

Exhibit G
Conditions of Approval packet

**City of Fresno
Development and Resource Management Department**

**Conditions of Approval
July 23, 2020**

Conditional Use Permit Application No. P20-00545

Planner: Thomas Veatch

PROJECT DESCRIPTION

Conditional Use Permit Application No. P20-00545 was filed by Terri Dickerhoff of SKW Capital and pertains to the 0.55 acres located at 4151 E. Tulare Ave. The applicant proposes to construct a new 3,131 sq. ft. 7-11 convenience store and gas station. Development will include four fuel dispensers, a canopy, a trash enclosure, and 6 parking spaces.

APN: 460-296-09 **ADDRESS:** 4151 E TULARE ST **ZONING:** NMX

PART A - ITEMS TO BE COMPLETED

The following items are required prior to submittal of building permits:

Planner to check when completed

- ☐ Development shall take place in accordance with Exhibits A, E-1, E-2, F, L, and O dated 4/28/2020 and CP1 A dated 5/19/2020. Transfer all comments and conditions on Exhibits to the corrected exhibit(s) and **submit to planner at least 15 days prior submittal for plan check review.**
- ☐ Fuel canopy shall be designed to be architecturally compatible with the proposed building (FMC Section 15-2755-C) Include a roof on the canopy that matches the style of the building. Revise and submit elevation exhibit to planner before submitting for plan check review.
- ☐ Relocate air/water dispenser away from buildings west entrance.
- ☐ Modify south elevation of ground floor street-facing façade to include windows, doors, or other openings with transparent glazing for at least 50 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least two feet deep. (FMC Section 15-1105-D-2)
- ☐ All street-facing windows shall be made transparent and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least two feet deep. (FMC Section 15-1105-D-2)
- ☐ All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings so as not to be visible from major streets, highways, passenger railways, or abutting Residential Districts. A structural architectural method of screening is acceptable.
- ☐ Revise landscape plan to match site plan. Submit to Planning for review.
- ☐ A visibility triangle per Subsection C shall be provided. Potential pedestrian conflict areas are identified and need to be revised as per Section 15-2018-D of the FMC.
- ☐ All signs will require a separate permit application. A Master Sign Program application may be required. Outdoor advertising placards shown on building elevations are prohibited. Signage design shall complement the architectural design of the building.

PART B - OTHER AGENCY COMMENTS AND CONDITIONS

To be checked when completed where applicable

<input type="checkbox"/>	1. Air Pollution Control District: See District comment letter dated May 13, 2020.
<input type="checkbox"/>	2. Airports: No Comment
<input type="checkbox"/>	3. Building and Safety Services: The items below require a separate process with additional fees and timelines, in addition to the Conditional Use Permit Application process. 1. Building, Grading and Utility plans are required to be submitted to Building and Safety Services Dept. for approval and permits for the proposed project.
<input type="checkbox"/>	4. DPU Planning and Engineering: Sewer Requirements The nearest sanitary sewer main to serve the proposed project is an 8-inch sewer main located in the alley just north of Tulare Street. Sanitary 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. Street work permit is required for any work in the Right-of-Way. 3. On-site sanitary sewer facilities shall be private. 4. Abandon any existing on-site private septic systems. 5. 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 Area. 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 Sections 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 charge.
<input type="checkbox"/>	<p>5. DPU Water Division:</p> <p>1. On-site water facilities shall be private.</p> <p>2. Installation of water meter box shall be required.</p> <p>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.</p> <p>The water supply requirements for this project are as follows:</p> <p>1. The project applicant shall be required to pay Water Capacity Fee charges for the installation of new water services and meters to serve the property.</p> <p>a. 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 property.</p> <p>b. The Water Capacity Fee charges by meter size are defined in the City's Master Fee Schedule.</p> <p>c. 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.</p> <p>d. The Water Capacity Fee Charge for any new or expanded service connection shall be payable prior to the issuance of a building permit at the fee level in effect on the date such permit is issued.</p> <p>2. 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.</p>
<input type="checkbox"/>	<p>6. Fire Review:</p> <p>All revisions to plans shall be called out with a cloud or delta. If you have questions and would like more information regarding FFD Development Policies please see the following: https://www.fresno.gov/fire- training/manuals-and-forms/ <u>Previously mentioned in the DRC letter dated 2/10/20 to show existing fire hydrants on site plan still has not been addressed.</u> Exhibit A/ Site Plan sheet 2 of 2: shows symbol 11 as Healy tank. Provide the location on plans to ensure proper distance requirements are met. Vapor processing units shall be located not less 20 feet from dispensing devices. 2019 CFC, Section 2306.7.9.2.2.1. Processing equipment shall be protected against physical damage guardrails, curbs, protective enclosures or fencing. 2019 CFC, Section 2306.7.9.2.2.2.</p>
<input type="checkbox"/>	<p>7. Flood Control District:</p> <p>See attached FMFCD Notice of Requirements (NOR) dated May 19, 2020. NOR & Grading Plan review fees due.</p>
<input type="checkbox"/>	<p>8. Fresno County Environmental Health: Recommended Conditions of Approval:</p> <ul style="list-style-type: none"> • 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

	<p>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.</p> <ul style="list-style-type: none"> • Prior to the issuance of building permits, the 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 Fresno County Hazmat Compliance Program at (559) 600-3271 for more information. • Prior to operations, the fuel 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 Fresno County Hazmat Compliance Program at (559) 600-3271 for more information. • 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 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/). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information. • The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the City's municipal code.
<input type="checkbox"/>	<p>9. Irrigation District: No Comment</p>
<input type="checkbox"/>	<p>10. Police Review: Please consider combating crimes through the implementations of Crime Prevention through Environmental Design (CPTED) concept. Examples: Sufficient lightings helps deter crime and allows officers to properly evaluate the area of any potential criminal activities. Surveillance cameras should be installed at all entry/exit points, points of sales locations, locations where groups of people would congregate and parking lots. Surveillance systems should be digital HD format; hold a minimum of fourteen days (14) of recordings has the ability to play back and is downloadable.</p>
<input type="checkbox"/>	<p>11. Public Works (CFD): No Comment</p>
<input type="checkbox"/>	<p>12. Public Works ROW Landscaping: The site plan indicates two (2) 4' x 6' tree wells on E. Tulare St. and two 4' x 6' tree wells on N. Cedar Ave.</p> <p>The landscape plans submitted by Precision Engineering dated September 18, 2018 shows two (2) Chinese Pistache (<i>Pistacia chinensis</i>) onsite behind the bus stop in-lieu- of street trees. This is acceptable to Public Works to meet the street tree requirement on this street.</p> <p>There are no trees in tree wells or onsite on N. Cedar Ave.</p> <p>Please submit landscape and irrigation plans for the two (2) onsite trees on E. Tulare St. and install two (2) 4' x 6' tree wells with plant material and irrigation to the scale of 1"=20' prior to the installation of any landscaping.</p>
<input type="checkbox"/>	<p>13. Public Works Traffic Planning See attached Traffic Planning Conditions of Approval memo and red lined Exhibits dated May 19.</p>

	2020.
<input type="checkbox"/> 14.	School District: See attached Fresno Unified School District memo dated April 28, 2020.

PART C - PLANNING DEVELOPMENT CODE STANDARDS

1. Density and Intensity Standards

	Standard Requirement	Proposal	Complies?
Height	Max. 40	30	Y
Front Setback, Major Street	Min. Max. 10	2.25	Y
Floor Area Ratio	Max. 1.5	0.13	Y

2. General Site Regulations This section is not applicable

3. Site Design This section is not applicable

4. Parking and Loading

5. Landscaping

1. 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.)**
2. 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.
3. Additional landscaping requirements including landscape plan requirements, landscape design standards, and general landscaping standards can be found in Chapter 15, Article 23 of the Fresno Municipal Code.

6. Facade This section is not applicable.

7. Fencing

1. **Front Yards.** For the purposes of this subsection only, the Front Yard will be considered to be the area between the Front Yard Line and the back of the sidewalk. The Front Yard Line shall be identified as follows:
 - a. For sites which abut two or more streets, the Front Yard Line for each street frontage shall be measured individually.
 - b. The Front Yard shall be the entire area between the back of the sidewalk and a straight parallel line which is located 12 inches behind the façade of the primary building and which extends along the entire frontage (the "front yard line").
 - c. **Minimum Setback.** All fences shall be set back no less than 12 inches from the back of the

sidewalk and may not be located in the public right-of-way. No setback is required from side and rear property lines.

d. **Maximum Height.** Three feet.

e. **Transparency.** Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air

f. **Materials.** Front yard fence materials shall consist only of wood, tubular steel, wrought iron, or other decorative metal. Brick, stone, or stucco piers may be used in combination with these materials. New chain link front yard fences are prohibited.

2. Interior and Rear Yards.

a. **Minimum Setback.** All fences shall be set back no less than 12 inches from the back of the sidewalk and may not be located in the public right-of-way. No setback is required from side and rear property lines.

b. **Maximum Height.** Six feet.

c. **Transparency.** No requirement. Fences and walls may be up to 100 percent opaque.

d. **Materials**

i. Interior and side yard fence and wall materials shall consist only of wood, tubular steel, wrought iron, other decorative metal, brick, stone, stucco, concrete block. Chain link may be used when it is not visible from a public street as determined by the Review Authority.

ii. Interior and side yard fences and walls shall be designed to be consistent with the architectural style of the main building when they are visible from a public street as determined by the Review Authority.

iii. When visible from a public street, veneer or synthetic materials simulating the actual, natural material (e.g., brick or stone veneer in place of actual brick or stone) shall only be allowed upon demonstrating to the Review Authority that the substitute material: Adequately simulates the natural material; and Is organized visually to simulate actual construction using the natural material (e.g., organization of brick rows, larger stones at the bottom and smaller stones toward the top).

Fences, greater than 125 feet in length in Residential Districts and/or along Major Streets, shall incorporate decorative pilasters with decorative caps spaced no more than 30 feet apart. This shall not apply to industrial districts, unless the industrial district is located on the same side of the street as existing, planned, or zoned residences.

8. Special Use Requirements This section is not applicable.

Operational Requirements

Automobile/Vehicle Sales and Services - Service Station

a. **Site Design.**

1. Noise-generating uses, such as auto service bays, car wash openings, vacuum stations, outdoor loading areas, garbage storage, and stacking lanes, shall be located away from sensitive uses such as residential areas.

2. Propane tanks, vapor recovery systems, air compressors, utility boxes, garbage, recycling containers/enclosures, and other similar mechanical equipment shall be screened from public view.

Propane tanks, vapor recovery tanks, etc. shall be laid horizontally and shall be screened with a hedge and/or wall.

b. Auto Repair. Auto Repair shall comply with Section 15-2710, Automobile/Vehicle Service and Repair, Major and Minor.

c. Temporary Car Washes. Refer to Section 15-2760, Temporary Uses.

PART D - PLANNING - OTHER REQUIREMENTS

Development shall take place in accordance with the policies of the Fresno General plan, Downtown Community Plan and with the Neighborhood Mixed Use planned land use designation.

2. Development shall take place in accordance with the NMX zone district and all other applicable sections of the Fresno Municipal Code, especially but not limited to Sec 15-2755.
3. Comply with the operational statement submitted for the proposed project dated 4/28/2020
5. Development shall comply with all prior special permits on the property.

PART E - MISCELLANEOUS AND GENERAL NOTES AND REQUIREMENTS

Not all notes and requirements listed below are applicable to all projects.

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. Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:
 - a) All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
 - b) All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
 - c) Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.
3. 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.

4. Development shall take place in accordance with the Standards, Specifications, and Standard Drawings of the City of Fresno Public Works Department; [Click Here](#)
5. Development shall take place in accordance with all city, county, state and federal laws and regulations.
6. 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: [Click Here](#)
7. All proposed building(s) or structure(s) constructed on the property must comply with the prevailing California Building Code Standards.
8. 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.
9. 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

10. 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.
11. Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation.
12. Fences, hedges, and walls shall be maintained in good repair, including painting, if required, and shall be kept free of litter or advertising. Where hedges are used as screening, trimming or pruning shall be employed as necessary to maintain the maximum allowed height. Fences shall be maintained and shall stand upright and shall not lean.
13. All planting and other landscape elements shall be permanently maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Wherever necessary, plantings shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Yards shall be maintained free of refuse, debris, rubbish, or other accumulated matter and/or materials, and shall be maintained clean. Grass shall not exceed six inches in height.
14. Trees shall be maintained by property owners to be free from physical damage or injury arising from lack of water, chemical damage, accidents, vandalism, insects, and disease. Any tree showing such damage shall be replaced with another tree.
15. 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.
16. 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).

17. Future tenant improvements shall be reviewed and approved by the Development and Resource Management Department to ensure that adequate off-street parking is provided.
18. The number of trees required for parking lot shading are in addition to trees required elsewhere on the site as prescribed in other sections of this Code
19. Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
20. A minimum number of accessible parking stalls are required for the proposed project per State of California Building Code, "Development Requirements for Handicapped Accessibility."
21. 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.)**
22. 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.)**
23. 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.**
24. 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.
25. All general provisions of Section 15-2403 of the FMC shall apply to all parking areas.

SIGNAGE

26. 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.
27. 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.)**
28. 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: [Click Here](#)
29. 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.
30. 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.
31. Every sign displayed within the city, including exempt signs, shall be maintained in good physical condition and shall comply with adopted regulations. All defective or broken parts shall be replaced. Exposed surfaces shall be kept clean, in good repair, and painted where paint is required.

MISCELLANEOUS

32. 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.
33. No vibration shall be produced that is transmitted through the ground and is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.
34. Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street. Except for public street lights and stadium lights, no light, combination of lights, or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half foot-candle.
35. No use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the lot where the use is located. Windows shall not cause glare that may disrupt adjoining properties, traffic on adjacent streets, etc. Glare or heat reflected from building materials shall be mitigated so as to not disrupt surrounding properties.
36. 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'.
37. All projects, including projects that involve less than one acre of property, are required to comply with the City of Fresno's Urban Storm Water Quality Management and Discharge Control Ordinance, FMC Chapter 6, Article 7 (FMC Sections 6-701 *et seq.*)

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

stormwater regulation may be obtained from the Water Board via the internet:

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

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

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

www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml,

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

38. Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
39. 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.)**
40. 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.)**
41. If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist and, if the paleontologist determines the material to be significant, it shall be preserved. **(Include this note on the site plan.)**
42. Connection to a municipal water system is required unless approved measures are included in the project conditions of approval for an alternative water supply.
43. 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
44. 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.
45. Open street cuts are not permitted; all utility connections must be bored.
46. **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.
47. 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.

48. Open storage (outside an enclosed building) shall be limited to vehicles, boats, recreational vehicles, and trailers. Outdoor storages 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 operational statement. If it is not, it is not allowed on the site.
49. 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.

FEES

(Not all fees will be applicable to all projects)

50. **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.
51. **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)
52. **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.

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.

53. 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.

54. REGIONAL TRANSPORTATION MITIGATION FEE (RTMF)

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

55. 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.

56. FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD) FEES

57. 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')

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.

58. 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)

59. 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.

CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT
NOTICE OF ACTION GRANTING SPECIAL PERMIT
CONDITIONAL USE PERMIT APPLICATION NO. P20-00545

NOTICE IS HEREBY GIVEN that the Director of the Planning and Development Department, in accordance with Special Permit Procedure of the Fresno Municipal Code Section 15-5009, has approved Conditional Use Permit Application No. P20-00545, which was filed by Terri Dickerhoff of SKW Capital and pertains to the 0.55 acres located at 4151 E. Tulare Ave. The applicant proposes to construct a new 3,131 sq. ft. 7-11 convenience store and gas station. Development will include four fuel dispensers, a canopy, a trash enclosure, and six parking spaces. The property is zoned NMX. The special permit has been granted subject to the following conditions:

1. Development shall take place in accordance with the Conditions of Approval, dated July 23, 2020.*

*This document is available for review digitally by contacting the planner listed below. City Hall is currently closed to the public due to COVID-19.

Conditional Use Permit Application No. **P20-00545** was granted subject to the following findings:

Findings per Fresno Municipal Code Section 15-5306	
A Conditional Use Permit shall only be granted if the decision-maker determines that the project as submitted or as modified conforms to all of the following criteria. If the decision-maker determines that it is not possible to make all of the required findings, the application shall be denied.	
Finding a:	<i>The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Code and all other chapters of the Municipal Code;</i>
a. The proposed service station and convenience stores is permitted in the NMX (<i>Neighborhood Mixed Use</i>) zone district by Conditional Use Permit and complies with all applicable provisions of the Code.	
Finding b:	<i>The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted;</i>
b. The proposed service station and convenience store is consistent with the General Plan, Downtown Neighborhoods Community Plan, as well as the NMX zone district.	
Finding c:	<i>The proposed use will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements;</i>
c. The proposed service station and convenience store will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements. The project proposes a compatible architectural design consistent with the character of the area and has been conditioned to comply with all relevant sections of the development code that apply. .	
Finding d:	<i>The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity; and,</i>
d. The proposed service station and convenience store is surrounded by urban uses, including commercial and residential uses at this developed intersection. The use is compatible with the planned land use for the location and surrounding area, indicating that it will remain compatible for the foreseeable future.	

Finding e:	<i>The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.</i>
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e. The proposed service station and convenience store is consistent with the allowable land use and intensity requirements per the underlying zone district. Adequate access, parking, utilities and services have been provided to serve the property and were reviewed for consistency with the requirements of the NMX (*Neighborhood Mixed Use*) planned land use and zone district.

The Special Permit will not become effective until 15 days from the date the permit is granted in order to allow time for any interested parties to file an appeal.

NOTE: A Notice of Intent to Take Action was sent to surrounding property owners pursuant to the requirements of Section 15-5007 of the Fresno Municipal Code on June 19, 2020.

In the event you wish to protest the Director's decision, you may do so by filing a written appeal with the Director. The appeal must include the appellant's interest in, or relationship to, the subject property, the decision or action appealed, specific reason(s) why the appellant believes the decision or action should not be upheld, and an appeal hearing fee of \$30.00. The fee is required prior to accepting the appeal, as required by Section 15-5017-A.1 and established by Master Fee Schedule.

ANY WRITTEN appeal must be submitted to this office prior to close of business on 8/10/2020.

For additional information regarding this project, contact Thomas Veatch, Planner, Planning and Development Department, 2600 Fresno Street, Fresno, California 93721-3604, by phone or via e-mail at Thomas.Veatch@fresno.gov or (559) 621-8076. *Si necesita información en Español, comuníquese con McKencie Perez al teléfono (559) 621-8066 or email Mckencie.perez@fresno.gov.*

PLANNING AND DEVELOPMENT DEPARTMENT
Jennifer K. Clark, AICP, Director

Dated: 7/24/2020

Assessor's Parcel No. 460-296-09

SEE MAP BELOW





SUBJECT: Conditions of Approval for **P20-00545**

DATE: May 19, 2020

TO: Thomas Veatch
Planning and Development Department

FROM: Leonor Ayala, Engineer II
Public Works Department, Traffic Planning Section

ADDRESS: 4151 East Tulare Street

APN: 460-296-09

ATTENTION: The items below require a separate process with additional fees and timelines, in addition to the development permit process. Submit the following items early to avoid delaying approval of building permits. Final approval of the site plan is contingent on receipt of all items checked below.		
To be completed:	Point of Contact	Department and Contact Information
Grading Plan Coordinate the corrected site plan with the grading plan. Accessibility Coordinate Traffic Planning and Building Department's conditions on the corrected site plan prior to obtaining an appointment for final approval of building sets.	Thomas Veatch	Planning and Development Department (559) 621-8075 Thomas.Veatch@fresno.gov
Deeds (up to 2 month processing time) Deeds are required to provide easements to the City for required public improvements. They shall be prepared by the owner / developer's engineer. Contact Jeff Beck for fees and processing requirements. Provide a copy of the recorded dedications to Traffic Planning prior to the issuance of building permits.	Jeff Beck	Public Works Department (559) 621-8560 Jeff.Beck@fresno.gov

ATTENTION:

Prior to resubmitting the corrected exhibit, provide the following information and conditions of approval on the site plan:

A. GENERAL REQUIREMENTS

- ☐ 1. **Address:** Provide project address on site plan.
- ☐ 2. **Assessor's Parcel Number (APN):** Provide APN.
- ☐ 3. **Legal description:** Provide legal description.
- ☐ 4. **Vicinity Map:** Provide 4 major streets (1/2 square mile) with a north arrow.
- ☐ 5. **Required Notes:** Revise General Notes to include the required Public Works Department notes.
 - ☐ The performance of any work within the public street right-of-way requires a street work permit prior to commencement of work. All required street improvements must be completed and accepted by the City prior to occupancy.
 - ☐ Submit street construction plans to the Public Works Department.
 - ☐ Submit street lighting plans to the Public Works Department.
 - ☐ Provide a 4' minimum path of travel along the public sidewalk directly in front of property, to meet current accessibility regulations. A pedestrian easement may be required if requirements are not met.

B. OFFSITE INFORMATION:

- ☐ 1. **Public Street Improvements:** Identify and dimension existing and proposed public street improvements. Provide the appropriate *City of Fresno Public Works Standard* drawing numbers.
 - ☐ a. **Sidewalk drains:**
 - ☐ b. **Alley approaches:** Construct a concrete alley approach to Public Works Standard **P-13**. Or provide documentation from Andrew Benelli for improvements to remain, as shown.
 - ☐ c. **Bus bay:**
 - ☐ . **Signals and Safety lights.**
 - ☐ . **Driveway approach;** Construct a driveway approach to Public Works Standards **P-2** and **P-6**, as approved on the site plan. Construct permanent paving as needed per Public Works Standard **P-48**. Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit "A"**. Or provide documentation from Andrew Benelli for improvements to remain, as shown
- ☐ 2. **Street furniture:** Identify, bus stop benches, trash receptacles, correctly identify utility boxes, etc.
- ☐ 3. **Accessibility:** Identify and dimension the required 4' minimum path of travel along the public sidewalk adjacent to the property. Provide pinch point dimensions. A pedestrian easement may be required if Title 24 requirements cannot be met.

C. ONSITE INFORMATION:

- ☐ **Lot drainage:** Identify lot drainage conveyance to the right-of-way.
- ☐ **Visibility triangles:** Identify the required 12' visibility triangle at all approaches and alleys.

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. Construct additional offsite improvements, including but not limited to, concrete curb, gutter, sidewalk, approaches, ramps, pavement, utility relocations, etc. in accordance with *City of Fresno's Public Works Standards, Specifications* and the approved street plans.

Repair all damaged and/or off grade off-site concrete street and/or alley improvements or paved public pedestrian walkway (street, alley, curb, gutter, curb ramps, sidewalk, and trail) 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 and trails in excess of 2% maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.

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

Cedar Avenue: Arterial

(Provide the following as notes on the site plan.)

1. Dedication Requirements:
 - a. Dedicate **2'** easement for public pedestrian purposes, within the limits of this application.
 - b. Dedicate a corner cut for public street purposes at the intersection of Cedar Ave. and Tulare St. for ramp. If needed, provide details.
2. Construction Requirements:
 - a. Remove existing driveway approaches not identified for utilization as noted on **Exhibit "A"**, and install sidewalk, curb, gutter and paving per City of Fresno *Public Works Standard Drawings P-5 and P-48* to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-211.
 - b. Construct a driveway approach to Public Works Standards **P-2** and **P-6**, as approved on the site plan. Construct permanent paving as needed per Public

- Works Standard **P-48**. Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit "A"**. Or provide documentation from Andrew Benelli for improvements to remain, as shown
- c. Where missing, construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **12'** commercial pattern. Construct **5' x 6'** tree wells per Public Works Standard **P-8 (modified)**. 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. Street lights installed on major streets shall be fed from a service pedestal with a master photo control as detailed in **Section 3-3.17** of the City Specifications and Standard Drawings **E-15, E-18** or as approved by the City Engineer.
 - e. Modify or replace the existing ramp to meet current Public Works Standards, as determined by the Construction Management engineer **PRIOR** to occupancy.
 - f. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.

Tulare Street: Collector

(Provide the following as notes on the site plan.)

- 1. Dedication Requirements:
 - a. Dedicate **4'** easement for public pedestrian purposes, within the limits of this application.
- 2. Construction Requirements:
 - a. Remove existing driveway approaches not identified for utilization as noted on **Exhibit "A"**, and install sidewalk, curb, gutter and paving per City of Fresno Public Works Standard Drawings **P-5** and **P-48** to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-211.
 - b. Construct a driveway approach to Public Works Standards **P-2** and **P-6**, as approved on the site plan. Construct permanent paving as needed per Public Works Standard **P-48**. **Provide 10' of red curbing (3 coats) on both sides of the proposed driveway approaches.** Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit "A"**.
 - c. Where missing, construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **12'** commercial pattern. Construct **5' x 6'** tree wells per Public Works Standard **P-8 (modified)**. 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-8** for Collectors. Street lights installed on major streets shall be fed from a service pedestal with a master photo control as detailed in **Section 3-3.17** of the City Specifications and Standard Drawings **E-15, E-18** or as approved by the City Engineer.
 - e. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.

Alley: (Provide the following as notes on the site plan.)

1. Construct a concrete alley approach to Public Works Standard **P-13**. Or provide documentation from Andrew Benelli for improvements to remain, as shown.
2. Construct alley paving per Public Works Standard **P-12**.
3. Provide a **12'** visibility triangle at all points of ingress/egress, per Fresno Municipal Code (FMC) 15-2018B.

Street, Lighting and Alley Construction Plans are required and shall be approved by the City Engineer. All improvements shall be constructed in accordance with the *City of Fresno, Public Works Department Standard Drawings and Specifications*. The performance of any work within the public street right of way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. When preparing Street Plans and/or Traffic Control Plans, contact Harmanjit Dhaliwal at (559) 621-8694, **10 working days** in advance, to make sure that sidewalks or an approved accessible path remain open during construction. Submit construction plans for all required work, in a single package, to the City of Fresno's, Traffic and Engineering Services Division. All work shall be reviewed, approved, completed, and accepted **prior** to obtaining a certificate of occupancy. Utility poles, street lights, signals, etc. shall be relocated as determined by the City Engineer.

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

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.

PRIVATE IMPROVEMENT REQUIREMENTS

Off-Street Parking Facilities and Geometrics:

The parking lot is required to meet the *City of Fresno's Parking Manual, Public Works Standards and Specifications*. Parking must also comply with the *California Building Code's* accessibility requirements and the Fire and Solid Waste Department's minimum turning templates. The site plan must meet all criteria for final approval.

1. Off-Street parking facilities and geometrics shall conform to the *City of Fresno Public Works Department, Parking Manual and Standard Drawings P-21, P-22 and P-23*.

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 Master fee schedule.

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

Cedar Avenue: Arterial

1. Where missing dedicate and construct the following **within the limits of this application**. Construct concrete median cap per Public Works Standard **P-62** and **P-63**.
 - a. South bound: (2) **12'** center section travel lane(s) and a **5'** shoulder;
 - b. Raised **16'** concrete median island with **250'** left turn pockets at Cedar and Tulare.

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

Questions relative to these conditions may be directed to Leonor Ayala at (559) 621-8806 or Leonor.Ayala@fresno.gov in the Public Works Department, Traffic Planning Section.

- 1 PROPOSED 6" CONCRETE CURB PER CITY OF FRESNO STD. P-5
- 2 PROPOSED ACCESSIBLE RAMP PER DETAIL THIS SHEET
- 3 PROPOSED CONCRETE SIDEWALK PER CITY OF FRESNO STD. P-5.
- 4 PROPOSED DOTTED LINE INDICATES LOCATION OF PATH OF TRAVEL FROM PUBLIC WAY AND/OR ACCESSIBLE STALL SPACES AISLE TO MAIN ENTRANCE OF TENANT SPACE
- 5 PROPOSED LANDSCAPE AREA
- 6 PROPOSED TRASH ENCLOSURE PER CITY OF FRESNO STD. P-33 THROUGH P-35
- 7 PROPOSED AC PAVING PER CITY OF FRESNO STD. P-21,P-22, & P-23
- 8 PROPOSED 30' DRIVEWAY APPROACH PER CITY OF FRESNO STANDARD P-2, P-6 & P-48. PROVIDE 10' OF RED CURB ON EITHER SIDE OF APPROACH
- 9 PROPOSED BICYCLE PARKING
- 10 PROPOSED CURB TAPER
- 11 PROPOSED HEAVY TANK
- 12 PROPOSED AIR/WATER STATION
- 13 PROPOSED MEDIAN PER CITY OF FRESNO STD. P-62 AND MEDIAN CURB PER CITY OF FRESNO STD. P-9. TO BE SUBMITTED ON STREET PLANS FOR REVIEW
- 14 PROPOSED 6" CONCRETE CURB AND GUTTER PER CITY OF FRESNO STD. P-5
- 15 PROPOSED SITE LIGHT
- 16 PROPOSED PAINTED DIRECTIONAL ARROWS
- 17 PROPOSED LIMIT OF SAWCUT
- 18 PROPOSED EV CHARGER
- 19 PROPOSED ~~X~~6" TREE WELL PER CITY OF FRESNO STD. P-8
- 20 INSTALL 30" STATE STANDARD "STOP" SIGN AT LOCATION SHOWN. SIGN SHOULD BE MOUNTED ON A 2" GALVANIZED POST WITH THE BOTTOM OF THE SIGN SET 5' 2" ABOVE GROUND, LOCATED BEHIND CURB AND IMMEDIATELY BEHIND MAJOR STREET SIDEWALK. INSTALL RIGHT TURN UPOV SIGN R3-5 (RIGHT) DIRECTLY BELOW
- 21 ADJUST UTILITY BOX TO GRADE ~~out of ramp?~~ clarification needed
- 22 CONSTRUCT ALLEY PAVING PER CITY OF FRESNO STD. P-12 ~~Street Plan~~ Properly show ramp design
- 23 CONSTRUCT ALLEY APPROACH PER CITY OF FRESNO STD. P-13 ~~needed~~ ~~land E-7~~
- 24 PROPOSED STREET LIGHT WITH METAL POLE PER E-1. TO BE SUBMITTED ON STREET LIGHT PLANS FOR REVIEW
- 25 ~~PROPOSED CURB RAMP PER CITY OF FRESNO STD. P-31 AND P-32~~
- 26 CONSTRUCT CONCRETE VALLEY GUTTER PER CITY OF FRESNO STD. P-10
- 27 PROPOSED 12' SIDEWALK PER CITY OF FRESNO STD. P-5 ~~P-28~~
- 28 PROPOSED CURB RAMP PER CITY OF FRESNO STD. ~~P-34 AND P-32~~
- 29 PROPOSED CURB CUT
- 30 PROPOSED SWALE
- 31 PROPOSED TREE WELL

1. REPAIR ALL DAMAGED AND/OR OFF GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER PRIOR TO OCCUPANCY.
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) 800-451-1443.
3. ALL SURVEY MONUMENTS WITHIN THE AREA OF CONSTRUCTION SHALL BE PROTECTED OR RESET BY A PERSON LICENSED TO PRACTICE SURVEYING IN THE STATE OF FLORIDA.
4. DEEDS ARE REQUIRED TO PROVIDE EASEMENTS TO THE CITY FOR REQUIRED PUBLIC IMPROVEMENTS. THEY SHALL BE PREPARED BY THE OWNER/DEVELOPER'S ENGINEER. EXECUTED COPIES SHALL BE SUBMITTED TO THE CITY WITH APPLICATION FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS. THE CITY WILL LIMITS
5. UNDERGROUND ALL EXISTING OFFSITE OVERHEAD UTILITIES WITHIN THE LIMITS OF THIS SITE/ MAP AS PER FMC SECTION 15-2017 OR PROVIDE A SIGNED WARNING
6. ALL EXISTING DRIVEWAY APPROACHES WHICH NO LONGER PROVIDE ACCESS TO APPROVED VEHICLE PARKING AREAS SHALL BE REMOVED UNLESS OTHERWISE APPROVED BY THE CITY.
7. ALL EXISTING SIDEWALKS SHALL BE MAINTAINED AND MATCHED WITH CURB, GUTTER, AND SIDEWALK TO MATCH ADJACENT STREET IMPROVEMENTS. CONTACT THE PUBLIC WORKS DEPARTMENT, TRAFFIC ENGINEERING AT 550-621-0000, TO WORKING DAYS PRIOR TO ANY OFFSITE CONCRETE CONSTRUCTION.
8. ALL EXISTING SIDEWALKS IN EXCESS OF A 2 PERCENT MAXIMUM CROSS SLOPE SHALL BE BROUGHT INTO COMPLIANCE PRIOR TO COMMENCEMENT BY PUBLIC WORKS.
9. ALL EXISTING EASEMENTS EXCEPT EASEMENTS FOR UTILITY EASEMENTS MUST BE DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER PRIOR TO OCCUPANCY. "DETECTABLE WARNING DEVICES" ARE REQUIRED IF NOT EXISTING ON OWNERS SIDE OF THE STREET.
10. CONSTRUCT UNDERGROUND STREET LIGHTING SYSTEM TO PUBLIC WORKS STANDARDS WITHIN THE LIMITS OF THE APPLICATION. SUBMIT ENGINEERED STREET CONSTRUCTION PLANS TO THE CITY FOR REVIEW, ENGINEERING SERVICES

Provide proof of submitted dedications and that they are technically correct before re-submitting

Add note: Waived Per Andrew Benelli letter 01/14/2019 for P18-03222. New poles are prohibited.

Provide site information

Re-draw per P-28
Revise location of
utility boxes, or a
approved on stre
plans.

B INTERNATIONAL SYMBOL OF ACCESSIBILITY
NOT TO SCALE

same note

EAST TULARE STREET
Add (Collector)

[illegible]

TYPICAL VAN ACCESSIBLE PARKING STALL
NOT TO SCALE
THE FIRST REQUIRED ACCESSIBLE PARKING SPACE SHALL BE VAN ACCESSIBLE

REVIEWED
By Leonor Ayala at 5:16 pm, May 19, 2020

[illegible]

NOTES:

1. THE CLEAR HEIGHT OF THE LOWEST PORTION OF THE LOWEST SIGN ON THE POLE SHALL BE A MINIMUM OF 80 INCHES ABOVE THE GROUND.
2. THE TOP SIGN SHALL BE REFLECTORIZED AND A MINIMUM OF 24" x 12" AND SHALL CONSIST OF THE INTERNATIONAL SYMBOL OF ACCESSIBILITY IN WHITE ON A DARK BLUE BACKGROUND.
3. THE VAN ACCESSIBLE SPACE SHALL BE THE WESTERN STALL, AS INDICATED ON THE PLAN.
4. THE STORAGE SHALL COMPLY WITH ALL REQUIREMENTS SET FORTH IN THE 2013 CBC, SECTION 1129 AND 2012 MUTCD, CALIFORNIA SUPPLEMENT.

C SIGN AND SYMBOLS OF ACCESSIBILITY
NOT TO SCALE

Verify (TYP)

1. THE CLEAR HEIGHT OF THE LOWEST PORTION OF THE SIGN SHALL BE A MINIMUM OF 80 INCHES ABOVE THE GROUND.
2. THE SIGN SHALL NOT BE LESS THAN 24" BY 24" IN SIZE WITH LETTERING NOT LESS THAN 1" IN HEIGHT, WHICH CLEARLY AND CONSPICUOUSLY STATES THE TEXT SHOWN ABOVE.
3. THE SIGN SHALL HAVE A DARK BLUE BACKGROUND WITH WHITE LETTERING.
4. THE BLANK SPACES SHOWN ABOVE ARE TO BE FILLED IN, WITH THE APPROPRIATE INFORMATION AS A PERMANENT PART OF THE SIGN.
5. EXISTING SIGNAGE NOT IN COMPLIANCE WITH THIS DETAIL SHALL BE REPLACED PER THIS DETAIL.
6. THE SIGNAGE SHALL COMPLY WITH ALL REQUIREMENTS SET FORTH IN THE 2013 CBC, SECTION 1129B.4 AND 2012 MUTCD CALIFORNIA SUPPLEMENT.

D ACCESSIBLE ENTRY SIGN
NOT TO SCALE

APPL. NO. P20-00545 EXHIBIT O DATE 04/28/2020
PLANNING REVIEW BY DATE
TRAFFIC ENG. DATE
APPROVED BY DATE

CITY OF FRESNO DARM DEPT

City of



Development & Resource Management Department
2600 Fresno Street, Room 3043
Fresno, CA 93721-3604
P: (559) 621-8277

Operational Statement Template

Please use this template as a specific guide to explaining the scope of your project. This required information will assist all individuals, departments and agencies in their review and drafting of their comments, conditions and suggestions. Our goal is to facilitate an accurate and complete description of your project in order to avoid unnecessary delays in gathering additional information. If you have any questions about the requested information or need help completing any portions of this form please call (559) 621-8277. This form must be completed and submitted in order to process your application. If this operational statement is not submitted or incomplete your application will not be accepted for processing.

Project Description:

_____ is being submitted by _____ of _____ on behalf of _____ and pertains to _____ acres of property located at _____
APN: _____ and is zoned _____ with a planned land use of _____
_____ is requesting authorization to: _____

The proposed development will consist of:

The existing site currently exists of _____ with _____ existing parking spaces.

The proposed hours of operation are from _____ to _____ on _____

Other facts pertinent to this project are as follows:

Operational Narrative: (*This is your opportunity to communicate in detail all other characteristics of your property that would be important to consider when reviewing for completeness and contemplating approval. Describe your proposed operation/development in as much detail as possible including information such as name of business, product or service, anticipated traffic-customers, deliveries, etc., any special events, number of employees, required equipment, on-site storage, demolition or adaptive reuse of existing structures, noise generation, any hazardous materials, etc.*)

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

File No. 210.413

Page 1 of 4

PUBLIC AGENCY

THOMAS VEATCH
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOR
FRESNO, CA 93721-3604

DEVELOPER

TERRI DICKERHOFF, SKW CAPITAL
2100 SANDERS RD.
NORTHBROOK, IL 66062

PROJECT NO: **2020-00545**

ADDRESS: **4151 E. TULARE ST.**

APN: **460-296-09**

SENT: **May 19, 2020**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
I13	\$0.00	NOR Review *	\$50.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review *	\$100.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$0.00		Total Service Charge: \$150.00		

* The Development Review Service Charge shown above is associated with FR CUP 2018-03223 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

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 2/28/21 based on the site plan submitted to the District on 4/28/20 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. 2020-00545**

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

Page 2 of 4

**FR
CUP No. 2020-00545**

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

1. ☒ a. Drainage from the site shall BE DIRECTED TO CEDAR AVENUE AND/OR TULARE AVENUE.
☐ 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.

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

Page 3 of 4

**FR
CUP No. 2020-00545**

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, RCE

Digitally signed by Debbie Campbell Date: 5/19/2020 10:53:36 AM



Rick Lyons
Engineering Tech III

Digitally signed by Rick Lyons Date: 5/19/2020 10:29:58 AM

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

Page 4 of 4

CC:

BONIQUE EMERSON, PRECISION CIVIL ENGINEERING

1234 "O" STREET

FRESNO, CA 93721

SKW TULARE LLC

2900 WINGATE ST., #200

FORT WORTH, TX 93701

FR CUP No. 2020-00545

OTHER REQUIREMENTS

EXHIBIT NO. 2

No surface runoff shall be directed towards the alley.

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

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

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



May 13, 2020

Thomas Veatch
City of Fresno
Planning & Development Dept.
2600 Fresno Street, Third floor
Fresno, CA 93721

Project: Planning Application P20-00545

District CEQA Reference No: 20200350

Dear Mr. Veatch:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of a Conditional Use Permit Application to construct a 3,131 square foot 7-Eleven convenience store and gas station (Project). The 0.55-acre Project site is located at 4151 East Tulare Avenue (APN: 460-296-09) in Fresno, CA. The District offers the following comments:

1. Based on information provided to the District, Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.
2. The proposed gas station (gasoline dispensing facility) is subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). As such, the District recommends the applicant contact the District's Small Business Assistance (SBA) office prior to starting construction regarding the requirements for an Authority to Construct (ATC) and to identify other District rules and regulations that apply to this project. SBA staff can be reached at (559) 230-6000.

In addition, please note that starting construction before receiving an ATC may result in a violation of District regulations and be subject to enforcement action.

Samir Sheikh
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. Per District Rule 9510 (Indirect Source Review) section 4.4.3, a development project on a facility whose primary functions are subject to District Rule 2201 or District Rule 2010 are exempt from the requirements of the rule. The District has reviewed the information provided and has determined that the primary functions of this Project are subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required). As a result, District Rule 9510 requirements and related fees do not apply to the Project referenced above.
4. The proposed Project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). 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.
5. The District recommends that a copy of the District's comments be provided to the Project proponent.

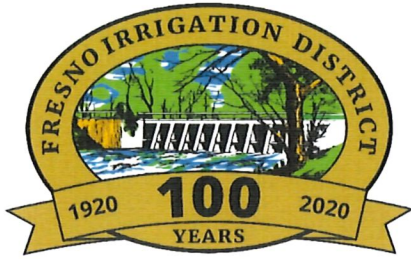
If you have any questions or require further information, please call Georgia Stewart at (559) 230-5937 or e-mail Georgia.Stewart@valleyair.org. When calling or emailing the District, please reference District CEQA number 20200350.

Sincerely,



Arnaud Marjollet
Director of Permit Services

AM: gs



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

A Century of Commitment, Conveyance & Customer Service

May 7, 2020

Thomas Veatch
Development and Resource Management
City of Fresno
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Conditional Use Permit Application No. P20-00545
N/W Tulare and Cedar avenues

Dear Mr. Veatch:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. P20-00545 for which the applicant proposes the construction of a new convenience store and gas station, APN: 492-296-09. 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.

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 Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

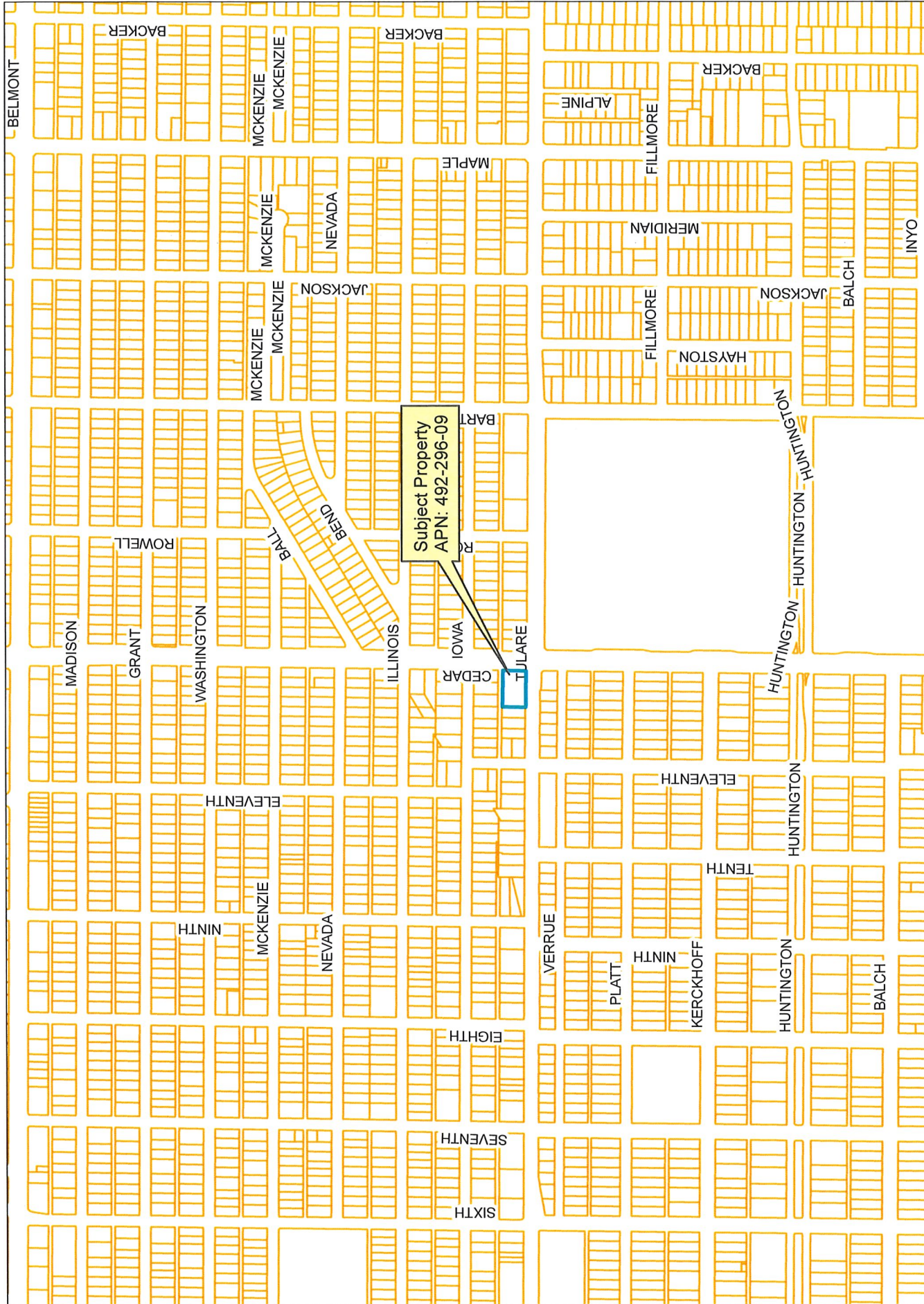
Sincerely,

A blue ink signature of Laurence Kimura, written in a cursive style.

Laurence Kimura, P.E.
Chief Engineer

Attachment

G:\Agencies\FresnoCity\Conditional Use Permit\P20-00545.doc



This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Legend

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

0 320 640 Feet
1 inch = 659.51 feet

Date Saved: 3/17/2020 2:35:56 PM
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Christopher Lundeen

From: do_not_reply@fresno.gov
Sent: Tuesday, April 28, 2020 12:22 PM
To: Engineering Review
Subject: Planning Application P20-00545 - Task Assigned

A task associated with Planning Application P20-00545 has been assigned for your review. You can review details online.

Application Description: Conditional Use Permit Application No. P20-00545 was filed by Terri Dickerhoff of SKW Capital and pertains to the 0.55 acres located at 4151 E. Tulare Ave. The applicant proposes to construct a new 3,131 sq. ft. 7-11 convenience store and gas station. Development will include 4 MPD's, canopy, trash enclosure, and 6 parking spaces. The parcel is zoned NMX.

Task Information: Irrigation District

Due May 19

CITY OF FRESNO

DEVELOPMENT AND IMPACT FEE ESTIMATE

The following estimates are based on preliminary conceptual information. The exact fee obligation will be computed at the time of development by Public Works Department, Land Division & Engineering. The fee rates in effect at the time of development shall apply.

Proposed Development: 7-11 Convenience Store - 4151 E. Tulare Street

A.P.N. 460-296-09

Planned Land Use: Neighborhood Mixed-Use

Current Zoning: NMX

Site Area: 0.55 acres

Building Area: 3,131 sq. ft.

Entitlement: P20-00545

Estimate Date: May 4, 2020

WATER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Water Meter Charge	2"	1	EA.	\$530.00	\$530.00	[1] [6]
Irrigation Water Service & Meter Charge	1.5"	1	EA.	\$2,508.00	\$2,508.00	[1] [6]
Frontage Charge		205	L.F.	\$6.50	<i>previously satisfied</i>	
Water Capacity Fee	1.5"	0.5	EA.	\$5,602.00	\$2,801.00	[1] [6]
Total Water Connection Charges					\$5,839.00	[1]

SEWER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
House Branch Sewer Charge		[2]	EA	\$0.00	[2]	[2]
Lateral Sewer Charge		18,750	Sq.Ft.	\$0.10	<i>previously satisfied</i>	
Oversized Sewer Charge		24,375	Sq.Ft.	\$0.05	<i>previously satisfied</i>	
Wastewater Facilities Charge		STEP		[3]	[3]	[4] [7]
Total Sewer Connection Charges					\$0.00	[3]

CITYWIDE/REGIONAL IMPACT FEES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Citywide Fire Facilities Impact Fee	Comm./Retail	3,131	Sq.Ft.	\$662.00	\$2,072.72	[7]
Citywide Park Facility Impact Fee	SFR	n/a	Units	\$4,027.00	<i>n/a</i>	
Citywide Police Facilities Impact Fee	Comm./Retail	3,131	Sq.Ft.	\$658.00	\$2,060.20	[7]
Citywide Regional Street Charge	Comm./Retail	0.29	AC	\$14,213.00	\$4,121.77	[6]
New Growth Area Major Street Charge	Comm./Retail	0.29	AC	\$39,941.00	<i>n/a</i>	
Citywide Traffic Signal Charge	Conv. Market w/ Fuel	8	Fuel Positions	\$3,769.00	\$30,152.00	[6]
Total Citywide/Regional Impact Fees					\$38,406.69	

Total Fees and Charges	\$44,245.69
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CITY OF FRESNO

DEVELOPMENT AND IMPACT FEE ESTIMATE

NOTES:

Within the City of Fresno's sphere of influence there are other sewer and water utility providers. If the project is within one of those districts, the developer must provide confirmation from the representative Districts that all conditions for sewer and/or water connections and services have been satisfied, prior to issuance of a Building Permit

Outside agencies developer impact fees: It is the developer's responsibility to contact those agencies for their fee estimates. These agencies include but are not limited to; Fresno County, Council of Fresno County Governments (FCOG), Fresno Metropolitan Flood Control District (FMFCD), various School Districts that serve the City of Fresno, etc

NOTICE OF 90-DAY PROTEST PERIOD (GOVERNMENT CODE §66020(d)(1))

A protest filed pursuant to subdivision and/or development (a) shall be filed 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 other exactions to be imposed on a development project. Each local agency shall provide to the project applicant a notice in writing at the time of the approval of the project or at the time of the imposition of the fees, dedications, reservations, or other exactions, a statement of the amount of the fees or a description of the dedications, reservations, or other exactions, and notification that the 90-day approval period in which the applicant may protest has begun.

- 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. Please contact the Council of Fresno County Governments (FCOG) at (559) 233-4148 to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue the Certificate of Occupancy.
- On December 8, 2016, Fresno City Council adopted Resolution No. 2016-258, effective July 1, 2018, administratively updating the impact fees adjusted by this resolution annually to the percentage change in the 20-City Construction Cost Index as reported in the Engineering News Record (ENR) for the 12-month period ending of May of the year of adjustment.
- Payment of Fresno Metropolitan Flood Control District (FMFCD) impact fees may be required. Please contact FMFCD at (559) 456-3292 to determine fee obligation.
- Payment of applicable school district fees is required prior to issuance of Building Permit. Please contact the respective school district to satisfy your fee obligation. Confirmation by the respective school district is required before the City of Fresno can issue building permits

[1] Fees for Water Service Connections and/or Meters, and Water Capacity due at time of development. Charges based on service and/or meter sizes, (Rates as established by the Master Fee Schedule), determined by the Developer.

[2] Sewer House branches to be installed by Developer at the Developer's cost.

[3] 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).

[4] The Wastewater Facilities Charge (WWFC) is applicable to single family, duplex, and triplex developments. (FMC 6-302(i)); For Condominium conversions, WWFC may stay in the S.T.E.P. if the project continues to be master metered for water. If the condominiums are individually metered, the developer will pay the pro-rated portion of these fees.

[5] The Trunk Sewer Charge is applicable to single family, duplex, and triplex developments. (FMC 6-302(i)); For Condominium conversions, Trunk Sewer Charges may stay in the S.T.E.P. if the project continues to be master metered for water. If the condominiums are individually metered, the developer will pay the pro-rated portion of these fees.

[6] Due at Building Permit

[7] Due with Certificate of Occupancy

[8] Construction Fee Credits may be applicable. Contact the Public Works Engineering Services Division at (559) 621-8685 for more information.

[9] Parks fee applicable only to residential developments

[10] Fee not applicable on replacement or reconstruction of an existing structure that has been destroyed or demolished provided that the Building Permit for new construction is obtained within one year after the building is destroyed or demolished, and there is no change in the land use designation. (Res. Nos. 2005-428, 429)

[11] Subject to the acceptance date of the vesting tentative map, fee may not be applicable until 2-years after the date of Final Map recordation; when applicable, fee is due at Building Permit for all un-developed lots at the fee rate then in effect.

Prepared and Reviewed By: Frank Saburit

Date: May 4, 2020

(559) 621-8797

**City of Fresno Public Works Department
Land Division & Engineering**



Preparing Career Ready Graduates



Facilities Management & Planning

BOARD OF EDUCATION

Keshia Thomas, President
Valerie F. Davis, Clerk
Claudia Cazares
Genoveva Islas
Elizabeth Jonasson Rosas
Carol Mills, J.D.
Major Terry Slatik USMC (Retired)

SUPERINTENDENT

Robert G. Nelson, Ed.D.

April 28, 2020

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

Re: **APPLICATION NO. P20-00545**
4151 E. TULARE AVE.

Dear Mr. Veatch,

In response to your request for school district information regarding the above planning application for the proposed construction of a 3,131 square-foot '7-Eleven' convenience store with fueling station to be located at 4151 East Tulare Avenue, Fresno Unified School District submits the following.

Any new commercial development which occurs, may ultimately affect the District by generating employees. The children of those employees living in the District will need to be housed in District schools.

The District levies a commercial/industrial development fee and the current fee rate is \$0.61 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 the rate effective at the time of payment.

Per the Operational Statement, the District notes there will be no alcohol sales (beer, wine, or liquor) for the proposed convenience store. The District **would not support** any future State of California Alcoholic Beverage Control (ABC) alcohol license requests relating to on- or off-site sales at the proposed operations. The proposed convenience store would be merely 200 feet from Roosevelt High School, which would go against the '600 feet from schools' policy within the State of California's Alcoholic Beverage Control Act. The District would have very significant concerns regarding potentially dangerous interaction between our students and any proposed operation that included alcohol sales.

Thank you for the opportunity to comment. Please contact our office at (559) 457-3066 if you have any questions or require additional information regarding our comments.

Sincerely,

Alex Belanger, Assistant Superintendent
Facilities Management and Planning

AB:hl

c: Terri Dickerhoff, Applicant/Agent

DWC