-013**



**OTHER REQUIREMENTS**  
**EXHIBIT NO. 2**

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

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

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

Development No. CUP 2017-013



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-17-013

FMFCD

**Return Completed Form to:**

Kira Noguera, Development Services/Planning

Email: [Kira.Noguera@fresno.gov](mailto:Kira.Noguera@fresno.gov) and[Joann.Zuniga@fresno.gov](mailto: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-17-013** was filed by Julio Tinajero of Milestone Associates, on behalf of Surina Mann of Figarden Petroleum, and pertains to  $\pm 2.41$  acres of property located on the southwest corner of North Figarden Drive and West Bullard Avenue. The applicant proposes development of a commercial center consisting of a 3,764 square-foot convenience store, a fuel facility consisting of 8 multi-product fuel dispensers under an overhead canopy, a 4,000 square-foot retail building, and a 3,462 square-foot Freddy's restaurant with a drive-through service window. The property is zoned CC/UGM (*Commercial - Community/Urban Growth Management*).

APN: 509-290-07

ZONING: CC/UGM

ADDRESS: 5647 North Figarden Drive

DATE ROUTED: February 21, 2017

COMMENT DEADLINE: March 7, 2017

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

REFER TO FMFCD NOTICE OF REQUIREMENTS  
FOR CUP 2017-013.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

SAME AS ABOVE

REQUIRED CONDITIONS OF APPROVAL:

SAME AS ABOVE.

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

NO.

REVIEWED BY:

GARY CHAPMAN ENG. TECH. III 456-3292

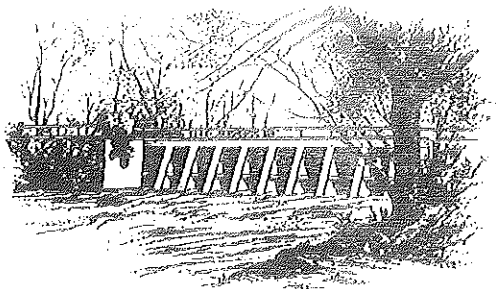
3/8/17

Name and Title

Telephone Number

Date





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

March 2, 2017

Kira Noguera  
Development and Resource Management  
City of Fresno  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Conditional Use Permit Application No. C-17-013  
SW Bullard Avenue and Figarden Drive

Dear Ms. Noguera:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. C-17-013 for which the applicant proposes the development of a commercial center consisting for a 3,764 square feet convenience store, a fuel facility consisting of 8 multi-product fuel dispenser, a overhead canopy, a 4,000 square feet retail building and a 3,462 square feet restaurant with a drive through window, APN: 509-290-07. The property is currently zoned CC/UGM (Commercial - Community/Urban Growth Management) Zone District. FID has the following comments:

1. FID does not own, operate or maintain any facilities located on the subject property as shown on the attached FID exhibit map.
2. For informational purposes, FID's H-Ditch No. 128 runs southwesterly and crosses Bullard Avenue approximately 650 feet east of the subject property and Figarden Drive approximately 900 feet north and 400 feet southeast of the subject parcel, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Bullard Avenue, Figarden Drive, or in the vicinity of the canal crossing, FID requires it review and approval of all plans.
3. For informational purposes, FID's E-4 No. 127 runs southwesterly and crosses Figarden Drive, approximately 2,000 feet southeast of the subject parcel, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Figarden Drive or in the vicinity of the canal crossing, FID requires it review and approval of all plans.



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

Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment

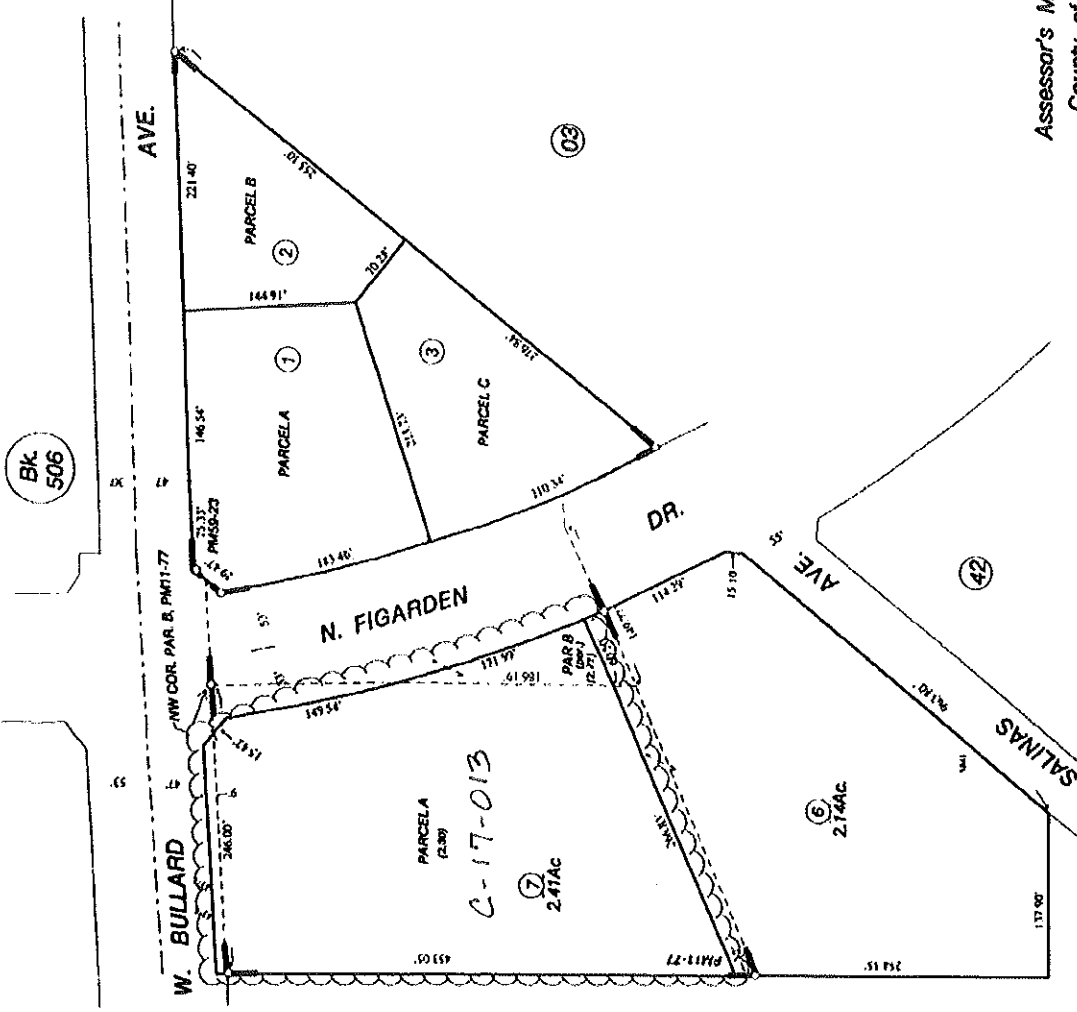






SUBDIVIDED LAND IN POR. SEC. 11, T. 13 S., R. 19 E., M.D.B.&M.

This map is for Assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.



NOTE - Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

Parcel/Map No. 74-11 - Bk 11, Pg. 77  
Parcel/Map No. 94-11 - Bk 59, Pg. 23 & 24

01-76-2009



**RECEIVED**

**OCT 14 2016**

**DARM - DEVELOPMENT SERVICES  
CITY OF FRESNO**

Figarden Commercial Center  
4371 W. Bullard Avenue  
Fresno, CA 93722

Statement of Operations

Figarden Petroleum, Inc. intends to develop a new commercial center located at 4371 W. Bullard Avenue, Fresno, CA 93722. The company currently owns and operates the numerous fuel stations, convenience stores, and restaurants throughout California. The intention with this new development is to operate a Freddys restaurant, an Arco am/pm fuel station, a retail building for future use, and a convenience store (c-store).

The am/pm fuel station will have 16 filling points on 8 dispensers and will offer an affordable gasoline choice to the patrons visiting the Figarden Commercial Center and its allied food uses. The C-store will be a 24-hour operation and will serve packaged foods, snacks, hot and cold drinks. These include donuts, pretzels, chips, nuts, automotive accessories, OTC common ailment medications, baby food, well as a vast array of carbonated, non-carbonated, and frozen drinks and juices. The convenience store will also sell beer & wine. The business will also sell propane by the tank.

The Freddys restaurant will have a drive thru which is anticipated to service 60%-75% of its business and will also have both indoor and outside dining areas. It will serve breakfast from 6AM to 10:30AM. The indoor dining room for Freddys will remain open until 11PM and the drive thru will close at 12AM. The restaurant will serve its iconic menu items such as Steakburgers, Chicago Dogs, and Turtle Sundaes, as well as Coca-Cola Freestyle, milkshakes, soft serve custard, and other desserts. The Freddys and AMPM create synchronicity, which provide patrons more choices and create a one stop shop of affordability.

The company anticipates the Freddys restaurant to employ 25-35 employees, Gas Station/ C-Store to employ an additional 5-10 employees, and the future retail uses to employ an additional 30 employees. The staff and operation will be independent of each other in order to maintain each brands' standards and will have a full complement of managers. A district manager from the company's Operations Division will be assigned to overlook the Freddys operation and Figarden Petroleum operating partner who currently operates other existing am/pm's will overlook the Service Station/ C-Store.

The owners of the project is Figarden Petroleum, Inc., and they will overlook the design and construction process directly.



## **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 land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished, or moved in any zoning district, except in accordance with the provisions of this Code. Specific uses of land, buildings, and structures listed as prohibited in any zoning district are hereby declared to be detrimental to the public health, safety, and welfare.
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/businessstaxapplicaiton.htm>
6. All proposed building(s) or structure(s) constructed on the property must comply with the prevailing California Building Code Standards.



## City of Fresno Notes and Requirements For Entitlement Applications

Page 2 of 9

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.
8. A permit granted under this Code shall automatically expire if it is not exercised or extended within three years of its issuance. Refer to section 15-5013, Expiration of Planning Entitlements, for more information about the exercise of rights.

### **FENCES/WALLS, LANDSCAPING, PARKING**

9. Nothing in this Development Code shall be deemed to prohibit the erection of temporary fencing around construction sites in compliance with the Building Code and other applicable provisions of the Fresno Municipal Code.
10. Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation.
11. Trees shall be maintained by property owners to be free from physical damage or injuring arising from lack of water, chemical damage, accidents, vandalism, insects, and disease. Any tree showing such damage shall be replaced with another tree.
12. No tree for which a Tree Removal Permit is required shall be removed until all conditions of the permit have been satisfied and the decision has become final. In addition, tree(s) approved for removal in conjunction with a development application shall not be removed before the issuance of a Building Permit or unless all of the conditions of approval of the development applications are satisfied.
13. The review authority shall issue a Tree Removal Permit if any of the following general criteria is met: **a)** The tree(s) is irreparably diseased or presents a danger of falling that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices so that the public health or safety requires its removal. **b)** The tree(s) can potentially cause substantial damage to existing or proposed main structure(s) (e.g. dwellings, other main structures, or public infrastructure) or interfere with utility services and cannot be controlled or remedied through reasonable relocation or modification of the structure or utility services. **c)** The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the Review Authority that there are no reasonable alternatives to preserve the tree(s).
14. 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.)**



## City of Fresno Notes and Requirements For Entitlement Applications

Page 3 of 9

15. New landscaping shall have an automatic irrigation system designed to provide adequate and efficient coverage of all plant material. Irrigation systems shall comply with the requirements of the California Green Building Standards Code and/or the California Model Water Efficient Landscape Ordinance and/or the California Plumbing Code as may be amended.
16. Future tenant improvements shall be reviewed and approved by the Development and Resource Management Department to ensure that adequate off-street parking is provided.
17. Trees required for parking lots are in addition to trees required elsewhere on the site as prescribed in other sections of this Code.
18. A minimum number of accessible parking stalls are required for the proposed project per State of California Building Code, "Development Requirements for Handicapped Accessibility."
19. 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.)**
20. Applicants are encouraged to provide shared vehicle and pedestrian access between adjacent properties for convenience, safety, and efficient circulation. A joint access covenant shall be required. **(Include this note on the site plan.)**
21. All general standards of Section 15-2015 of the FMC shall apply when lighting is provided to illuminate parking, sales or display areas. **Depict all proposed lights on the site plan.**
22. Bicycle parking spaces shall be supplied according to Table 15-2429-D: Required On-Site Bicycle Parking Spaces of the Fresno Municipal Code (FMC). Each bicycle parking space shall be a minimum of 30 inches in width and eight feet in length and shall be accessible without moving another bicycle. At least 30 inches of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces to allow for the maneuvering of bikes. Overhead clearance shall be a minimum of seven feet. A minimum five foot aisle between each row of bicycle parking shall be provided for bicycle maneuvering beside or between each row, when multiple rows are proposed. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open spaces, and shall be located proximal to structures.
23. All general provisions of Section 15-2403 of the FMC shall apply to all parking areas.



## City of Fresno Notes and Requirements For Entitlement Applications

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### SIGNAGE

24. 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.
25. 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.)**
26. 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/DARM/DevelopmentServices/StandardsGuidelines/SignsandBanners.htm>
27. Window signs limited to the hours of operation, address, occupancy, and emergency information, subject to the following standards: **a)** Operational windows signs shall not be mounted or placed on windows higher than the second story. **b)** The maximum area of exempt window signage shall not exceed three square feet in area.
28. Banners, streamers, moving signs, and inflatables (including air dancers, balloons, and similar objects) are allowed subject to Temporary Use Permit approval for establishments within Non-Residential Districts. Signs of this type do not count toward total maximum sign area. No sign per this section shall be displayed for more than 30 days, and a period of 30 must lapse before displaying another sign. Signs shall not be displayed for more than 60 total days during a calendar year.

### MISCELLANEOUS

29. Noise levels shall not exceed the decibel levels described in Section 15-2506 of the FMC at anytime, measured at the nearest subject property line. [http://library.municode.com/HTML/14478/level3/MUCOFR\\_CH10REREPUNUREPRCOUS\\_ART1NORE.html#MUCOFR\\_CH10REREPUNUREPRCOUS\\_ART1NORE\\_S10-102DE](http://library.municode.com/HTML/14478/level3/MUCOFR_CH10REREPUNUREPRCOUS_ART1NORE.html#MUCOFR_CH10REREPUNUREPRCOUS_ART1NORE_S10-102DE)
30. The address listed in the conditions of approval is the 'Official Address' given to the building. If you would like separate suite or unit numbers for a building, provide a floor plan and contact the City of Fresno Development and Resource Management Department for 'Official Addresses'. **Only those addresses assigned by the City of Fresno will be recognized as 'Official Addresses'**. The United States Post Office will only recognize addresses assigned by the City of Fresno. If a non-official address is given to a building and or/separate suites, the City of Fresno has the authority to charge a fee and have those addresses corrected. In addition, the United States Post Office will cease mail delivery to those addresses that are not 'Official Addresses'.



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31. 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](http://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](http://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](http://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](http://www.casqa.org)).

32. Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
33. 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.)**
34. 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.)**
35. 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



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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.)**

36. Connection to a municipal water system is required unless approved measures are included in the project conditions of approval for an alternative water supply.
37. 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.
38. 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.
39. Open street cuts are not permitted; all utility connections must be bored.
40. 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.
41. 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.
42. Open storage (outside an enclosed building) shall be limited to vehicles, boats, recreational vehicles, and trailers. Outdoor storage areas shall be screened from public view by building façades or solid fences. At the discretion of the Review Authority, the treatment of the ground surface of the open storage area may be gravel or other materials as prescribed by the San Joaquin Valley Air Pollution Control District, the Public Works Department, the Fire Department, and the Fresno Metropolitan Flood Control District. All open storage must be depicted on the site plan and described in operation. If it is not, it is not allowed on the site.
43. 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)

44. 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.
45. 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)
46. 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.

### 47. 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.

### 48. 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](http://www.fresnocog.org). Provide proof of payment or exemption prior to issuance of building permits.

### 49. 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.

### 50. 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.

### 51. 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')



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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.*

- 52. 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)

- 53. 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.