

Exhibit "H"
Conditions of Approval for
Tentative Parcel Map

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

**CONDITIONS OF APPROVAL
AUGUST 2, 2017**

VESTING TENTATIVE PARCEL MAP No.2017-06

**LOCATED ON THE NORTHWEST CORNER OF EAST JENSEN AND SOUTH MARTIN LUTHER
KING, JR. AVENUES**

NOTICE TO PROJECT APPLICANT

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

In accordance with the provisions of Government Code §66020(d)(1), the imposition of fees, dedications, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations or exactions imposed on a development project.

Upon conditional approval of Vesting Tentative Parcel Map No. 2017-06, dated June 21, 2017, the subdivider may prepare a Parcel Map (Final) in accordance with the approved tentative parcel map. Note that a Parcel Map may not be filed until the appeal period has expired. Should an appeal be filed pursuant to Section 15-3314 of the FMC, the application will be scheduled to be heard before the City of Fresno Planning Commission. The appellant may withdraw their appeal pursuant to Section 15-3314-G of the FMC.

Concurrent with the filing of a Parcel Map and when the provisions of Section §66436 of the SMA apply, the subdivider is responsible to send, by certified mail, a sketch of the proposed Parcel Map, together with a copy of Section §66436(a)(3)(A) of the SMA, to any public entity or public utility which has previously acquired a right-of-way easement.

ZONING

1. Comply with the provisions of the State of California Government Code Sections §66410 - §66499.58 of the SMA and Part IV: Land Divisions as contained within Chapter 15 of the Fresno Municipal Code.
2. A Certificate of Compliance shall be obtained from the City of Fresno prior to the sale, lease, or financing of the proposed Remainder Parcel.
 - a) In accordance with Section 66424.6(a)(2) of the State of California Government Code, the fulfillment of construction requirements for improvements, including the payment of fees associated with any deferred improvements, shall not be required until a permit or other grant of approval for development of the remainder parcel is issued by the local

agency or, where provide by local ordinance, until the construction of the improvements, including the payment of fees associated with any deferred improvements, is required pursuant to an agreement between the subdivider and the local agency. In the absence of that agreement, a local agency may require fulfillment of the construction requirements, including the payment of fees associated with any deferred improvements, within a reasonable time following approval of the final map and prior to the issuance of a permit or other grant of approval for the development of a remainder parcel upon a finding by the local agency that fulfillment of the construction requirements is necessary for reasons of: (A) The public health and safety; or, (B) The required construction is a necessary prerequisite to the orderly development of the surrounding area.

3. The following exemptions from improvements are applicable to the proposed subdivision pursuant to Section 15-3804-Q of the Fresno Municipal Code (FMC):
 - a) The improvements and payments required by Section 15-3804 of the FMC shall not be required on or in front of any undeveloped portion of a net acreage of 10 acres or more which exists after the division of land.
 - b) The improvements and payments required by Subsection 15-3804-B of the FMC are not required in whole or in part or in front of any parcel of more than four or less than 10 net acres which exists after the division of land, whenever the City Engineer in his or her discretion determines that the omission of all or part of the improvements will not be materially detrimental to the public welfare, safety, or convenience, will not adversely affect the rights of adjacent property owners or occupants, or be injurious to property or improvements in the area, and that the installation thereof would be premature in relation to the public needs of the present and immediate future.

GENERAL CONDITIONS

4. Contact Sophia Pagoulatos, Planning Manager, in the City of Fresno Development and Resource Management Department at (559) 621-8062 or via email at Sophia.Pagoulatos@fresno.gov for assignment of addresses to parcels proposed to be created from a subdivision of the subject property.
 - NOTE: It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.
5. Any existing and/or proposed structure(s) on the site may be affected due to the location of the proposed parcel lines. The placement of a parcel line in close proximity to (or through) any existing and/or proposed structure(s) requires that the structure(s) be found in compliance with the fire resistive standards of the Uniformed Building Code, Chapter 5.

- a) Compliance with the prevailing Uniform Building Code as it relates to exterior wall protection, allowable area, etc. (as applicable to new parcel line locations) must be demonstrated prior to recordation of the Parcel Map. Contact the Development and Resource Management Department, Building and Safety Services Division at (559) 621-8200.
 - NOTE: In the event the structures do not comply they must be modified so as to meet the requirement.
6. All existing offsite overhead utilities within the limits of the tentative parcel map, including but not limited to, electrical systems, communication systems and street lighting systems shall be placed underground in accordance with the provisions of Section 15-2017 and Resolution No. 78-522/88-229, and the policies of the Public Works Department.
 - NOTE: This requirement may be waived or deferred by the Public Works Director or the City Engineer upon a determination that the installation is infeasible or premature.
7. When required, all work and engineered plans for public improvements shall conform to the 2014 Edition of the City of Fresno Standard Specifications and Drawings and any amendments thereto, hereinafter referred to as the Public Works Standards.
 - a) Engineered construction plans and estimates for all or part of the required work shall be required prior to the issuance of Street Work Permits unless otherwise determined by the City Engineer. The cost for such plan preparation, review and construction inspection shall be at the subdivider's expense.
8. The subdivider shall dedicate and construct public easements to facilitate the construction of public improvements (when applicable) within the limits of the parcel map.
 - a) All such public easements shall be identified and dedicated with the processing and recordation of a Parcel Map.
9. Repair all existing 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.
10. Any existing utilities, including but not limited to, street lights, traffic signals, fire hydrants, poles (power, telephone, cable, etc.), which must be relocated or removed in conjunction with the construction of off-site improvement requirements, shall be the responsibility and at the expense of the subdivider.
11. The subdivider may either construct or install required public improvements, when required; or, enter into a bonded secured agreement with the City of Fresno providing for the construction of the required improvements and sufficient security prior to the recordation of a

Parcel Map (final).

12. Whenever covenants or agreements are required, they shall be prepared by the city upon receipt of the fee in accordance with the adopted Master Fee Schedule. All covenants and agreements must be approved by the City Attorney's Office and shall be recorded with the final parcel map.

SPECIFIC CONDITIONS

STREETS AND RIGHTS-OF-WAY

13. The subdivider shall comply with all requirements and conditions included within the attached Department of Public Works, Traffic and Engineering Services Division memorandum dated July 13, 2017; or, any amendment or modifications to those requirements which may be granted by the Director of the Department of Public Works prior to recordation of a Parcel Map.
14. The subdivider shall comply with all requirements and conditions included within the attached Traffic Impact Survey completed by the Department of Public Works, Traffic and Engineering Services Division, dated July 19, 2017; any amendment or modifications to those requirements which may be granted by the Director of the Department of Public Works prior to recordation of a Parcel Map.

PUBLIC UTILITIES REQUIREMENTS

Sanitary Sewer Service

The nearest sanitary sewer mains to serve the proposed project are an two (2) 30-inch sewer trunks located in East Church Avenue, a 48-inch sewer trunk located in East Jensen Avenue, an 8-inch sewer main in Martin Luther King Jr. Boulevard north of East Grove Avenue, and a 10-inch sewer main located in Martin Luther King Jr. Boulevard south of East Grove Avenue. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

15. Comply with all of the requirements included within the Department of Public Utilities, Planning and Engineering (Sanitary Sewer) memorandum dated July 12, 2017; or, any amendment or modifications to those requirements which may be granted by the Director of the Department of Public Utilities prior to recordation of a Parcel Map.

Water Service

The nearest water mains to serve the proposed project are a 12-inch main located in East Church Avenue, a 12-inch main located in East Jensen Avenue, and a 14-inch water main located in South Fowler Avenue. Water facilities will be available to provide water service to the project subject to the following requirements:

16. Comply with all of the requirements included within the Department of Public Utilities, Water

Division memorandum dated July 26, 2017; or, any amendment or modifications to those requirements which may be granted by the Director of the Department of Public Utilities prior to recordation of a Parcel Map.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD)

17. The subdivider shall be required to comply with all of the specific requirements imposed by the FMFCD for the subdivision or any amendments or modifications to those requirements, which may be granted by the FMFCD Board of Directors, pursuant to Section 13-1307 of the FMC. These requirements are identified in the attached District's letter dated July 19, 2017.

FIRE SERVICE

18. Comply with all requirements included within the attached Fresno Fire Department memorandum dated June 30, 2017; or, any amendment or modifications to those requirements which may be granted by the Fire Department prior to recordation of a Parcel Map.

COUNTY OF FRESNO DEPARTMENT OF PUBLIC HEALTH

19. Comply with all requirements included within the attached County of Fresno Department of Public Health memorandum dated June 27, 2017.

MAINTENANCE OBLIGATIONS

20. Comply with all the requirements included within the attached Department of Public Works, Traffic and Engineering Services Division memorandum regarding Conditions for Maintenance Requirements dated July 17, 2017; or, any amendment or modifications to those requirements which may be granted by the Director of the Department of Public Works prior to recordation of a Parcel Map.

MITIGATION MONITORING REQUIREMENTS

21. Development of the subject property shall be subject to implementation of all applicable mitigation measures, fees, and timelines included within the Initial Study and Mitigated Negative Declaration prepared for Environmental Assessment No. EA No. A-17-007/R-17-010/ANX-17-005/TMP-2017-06 dated August 2, 2017.
 - a) The Mitigated Negative Declaration prepared for the proposed project is tiered off of the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015). Development of the subject property shall be subject to implementation of all applicable mitigation measures included within the MEIR for subsequent projects; included herein by reference.

DEVELOPMENT AGREEMENT

22. Approval of Vesting Tentative Tract Map No. TPM-17-06 is contingent upon adoption of and shall be subject to any/all terms included within a Development Agreement made by and between the CITY OF FRESNO, a municipal corporation, (the City) and Blue Ocean Development America, LLC, a California limited liability company (Developer); as may be adopted by the Fresno City Council.

NOTE: With the exception of those conditions which may be required in order to implement the mitigation measures identified by Environmental Assessment No. A-17-007/R-17-010/ANX-17-005/TMP-2017-06 dated August 2, 2017, where any inconsistencies or conflicts may exist between these Conditions of Approval and the terms or provisions of the Development Agreement, the stipulations of the Development Agreement shall prevail.

DEVELOPMENT FEES AND CHARGES

Pursuant to Government Code §66020(d)(1) each local agency shall provide to the project applicant a notice in writing at the time of the approval of a project or at the time of the imposition of the fees, dedications, reservations, or other exactions a statement, and notification that the 90-day approval period in which the applicant may protest has begun (please see Notice to Project Applicant contained herein above for further information).

This project is subject to the following development fees and charges:

- a. Fresno Metropolitan Flood Control Fee

Applicable Flood Fees as determined by the Fresno Metropolitan Flood Control District (see attached memorandum referenced herein above).

SEWER CONNECTION CHARGES

FEE RATE

- | | |
|-----------------------------|--------------------------------|
| b. Lateral Sewer Charge [1] | \$0.10/sq. ft. (to 100' depth) |
| c. Oversize Charge [1] | \$0.05/sq. ft. (to 100' depth) |
| d. Trunk Sewer Charge [2] | |

N/A

- e. Wastewater Facilities Charge

S.T.E.P.**

- f. House Branch Sewer Charge [2]

N/A

WATER CONNECTION CHARGES

FEE RATE

- g. Service Connection Charge

Fee based on service(s) and meter(s) sizes specified by owner; fee for service(s) and Meter(s) established by the Master Fee Schedule.

- h. Frontage Charge [1]

\$6.50/lineal foot

- i. Water Capacity Fee

Fee based on meter(s) sizes specified by owner; fee established by the Master Fee Schedule.

<u>CITYWIDE DEVELOPMENT IMPACT FEE</u>	<u>FEE RATE</u>
j. Fire Facilities Impact Fee – Citywide[4]	
- Community College	\$152.00/1000 sq.ft. †
- Commercial Retail	\$303.00/1000 sq.ft. †
- Residential, SFR	\$758.00/living unit
- Residential, MFR	\$572.00/living unit
k. Park Facility Impact Fee – Citywide [4]	
- Community College	N/A
- Commercial Retail	N/A
- Residential, SFR	\$2,663.00/living unit
- Residential, MFR	\$2,008.00/living
l. Quimby Parkland Dedication Fee [2]	
- Community College	N/A
- Commercial Retail	N/A
- Residential, SFR	\$1,153.00/living unit
- Residential, MFR	\$870.00/living unit
m. Citywide Regional Street Impact Fees [3]	
- Community College	\$4,056.00/adj. acre
- Commercial Residential	\$14,266.00/adj. acre
- Residential	\$7,617.00/adj. acre
- Residential Multi-Family	\$14,790.00/adj. acre
n. New Growth Area Street Fee [3]	
- Community College	\$11,559.00/adj. acre
- Commercial Retail	\$35,826.00/adj. acre
- Residential	\$20,968.00/adj. acre
- Residential, Multi-Family	\$40,748.00/adj. acre
o. Police Facilities Impact Fee –Citywide [4]	
- Community College	\$297.00/1000 sq.ft. †
- Commercial Retail	\$594.00/1000 sq.ft. †
- Residential, SFR	\$586.00/living unit
- Residential, MFR	\$442.00/living unit
p. Traffic Signal Charge [1]	
- Community College	\$61.00/student
- Commercial Retail	\$550.00/1000 sq.ft. †
- Residential	\$475.00/living unit
- Residential, Multi-Family	\$332.00/living unit

Notes:

On July 22, 2008, the Fresno County Board of Supervisors passed Ordinance No. 2008 – 023 requiring the payment of County Public Impact Facilities Impact Fees. The effective date of this ordinance is September 20, 2008. Contact the County of Fresno, Public Works and Planning Department to determine payment of this fee obligation. Confirmation by the County of Fresno is required before the City of Fresno can issue building permits.

The Board of Directors of the Fresno County Regional Transportation Mitigation Fee Agency approved Resolution No. 2009 – 01 requiring the payment of Regional Transportation Mitigation Fee. The effective date of this resolution is January 1, 2010. Contact the Council of Fresno County Governments (FCOG) to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue building permits.

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

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

† Building areas to be calculated to the nearest square foot. Traffic Signal Fee is subject to review and conditions of approval from Transportation Planning through the entitlement review process based on Average Daily Trips of the proposed project. Average Daily Trips to be determined by Traffic Engineering.



DATE: July 13, 2017

TO: Sophia Pagoulatos
Development Department

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

SUBJECT: **Tentative Parcel Map 2017-06**, Public Works Conditions of Approval
Location: Jensen, Martin Luther King Jr., Church
Owner / Engineer: Blue Ocean Development America, LLC

Prior to resubmittal, change the parcel designation from: 1,2,3 and 4 to: A, B, C and D.

PUBLIC IMPROVEMENT REQUIREMENTS

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

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 tentative map. Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed.

Construct or install the required improvements, or contact Public Works to enter into a bonded secured agreement for these improvements. This must be executed **prior** to perfection of this parcel map. Contact Jon Bartel at (559) 621-8684.

General Conditions

- Submit the following plans, as applicable, in a single package, to the Public Works Department, Traffic and Engineering Services Division for review and approval, prior to the final map: Street and Trail construction; Signing and Striping; Traffic Signal and Streetlight. All required signing and striping shall be installed and paid for by the developer / owner. The signing and striping plans shall comply with the current Caltrans standards and be submitted as a part of the street improvement plans.
- **Additional offsite improvements will be required at the time of future site plan review. See attachment "A".**
- Curb ramps with "Detectable Warning Devices" are required at all corners within the limits of this parcel map.
- Underground all existing offsite overhead utilities within the limits of this map in accordance with Fresno Municipal Code Section 15-4114.
- Intelligent Transportation Systems (ITS): Street work on major streets shall be designed to include ITS in accordance with the Public Works ITS Specifications, where not existing.

- Street widening and transitions shall also include utility relocations and necessary dedications.

Street Dedications and / or Vacations

Identify pedestrian paths of travel along public sidewalks: Provide a minimum of 4' clear to accommodate access along the entire street frontage of this map. Identify all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc. within the public right of way or public easements.

The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment covenant is approved by the City of Fresno Public Works Department, Traffic and Engineering Services Division. Contact Jason Camit at (559) 621-8681. Encroachment agreements must be approved **prior** to final map.

Frontage Improvement Requirements

All improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department. Street construction plans are required and shall be approved by the City Engineer. The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. Contact the City of Fresno Public Works Department, Traffic and Engineering Services Division at **(559) 621-8670** for detailed information.

Public Streets:

Jensen Avenue: 4-lane Arterial w/ Class I Trail

1. Dedication Requirements: (Parcel D)

- Dedicate **50'-57'** of property, from center line, for public street purposes, within the limits of this subdivision, per Public Works Standard **P-52 and P-69**. Center line shall be established per **Official Plan Line No. 28 and County Precise Plan No. 51**.
- Dedicate a **26'** (minimum) easement for Landscape, Bike and Pedestrian purposes **only**. (Additional right of way may be required for grading and drainage purposes.) Above ground utilities are not allowed within this easement.

Martin Luther King Jr. Boulevard: 3-Lane Collector

1. Dedication Requirements: (Parcel A, C, D and remainder)

- Dedicate **36'- 44'** of property, from section line, for public street purposes, within the limits of this subdivision, per Public Works Standard **P-54 and P-69**.
- Dedicate corner cuts for public street purposes at the intersection of **MLK/ Church** and **MLK /Jensen**, based on a **30' radius**.

2. Construction Requirements: (Parcel A)

- Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
- Construct concrete curb and gutter and to Public Works Standard **P-5**. The curb shall be constructed to a **12'** pattern.
- Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-8**.
- Construct a depressed curb per Public Works Standard **P-28 and P-32**.
- Construct an **80'** bus bay curb and gutter at the southwest corner of Martin Luther King Jr. and Church to Public Works Standard **P-73**, complete with a **12'** monolithic sidewalk.

Church Avenue: 3-lane Collector w/ Trail

1. Dedication Requirements: (Parcel A and B)

- a. Dedicate **54'** of property, from **section / 42'-44'** from center line, for public street purposes, within the limits of this subdivision, per Public Works Standard **P-54 and P-69**. Center line shall be established per **Official Plan Line No. 6** and **County Precise Plan No. 42**.
- b. Dedicate a **26'** (minimum) easement for Landscape, Bike and Pedestrian purposes **only**. (Additional right of way may be required for grading and drainage purposes.) Above ground utilities are not allowed within this easement.

2. Construction Requirements: (Parcel A)

- a. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
- b. Construct concrete curb and gutter and to Public Works Standard **P-5**. The curb shall be constructed to a **12'** pattern. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
- c. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-8**.
- d. Construct a **12'** wide Bike and Pedestrian Class I Trail, complete with lighting, signing, striping and landscaping, per the **2035 Fresno General Plan, Public Works Standards P-58, P-59, P-60, P-61** and the **Caltrans Highway Design Manual**. Identify route on the map, complete with a cross section **7 days prior** to the planning commission hearing. Where the trail is constructed within **5'** of the curb, construct a fence per Public Works Standards **P-74** and **P-75**.

Knight and Grove Avenues: Local

1. Dedication Requirements: (Parcel C and D)

- a. Dedicate a total of **60'** of property, (**30'** from center line), for public street purposes, within the limits of this subdivision, per Public Works Standard **P-56**. **On the west side of Knight and on the south side of Grove there are an Outlots "A" and "B". 1' strip offered for future street. Provide evidence that these have been dedicated to the City of Fresno or provide the dedication to complete the street right of way. The 1' dedications are outside of the map boundary.**
- b. Dedicate a corner cut for public street purposes at the intersection of Knight and Jensen based on a **25'** radius.

Specific Mitigation Requirements: Comply with the mitigation measure requirements of the Traffic Engineering Manager for the Traffic Impact Study.

Traffic Signal Mitigation Impact (TSMI) Fee: Contact the Public Works Department, Frank Saburit at **(559)621-8797**.

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

Engineer and City Traffic Engineer include the new traffic signal and/or ITS improvements in the next update; upon the inclusion of the added infrastructure, the applicant shall agree to pay the newly calculated TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited / reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence. If the applicant is conditioned with improvements that are credited / reimbursable with this fee, they should work with the Department of Public Works and identify, with a Professional Engineer's estimate, the costs associated with the improvements, prior to paying the TSMI fee at time of building permit.

1. The signal at the intersection of Church Avenue and Martin Luther King Jr. Boulevard shall be **modified** to the City of Fresno Standards, complete with left turn phasing, actuation and signal pre-emption. This work is eligible for reimbursement and/or credit against Traffic Signal Mitigation Impact Fees. The applicant shall design the traffic signal and obtain City approval of the plans **prior** to occupancy of the first dwelling unit. If the intersection meets signal warrants at the time of occupancy of the first unit, then the full traffic signal shall be installed. If the intersection does not meet warrants, then the traffic signal installation shall be limited to the following equipment: poles, safety lights, oversize street name sign, conduits, detectors, service pedestal connected to a PG&E point of service, controller cabinet, ITS vault, ITS communication cabinet and all pull boxes, with the following equipment to be delivered to the City of Fresno's Traffic Signal shop for future installation when warrants are met: 2070L controller, mast arms, heads, Opticom discriminator and receivers.

Fresno Major Street Impact (FMSI) Fees: This map 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**.

FMSI Requirements: (Adjacent to Parcel A)

Martin Luther King Jr. Boulevard: 3-Lane Collector

1. If not existing, dedicate and construct **(1)** north **and** southbound **12'** center section travel lane, **(1)** north **and** southbound **5'** shoulder and a 2-way left turn lane within the limits of **Parcel A**. Stripe **200'** left turn pockets at all major intersections. If not existing, an additional 8' dedication is required beyond the edge of pavement. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed.

Church Avenue: 3-Lane Collector w/ Class I Trail

1. If not existing, dedicate and construct **(1)** east **and** westbound **12'** center section travel lane, **(1)** east **and** westbound **5'** shoulder and a 2-way left turn lane within the limits of **Parcel A**. Stripe **200'** left turn pockets at all major intersections. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed.

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

Exhibit “A”

Full off-site improvements are required for all parcels upon future development.

- Underground all existing offsite overhead utilities with the limits of this map in accordance with Fresno Municipal Code Section 15-4114.

Jensen Avenue: 4-lane Arterial w/ Class I Trail

1. Construction Requirements:
 - a. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
 - b. Construct driveway approaches to Public Works Standards.
 - c. Construct concrete curb and gutter and to Public Works Standard **P-5**. The curb shall be constructed to a **10'** pattern. 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 subdivision. Spacing and design shall conform to Public Works Standard **E-7**.
 - e. Construct standard curb ramps per Public Works Standard **P-28** at all intersections.
 - f. Construct an **80'** bus bay curb and gutter at the northwest corner of Jensen and Martin Luther King to Public Works Standard **P-73**, complete with a **10'** monolithic sidewalk.
 - g. Construct a **12'** wide Bike and Pedestrian Class I Trail, complete with lighting, signing, striping and landscaping, per the **2035 Fresno General Plan, Public Works Standards P-58, P-59, P-60, P-61** and the **Caltrans Highway Design Manual**. Identify route on the map, complete with a cross section **7 days prior** to the planning commission hearing. Where the trail is constructed within **5'** of the curb, construct a fence per Public Works Standards **P-74** and **P-75**.

Martin Luther King Jr. Boulevard: 3-lane Collector

1. Construction Requirements:
 - a. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
 - b. Construct driveway approaches to Public Works Standards.
 - c. Construct concrete sidewalk, curb and gutter and to Public Works Standard **P-5**. The curb shall be constructed to a **12'** pattern. 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 subdivision. Spacing and design shall conform to Public Works Standard **E-8**.
 - e. Construct standard curb ramps per Public Works Standard **P-28** at all intersections.

Church Avenue: 3-Lane Collector w/ Class I Trail

1. Construction Requirements:

- a. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
- b. Construct driveway approaches to Public Works Standards.
- c. Construct concrete curb and gutter and to Public Works Standard **P-5**. The curb shall be constructed to a **12'** pattern. 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 subdivision. Spacing and design shall conform to Public Works Standard **E-8**.
- e. Construct standard curb ramps per Public Works Standard **P-28** at all intersections.
- f. Construct a **12'** wide Bike and Pedestrian Class I Trail, complete with lighting, signing, striping and landscaping, per the **2035 Fresno General Plan, Public Works Standards P-58, P-59, P-60, P-61** and the **Caltrans Highway Design Manual**. Identify route on the map, complete with a cross section **7 days prior** to the planning commission hearing. Where the trail is constructed within **5'** of the curb, construct a fence per Public Works Standards **P-74** and **P-75**.

Knight and Grove Avenues: Local

1. Construction Requirements:

- a. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision. Provide missing pavement, as required with the street plan.
- b. Construct driveway approaches to Public Works Standards.
- c. Construct concrete sidewalk, curb and gutter and to Public Works Standard **P-5**. The curb shall be constructed to a 10 or **12'** residential pattern. Match existing. 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-2** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-9**. - **OR-** Show the existing street light locations on the plans, **-AND-** that they are constructed per current City of Fresno Public Works Standards.
- e. Construct a standard curb ramp per Public Works Standard **P-28**.

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

1. Jensen Avenue: Arterial: Modify the existing signal pole with a 150-watt safety light and an oversize street sign to current Public Works Standards at the northwest corner of Jensen Avenue and Martin Luther King Jr. Boulevard. Replace the high pressure sodium light fixture with a 150-watt equivalent LED safety light.

Fresno Major Street Impact (FMSI) Fees: This map 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**.

FMSI Requirements:

Fresno Major Street Impact (FMSI) Fees: This map 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**.

FMSI Requirements:

Jensen Avenue: 4-lane Arterial w/ Class I Trail

1. Where not existing, dedicate and construct (2) westbound **12'** travel lanes, (2) eastbound **12'** travel lanes, (1) eastbound **5'** shoulder, (1) westbound **12'** travel lane, (1) westbound **5'** shoulder and a ***16' / 26'** raised concrete median island **within the limits of Parcel D.** Construct a raised concrete median with **250'** left turn pockets at all major intersections. Details of said street shall be depicted on the approved tentative tract map. If not existing, an additional 8' dedication is required beyond the edge of pavement. Dedication shall be sufficient to accommodate arterial standard and any other grading or transitions as necessary based on a **55 MPH** design speed. ***To be determined by the Traffic Impact Study.**

Martin Luther King Jr. Boulevard: 3-Lane Collector

1. Where not existing, dedicate and construct (1) north **and** southbound **12'** center section travel lane, (1) north **and** southbound **5'** shoulder and a 2-way left turn lane within the limits of **B, C, D and the Remainder.** Stripe **200'** left turn pockets at all major intersections. If not existing, an additional 8' dedication is required beyond the edge of pavement. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed.

Church Avenue: Collector

1. Where not existing, dedicate and construct (1) east **and** westbound **12'** center section travel lane, (1) east **and** westbound **5'** shoulder and a 2-way left turn lane within the limits of **Parcel B.** Stripe **200'** left turn pockets at all major intersections. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed.

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

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

July 19, 2017

Sophia Pagoulatos, Planning Manager
Development and Resources Management Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

SUBJECT: PLAN AMENDMENT AND REZONE FOR THE PROPERTY LOCATED ON THE NORTHWEST CORNER OF JENSEN AVENUE AND MARTIN LUTHER KING BOULEVARD - TRAFFIC IMPACT STUDY
TIS 17-101, A-17-007, R-17-010, TMP 2017-06, ANX-17-005

PROJECT OVERVIEW

Traffic Engineering staff prepared a Traffic Impact Study (TIS) to assess the traffic impacts due to the proposed plan amendment and rezone "project" for the property located on the northwest corner of Jensen Avenue and Martin Luther King Boulevard. The project site is bounded by Church Avenue to the north, Jensen Avenue to the south, Knight Avenue to the west and Martin Luther King (MLK) Boulevard to the east. The plan amendment proposes to amend the Fresno General Plan and Edison Community Plan from the current land use designations to the proposed uses for the 115.95 acre site as shown in Table 1.

Table 1 – Land Use Designations	
Current Land Use Designations	Proposed Land Use Designations
Medium Density Residential – 19.25 acres	Medium Density Residential – 54.48
Urban Neighborhood – 29.44 acres	Community Commercial – 2.4 acres
Community Commercial – 10.11 acres	Regional Commercial – 22.52 acres
Office – 37.69 acres	Community Park – 9.63 acres
Community Park – 19.09 acres	Public Facility – College – 26.55 acres

The rezone application proposes to amend the Official Zone Map from the Fresno County AL-20 (Limited Agriculture) to the following City of Fresno zone districts: 54.48 acres of RS-5 (Residential Single-Family); 2.4 acres of CC (Community Commercial); 22.52 acres of CR (Commercial-Regional); 9.63 acres of PR (Parks and Recreation); and 26.55 acres of PI (Public Institution).

METHODOLOGY

The above land use designations were used to develop the trip generation for both the current and proposed land use designations. Using approved methods, the acreage for a use was converted to either square footage using a floor area ratio (FAR) or the number of dwelling units in order to calculate the number of projected vehicle trips associated with each land use

designation. Trip generation was developed using the *ITE Trip Generation Manual, 9th Edition*. Table 2 lists the corresponding land use codes, sizes and daily (ADT), AM and PM peak hour trips projected to be generated by the current and proposed land use designations. The trip generation for the Community Commercial use was calculated using three (3) of the more intensive uses allowed under this zoning type and should be considered worst-case.

Table 2 -Trip Generation Comparison								
Current Land Use Designations								
Uses	Size	ADT	AM	PM	Total	AM	PM	Total
Single Family Homes (ITE Code 210)	236 DU	2,247	44	133	177	149	87	236
Apartments (ITE Code 220)	896 DU	5,958	91	366	457	361	194	555
Supermarket (ITE Code 850)	43,038 SF	4,400	91	55	146	208	200	408
Pharmacy w/Drive Thru (ITE Code 881)	43,038 SF	4,171	77	71	148	213	213	426
High Turnover – Sit Down Restaurant (ITE Code 932)	43,038 SF	5,472	256	209	465	254	170	424
General Office (ITE Code 710)	814,403 SF	9,016	1,122	153	1,275	207	1,011	1,218
City Park (ITE Code 411)	18 64 acres	35	47	34	84	37	28	65
Total		31,299	1,728	1,024	2,752	1,429	1,903	3,332
Proposed Land Use Designations								
Junior College (ITE Code 540)	5,000 students	6,150	504	96	660	378	222	600
City Park (ITE Code 411)	9.63 acres	18	24	19	43	19	14	33
Single Family Homes (ITE Code 210)	654 DU	6,226	123	368	491	412	242	654
Shopping Center (ITE Code 820)	245,243 SF	10,472	146	89	235	437	473	910
Supermarket (ITE Code 850)	10,455 SF	1,071	22	14	36	50	49	99
Pharmacy w/Drive Thru (ITE Code 881)	10,455 SF	1,013	19	17	36	52	52	104
High Turnover – Sit Down Restaurant (ITE Code 932)	10,455 SF	1,329	62	51	113	62	41	103
Total		26,279	900	654	1,554	1,410	1,093	2,503
Difference (Current vs. Proposed)		-5,020	-828	-370	-1,198	-19	-810	-829

As shown in Table 2, the proposed project is projected to generate 5,020 average daily trips, 1,198 AM peak hour trips and 829 PM peak hour trips less than the current land uses.

To analyze the traffic impacts resulting from build-out of the proposed project, the operations of nine (9) intersections were analyzed during the AM and PM peak hours using *Synchro 9* software, which incorporates the *2010 Highway Capacity Manual* methodologies.

Intersection turning movements were collected at the study intersections during the AM and PM peak hours on Thursday, June 29, 2017. Counts were adjusted using the Fresno Council of Governments (COG) Traffic Model and ITE Trip Generation to reflect school conditions. Trip distributions and future traffic volume forecasts were developed using COG Traffic Models. Future roadway configurations and traffic signal improvements were developed based on the General Plan and City of Fresno Traffic Signal Mitigation Impact (TSMI) fee program. Traffic signal timing inputs were based on existing signal timings and methodologies included in the California Manual on Uniform Traffic Control Devices, 2014.

Per the City of Fresno General Plan, the City is divided into four (4) traffic impact zones (TIZ) representing an acceptable level of service (LOS) for each zone. All four (4) TIZ are represented in the southwest area of Fresno and the nine (9) study intersections. Analysis results were evaluated against the corresponding TIZ LOS. For intersections bounded by two (2) or more TIZ, the more conservative TIZ standard was considered for impacts and mitigation recommendations.

RESULTS

The results of the operational analysis are shown in Table 3. Intersections that are currently operating or are projected to operate below the appropriate TIZ LOS standard are shown in bold in Table 3. As shown in Table 3, the following locations, by scenario, are projected to operate below the appropriate TIZ LOS standard:

Existing Conditions

- Jensen Avenue at Walnut Avenue
 - Northbound Approach – AM/PM peak hours
 - Southbound Approach – AM/PM peak hours
- Jensen Avenue at Elm Avenue – AM peak hour

Existing Plus Project

- Church Avenue at Walnut Avenue – AM/PM peak hours
- Church Avenue at MLK Blvd. – AM/PM peak hours
- Jensen Avenue at Walnut Avenue
 - Northbound Approach – AM/PM peak hours
 - Southbound Approach – AM/PM peak hours
- Jensen Avenue at Elm Avenue – AM peak hour

2035 No Project

- Church Avenue at Walnut Avenue – AM/PM peak hours
- Church Avenue at MLK Blvd. – AM/PM peak hours
- Church Avenue at Elm Avenue – PM peak hour
- Jensen Avenue at Walnut Avenue - AM/PM peak hours
- Jensen Avenue at MLK Blvd. – AM/PM peak hours
- Jensen Avenue at Elm – AM/PM peak hours

Table 3 – Level of Service Summary

Intersections	Existing				Existing Plus Project				2035 No Project				2035 Project			
	AM		PM		AM		PM		AM		PM		AM		PM	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
California Avenue at Walnut Avenue	F	167.8	C	23.4	F	248.4	F	80.1	E	79.5	F	214.1	F	132.4	F	174.6
<i>Mitigated</i>					D	54.0	D	43.3								
California Avenue at MLK Blvd.	F	88.7	B	15.8	F	101.2	D	50.4	F	86.3	E	76.8	F	80.5	E	74.6
<i>Mitigated</i>					F	130.2	E	60.4								
Ventura Avenue at B Street	B	16.4	C	23.6	B	16.2	C	21.8	C	23.5	D	45.7	C	23.5	D	46.5
Church Avenue at Walnut Avenue	B	11.6	A	9.7	F	82.7	F	90.3	F	198.1	F	251.3	F	250.5	F	206.8
<i>Mitigated</i>					D	45.9	E	62.3					D	54.5	D	43.7
Church Avenue at MLK Blvd.	D	42.6	D	39.6	E	61.9	E	79.2	F	81.9	E	76.0	E	55.6	E	57.7
<i>Mitigated</i>					D	54.4	D	48.7					D	49.2	D	52.0
Church Avenue at Elm Avenue	C	24.9	B	18.7	C	33.4	C	23.5	C	33.6	F	159.7	E	78.4	F	140.7
Jensen Avenue at Walnut Avenue									F	143.4	F	111.1	F	137.4	F	101.5
• NB Approach	F	263.9	F	241.1	F	471.1	F	1162.5								
• SB Approach	F	236.9	F	313	F	1723.4	F	1923.2								
• EB Left	A	8.6	A	9.9	A	8.8	B	10.3								
• WB Left	A	9.2	A	8.6	A	9.5	A	9.2								
<i>Mitigated</i>					D	40.6	D	50.0								
Jensen Avenue at MLK Blvd	C	23.2	C	24.5	C	23.3	C	23.5	F	81.6	E	76.3	E	73.3	E	62.9
<i>Mitigated</i>													E	56.9	D	54.9
Jensen Avenues at Elm Avenue	F	216.2	E	75.0	F	195.6	E	73.8	F	87.5	F	160.7	F	89.2	F	157.0
<i>Mitigated</i>					E	60.2	E	56.0					E	77.6	E	69.7

NB = northbound

SB = southbound

EB = eastbound

WB = westbound

2035 Project

- Church Avenue at Walnut Avenue – AM/PM peak hours
- Church Avenue at MLK Blvd. – AM/PM peak hours
- Church Avenue at Elm Avenue – PM peak hour
- Jensen Avenue at Walnut Avenue - AM/PM peak hours
- Jensen Avenue at MLK Blvd. – AM/PM peak hours
- Jensen Avenue at Elm – AM/PM peak hours

To mitigate the intersections that are projected to operate below the adopted TIZ LOS standard, the following improvements are recommended. Levels of service using these recommendations are shown in *italics* in Table 3.

Existing Plus Project

- California Avenue at Walnut Avenue
 - Install a traffic signal with left-turn phasing
 - Restripe/widen the northbound approach from a shared left-through-right lane to one (1) left-turn lane and a shared through-right lane
 - Restripe/widen the southbound approach from a shared left-through-right lane to one (1) left-turn lane and a shared through-right lane
- Church Avenue at Walnut Avenue
 - Install a traffic signal with left-turn phasing
 - Restripe/widen the northbound approach from a shared left-through-right lane to one (1) left-turn lane and a shared through-right lane
 - Restripe/widen the southbound approach from a shared left-through-right lane to one (1) left-turn lane and a shared through-right lane
 - Restripe/widen the westbound approach from a shared left-through-right lane to one (1) left-turn lane and a shared through-right lane
 - Restripe/widen the eastbound approach from a shared left-through-right lane to one (1) left-turn lane and a shared through-right lane
- Church Avenue at MLK Blvd.
 - Restripe/widen the southbound approach from one (1) left-turn lane and a shared through right lane to one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
 - Restripe/widen the westbound approach from one (1) left-turn lane and a shared through right lane to one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
 - Restripe/widen the eastbound approach from one (1) left-turn lane and a shared through right lane to one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
- Jensen Avenue at Walnut Avenue
 - Install a traffic signal with left-turn phasing
 - Restripe/widen the northbound approach from a shared left-through-right lane to one (1) left-turn lane and a shared through-right lane
 - Restripe/widen the southbound approach from a shared left-through-right lane to one (1) left-turn lane and a shared through-right lane
 - Restripe/widen the westbound approach from a shared left-through-right lane to one (1) left-turn lane, one (1) through lane and a shared through-right lane

- Restripe/widen the eastbound approach from a shared left-through-right lane to one (1) left-turn lane, one (1) through lane and a shared through-right lane
- Jensen Avenue at Elm Avenue
 - Restripe/widen the southbound approach from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) to one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
 - Restripe/widen the westbound approach from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) to one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
 - Restripe/widen the eastbound approach from one (1) left-turn lane, one (1) through lane and a shared through-right to one (1) to one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane

2035 Project

- Church Avenue at Walnut Avenue
 - Restripe/widen the northbound approach from one (1) left-turn lane and a shared through-right lane to one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
 - Restripe/widen the southbound approach from one (1) left-turn lane and a shared through-right lane to one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
 - Restripe/widen the westbound approach from one (1) left-turn lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
 - Restripe/widen the eastbound approach from one (1) left-turn lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
- Church Avenue at MLK Blvd.
 - Restripe/widen the southbound approach from one (1) left-turn lane and a shared through-right lane to one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
 - Restripe/widen the westbound approach from one (1) left-turn lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
 - Restripe/widen the eastbound approach from one (1) left-turn lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
- Church Avenue at Elm Avenue
 - Upgrade the traffic signal to include protected left-turn phasing
- Jensen Avenue at Walnut Avenue
 - Restripe/widen the northbound approach from one (1) left-turn lane and a shared through right to one (1) left-turn lane, one (1) through lane and one(1) right-turn lane
 - Restripe/widen the southbound approach from one (1) left-turn lane and a shared through right to one (1) left-turn lane, one (1) through lane and one(1) right-turn lane

- Restripe/widen the westbound approach from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
- Restripe/widen the eastbound approach from one (1) left-turn lane, one (1) through lane and a shared through-right lane to one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
- Jensen Avenue at MLK Blvd.
 - Restripe/widen the westbound approach from one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane to one (1) left-turn lane, three (3) through lanes and one (1) right-turn lane
 - Restripe/widen the eastbound approach from one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane to one (1) left-turn lane, three (3) through lanes and one (1) right-turn lane
- Jensen Avenue at Elm Avenue
 - Upgrade the traffic signal to include a northbound right-turn

CONDITIONS

The proposed project will be conditioned with the following:

1. Implementation of the Existing Plus Project mitigation/improvements as described above.
2. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per the Master Fee Schedule at the time of building permit(s).

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.

3. 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.
4. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
5. The project shall construct a Class I Trail along the south side of Church Avenue from Walnut Avenue to the project's western boundary and install a High-Intensity Activated crosswalk beacon (HAWK) at the intersection of Church and Fairview Avenues.
6. 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.
7. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.

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

Sincerely,



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

C: Copy filed with Traffic Impact Study
Louise Gilio, Traffic Planning Supervisor

Further technical data from the Traffic Impact Study is available upon request



**DEPARTMENT OF PUBLIC UTILITIES
UTILITIES PLANNING & ENGINEERING**

MEMORANDUM

DATE: July 12, 2017

TO: SOPHIA PAGOULATOS, Long Range/Planning
Department of Development and Resource Management

THROUGH: THOMAS C. ESQUEDA, Director
Department of Public Utilities *[Signature]*

FROM: ROBERT A. DIAZ, Senior Engineering Technician
KEVIN GRAY, Supervising Engineering Technician
Department of Public Utilities – Utilities Planning & Engineering

SUBJECT: **Water and Sewer Requirements**
Plan Amendment Application No. A-17-007
Rezone Application No. R-17-010
Tentative Parcel Map Application No. TMP-2017-06
Annexation Application No. ANX-17-005

The purpose of this memorandum is to describe the conditions of approval required for the project associated with the subject applications.

General

The subject applications were filed by Scott Mommar, on behalf of Sylvesta Hall of Blue Ocean Development America, LLC, and pertain to 115.95 acres of property located on northwest corner of East Jensen and South Martin Luther King Jr. Blvd. The applications propose to amend the Fresno General Plan to create four parcels to accommodate the following land uses on the 115.95 acres: Medium Density Residential for 54.48 acres, Community Commercial for 2.4 acres, Regional Commercial for 22.52 acres, Park for 9.63 acres and the Public Facility – College designation for 26.55 acres.

These actions are under the jurisdiction of the Local Agency Formation Commission (LAFCO).

Water Requirements

The nearest water mains to provide service to the proposed project are a 12-inch water main located in East Church Avenue and a 12-inch water main located in East Jensen Avenue. Water facilities will be available to provide water service to the site subject to the following requirements:



A Nationally Accredited Public Utility Agency

MEMORANDUM

SOPHIA PAGOULATOS, Long Range/Planning

Water and Sewer Conditions of Approval

DARM Applications A-17-007, R-17-010, TMP-2017-06, and ANX-17-005

July 12, 2017

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1. The proposed project is located within City Growth Area 1.
2. Replace the 10-inch water main in South Martin Luther King Jr. Boulevard, between East Jensen Avenue and East Church Avenue with a 12-inch water main (including fire hydrants).
3. Existing water services from the 10-inch water main shall be transferred to the proposed 12-inch water main.
4. Install an 8-inch water main (including City fire hydrants) in East Grove Avenue between South Walnut Avenue and South Martin Luther King Jr. Boulevard.
5. Install an 8-inch water main (including City fire hydrants) in South Fairview Avenue between South Jensen Avenue and East Grove Avenue.
6. Installation of water service(s) & meter box(es) shall be required.
7. On-site water facilities shall be private.
8. 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.

The water supply requirements for this project are as follows:

1. The existing property is currently served with a 1-inch and 1.5-inch water meters.
2. The project applicant shall be required to pay Water Capacity Fee charges for the installation of new water services and meters to serve the uses on the project.
3. The Water Capacity Fee charge assessed to the applicant shall be based on the number and size of service connections and water meters required to serve the project.
4. The Water Capacity Fee charges by meter size are defined in the City's Master Fee Schedule.
5. The City reserves the right to require an applicant to increase or decrease the size of a water meter for a project or a property to ensure that the meter is properly sized to accommodate fire protection requirements, and to allow for accurate volumetric flow measurements at low- and high-flow conditions.
6. The applicant shall be issued a Water Capacity Fee credit for the existing 1-inch and 1.5 inch meters that are currently located at the project site. The Water Capacity Fee

MEMORANDUM

SOPHIA PAGOULATOS, Long Range/Planning

Water and Sewer Conditions of Approval

DARM Applications A-17-007, R-17-010, TMP-2017-06, and ANX-17-005

July 12, 2017

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credit will be based the meter size as published in the City's Master Fee Schedule.

7. The project applicant shall be required to pay all other water-related fees and charges in accordance with the City's Master Fee Schedule and Municipal Code.

Sewer Requirements

The nearest sanitary sewer facilities available to serve the proposed project are two (2) 30-inch sewer trunks located in East Church Avenue, a 48-inch sewer trunk located in East Jensen Avenue, an 8-inch sewer main in Martin Luther King Boulevard north of East Grove Avenue, and a 10-inch sewer main in Martin Luther King Boulevard south of East Grove Avenue. As currently master planned for sewer services:

1. All sewer connections located north of Grove Avenue shall be directed to one of the 30-inch trunk lines in Church Avenue.
2. All sewer connections located south of Grove Avenue shall be directed to the Jensen Avenue trunk line.

Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

1. Abandon 14-inch fiberglass reinforce concrete non-active sewer pipe. Due to the shallowness of the main, the pipe will have to be removed. The existing main shall be capped at the intersection of Grove Avenue and Knight Avenue on the west end, and Grove Avenue and Martin Luther King Jr. Boulevard on the east end.
2. Vacate the 20-foot utility easement at the Grove Avenue alignment between Knight Avenue and Martin Luther King Jr. Boulevard. Prior to vacating the easement, applicant shall contact the Fresno Metropolitan Flood Control District regarding the 48-inch concrete storm drain co-located in the easement with the 14-inch fiberglass reinforced concreted pipe.
3. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
4. All underground utilities shall be installed prior to permanent street paving.
5. A cross access agreement is required for sewer service(s) crossing parcel boundaries.
6. A preliminary sewer design layout shall be prepared by the applicant's engineer, and submitted to the Department of Public Utilities for review and conceptual-level approvals prior to submittal or acceptance of the applicant's final map and engineered

MEMORANDUM

SOPHIA PAGOULATOS, Long Range/Planning

Water and Sewer Conditions of Approval

DARM Applications A-17-007, R-17-010, TMP-2017-06, and ANX-17-005

July 12, 2017

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plan & profile improvement drawing for City review.

7. Engineered improvement plans prepared by a registered professional civil engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City public sewer system.
8. All public sanitary sewer facilities shall be constructed in accordance with City standards, specifications, and policies.
9. Sanitary sewer connection to the existing Rehabbed 48-inch sewer trunk located in East Jensen Avenue shall be required to be constructed by machine coring and epoxy coating the area of the 48-inch sewer trunk.
10. 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.

Sanitary 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: # 30
3. Sewer Facility Charge (Non-Residential)



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.251
170.44
210.411 "2017-006"
210.414
400.21
410.202

July 19, 2017

Ms. Sophia Pagoulatos
City of Fresno, Development Services/Planning
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Dear Ms. Pagoulatos,

Rezone Application No. R-17-010
Annexation Application No. ANX-17-005
Plan Amendment Application No. A-17-007
Drainage Areas "SS" and "TT"

Drainage Area "SS"

The District has reviewed the land use changes proposed through the subject rezone. The District's existing Master Plan drainage system in Drainage Area "SS" within APN 479-060-09 is designed to serve medium density residential uses and the existing Master Plan storm drainage facilities do not have the capacity to accommodate the increased runoff generated by proposed commercial land use. In addition, the existing Master Plan system cannot accommodate any area of the park that is to include parking.

The District requests that as a condition of the rezone, the developer be required to mitigate the impacts of the increased runoff from the proposed commercial land use to a rate that would be expected if developed to a medium density residential land use. The developer may either make improvements to the existing or proposed pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Implementation of the mitigation measures may be deferred until the time of development.

Ms. Sophia Pagoulatos
Rezone Application No. R-17-010
Annexation Application No. ANX-17-005
Plan Amendment Application No. A-17-007
July 19, 2017
Page 2

Should the developer choose to construct a permanent peak reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by the proposed commercial land use, to a two-year discharge, which would be produced by the property if developed at a medium density residential land use. The developer will be required to submit improvement plans to the District for review and approval showing the proposed method of mitigation prior to implementation.

Drainage Area "TT"

The District has reviewed the land use changes proposed through the subject rezone. The District's existing Master Plan drainage system in Drainage Area "TT" is designed to serve medium density residential uses and the existing Master Plan storm drainage facilities do not have the capacity to accommodate the increased runoff generated by the proposed commercial land use.

The District requests that as a condition of the rezone, the developer be required to mitigate the impacts of the increased runoff from the proposed commercial land use to a rate that would be expected if developed to a medium density residential land use. The developer may either make improvements to the existing or proposed pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Implementation of the mitigation measures may be deferred until the time of development.

Should the developer choose to construct a permanent peak reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by a commercial density development, to a two-year discharge, which would be produced by the property if developed at a medium density residential land use. The developer will be required to submit improvement plans to the District for review and approval showing the proposed method of mitigation prior to implementation.

Should you have any questions concerning this matter, please feel free to contact the District.

Very truly yours,



Sarai Yanovsky
Engineer

SY/lrl



FIRE DEPARTMENT

DATE: June 30, 2017

TO: SOPHIA PAGOULATOS, Long Range/Planning
Development and Resource Management Department

FROM: LESLIE FORSHEY, Senior Fire Prevention Inspector
Fire Department, Community Risk Reduction Unit

A handwritten signature in blue ink, appearing to be "LF" or "Leslie Forshey", written in a cursive style.

SUBJECT: Northwest corner of East Jensen and South Martin Luther King Jr. Blvd
A-17-007/R-17-010/TMP-201-06/ANX-17-005

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

The installation of public street hydrants is required. Coordinate locations of hydrants with Public Works Department. Public hydrants in commercial areas are spaced a maximum of 450 feet apart.

Note on plan: Fire hydrants and access roads shall be installed, tested and approved and shall be maintained serviceable prior to and during all phases of development. The 4 ½ inch outlet shall face the access lane.

This site is approximately 1 mile from the nearest fire station.

Site access and hydrants will be addressed upon site plan review.

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.



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director
Dr. Ken Bird, Health Officer

June 27, 2017

Sophia Pagoulatos
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

LU0019034
2602

Dear Ms. Pagoulatos:

PROJECT NUMBER: A-17-007, R-17-010, TPM 2017-06, ANX-17-005

Plan Amendment Application No. A-17-007, Rezone Application No. R-17-010, Tentative Parcel Map Application No. TMP-2017-06 and Annexation Application No. ANX-17-005 were filed by Scott Mommar, on behalf of Sylvesta Hall of Blue Ocean Development America, LLC, and pertain to 115.95 acres of property located on northwest corner of East Jensen and South Martin Luther King Jr. Blvd. **Plan Amendment Application No. A-17-007** requests to amend the Fresno General Plan and Edison Community Plan from the following land use designations: Medium Density Residential for 19.25 acres, Urban Neighborhood for 29.44 acres, Community Commercial for 10.11 acres, Office for 37.69 acres and Community Park for 19.09 acres to Medium Density Residential for 54.48 acres, Community Commercial for 2.4 acres, Regional Commercial for 22.52 acres, Park for 9.63 acres and the Public Facility – College designation for 26.55 acres. **Rezone Application No. R-17-010** proposes to amend the Official Zone Map from the Fresno County AL-20 (*Limited Agricultural*) to the City of Fresno zone districts to be designated as follows: RS-5 (*Residential Single-Family*) for 54.48 acres, CC (*Community Commercial*) for 2.4 acres, CR (*Commercial-Regional*) for 22.52 acres, PR (*Parks and Recreation*) for 9.63 acres and PI (*Public and Institutional*) for 26.55 acres. **Tentative Parcel Map Application No. TPM-2017-06** proposes the creation of four parcels on 115.949 acres. The prezone of the property is for purposes of facilitating annexation pursuant to **Annexation Application No. ANX-17-005**, which also proposes detachment of the property from the Kings River Conservation District and the Fresno County Fire Protection District and annexation to the City of Fresno. These actions are under the jurisdiction of the Local Agency Formation Commission (LAFCO).

APN: 479-050-02, -03 & 479-060-02, -03, -08, -09, -10, -11 ZONING: From AL-20 to RS-5/CC/CR/PR/PI
ADDRESS: Northwest corner of East Jensen and South Martin Luther King Jr. Blvd.

Recommended Conditions of Approval:

- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to

Promotion, preservation and protection of the community's health

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placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

The following comments pertain to the demolition of existing structures:

- Any demolition at the project site has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- Should the structures have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structures in order to prevent the spread of vectors to adjacent properties.
- In the process of demolishing the existing structures, the contractor may encounter asbestos containing construction materials and materials coated with lead based paints.
- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work the contractor should contact the following agencies for current regulations and requirements:
 - California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.
 - United States Environmental Protection Agency, Region 9, at (415) 947-8000.
 - State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.
- Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.

REVIEWED BY:

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

(559) 600-3271

kt

cc: Glenn Allen- Environmental Health Division (CT. 09.01)
Scott Mommer- Applicant (smommer@larsanderson.com)
Sylvesta Hall- Developer (qbbigback@aol.com)



DATE: July 17, 2017

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

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

SUBJECT: PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE PARCEL MAP
NO. 2017-06 REGARDING MAINTENANCE REQUIREMENTS

LOCATION: Jensen, Martin Luther King Jr., Church
Owner / Engineer: Blue Ocean Development America, LLC

***NOTE – The understanding is that there are no off-site public improvements required with this parcel map. However, the landowner/developer shall be responsible to provide funding for the maintenance services of all required public improvements by a method approved by the Public Works Department at such time that development occurs with each subdivided parcel of Vesting Tentative Parcel Map No. 2017-06.**

1. MAINTENANCE REQUIREMENTS

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements ("Services") associated with all new Single-Family, Commercial, Industrial and Multi-family developments are the ultimate responsibility of the **landowner/developer**. The **landowner/developer** shall provide these Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District.

The following public improvements (Existing and Proposed) are eligible for Services by CFD:

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

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