

**City of Fresno  
Planning and Development Department**

**Conditions of Approval  
~~October 28, 2020~~ November 4, 2020**

**Conditional Use Permit Application Nos. P20-01633 and P20-02556**

Planner: Phillip Siegrist 559-621-8061

**PROJECT DESCRIPTION**

**Conditional Use Permit Application Nos. P20-01633 and P20-02556** was ~~were~~ filed by Robert Vermeltfoort, of Vermeltfoort Architects Inc., and pertains to a ±1.28 acre parcel of property located at 1137 North Chestnut Avenue at the southwest corner of North Chestnut and East Olive Avenues. The subject application requests to construct a ±5,151 square-foot commercial shell building to be utilized as a combination 7-Eleven convenience store/automobile service station and a future drive-through restaurant (Starbucks). The service station aspect of the project will include six (6) fuel islands with a total of twelve (12) fuel dispensers and an overhead canopy. Additional on and off-site improvements include drive through aisle and window, parking, landscaping, a two-cell trash enclosure, two points of ingress and egress, and curbs, gutters, and sidewalks.

**Conditional Use Permit Application No. P20-02556** requests authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 20 alcohol license (Off-Sale Beer & Wine [Package Store] – sale of beer and wine for consumption on off the premises where sold).

**APN:** 454-092-28

**ADDRESS:** 1137 North Chestnut Avenue

**EXHIBITS:** A, E-1, E-2, F, and O

**ZONING:** CC (*Community Commercial*)

**PART A - ITEMS TO BE COMPLETED**

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

Planner to check when completed

<input type="checkbox"/>	Development shall take place in accordance with Exhibits A, E-1, E-2, F, and O dated October 28, 2020. Transfer all comments and conditions on Exhibits to the corrected exhibit(s) and <b>submit to planner at least 15 days prior to issuance of building permits.</b>
<input type="checkbox"/>	<i>All exterior mechanical and electrical equipment (including roof top HVAC 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. Demonstrate compliance and add note on plans.</i>
<input type="checkbox"/>	<i>Pursuant to Section 15-2305-E of the FMC, all portions of a building that face a public street shall have one or more landscape planters installed along a minimum of 20 percent of that building face. This requirement has not been met. Please revise site/landscape plans to comply.</i>
<input type="checkbox"/>	<i>Plans proposed show light and glare is directed onto residential use areas or adjacent public rights-of-way. 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. Please revise plans consistent with Article 25, Performance Standards.</i>
<input type="checkbox"/>	<i>Project does not comply with light standards. Lights shall be placed to deflect light away from</i>

	<i>adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Please provide a photometric site and/or floor plan, where applicable, or other proof of compliance prior to issuance of building permits.</i>
<input type="checkbox"/>	<i>All exterior doors, during the hours of darkness, shall be illuminated with a minimum of 0.5 foot-candle of light. Provide note on plans.</i>
<input type="checkbox"/>	<i>The use of or storage of flammable/explosive materials must be in compliance with Fire Code. Revise operational statement accordingly.</i>
<input type="checkbox"/>	<i>A system of pedestrian walkways shall connect the project site to adjacent Residential, Commercial, Mixed-Use, Office districts.</i>
<input type="checkbox"/>	<i>All street-facing façades must include at least one projection or recess at least two feet in depth for every 25 horizontal feet of wall.</i>

#### Automobile/Service Station Related Conditions

<input type="checkbox"/>	<i>Incorporate landscaping and half screen walls to screen vehicles while allowing eye level visibility into the site. Revise landscape plan or site plan.</i>
<input type="checkbox"/>	<i>Provide significant landscape or architectural features at corner of intersecting street to enhance streetscape. Revise landscape plan or site plan.</i>
<input type="checkbox"/>	<i>Provide a Type 2 Landscape Buffer along the westerly property line where the subject property abuts property planned and zoned for residential uses.</i>
<input type="checkbox"/>	<i>Incorporate drought-resistant landscaping, including a combination of shrubs and/or climbing evergreen vines around the perimeter of the proposed trash enclosure.</i>
<input type="checkbox"/>	<i>Site plan does not depict air and water stations. Should they be provided they shall be located outside the required setbacks.</i>

#### Drive-Through Facility Related Conditions

<input type="checkbox"/>	<i>drive-through aisle shall be screened with a combination of decorative walls and landscape to a minimum height of 30 inches to prevent headlight glare and direct visibility of vehicles from adjacent streets, parking lots, and the public right-of-way.</i>
<input type="checkbox"/>	<i>Menu boards shall be reviewed under a separate Sign Review Application to ensure compliance with FMC Section 15-2728-E.</i>
<input type="checkbox"/>	<i>Signage to encourage customers not to idle shall be placed either before or at the entrance of a drive-through aisle.</i>
<input type="checkbox"/>	<i>Drive-through facility is located closer than 100 feet from a Residential District. Therefore, the drive-through shall close no later than 10 p.m.</i>
<input type="checkbox"/>	<i>Whenever service is limited to drive-through facilities, customers using non-motorized transportation shall have equal access to service.</i>

#### PART B - OTHER AGENCY COMMENTS AND CONDITIONS

To be checked when completed where applicable	
<input type="checkbox"/>	1. <b>Air Pollution Control District:</b> Please see attached District comment letter dated 9/14/2020.
<input type="checkbox"/>	2. <b>Airports:</b> Airspace Protection > Airspace review required for any objects (temporary or permanent) over 100 feet tall.
<input type="checkbox"/>	3. <b>DPU Planning and Engineering, Sewer Requirements:</b> Development shall comply with the Sewer requirements in the memorandum from the Department of Public Utilities dated September 28, 2020.
<input type="checkbox"/>	4. <b>Building &amp; Safety Division:</b> Plans & permits. including grading. required. Contact Christian

		<i>Mendez in Building &amp; Safety Services Division at 559-621-8088.</i>
<input type="checkbox"/>	5.	<b>DPU Water Division:</b> <i>Development shall comply with the Water requirements in the memorandum from the Department of Public Utilities dated September 28, 2020.</i>
<input type="checkbox"/>	6.	<b>Fire Review:</b> <i>All back checks are preformed electronically through the Accela Program (FAASTER portal). You must submit the following documentation to the Building Department: 1) Provide copy of the original submittals (drawings, calculations, and supporting documents) including mark-ups from the plan reviewers who worked on your documents. 2) Provide a complete set of revised drawings, calculations, and supporting documents addressing plan check comments (all changes shall be clouded). 3) Provide a detailed typed response to each item listed in the plan check correction comments document. If you have additional questions regarding back check submittals, please contact the Building Department.</i>  <i>If there are questions regarding FFD Development Policies, you may access them at: <a href="https://www.fresno.gov/fire-training/manuals-and-forms/">https://www.fresno.gov/fire- training/manuals-and-forms/</a>.</i>  <i>All revisions to plans shall be called out with a cloud or delta.</i>  <i>As noted on the DRC comments by Fire Prevention Engineer Beagles, the fire sprinkler bell needs to be remote wired to face Chestnut Ave as that is the street the building is addressed to. FFD Policy 405.029</i>
<input type="checkbox"/>	7.	<b>Flood Control District:</b> <i>See attached FMFCD Notice of Requirements (NOR) dated September 18, 2020.</i> <i>NOR Review &amp; Grading Plan Review fees due.</i>
<input type="checkbox"/>	8.	<b>DPU, Solid Waste:</b> <i>Development shall comply with the Solid Waste requirements in the memorandum from the Department of Public Utilities dated September 28, 2020.</i>
<input type="checkbox"/>	9.	<b>Fresno County Environmental Health:</b> <ul style="list-style-type: none"> <li><i>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.</i></li> <li><i>Prior to operation, the applicants shall apply for and obtain permits to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.</i></li> <li><i>Prior to alcohol sales, the applicant shall first obtain their license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.</i></li> <li><i>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 Certified Unified Program Agency (CUPA), at (559) 600-3271 for more information.</i></li> <li><i>Prior to operations. the fuel facility applicant shall apply for and secure a Permit to Operate</i></li> </ul>

	<p><i>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.</i></p> <ul style="list-style-type: none"> <li><i>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 (<a href="http://cers.calepa.ca.gov/">http://cers.calepa.ca.gov/</a>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.</i></li> <li><i>The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to conformance with the Noise Element of the City's municipal code.</i></li> <li><i>As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.</i></li> <li><i>Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.</i></li> </ul>
	<p>10. <b>Land Division Impact Fees:</b> <i>City of Fresno Development Impact Fee Estimate - Reference document: P20-01633 - 7 Eleven, Starbucks - 1137 N Chestnut Ave.pdf dated September 11, 2020.</i></p>
<input type="checkbox"/>	<p>11. <b>Police Review:</b> <i>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.</i></p> <p><i>Project shall comply with the attached Standard Fresno Police Department ABC CUP Conditions Of Approval.</i></p>
<input type="checkbox"/>	<p>12. <b>Public Works, Median Island Maintenance:</b> <i>Development shall comply with the landscape requirements in the memorandum from the Public Works Department, Median Island Maintenance dated September 10, 2020.</i></p>
<input type="checkbox"/>	<p>13. <b>Public Works Traffic Planning:</b> <i>PUBLIC WORKS TRAFFIC PLANNING CONDITIONS OF APPROVAL AND REDLINED EXHIBIT CP1 DATE 09/24/2020 HAVE BEEN UPLOADED.</i></p> <p><i>IF YOU HAVE QUESTIONS, PLEASE CONTACT ANDREINA AGUILAR AT (559) 621-8674 OR AT ANDREINA.AGUILAR@FRESNO.GOV.</i></p>
<input type="checkbox"/>	<p>14. <b>Planning:</b> <i>Demonstrate compliance with conditions and comments in Parts A and B of Conditions of Approval dated November 27, 2020.</i></p> <p><i>Service station aspect shall comply with FMC Section 15-2755 (Service Stations).</i></p>



		<i>Drive-through facility aspect shall comply with FMC Section 15-2728 (Drive-In and Drive-Through Facilities).</i>
<input type="checkbox"/>	15.	<p><b>PG&amp;E:</b> <i>PGE has a high pressure gas transmission line along with a gas distribution line that runs in franchise along Clay Ave from Chestnut Ave. Safety of these lines during construction would be a PGE main concern.</i></p> <p><i>As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.</i></p> <p><i>If you have any questions regarding our response, please contact the PG&amp;E Plan Review Team at (877) 259-8314 or <a href="mailto:pgeplanreview@pge.com">pgeplanreview@pge.com</a>.</i></p>
<input type="checkbox"/>	16.	<b>Fresno Unified School District:</b> Project shall comply with comments & conditions in the memorandum from the Fresno unified School District dated September 3, 2020. Pay applicable fees prior to permits.

## PART C - PLANNING DEVELOPMENT CODE STANDARDS

### **1. Intensity and Development Standards** of FMC Tables 15-1203-1 & 15-1203-2

	Standard Requirement	Proposal	Complies?
Maximum Floor Area Ratio	1.0	0.17	Yes
Maximum Height	35'	21'	Yes
Front Setback (min/max)	15'/-	154'	Yes
Street Side (min)	-	23'	Yes
Interior Side (min)	20'	99'	Yes

### **2. Site Design** FMC Section 15-1204

- **Interior Side and Rear.** The interior side and rear setback abutting an R District boundary shall be 20 feet. In the CMS District, the interior side yard may be reduced to 10 feet with Director approval.
  - **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.
- Pedestrian Access.** On-site pedestrian circulation and access shall be provided according to the following standards.
- External Connections.** A system of pedestrian walkways shall connect the project site to adjacent Residential, Commercial, Mixed-Use, Office districts.
- To Circulation Network.** Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
- To Streets.** Direct and convenient access shall be provided to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.

### 3. Parking and Loading

- Provide short term bicycle parking as required by Section 15-2429 of the FMC.
- Long-Term Bicycle Parking shall be provided when required by the California Green Building Standards Code, as may be amended.
- The square footage of the entire building shall be used in determining loading spaces for multi-tenant buildings. A common loading area may be required, if each tenant space is not provided a loading area. Drive-in, roll-up doors for multi-tenant industrial projects may be substituted for required loading areas.
- Loading spaces are required when a building is to be occupied by a use requiring the receipt or distribution by vehicles or trucks of material or merchandise. Comply with Section 15-2430-A of the FMC.
- 23 Parking Stalls are required for the proposed project and 30 stalls have been provided.
- 2 Short-Term Bike Stalls are required for the proposed project and only 1 stall have been provided. Revise site plan to depict additional required bike stalls. See Table 15-2429-D of the FMC for the required number of spaces.

### 4. Landscaping

- 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.)**
- 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.
- 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.

### 5. Facade FMC Section 15-1205

- **Building Articulation.** All street-facing façades, including freeway-facing façades, must include at least one projection or recess at least two feet in depth for every 25 horizontal feet of wall.
- **Building Materials and Finishes.**
  1. Each side of a building that is visible from a street or passenger railway shall be designed with a complementary level of detailing and quality of materials.
  2. Veneers should turn corners, avoiding exposed edges and continue down the side of a building to a logical break, such as a change in wall plane. Material changes at outside corners should be avoided.
  3. Windows shall maintain a consistent design character throughout the development and shall be of the same material on all elevations facing a street.
  4. Building entrances and common areas shall be accentuated with enhanced finishes and materials that are durable and high quality and distinguish these spaces from other elements of the building.
  5. Parking areas and structures shall be designed to match and be compatible with the architectural character, materials, and colors of the overall development.
  6. The design of building additions should follow the same general scale, proportion, massing, and detailing of the original structure, and not in stark contrast to the original structure.

### 6. Fencing

## 1. Front Yard.

- a. **Wrought Iron or Tubular Steel.** A fence up to four feet in height may be installed within any required front yard setback. 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.
- b. **All Other Materials.** All other fences within any required front yard setback are permitted up to three feet in height and shall comply with the main building setback, minus five feet.

## 2. Street-Side Yard.

- a. **Wrought Iron or Tubular Steel.** A fence up to four feet in height may be installed within any required front yard setback. 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.
- b. **All Other Materials.** All other fences within any required street side yard setback are permitted up to three feet in height and shall comply with the main building setback, minus five feet.

3. **Other Yards.** Outside of the required front yard and street-side yards, the maximum height for fences is seven feet (regardless of location on the site) unless the fence is part of Outdoor Storage per Section 15-2013, Outdoor Service Yards and Storage.

4. **Setbacks.** Unless a greater setback is required in another section of this Code, fences shall be set back 12 inches from the back of adjacent sidewalks, or from the curb or shoulder if there is no sidewalk. Fences may be placed on interior side and rear property lines.

5. **Common Property Lines.** A six-foot-high screen wall shall be provided on the interior lot lines where any non-residential use abuts a residential district and where multi-family development of four or more units abuts a single-family residential district. Walls shall step down to three feet in height along interior property lines within front yards.

**Graffiti.** Graffiti on a screen wall shall be removed within 48 hours.

All other fencing (future or proposed) shall comply with FMC Section 15-2006-F.

**7. Special Use Requirements** Development and Operations shall comply with FMC Sections 15-2744 (Outdoor Dining and Patio Areas), 15-2745 (Outdoor Retail Sales), 15-2761 (Tobacco and Vapor Shops), Section 15-2728 (Drive-in and Drive-Through Facilities), and Section 15-2755 (Service Stations).

## 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.

### Drive-in and Drive-Through Facilities

a. **Where Allowed.** Drive-in and drive-through facilities are allowed per base district land use regulations.

b. **Hours of Operation.** Should a drive-through facility be located closer than 100 feet from a Residential District, the drive-through shall close no later than 10 p.m.

c. **Equal Access.** Whenever service is limited to drive-through facilities, customers using non-motorized transportation shall have equal access to service.

### **Alcohol Sales**

#### **Landscaping.**

1. **New Buildings.** Landscaping shall be provided per the underlying District.
2. **Existing Buildings.** Perimeter landscaping and Parking Lot Shading shall be provided per the underlying district. The Review Authority, at their discretion, may make exceptions to the prescribed standards, however in no case shall the reduction result in a net reduction of 35 percent or greater in the amount of landscaping provided. Landscaping may also be aggregated to minimize the impact on existing parking areas.

**Lighting.** The exterior of the premise, including adjacent public sidewalks and all parking lots under the control of the establishment, shall be illuminated during all hours of darkness during which the premises are open for business in a manner so that persons standing in those areas at night are identifiable by law enforcement personnel. However, required illumination shall be placed and/or shielded in a way that minimizes interference with the neighboring residences.

#### **Litter and Graffiti.**

1. Trash and recycling receptacles shall be provided by public entrances and exits from the building.
2. The owner or operator shall provide for daily removal of trash, litter, and debris from premises and on all abutting sidewalks within 20 feet of the premises.
3. The owner or operator shall remove graffiti within 48 hours.

**Pay Phones and Vending Machines.** External pay phones and snack vending machines are prohibited.

1. Video Surveillance.
2. Establishments must equip a fully functional color digital video camera system.
3. The system must continuously record, store, and be capable of playing back images and be fully functional at all times, including during any hours the business is closed. The system must be maintained in a secured location inside of the business.
4. The system shall have the correct date and time stamped onto the image at all times.
5. The camera storage capacity should be for at least two weeks (14 calendar days). Such cameras must be capable of producing a retrievable and identifiable image than can be made a permanent record and that can be enlarged through projection or other means.
6. If utilizing a digital video recorder, it must be capable of storing at least 14 days of real-time activities.
7. The system shall be capable of producing a CD or digital playback feature and may be provided to an authorized representative of the Fresno Police Department within 24 hours of the initial request relating to a criminal investigation only.
8. The interior of the business must have at least one camera placed to focus on each cash register transaction to include the clerk as well as the customer waiting area.
9. There shall be four exterior cameras placed so as to record activities in the primary customer parking areas of their business. These cameras should be of sufficient quality to be able to identify persons and or vehicles utilizing the business parking lot.
10. All interior cameras shall record in color.
11. All exterior cameras shall record in color and have automatic low light switching capabilities to black and white. Exterior cameras should be in weatherproof enclosures and located in a manner that will prevent or reduce the possibility of vandalism.



## **Signage.**

1. The provisions specified under Article 26, Signs and this subsection shall apply. Where conflict may occur between the provisions of Article 26 and this subsection, the more restrictive provisions shall govern.
2. The following copy is required to be prominently posted in a readily visible manner on an interior wall or fixture and not on windows:
  - a. "California State Law Prohibits the Sale of Alcoholic Beverages to Persons Under 21 Years of Age."
  - b. "No Loitering is Allowed On or In Front of These Premises."
  - c. "No Open Alcoholic Beverage Containers are Allowed on These Premises."
3. No more than 15 percent of the square footage of each window and clear door that is visible to the public from a public thoroughfare, sidewalk, or parking lot of an off-sale alcohol retail outlet shall bear advertising, signs, or other obstructions of any sort.
  - a. The area covered by signs or advertising includes all clear areas within signs or advertising, such as the clear area within neon signs.
  - b. Signage, advertising, or other obstructions inside or outside the establishment that are not physically attached to the windows or doors, but are visible from a public thoroughfare, sidewalk, or parking lot in the same manner as if they were physically attached is included in the 15 percent limitation.
  - c. Any signage required by law shall not count towards the 15 percent limitation, but shall nonetheless follow rules related to visual obstruction.
4. Advertising and signage on windows and clear doors shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the outlets, including the area in which the cash registers are maintained, from exterior public sidewalks, parking lots, or entrance to the outlets.
5. Any establishment located within 250 feet of a sensitive use, as listed in Subsection E.1, may not advertise alcohol sales in a manner visible from the outside of the establishment, such as from a public thoroughfare, sidewalk, or parking lot.

**Loitering and Other Nuisance Activities.** The operation of the establishment shall not result in repeated nuisance activities on the property, which may include, but are not limited to, repeated disturbances of the peace, illegal drug activity, public drunkenness, drinking in public, alcoholic beverage and tobacco sales to minors, harassment of passerby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, loitering, excessive littering, graffiti, illegal parking, excessive loud noises (especially in the late night or early morning hours), traffic violations, curfew violations, lewd conduct, or other violations of City, State, or federal laws, especially when contributing to a proportionally high rate of police reports and arrests to the area.

**Training.** The owners and all employees of the establishment who are involved in the sale of alcoholic beverages must complete approved course(s) in training of liquor sales and handling within sixty days after approval of the Conditional Use Permit becomes final, or for employees hired after the approval of the Conditional Use Permit, within sixty days from the date of hire. To satisfy this requirement, a certified program must meet the standards of the California Coordinating Council on Responsible Beverage Service (CCC/RBS) or other certifying or licensing body designated by the State of California.

**Compliance with Laws.** The establishment must remain in compliance with all local, State, and federal laws, regulations, and orders, as well as all conditions of approval imposed on the use. This includes compliance with annual City business license fees.

**Posting of Conditions.** A copy of all conditions of approval and training requirements shall either be posted in a conspicuous and unobstructed place near the entrance, cashier counter, or customer service

area of the establishment or posted in an employee area and provided upon request (e.g. via flyer or brochure) to patrons and enforcement officials.

**Prohibited Products.** The sale or distribution of one or more of the following shall be prohibited.

1. Wine in containers of less than 750 milliliters.
2. Single containers of beer, malt liquor, wine coolers, and similar alcoholic beverages not in original factory packages of four-packs or greater.
3. Distilled spirits in containers of less than 375 milliliters.
4. Paper or plastic cups in quantities less than their usual and customary packaging.

**Additional Requirements.**

1. The Director may require the applicant to submit additional information, of such type and in such form as the Director may specify, as the Director may deem relevant to the application, including, but not limited to, an operational statement, floor plans, architectural renderings, and technical studies, as appropriate.
2. The Director may refer the application to other City departments to determine whether the establishment's location will comply with building, health, zoning, and fire ordinances or other applicable ordinances or laws. City departments may conduct an inspection of the premises to determine compliance with the ordinances and other laws they administer, and may subsequently prepare reports summarizing their inspections and recommend whether to approve or deny the application based on their inspections.
3. Additional and/or security measures such as reduced hours of operation, security guards, door monitors, and burglar alarm systems may be required if harm, nuisance, or related problems are demonstrated to occur as a result of business practices or operations. This will be determined on a case-by-case basis upon review by the Police Department.

#### PART D - PLANNING - OTHER REQUIREMENTS

1. Development shall take place in accordance with the policies of the Fresno General plan, Roosevelt Community Plan, Fresno County Airport Land Use Compatibility Plan and with the Commercial – Community planned land use designation.
2. Development shall take place in accordance with the CC (*Community Commercial*) zone district and all other applicable sections of the Fresno Municipal Code
3. Development shall comply with all prior special permits on the property and any applicable conditions of zoning, (attached).
4. Comply with all applicable mitigation measures detailed in the attached Master Environmental Impact Report (MEIR) Mitigation Monitoring Checklist for the Fresno General Plan and any applicable project specific mitigation measures contained in the environmental assessment adopted for the project.
5. Property development standards and operational conditions are contained in Articles 14, 20, 23, 24 and 25. Any project revisions, development and operation must comply with these property development standards and operational conditions.
6. Development and operations shall take place in accordance with Section 15-2755 (Service Stations) of the FMC.
7. Development and operations shall take place in accordance with Section 15-2728 (Drive-In and Drive-Through Facilities) of the FMC.
8. Development shall take place in accordance with the “General Notes and Requirements for Entitlement Applications” listed below if applicable.

## 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 Planning and Development 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 Planning and Development 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 Planning and Development 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 Planning and Development 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 Planning and Development 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](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)

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

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

[www.waterboards.ca.gov/water\\_issues/programs/stormwater/industrial.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml),

The California Stormwater Quality Association has additional information on preparing stormwater

pollution prevention plans for industrial activities ([www.casqa.org](http://www.casqa.org)).

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 Planning and Development 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](http://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)

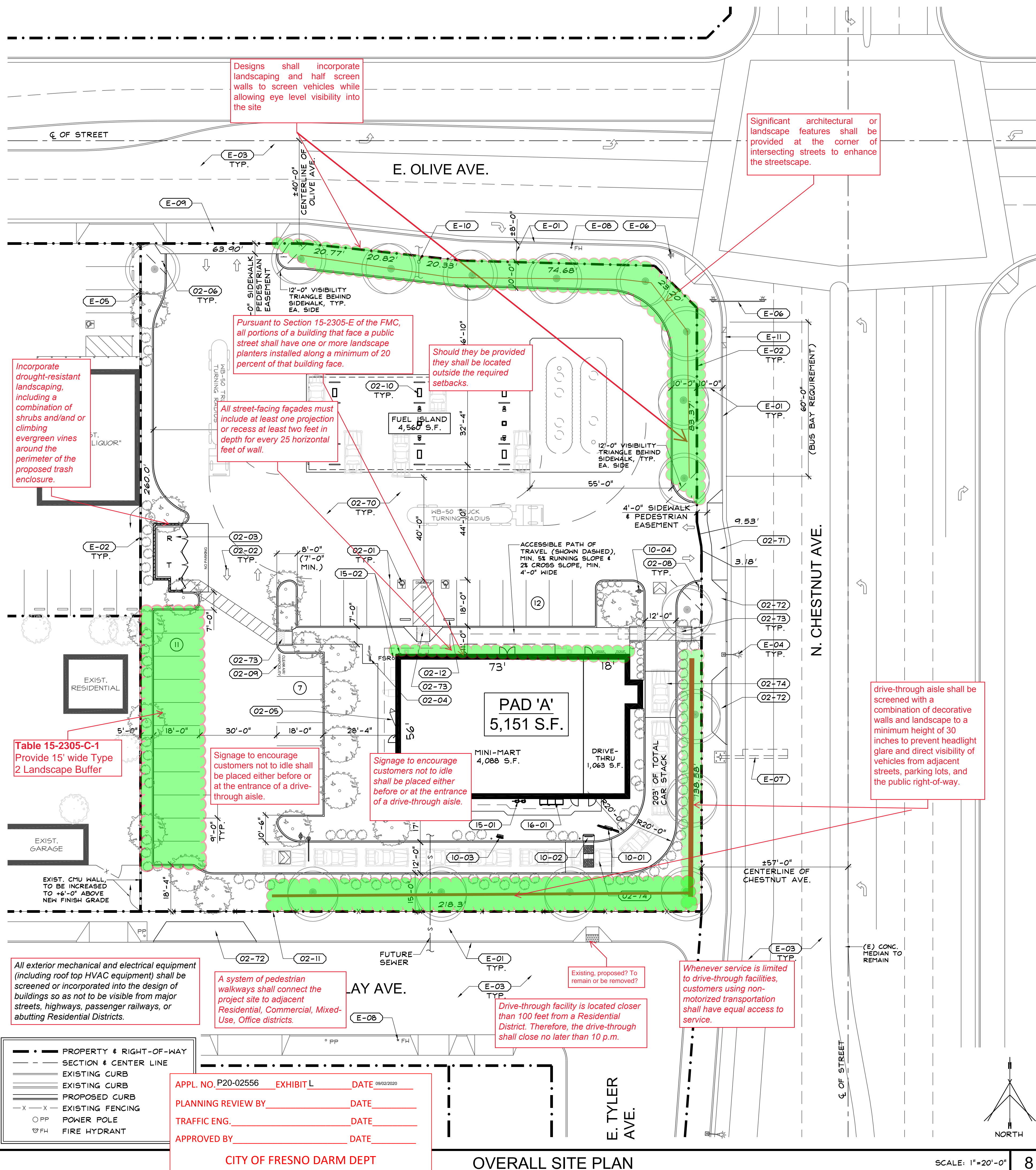
59. Deferment of the payment of Citywide development impact fees for Fire, Police, Parks, Streets, and Traffic Signals is available for projects located within the Downtown Priority Areas in accordance with the provisions of City of Fresno Resolutions Nos. 2009-265 and 2010-19.



1. NO USES OF LAND, BUILDINGS OR STRUCTURES OTHER THAN THOSE SPECIFICALLY APPROVED PURSUANT TO THIS SITE PLAN SHALL BE PERMITTED.
2. THE BACK FLOW DEVICE SHALL BE SCREENED BY LANDSCAPING OR SUCH OTHER MEANS AS MAY BE APPROVED.
3. TREES SHALL BE MAINTAINED IN GOOD HEALTH. HOWEVER, TREES MAY NOT BE TRIMMED OR PRUNED TO REDUCE THE NATURAL HEIGHT OR OVERALL CROWN OF THE TREE, EXCEPT AS NECESSARY FOR THE HEALTH OF THE TREE & PUBLIC SAFETY OR AS MAY OTHERWISE BE APPROVED BY THE DEVELOPMENT DEPARTMENT.
4. LANDSCAPING MUST BE IN PLACE BEFORE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
5. PRIOR TO FINAL INSPECTION, A WRITTEN CERTIFICATION SIGNED BY A LANDSCAPE PROFESSIONAL APPROVED BY THE DIRECTOR, SHALL BE SUBMITTED STATING THAT THE REQUIRED LANDSCAPING & IRRIGATION SYSTEM WAS INSTALLED IN ACCORDANCE WITH THE LANDSCAPING & IRRIGATION PLANS APPROVED BY THE PLANNING DIVISION, DEVELOPMENT DEPARTMENT.
6. ALL ACCESSIBLE STALLS SHALL BE MARKED TO COMPLY WITH & MEET THE REQUIREMENTS OF CBC 18B-500.50.
7. LIGHTING SHOULD BE PROVIDED TO ILLUMINATE PARKING, SALES OR DISPLAY AREAS SHALL BE PROVIDED & SO ARRANGED & CONTROLLED SO AS NOT TO CAUSE A NUISANCE EITHER TO HIGHWAY TRAFFIC OR TO THE LIVING ENVIRONMENT. THE AMOUNT OF LIGHT SHALL BE PROVIDED ACCORDING TO THE STANDARDS OF THE DEPARTMENT OF PUBLIC WORKS.
8. SIGNS ARE NOT APPROVED FOR INSTALLATION AS PART OF THIS SPECIAL PERMIT. SUBMIT FOR SEPARATE SIGN REVIEW.
9. ALL CONSTRUCTION WORK ON THIS PROJECT IS SUBJECT TO INTERRUPTION IF ROAD SYSTEM BECOMES IMPASSABLE FOR FIRE APPARATUS DUE TO RAIN OR OTHER OBSTACLES.
10. ANY SURVEY MONUMENTS WITH THE AREA OF CONSTRUCTION SHALL BE PRESERVED OR RE-ESTABLISHED BY A PERSON LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF CALIFORNIA.
11. REPAIR ALL DAMAGED AND/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER PRIOR TO OCCUPANCY.
12. CONTRACTOR SHALL GIVE THE CITY TWO WORKING DAYS NOTICE BEFORE COMMENCING EXCAVATION OPERATIONS WITHIN THE STREET RIGHT-OF-WAY AND/OR UTILITY EASEMENTS. ALL EXISTING UNDERGROUND FACILITIES SHALL HAVE BEEN LOCATED BY UNDERGROUND SERVICES ALERT (USA), CALL 1-800-642-2444.
13. FIRE HYDRANTS SHALL BE TESTED & APPROVED & ALL SURFACE ACCESS ROADS SHALL BE INSTALLED & MADE SERVICEABLE PRIOR TO & DURING CONSTRUCTION.
14. APPROVAL OF THIS SPECIAL PERMIT MAY BECOME NULL & VOID IN THE EVENT THAT DEVELOPMENT IS NOT COMPLETED IN ACCORDANCE WITH ALL THE CONDITIONS & REQUIREMENTS IMPOSED ON THIS SPECIAL PERMIT, THE ZONING ORDINANCE, & ALL PUBLIC WORKS STANDARDS & SPECIFICATIONS. THE CITY OF FRESNO SHALL NOT ASSUME RESPONSIBILITY FOR ANY DELAYATIONS OR CHARGES RESULTING FROM THE SPECIAL PERMIT REVIEW PROCESS OR FOR CONDITIONS OR ALTERATIONS TO CONSTRUCTION PLAN SUBMITTED OR FOR CONDITIONS REVIEWED & APPROVED PURSUANT TO THIS SPECIAL PERMIT OR SUBSEQUENT AMENDMENTS OR REVISIONS.
15. FUTURE FENCES SHALL BE REVIEWED & APPROVED BY THE PLANNING & DEVELOPMENT DEPARTMENT PRIOR TO INSTALLATION.
16. ALL ACCESSIBLE PARKING STALLS SHALL BE PLACED ADJACENT TO FACILITY ACCESS RAMPS OR IN STRATEGIC AREAS WHERE THE PERSONS WITH DISABILITIES WILL NOT HAVE TO WHEEL OR WALK BEHIND PARKED VEHICLES WHILE TRAVELING TO OR FROM ACCESSIBLE PARKING STALLS & RAMPS.
17. IF ARCHAEOLOGICAL &/OR ANIMAL FOSSIL MATERIAL IS ENCOUNTERED DURING PROJECT SURVEYING, GRADING, EXCAVATING, OR CONSTRUCTION, WORK SHALL STOP IMMEDIATELY.
18. IF THERE ARE SUSPECTED HUMAN REMAINS, THE FRESNO COUNTY CORNER SHALL BE IMMEDIATELY CONTACTED. IF THE REMAINS OR OTHER ARCHAEOLOGICAL MATERIAL IS POSSIBLY NATIVE AMERICAN IN ORIGIN, THE NATIVE AMERICAN HERITAGE CONSULTATION (PHONE: (416) 655-4082) SHALL BE IMMEDIATELY CONTACTED. IF THE CALIFORNIA ARCHAEOLOGICAL INVENTORY/SOUTHERN SAN JOAQUIN VALLEY INFORMATION CENTER (PHONE: (805) 644-2284) SHALL BE CONTACTED TO OBTAIN A REFERRAL LIST OF RECOGNIZED ARCHAEOLOGISTS. AN ARCHAEOLOGICAL ASSESSMENT SHALL BE CONDUCTED FOR THE PROJECT. THE SITE SHALL BE FORMALLY RECORDED, & RECOMMENDATIONS MADE TO THE CITY AS TO ANY FURTHER SITE INVESTIGATION OR SITE AVOIDANCE/PRESERVATION.
19. IF ANIMAL FOSSILS ARE COVERED, THE MUSEUM OF PALEONTOLOGY, IUC, BERKELEY SHALL BE IMMEDIATELY CONTACTED TO OBTAIN A REFERRAL LIST OF RECOGNIZED PALEONTOLOGIST. A PALEONTOLOGIST SHALL CONDUCT AN ASSESSMENT & IF THE PALEONTOLOGIST DETERMINES THE MATERIAL TO BE SIGNIFICANT, IT SHALL BE PRESERVED.
20. TWO MEANS OF INGRESS/EGRESS MUST BE PROVIDED. THIS ACCESS MUST BE MAINTAINED DURING ALL PHASES OF DEVELOPMENT. THE DEVELOPER SHALL SHOW ON THE FINAL BUILDING PLANS A MIN. 20 FOOT DEEP ALL-WEATHER EGRESS/ACCESS ROAD WITH A MIN. 10 FOOT CLEARANCE OF 15'-6" WITHIN 50 FEET OF ALL BUILDINGS ON THE PROJECT SITE. THE FIRE DEPT. MUST APPROVE THE FINAL LOCATION & DESIGN OF THE ACCESS PRIOR TO BUILDING PERMITS BEING ISSUED. THIS ACCESS SHALL BE CONSTRUCTED BEFORE BUILDING OCCUPANCY WILL BE GRANTED.
21. DESIGNATE HIGHLIGHTED CURBS AS FIRE LANES (RED CURBS W/ "FIRE LANE" STENCILLED IN 3" LETTERS EVERY 50').
22. FIRE HYDRANTS & ACCESS ROADS SHALL BE INSTALLED, TESTED & APPROVED & SHALL BE MAINTAINED SERVICEABLE PRIOR & DURING ALL PHASES OF DEVELOPMENT.
23. DEVELOPER SHALL MEET ALL REGULATIONS OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (REGULATION VII) CONCERNING DUST SUPPRESSION DURING CONSTRUCTION OF THE PROJECT.
24. UNDERGROUND ALL EXISTING OFFSITE OVERHEAD UTILITIES WITHIN THE LIMITS OF THIS SITEMAP AS PER FMC SECTION 15-2017.
25. 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 1-800-642-2444.
26. ALL CONCRETE CURBS SHALL BE 6 INCHES IN HEIGHT.
27. IF REQUIRED, WHEEL STOPS SHALL BE 6 INCHES IN HEIGHT.
28. ALL EXISTING SIDEWALKS IN EXCESS OF 2% MAXIMUM CROSS SLOPE MUST BE BROUGHT INTO COMPLIANCE PRIOR TO ACCEPTANCE BY PUBLIC WORKS.
29. CONTACT THE PUBLIC WORKS DEPARTMENT, TRAFFIC ENGINEERING AT 554-621-8800, 10 WORKING DAYS PRIOR TO ANY OFFSITE CONCRETE CONSTRUCTION.
30. THE PERFORMANCE OF ANY WORK WITHIN THE PUBLIC STREET R/W REQUIRES A STREET PERMIT PRIOR TO COMMENCEMENT OF WORK. ALL ROAD STREET IMPROVEMENTS MUST BE COMPLETED & ACCEPTED BY THE CITY PRIOR TO OCCUPANCY.
31. 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 VERIFICATION OF OWNERSHIP PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
32. A BILINGUAL DRIVE-THRU LANE SHALL NOT BE LOCATED WITHIN 400 FEET OF ANY OTHER STRUCTURE CONTAINING A DRIVE-THRU FACILITY, PER CITY OF FRESNO MUNICIPAL CODE SEC. 15-212B.
33. DRIVE-THRU DESIGN MINIMUM REQUIREMENTS: 200 FOOT STACKING, 10 FOOT WIDTH AISLE, 13 FOOT WIDTH AISLE WITHIN TURNS, 9 FOOT WIDTH @ INKNOCK, 15 FOOT INSIDE TURN RADIUS.
34. ALL EXISTING SIDEWALKS IN EXCESS OF 2% MAXIMUM CROSS SLOPE MUST BE BROUGHT INTO COMPLIANCE.
35. MODIFY OR REPLACE EXISTING RAMPWAYS THAT ARE NOT TO CURRENT ACCESSIBLE STANDARDS.
36. CONTRACT FULL OFF-SITE IMPROVEMENTS TO PUBLIC WORKS STANDARDS, WHERE MISSING - EXEMPTIONS INCLUDE, BUT NOT LIMITED TO: CURB, GUTTER, SIDEWALK, APPROACHES, RAMPS, STREET LIGHTS, PAINT, UNDERPASSING OF OVERHEAD UTILITIES, ETC. RELOCATED EXISTING UTILITIES, AS NEEDED ON APPROVED PLANS.

## GENERAL NOTES

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## OVERALL SITE PLAN

SCALE: 1"=20'-0"

- (E-01) EXIST. CONC. SIDEWALK, CURB, & GUTTER TO REMAIN, PROTECT FROM DAMAGE, REPAIR DAMAGED AS NECESSARY.
  - (E-02) EXIST. PROPERTY LINE TO REMAIN.
  - (E-03) EXIST. AC PAVING TO REMAIN, PROTECT FROM DAMAGE.
  - (E-04) EXIST. METAL STREET LIGHT TO REMAIN.
  - (E-05) EXIST. CMU WALL TO REMAIN.
  - (E-06) EXIST. TRAFFIC SIGNAL TO REMAIN.
  - (E-07) EXIST. OVERHEAD FREEWAY DIRECTIONAL SIGN TO REMAIN.
  - (E-08) EXIST. FIRE HYDRANT TO REMAIN.
  - (E-09) EXIST. 24'-3"-0" DRIVE APPROACH TO REMAIN (VERIFY PER CITY STANDARD P-2 & P-6).
  - (E-10) EXIST. 4" FIRE SERVICE & FIRE SPRINKLER RISER FLANGE TO REMAIN. PROVIDE A NEW DETECTOR VALVE & VAULT BETWEEN CURB AND PROPERTY LINE.
  - (E-11) EXIST. DRAIN INLET TO REMAIN.
  - (02-01) (N) PARKING LOT STRIPING PER CITY PARKING MANUAL.
  - (02-02) (N) DIRECTIONAL ARROW.
  - (02-03) (N) TRASH ENCLOSURE, PER P.W. STANDARDS P-33 THRU P-35.
  - (02-04) (N) 1-LOOP BIKE RACK, "ULINE #H-2892".
  - (02-05) (N) BIKE LOCKER: AMERICAN BICYCLE SECURITY COMPANY, "MODEL 301P".
  - (02-06) (N) "UNAUTHORIZED VEHICLE SIGN.
  - (02-07) PAINT CURB RED w/ WHITE "NO PARKING FIRE LANE" LETTERS @ MAX 100' APART, (SHOWN DASHED).
  - (02-08) INSTALL 30" STATE STANDARD "STOP" SIGN. PROVIDE A "RIGHT TURN ONLY" SIGN (30"x36" STATE STANDARD) IMMEDIATELY BELOW STOP SIGN ON SAME POST. SIGN(S) SHALL BE MOUNTED ON 2" GALV. POST w/ THE BOTTOM OF SIGN 7'-0" ABOVE FINISH GROUND, LOCATED BEHIND SIDEWALK.
  - (02-09) ENVIRONMENT-FRIENDLY VEHICLE PARKING STALLS (DENOTED "EV"). DESIGNATE BY PAINTING IN WHITE 12" HIGH SAN-SERIF LETTERING "CLEAN AIR/VANPOOL/EV".
  - (02-10) (b) STALL FUEL ISLAND, UNDER DEFERRED SUBMITTAL.
  - (02-11) (N) 6'-0" TALL WROUGHT IRON FENCING.
  - (02-12) (N) CONC. WHEEL STOP.
  - (02-70) (N) CONC. PAVING, PER P.W. STANDARDS P-21 THRU P-23, SEE CIVIL DRAWINGS.
  - (02-71) (N) 30'-0" WIDE DRIVE APPROACH, PER CITY STANDARDS P-2, P-6, & P-48.
  - (02-72) REMOVE EXIST. DRIVE APPROACH, & INFILL w/ (N) CONC. CURB & SIDEWALK, MATCH WIDTH/HEIGHT w/ ADJACENT CONC. SIDEWALK, PER CITY STANDARD P-5 & P-9.
  - (02-73) (N) ACCESSIBLE RAMP (w/ 4'-0" TOP LANDING) & TRUNCATED DOMES, PER CITY STANDARD P-32.
  - (02-74) 6" THICK CONC. PAVING, #3 @ 12 O.C. EACH WAY, STAMPED CONC. 12' WIDE X 18' LENGTH.
  - (02-90) (N) LANDSCAPING.
  - (10-01) (N) 5 PANEL MENU BOARD, BY OTHERS.
  - (10-02) (N) ORDER POINT WITH CANOPY, BY OTHERS.
  - (10-03) (N) PRE-MENU BOARD, BY OTHERS.
  - (10-04) (N) DIRECTIONAL "THANK YOU-EXIT ONLY" SIGN.
  - (15-01) (N) GAS METERS.
  - (15-02) FIRE SPRINKLER RISER, FIRE DEPARTMENT CONNECTION & FIRE SPRINKLER BELL (ON CHESTNUT SIDE OF BUILDING).
  - (16-01) (N) MAIN ELECTRICAL PANEL.

## KEYNOTES

2

**ADDRESS:**  
 1137 N. CHESTNUT AVE.  
 FRESNO, CALIFORNIA 93702

**SITE:**  
 APN #: 454-09-228  
 AREA: 1.28 ACRES (55,505 S.F.)  
 ZONING: CC  
 EXIST. LAND USE: V - VACANT PARCEL  
 GENERAL PLAN: CC - COMMERCIAL COMMUNITY  
 COMMUNITY PLAN: ROOSEVELT  
 AIRPORT LAND USE: TRAFFIC PATTERN "SAFETY ZONE 6"

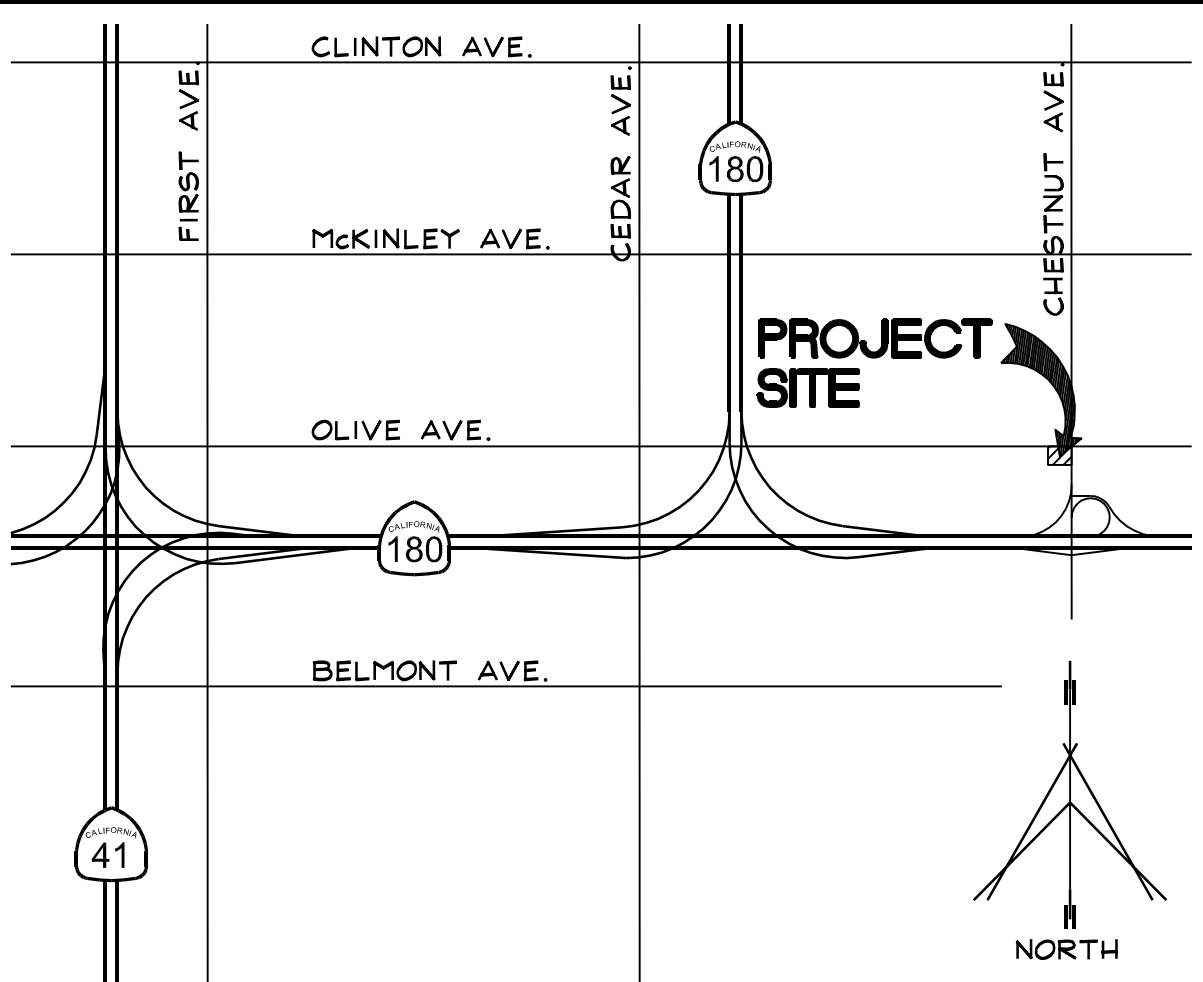
**BUILDING:**  
 PAD 'A' 5,151 S.F.  
 FUEL ISLAND: 4,560 S.F.  
 LOT COVERAGE: 17.50%

**PARKING:**  
 PROVIDED: 30 PARKING STALLS  
 (1 VAN ACCESSIBLE & 1 STANDARD ACCESSIBLE STALL)

Provide parking

## FORMATION

3



## VICINITY MAP

SCALE: N.T.S.

[illegible]

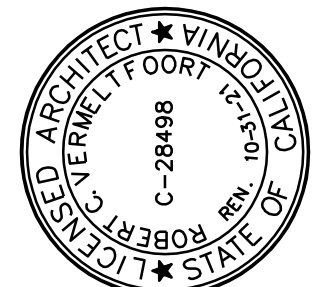
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A Venn diagram consisting of two overlapping squares. The left square is labeled 'V' and the right square is labeled 'AI'. The overlapping area in the center contains the letter 'A'.



(STAMP INVALID  
UNLESS SIGNED)

■ PROPOSED BUILDING ■  
■ MINI-MART & DRIVE-THRU ■

■ S.W.C. OF CHESTNUT AVE & OLIVE AVE., FRESNO, CA

OVERALL SITE PLAN

ISSUE DATE:	2-12-20
REV. DATE:	
PROJECT NO.:	20003.2
DRAWN BY:	NL
SHEET:	

# A100



- 20

# OVERALL SITE PLAN



- 1

## 2

(STAMP INVALID  
UNLESS SIGNED)

## 3

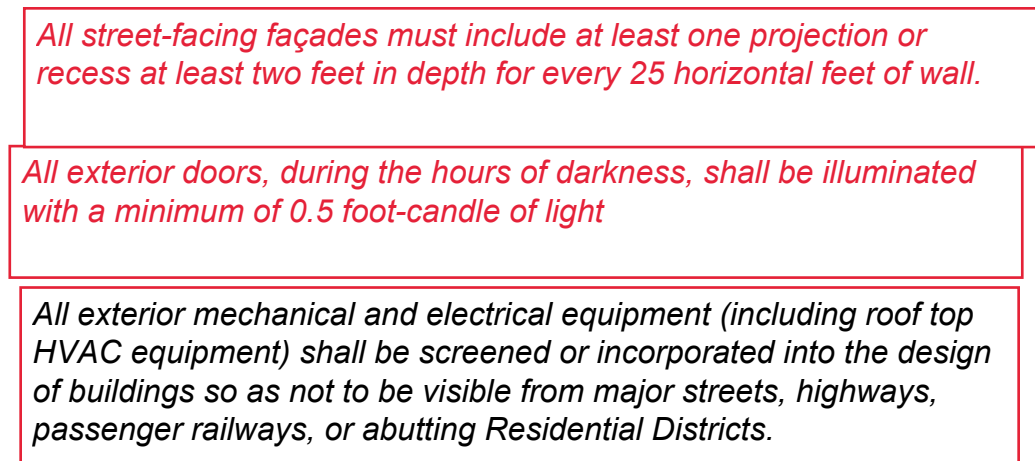


SCALE: N.T.S

# A100

# A100





APPL. NO. P20-02556 EXHIBIT E-1 DATE 08/02/2020

PLANNING REVIEW BY \_\_\_\_\_ DATE \_\_\_\_\_

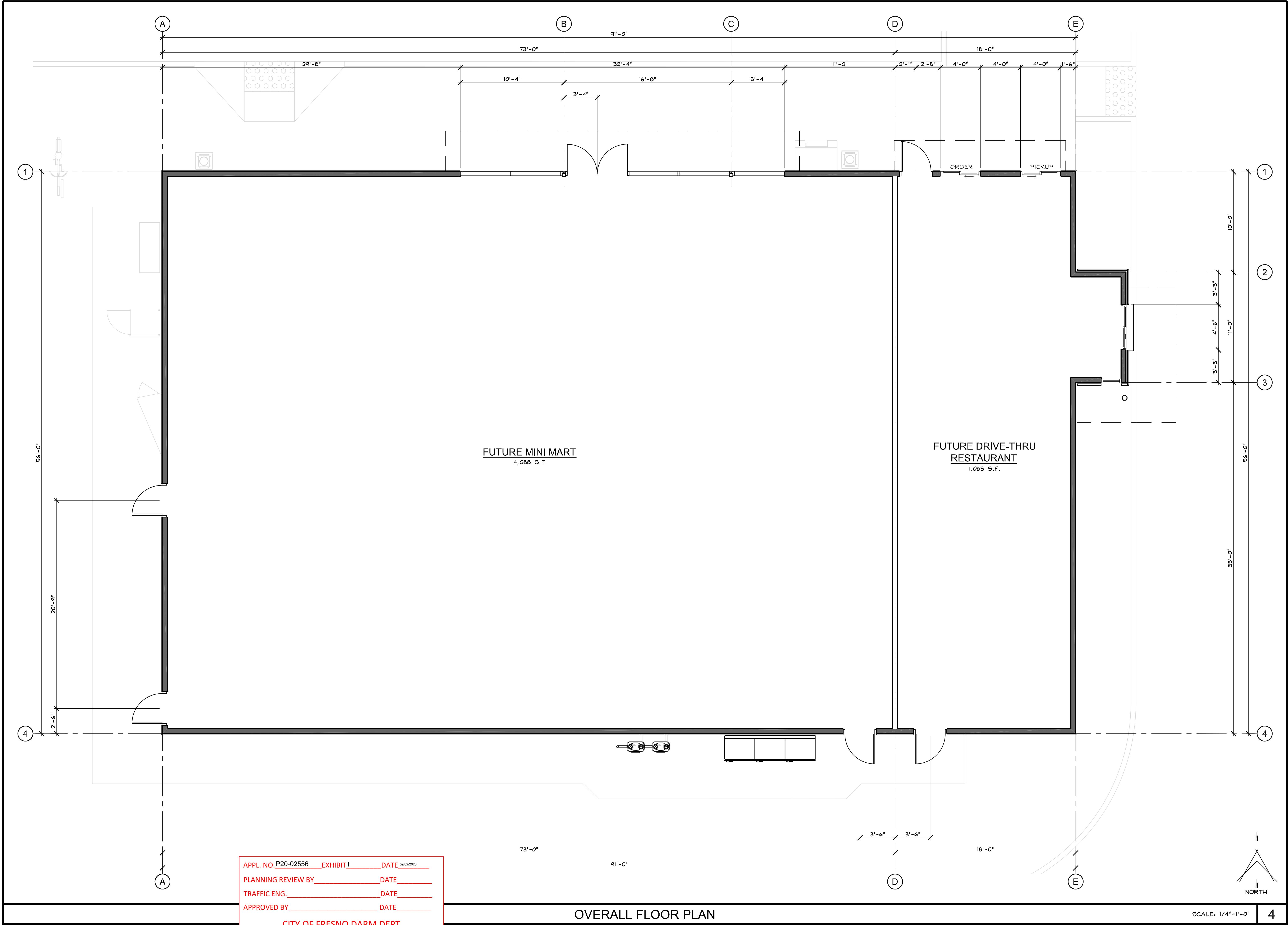
TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

CITY OF FRESNO DARM DEPT







APPL. NO. P20-02556 EXHIBIT F DATE 09/02/2020  
PLANNING REVIEW BY \_\_\_\_\_ DATE \_\_\_\_\_  
TRAFFIC ENG. \_\_\_\_\_ DATE \_\_\_\_\_  
APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
CITY OF FRESNO DARM DEPT

OVERALL FLOOR PLAN

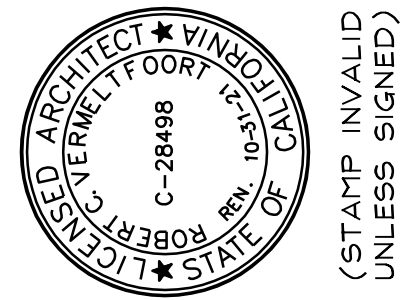
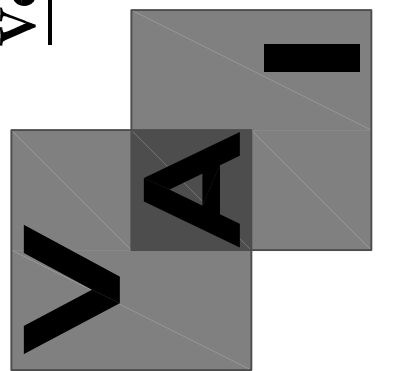
SCALE: 1/4"=1'-0"

NO.	DATE	REVISION
1		
2		
3		
4		

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(STAMP INVALID  
UNLESS SIGNED)

**"PROPOSED BUILDING"**  
**"MINI-MART & DRIVE-THRU"**  
S.W.C. OF CHESTNUT AVE & OLIVE AVE., FRESNO, CA  
OVERALL FLOOR PLAN

ISSUE DATE:	2-12-20
REV. DATE:	
PROJECT NO.:	20003.2
DRAWN BY:	NL
SHEET:	

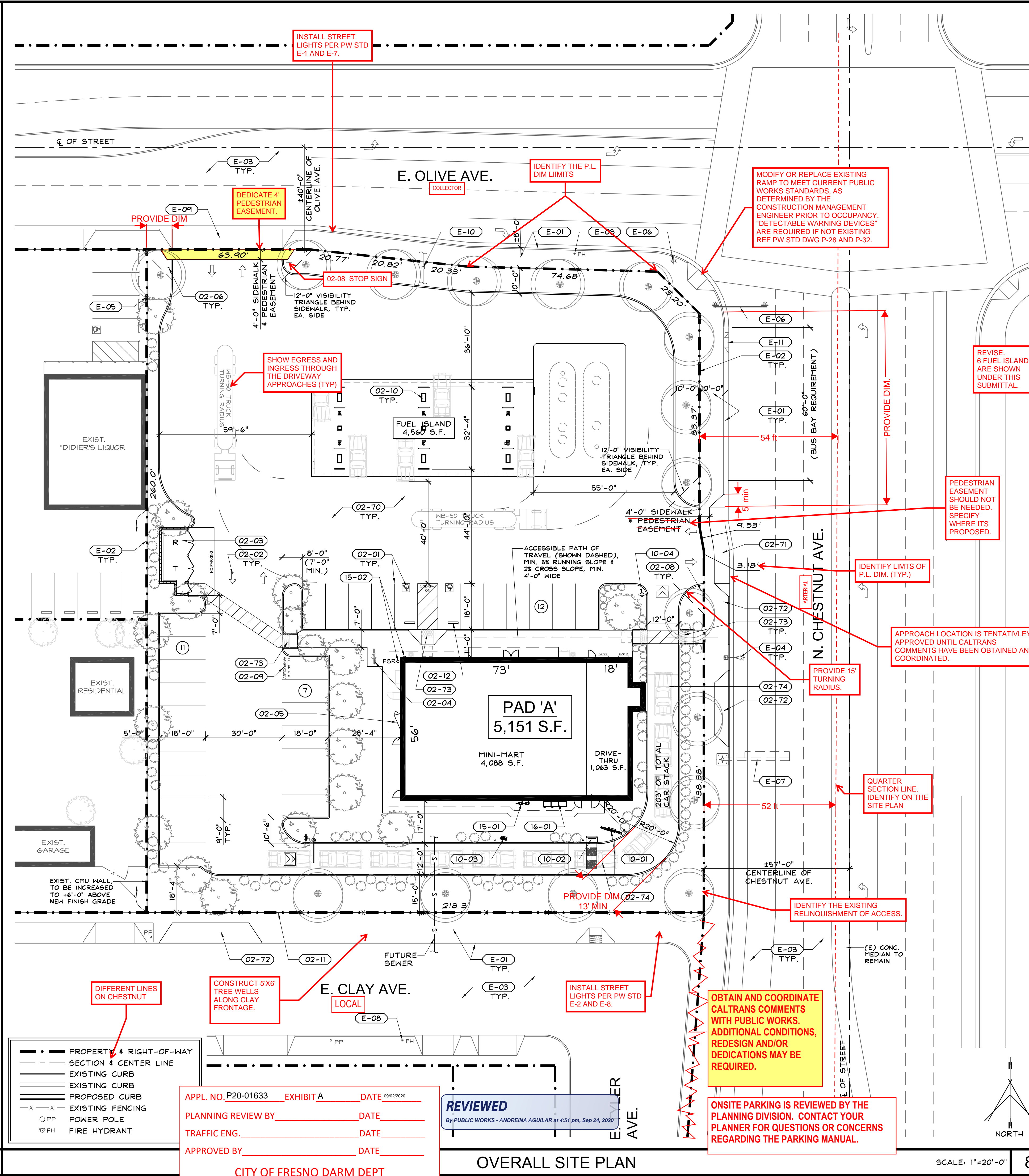
A200



1. NO USES OF LAND, BUILDINGS OR STRUCTURES OTHER THAN THOSE SPECIFICALLY APPROVED PURSUANT TO THIS SITE PLAN SHALL BE PERMITTED.
2. THE BACK FLOW DEVICE SHALL BE SCREENED BY LANDSCAPING OR SUCH OTHER MEANS AS MAY BE APPROVED.
3. TREES SHALL BE MAINTAINED IN GOOD HEALTH. HOWEVER, TREES MAY NOT BE TRIMMED OR PRUNED TO REDUCE THE NATURAL HEIGHT OR OVERALL CROWN OF THE TREE, EXCEPT AS NECESSARY FOR THE HEALTH OF THE TREE & PUBLIC SAFETY OR AS MAY OTHERWISE BE APPROVED BY THE DEVELOPMENT DEPARTMENT.
4. LANDSCAPING MUST BE IN PLACE BEFORE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
5. PRIOR TO FINAL INSPECTION, A WRITTEN CERTIFICATION, SIGNED BY A LANDSCAPE PROFESSIONAL, APPROVED BY THE DIRECTOR, SHALL BE SUBMITTED STATING THAT THE REQUIRED LANDSCAPING & IRRIGATION SYSTEM WAS INSTALLED IN ACCORDANCE W/ THE LANDSCAPING & IRRIGATION PLANS APPROVED BY THE PLANNING DIVISION, DEVELOPMENT DEPARTMENT.
6. ALL ACCESSIBLE STALLS SHALL BE MARKED TO COMPLY W/ & MEET THE REQUIREMENTS OF CBC 11B-500.
7. LIGHTING WHERE PROVIDED TO ILLUMINATE PARKING, SALES OR DISPLAY AREAS SHALL BE HOODED & SO ARRANGED & CONTROLLED SO AS NOT TO CAUSE A NUISANCE EITHER TO HIGHWAY TRAFFIC OR TO THE NEIGHBORHOOD ENVIRONMENT. THE AMOUNT OF LIGHT SHALL BE PROVIDED ACCORDING TO THE STANDARDS OF THE DEPARTMENT OF PUBLIC WORKS.
8. SIGNS ARE NOT APPROVED FOR INSTALLATION AS PART OF THIS SPECIAL PERMIT. SUBMIT FOR SEPARATE SIGN REVIEW.
9. ALL CONSTRUCTION WORK ON THIS PROJECT IS SUBJECT TO INTERRUPTION IF ROAD SYSTEM BECOMES IMPASSABLE FOR FIRE APPARATUS DUE TO RAIN OR OTHER OBSTACLES.
10. 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.
11. REPAIR ALL DAMAGED AND/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER, PRIOR TO OCCUPANCY.
12. CONTRACTOR SHALL GIVE THE CITY TWO WORKING DAYS NOTICE BEFORE COMMENCING EXCAVATION OPERATIONS WITHIN THE STREET RIGHT-OF-WAY AND/OR UTILITY EASEMENTS. ALL EXISTING UNDERGROUND UTILITIES SHALL HAVE BEEN LOCATED BY UNDERGROUND SERVICES ALERT (USA). CALL 1-800-642-2444.
13. FIRE HYDRANTS SHALL BE TESTED & APPROVED & ALL SURFACE ACCESS ROADS SHALL BE INSTALLED & MADE SERVICEABLE PRIOR TO & DURING CONSTRUCTION.
14. APPROVAL OF THIS SPECIAL PERMIT MAY BECOME NULL & VOID IN THE EVENT THAT DEVELOPMENT IS NOT COMPLETED IN ACCORDANCE W/ ALL THE CONDITIONS & REQUIREMENTS IMPOSED ON THIS SPECIAL PERMIT, THE ZONING ORDINANCE, & ALL PUBLIC WORKS STANDARDS & SPECIFICATIONS. THE CITY OF FRESNO SHALL NOT ASSUME RESPONSIBILITY FOR ANY DELAYATIONS OR OMISSIONS RESULTING FROM THE SPECIAL PERMIT REVIEW PROCESS OR FOR ADDITIONS OR ALTERATIONS TO CONSTRUCTION PLAN NOT SPECIFICALLY SUBMITTED & REVIEWED & APPROVED PURSUANT TO THIS SPECIAL PERMIT OR SUBSEQUENT AMENDMENTS OR REVISIONS.
15. FUTURE FENCES SHALL BE REVIEWED & APPROVED BY THE PLANNING & DEVELOPMENT DEPARTMENT PRIOR TO INSTALLATION.
16. ALL ACCESSIBLE PARKING STALLS SHALL BE PLACED ADJACENT TO FACILITY ACCESS RAMPS OR IN STRATEGIC AREAS WHERE THE PERSONS W/ DISABILITIES SHALL NOT HAVE TO WHEEL OR WALK BEHIND PARKED VEHICLES WHILE TRAVELING TO OR FROM ACCESSIBLE PARKING STALLS & RAMPS.
17. IF ARCHAEOLOGICAL &/OR ANIMAL FOSSIL MATERIAL IS ENCOUNTERED DURING PROJECT SURVEYING, GRADING, EXCAVATING, OR CONSTRUCTION WORK SHALL STOP IMMEDIATELY.
18. IF THERE ARE SUSPECTED HUMAN REMAINS, THE FRESNO COUNTY CORONER SHALL BE IMMEDIATELY CONTACTED. 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, & THE CALIFORNIA ARCHAEOLOGICAL INVENTORY/SOUTHERN SAN JOAQUIN VALLEY INFORMATION CENTER (PHONE: (805) 644-2284) SHALL BE CONTACTED TO OBTAIN A REFERRAL LIST OF RECOGNIZED ARCHAEOLOGISTS. AN ARCHAEOLOGICAL ASSESSMENT SHALL BE CONDUCTED FOR THE PROJECT, THE SITE SHALL BE FORMALLY RECORDED, & RECOMMENDATIONS MADE TO THE CITY AS TO ANY FURTHER SITE INVESTIGATION OR SITE AVOIDANCE/PRESERVATION.
19. IF ANIMAL FOSSILS ARE UNCOVERED, THE MUSEUM OF PALEONTOLOGY, U.C. BERKELEY SHALL BE CONTACTED TO OBTAIN A REFERRAL LIST OF RECOGNIZED PALEONTOLOGIST. A PALEONTOLOGIST SHALL CONDUCT AN ASSESSMENT & IF THE PALEONTOLOGIST DETERMINES THE MATERIAL TO BE SIGNIFICANT, IT SHALL BE PRESERVED.
20. TWO MEANS OF INGRESS/EGRESS MUST BE PROVIDED. THIS ACCESS MUST BE MAINTAINED DURING ALL PHASES OF DEVELOPMENT. THE DEVELOPER SHALL SHOW ON THE FINAL BUILDING PLANS A MIN. 20 FOOT WIDE ALL-WEATHER EMERGENCY ACCESS W/ AN OVERHEAD CLEARANCE OF 13'-6" WITHIN 150 FEET OF ALL BUILDINGS ON THE PROJECT SITE. THE FIRE DEPT. MUST APPROVE THE FINAL LOCATION & DESIGN OF THE ACCESS PRIOR TO BUILDING PERMITS BEING ISSUED. THIS ACCESS SHALL BE CONSTRUCTED BEFORE BUILDING OCCUPANCY WILL BE GRANTED.
21. DESIGNATE HIGHLIGHTED CURBS AS FIRE LANES (RED CURBS W/ "FIRE LANE" STENCILED IN 3" LETTERS EVERY 30').
22. FIRE HYDRANTS & ACCESS ROADS SHALL BE INSTALLED, TESTED & APPROVED & SHALL BE MAINTAINED SERVICEABLE PRIOR & DURING ALL PHASES OF DEVELOPMENT.
23. THE DEVELOPER SHALL MEET ALL REGULATIONS OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (REGULATION VIII) CONCERNING DUST SUPPRESSION DURING CONSTRUCTION OF THE PROJECT.
24. UNDERGROUND ALL EXISTING OFF-SITE OVERHEAD UTILITIES WITHIN THE LIMITS OF THIS SITEMAP AS PER PHC SECTION 15-201.
25. 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 1-800-642-2444.
26. ALL CONCRETE CURBS SHALL BE 6 INCHES IN HEIGHT.
27. IF REQUIRED, WHEEL STOPS SHALL BE 6 INCHES IN HEIGHT.
28. ALL EXISTING SIDEWALKS IN EXCESS OF 2% MAXIMUM CROSS SLOPE MUST BE BROUGHT INTO COMPLIANCE PRIOR TO ACCEPTANCE BY PUBLIC WORKS.
29. CONTACT THE PUBLIC WORKS DEPARTMENT, TRAFFIC ENGINEERING AT 554-0218/00010 WORKING DAYS PRIOR TO ANY OFF-SITE CONCRETE CONSTRUCTION.
30. THE PERFORMANCE OF ANY WORK WITHIN THE PUBLIC STREET R/W REQUIRES A STREET WORK PERMIT PRIOR TO COMMENCEMENT OF WORK. ALL ROAD STREET IMPROVEMENTS MUST BE COMPLETED & ACCEPTED BY THE CITY PRIOR TO OCCUPANCY.
31. 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 VERIFICATION OF OWNERSHIP PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
32. A BUILDING WITH A DRIVE-THRU LANE SHALL NOT BE LOCATED WITHIN 400 FEET OF ANOTHER STRUCTURE CONTAINING A DRIVE-THRU FACILITY, PER CITY OF FRESNO MUNICIPAL CODE SEC. 15-212B.
33. DRIVE-THRU DESIGN MINIMUM REQUIREMENTS: 200 FOOT STACKING, 11 FOOT WIDTH AISLE, 15 FOOT WIDTH AISLE WITHIN TURNS, 4 FOOT WIDTH & HOOK, 15 FOOT INSIDE TURN RADIUS.
34. ALL EXISTING SIDEWALKS IN EXCESS OF 2% MAXIMUM CROSS SLOPE MUST BE BROUGHT INTO COMPLIANCE.
35. MODIFY OR REPLACE EXISTING RAMPS THAT ARE NOT TO CURRENT ACCESSIBLE STANDARDS.
36. CONSTRUCT FULL OFF-SITE IMPROVEMENTS TO PUBLIC WORKS STANDARDS, WHERE MISSING - EXAMPLES INCLUDE, BUT NOT LIMITED TO: CURB, GUTTER, SIDEWALK, APPROACHES, RAMPS, STREET LIGHTS, PAVEMENT, UNDERGROUNDING OF OVERHEAD UTILITIES, ETC. RELOCATED EXISTING UTILITIES, AS NEEDED ON APPROVED PLANS.

GENERAL NOTES

20



KEYNOTES	2
<b>ADDRESS:</b> 1137 N. CHESTNUT AVE. FRESNO, CALIFORNIA 93702	
<b>SITE:</b> APN #: 454-09-228 AREA: 1.28 ACRES (55,505 S.F.) ZONING: CC EXIST. LAND USE: V - VACANT PARCEL GENERAL PLAN: CC - COMMERCIAL COMMUNITY COMMUNITY PLAN: ROOSEVELT AIRPORT LAND USE: TRAFFIC PATTERN "SAFETY ZONE 6"	
<b>BUILDING:</b> PAD 'A': 5,151 S.F. FUEL ISLAND: 4,560 S.F. LOT COVERAGE: 17.50%	
<b>PARKING:</b> PROVIDED: 30 PARKING STALLS ** (1 VAN ACCESSIBLE & 1 STANDARD ACCESSIBLE STALL)	

SITE INFORMATION	3

KEYNOTES	2
<b>E-01</b> EXIST. CONC. SIDEWALK, CURB, & GUTTER TO REMAIN, PROTECT FROM DAMAGE, REPAIR DAMAGED AS NECESSARY.	
<b>E-02</b> EXIST. PROPERTY LINE TO REMAIN.	
<b>E-03</b> EXIST. AC PAVING TO REMAIN, PROTECT FROM DAMAGE.	
<b>E-04</b> EXIST. METAL STREET LIGHT TO REMAIN.	
<b>E-05</b> EXIST. CMU WALL TO REMAIN.	
<b>E-06</b> EXIST. TRAFFIC SIGNAL TO REMAIN.	
<b>E-07</b> EXIST. OVERHEAD FREEWAY DIRECTIONAL SIGN TO REMAIN.	
<b>E-08</b> EXIST. FIRE HYDRANT TO REMAIN.	
<b>E-09</b> EXIST. ±43'-0" DRIVE APPROACH TO REMAIN (VERIFY PER CITY STANDARD P-2 & P-6).	
<b>E-10</b> EXIST. 4" FIRE SERVICE & FIRE SPRINKLER RISER FLANGE TO REMAIN. PROVIDE A NEW DETECTOR VALVE & VAULT BETWEEN CURB AND PROPERTY LINE.	
<b>E-11</b> EXIST. DRAIN INLET TO REMAIN.	
<b>02-01</b> (N) PARKING LOT STRIPING PER CITY PARKING MANUAL.	
<b>02-02</b> (N) DIRECTIONAL ARROW.	
<b>02-03</b> (N) TRASH ENCLOSURE, PER P.W. STANDARDS P-33 THRU P-35.	
<b>02-04</b> (N) 1-LOOP BIKE RACK, "ULINE #H-2892".	
<b>02-05</b> (N) BIKE LOCKER. AMERICAN BICYCLE SECURITY COMPANY, "MODEL 301P".	
<b>02-06</b> (N) "UNAUTHORIZED VEHICLE SIGN."	
<b>02-07</b> PAINT CURB RED W/ WHITE "NO PARKING FIRE LANE" LETTERS @ MAX 100' APART, (SHOWN DASHED).	
<b>02-08</b> INSTALL 30" STATE STANDARD "STOP" SIGN. PROVIDE A "RIGHT TURN ONLY" SIGN (30"x36" STATE STANDARD) IMMEDIATELY STOP SIGN ON SAME POST. SIGN(S) SHALL BE MOUNTED ON 2" GALL. POST W/ THE BOTTOM OF SIGN 7'-0" ABOVE FINISH GROUND, LOCATED BEHIND SIDEWALK.	
<b>02-09</b> ENVIRONMENT-FRIENDLY VEHICLE PARKING STALLS (DENOTED "EV"). DESIGNATE BY PAINTING IN WHITE 12" HIGH SAN-SERIF LETTERING "CLEAN AIR/VANPOOL/EV".	
<b>02-10</b> (8) STALL FUEL ISLAND, UNDER DEFERRED SUBMITTAL.	
<b>02-11</b> (N) 6'-0" TALL WROUGHT IRON FENCING.	
<b>02-12</b> (N) CONC. WHEEL STOP.	
<b>02-70</b> (N) CONC. PAVING, PER P.W. STANDARDS P-21 THRU P-23, SEE CIVIL DRAWINGS.	
<b>02-71</b> (N) 30'-0" WIDE DRIVE APPROACH, PER CITY STANDARDS P-2, P-6, & P-48.	
<b>02-72</b> REMOVE EXIST. DRIVE APPROACH, & INFILL W/ (N) CONC. CURB & SIDEWALK, MATCH WIDTH/HEIGHT W/ ADJACENT CONC. SIDEWALK, PER CITY STANDARD P-5 & P-9.	
<b>02-73</b> (N) ACCESSIBLE RAMP (W/ 4'-0" TOP LANDING) & TRUNCATED DOMES, PER CITY STANDARD P-32.	
<b>02-74</b> 6" THICK CONC. PAVING, #3 @ 12 O.C. EACH WAY, STAMPED CONC. 12" WIDE X 18" LENGTH.	
<b>02-80</b> (N) LANDSCAPING.	
<b>10-01</b> (N) 5 PANEL MENU BOARD, BY OTHERS.	
<b>10-02</b> (N) ORDER POINT WITH CANOPY, BY OTHERS.	
<b>10-03</b> (N) PRE-MENU BOARD, BY OTHERS.	
<b>10-04</b> (N) DIRECTIONAL "THANK YOU-EXIT ONLY" SIGN.	
<b>15-01</b> (N) GAS METERS.	
<b>15-02</b> FIRE SPRINKLER RISER, FIRE DEPARTMENT CONNECTION & FIRE SPRINKLER BELL (ON CHESTNUT SIDE OF BUILDING).	
<b>16-01</b> (N) MAIN ELECTRICAL PANEL.	

KEYNOTES	2
<b>E-01</b> EXIST. CONC. SIDEWALK, CURB, & GUTTER TO REMAIN, PROTECT FROM DAMAGE, REPAIR DAMAGED AS NECESSARY.	
<b>E-02</b> EXIST. PROPERTY LINE TO REMAIN.	
<b>E-03</b> EXIST. AC PAVING TO REMAIN, PROTECT FROM DAMAGE.	
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<b>E-05</b> EXIST. CMU WALL TO REMAIN.	
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<b>E-07</b> EXIST. OVERHEAD FREEWAY DIRECTIONAL SIGN TO REMAIN.	
<b>E-08</b> EXIST. FIRE HYDRANT TO REMAIN.	
<b>E-09</b> EXIST. ±43'-0" DRIVE APPROACH TO REMAIN (VERIFY PER CITY STANDARD P-2 & P-6).	
<b>E-10</b> EXIST. 4" FIRE SERVICE & FIRE SPRINKLER RISER FLANGE TO REMAIN. PROVIDE A NEW DETECTOR VALVE & VAULT BETWEEN CURB AND PROPERTY LINE.	
<b>E-11</b> EXIST. DRAIN INLET TO REMAIN.	
<b>02-01</b> (N) PARKING LOT STRIPING PER CITY PARKING MANUAL.	
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<b>10-02</b> (N) ORDER POINT WITH CANOPY, BY OTHERS.	
<b>10-03</b> (N) PRE-MENU BOARD, BY OTHERS.	
<b>10-04</b> (N) DIRECTIONAL "THANK YOU-EXIT ONLY" SIGN.	
<b>15-01</b> (N) GAS METERS.	
<b>15-02</b> FIRE SPRINKLER RISER, FIRE DEPARTMENT CONNECTION & FIRE SPRINKLER BELL (ON CHESTNUT SIDE OF BUILDING).	
<b>16-01</b> (N) MAIN ELECTRICAL PANEL.	

KEYNOTES	2
<b>E-01</b> EXIST. CONC. SIDEWALK, CURB, & GUTTER TO REMAIN, PROTECT FROM DAMAGE, REPAIR DAMAGED AS NECESSARY.	
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<b>E-03</b> EXIST. AC PAVING TO REMAIN, PROTECT FROM DAMAGE.	
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<b>E-10</b> EXIST. 4" FIRE SERVICE & FIRE SPRINKLER RISER FLANGE TO REMAIN. PROVIDE A NEW DETECTOR VALVE & VAULT BETWEEN CURB AND PROPERTY LINE.	
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**SUBJECT:** Conditions of Approval for **P20-01633**

**DATE:** September 24, 2020

**TO:** Phillip Siegrist, Planner III  
Planning and Development Department

**FROM:** Andreina Aguilar, Engineer II  
Public Works Department, Traffic Planning Section

**ADDRESS:** 1137 North Chestnut Avenue

**APN:** 454-092-28

<b>ATTENTION:</b> 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.		
<b>To be completed:</b>	<b>Point of Contact</b>	<b>Department and Contact Information</b>
<b>Lot Merger</b> Proposed building is over a lot line. A Lot Merger may be required. Contact your planner for detailed information.	Phillip Siegrist	Planning and Development Department (559) 621-8061 <a href="mailto:Phillip.Siegrist@fresno.gov">Phillip.Siegrist@fresno.gov</a>
<b>Grading Plan</b> Coordinate the corrected site plan with the grading plan.		
<b>Deeds (up to 2 month processing time)</b> 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 <b>prior</b> to the issuance of building permits.	Jeff Beck	Public Works Department (559) 621-8560 <a href="mailto:Jeff.Beck@fresno.gov">Jeff.Beck@fresno.gov</a>



<b>Drive Approach on Chestnut Avenue</b> Obtain and coordinate CALTRANS comments with Public Works; additional conditions, redesign, and/or dedications may be required. The approach location is tentatively approved until comments have been coordinated.	Caltrans	California Department of Transportation 1352 West Olive Avenue (559) 488-4067
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**ATTENTION:**

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

**A. GENERAL REQUIREMENTS**

- ☐ 1. **Property Lines:** Identify the limits.
- ☐ 2. **Legal description:** Provide legal description.
- ☐ 3. **Required Notes:** Revise General Notes to include the required Public Works Department notes.
  - ☐ All existing driveway approaches which no longer provide access to approved vehicle parking areas shall be removed unless otherwise approved by the City Engineer. Such areas shall be reconstructed with curb, gutter and sidewalk to match existing adjacent street improvements. This works shall be completed and accepted before a Permit of Occupancy is issued or the building is occupied per FMC 13-211.
  - ☐ Submit street plans to the Public Works Department.
  - ☐ Submit street lighting plans to the Public Works Department.
  - ☐ Construction on state highways must conform to both City of Fresno and State Division of Highways Specifications.
  - ☐ 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.
  - ☐ All development shall take place in accordance with all city, county, state, federal, railroad laws and regulations.

**B. OFFSITE INFORMATION:**

- ☐ 1. **Section Lines:** Identify section line on Chestnut. Provide right-of-way dimensions.
- ☐ 2. **Public Street Improvements:**
  - ☐ a. **Curb ramps:** Modify and/or replace the ramp at the southwest corner of Olive and Chestnut.
  - ☐ b. **Street lights:** Identify the required street lights on Olive and Clay Avenues.
  - ☐ c. **Street tree wells:** Identify 5'x6' tree wells along Clay Ave.

**C. ONSITE INFORMATION:**

- ☐ 1. **Drive Through:** Identify and maintain a minimum of a **10** car stack using **20'** per car. Stacking shall not block parking. Provide and maintain **15'** minimum inside turning radius, **13'** minimum aisle within the turn, **11'** through lane and **9'** minimum at the window.
- ☐ 2. **State standard "STOP":** Identify and install a **30"** state standard "STOP" sign

at the location shown. Signs shall be mounted on a **2"** galvanized post with the bottom of the lowest sign **7'** above ground, located behind curb and immediately behind a major street sidewalk.

## 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 improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600. Pedestrian paths of travel must also meet current accessibility regulations.

All existing sidewalks 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.

### **Chestnut Avenue: Arterial**

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

1. Construction Requirements:
  - a. Remove existing driveway approaches not identified for utilization 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.
  - c. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
  - d. Modify or replace the existing ramp to meet current Public Works Standards, as determined by the Construction Management engineer **PRIOR** to occupancy.
  - e. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.

### **Olive Avenue: Collector**

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

1. Dedication Requirements:

- a. Dedicate **4'** of property for a pedestrian easement to accommodate the required 4' clear path behind the drive approach.
2. Construction Requirements:
  - a. 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 Major Streets. 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.
  - b. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.

### **Clay Avenue: Local**

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

1. 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 an underground street lighting system to Public Works Standard **E-2** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-8** for Locals.
  - c. 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).

**Street 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:**

Contact the Planning and Development Department for review and approval of onsite parking. The parking lot is required to meet the *City of Fresno's Parking Manual, Public Works Standards (P-21, P-22 and P-23) 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.

Provide corrections as noted on **Exhibit "A"**.

**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.

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

**In order to obtain building permit approval from the Public Works Department, an approval stamp with a signature from Traffic Planning is required on the site plan and inserted in the building sets.**

Questions relative to these conditions may be directed to Andreina Aguilar (559) 621-8674 or [Andreina.Aguilar@fresno.gov](mailto:Andreina.Aguilar@fresno.gov) in the Public Works Department, Traffic Planning Section.

# 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 Eleven, Starbucks - 1137 N. Chestnut Avenue

**A.P.N.** 454-092-28

**Planned Land Use:** Community Commercial

**Current Zoning:** CC

**Site Area:** +/- 1.28 acres

**Building Area:** 5,151 sq. ft. (7 Eleven: 4,088 s.f., Starbucks: 1,063 s.f.)

**Entitlement:** P20-01633

**Estimate Date:** September 11, 2020

WATER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Water Service & Meter Charge	2"	1	EA.	\$2,671.00	...existing	
Water Service & Meter Charge (Starbucks)	1.5"	1	EA.	\$2,508.00	\$2,508.00	[1] [6]
Irrigation Water Meter Charge	1"	1	EA.	\$330.00	\$330.00	[1] [6]
Time & Materials Charge	4" Fire	1	EA.	\$7,100.00	...existing	
Frontage Charge		340	L.F.	\$6.50	previously satisfied	
Water Capacity Fee (Starbucks)	1.5"	0.5	EA.	\$5,602.00	\$2,801.00	[1] [6]
<b>Total Water Connection Charges</b>					<b>\$5,639.00</b>	<b>[1]</b>

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		39,000	Sq.Ft.	\$0.10	previously satisfied	
Oversized Sewer Charge		39,000	Sq.Ft.	\$0.05	previously satisfied	
Wastewater Facilities Charge		STEP		[3]	[3]	[4] [7]
<b>Total Sewer Connection Charges</b>					<b>\$0.00</b>	<b>[3]</b>

CITYWIDE/REGIONAL IMPACT FEES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Citywide Fire Facilities Impact Fee	Comm./Retail	5,151	Sq.Ft.	\$688.00	\$3,543.89	[7]
Citywide Park Facility Impact Fee	SFR	n/a	Units	\$4,186.00	n/a	[9]
Citywide Police Facilities Impact Fee	Comm./Retail	5,151	Sq.Ft.	\$684.00	\$3,523.28	[7]
Citywide Regional Street Charge	Comm./Retail	0.47	AC	\$14,773.00	\$6,943.31	[6]
New Growth Area Major Street Charge	Comm./Retail	0.47	AC	\$41,515.00	n/a	
Citywide Traffic Signal Charge	Conv. Market w/ Fuel	12	Fuel Positions	\$3,918.00	\$47,016.00	[6]
Citywide Traffic Signal Charge	Fast Food	1,063	Sq.Ft.	\$13,568.00	\$14,422.78	[6]
<b>Total Citywide/Regional Impact Fees</b>					<b>\$75,449.27</b>	

<b>Total Fees and Charges</b>	<b>\$81,088.27</b>
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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: September 11, 2020**

**621-8797**

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



**DEPARTMENT OF PUBLIC UTILITIES  
MEMORANDUM**

**DATE:** September 28, 2020

**TO:** MINDI MARIBOHO – Development Services Coordinator  
Planning & Development Dept/Current Planning

**FROM:** KEVIN GRAY, Supervising Engineering Technician  
Department of Public Utilities – Utilities Planning & Engineering

**THRU:** ROBERT A. DIAZ, Supervising Engineering Technician  
Department of Public Utilities – Utilities Planning & Engineering

**SUBJECT: DPU REQUIREMENTS FOR P20-01633 7-11 AND STARBUCKS**

**Water Requirements**

City of Fresno Water Division approves of the proposed project, subject to the following conditions listed below:

1. On-site water facilities shall remain private.
2. The water supply requirements for this project are as follows:
3. The existing property is currently served with one 2-inch water meter.
  - a. If the total domestic, commercial, industrial and irrigation water demands for the applicant's proposed project can be accommodated with the existing one 2-inch water meter, then the applicant shall not be required to pay a Water Capacity Fee Charge.
  - b. If the total domestic, commercial, industrial and irrigation water demands for the applicant's proposed project cannot be accommodated with the one 2-inch water meter, and an additional water meter or a larger water meter is required, then the applicant shall be required to pay a Water Capacity Fee Charge.
  - c. If a larger water meter or fire service is required to accommodate the new, larger water demands, then the Water Capacity Fee Charge shall be calculated by subtracting the Water Capacity Fee Charge associated with the existing water meter size from the Water Capacity Fee Charge associated with the larger water meter size required for the applicant's project. The Water Capacity Fee Charges for different meter sizes are published in the City's Master Fee Schedule.

## MEMORANDUM

MINDI MARIBOHO – Development Services Coordinator

Planning & Development Dept/Current Planning

September 28, 2020

DPU REQUIREMENTS FOR P20-01633 7-11 AND STARBUCKS

Page 2 of 3

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

### **Sewer Requirements**

The nearest sanitary sewer main to serve the proposed project is a 10-inch sewer main located in East Olive Avenue. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

1. Sewer connection to the 39-inch sewer trunk line is prohibited.
2. Installation of sewer house branch(s) shall be required.
3. House branch (sewer lateral) larger than 6-inch shall require a manhole connection.
4. Street work permit is required for any work in the Right-of-Way.
5. On-site sanitary sewer facilities shall be private.
6. Abandon any existing on-site private septic systems.
7. The Project Developer shall contact Utility Billing and Collection Services at (559) 621-6765 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.



MEMORANDUM

MINDI MARIBOHO – Development Services Coordinator

Planning & Development Dept/Current Planning

September 28, 2020

DPU REQUIREMENTS FOR P20-01633 7-11 AND STARBUCKS

Page 3 of 3

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.

**Solid waste Requirements**

1. Location will be serviced by Mid Valley Disposal. Please contact at Mid Valley Disposal at 559-237-9425 for servicing.
2. A three 3-cell enclosure is required for restaurants. Trash enclosure shall be designed to accommodate separate facilities for trash and recyclable materials along with a single 1-cell grease enclosure) constructed to current Solid Waste standards (P-33, P-34 and P-95) to be serviced weekly.
3. The area of the proposed trash enclosure will require a 44' turnaround or T-turnaround (hammerhead) for the vehicle to turn around after servicing this location or other viable exit for vehicles to exit location once service has been completed.
4. Future Needs/Requirements:
5. Future site plans will be required to show the new location and details of trash enclosure.

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## DEPARTMENT OF PUBLIC WORKS

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TO: **Mindi Mariboho, Development Coordinator**  
Development and Resource Management Department

FROM: **Hilary Kimber, Parks Supervisor II (559.621.1345)**  
Public Works, Median Island Maintenance

DATE: September 10, 2020

SUBJECT: **P20-01633**; 1137 N. Chestnut Ave. (APN: 454-092-28)

The Department of Public Works offers the following comments regarding the proposed project located on the southwest side of N. Chestnut and E. Olive Avenues:

### **GENERAL REQUIREMENTS**

1. The Developer is required to provide street trees on all public street frontages per Fresno Municipal Code. Street trees shall be planted at the minimum rate of one tree for each 40' of street frontage. Irrigation is required for all street trees. The irrigation system shall comply with FMC 12-306-23, Water Efficient Landscape Standards and AB1881.
2. The proposed Building A100 from Vermeltforte Architects, Inc. dated February 12, 2020 shows five (5) onsite trees on E. Olive Ave., two (2) on the corner of E. Olive and N. Chestnut Avenues (which will need to be removed for the 30' traffic visibility), and six (6) onsite on N. Chestnut Ave. No onsite trees have been proposed.
3. Onsite trees planted in-lieu-of street trees must be planted within ten feet of the back of the monolithic sidewalk. There are no designated street trees for either street. Please choose appropriate trees from the list of Approved Street Trees.
4. Public Works requires a landscape and irrigation design be submitted to the scale of 1"=20' to [dpwplansubmittal@fresno.gov](mailto:dpwplansubmittal@fresno.gov) prior to the installation of any landscaping within the city right-of-way or onsite trees planted in-lieu-of-street trees.

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

File No. 210.413

Page 1 of 3

**PUBLIC AGENCY**

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

**DEVELOPER**

ROBERT VERMELTFOORT, VAI  
8525 N. CEDAR, SUITE 106  
FRESNO, CA 93720

PROJECT NO: **2020-01633**

ADDRESS: **1137 N. CHESTNUT AVE.**

APN: **454-092-28**

SENT: **September 18, 2020**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
G	\$0.00	NOR Review	\$50.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$226.00	Amount to be submitted with first grading plan submittal.
<b>Total Drainage Fee: \$0.00</b>		<b>Total Service Charge: \$276.00</b>		

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 9/02/20 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. 2020-01633**

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

Page 2 of 3

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

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

**FR  
CUP No. 2020-01633**

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

Page 3 of 3

**FR  
CUP No. 2020-01633**

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: 9/18/2020 10:54:10 AM



Gary W. Chapman  
Engineering Tech III

Digitally signed by Gary W. Chapman Date: 9/4/2020 7:53:51 AM

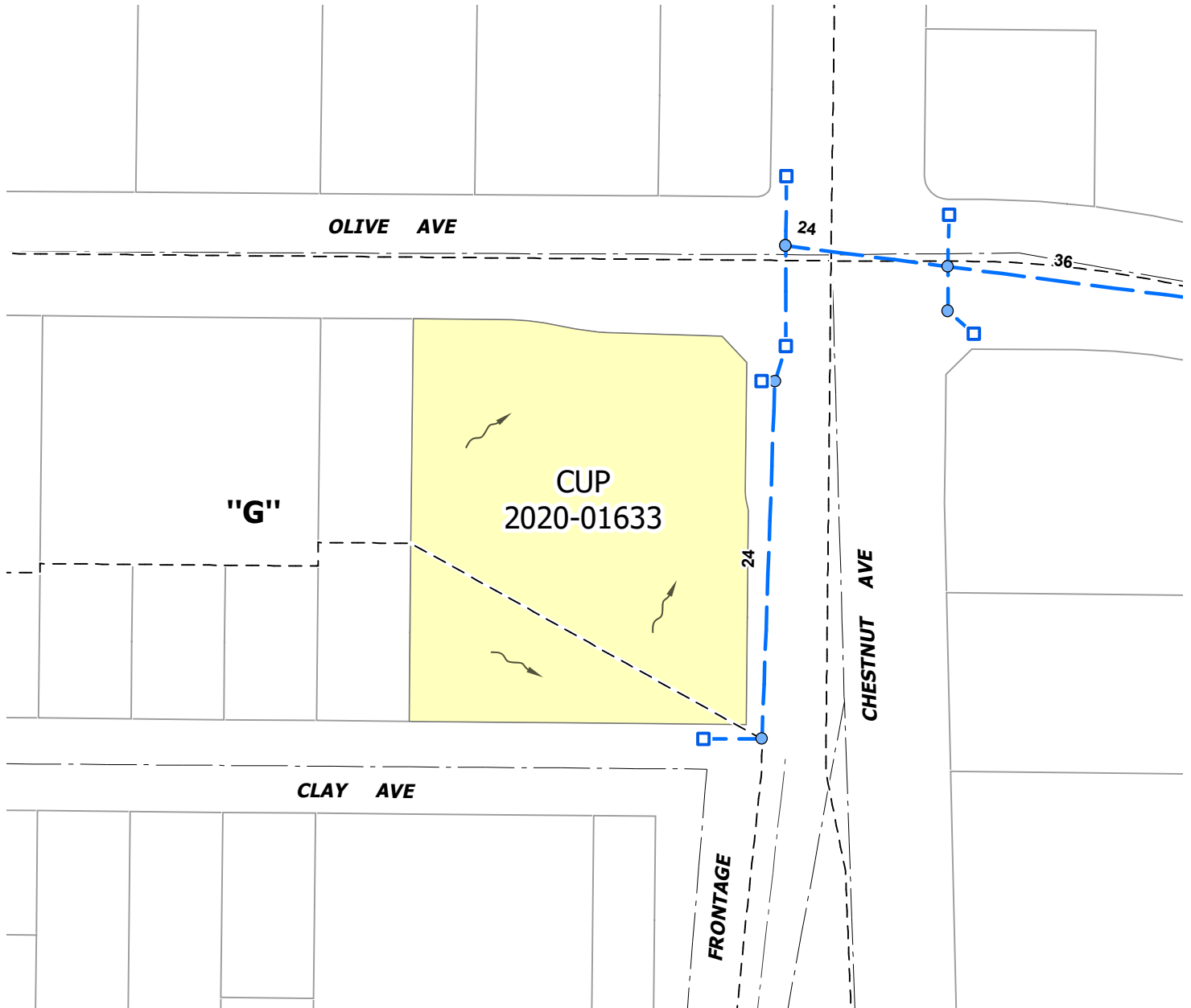
CC:

TBS HOLDINGS LLC

4917 GENESTA AVE.

ENCINO, CA 91316

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



## LEGEND

□ — Existing Master Plan Facilities

--- Inlet Boundary

~ Direction Of Drainage

■ Limits Of CUP 2020-01633



1" = 100'

**CUP 2020-01633**  
**DRAINAGE AREA "G"**



**EXHIBIT NO. 1**

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**

Prepared by: danielg

Date: 9/3/2020

Path: K:\Autocad\DWGS\0EXHIBIT\CITYCUP\2020-01633.mxd



## **OTHER REQUIREMENTS**

### **EXHIBIT NO. 2**

The minimum finish floor elevation shall be 309.15 (U.S.G.S. Datum).

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

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

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

September 14, 2020

Phillip Siegrist  
City of Fresno  
Planning & Development Dept.  
2600 Fresno Street, Third floor  
Fresno, CA 93721

**Project: Conditional Use Application P20-01633**

**District CEQA Reference No: 20200740**

Dear Mr. Siegrist:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above from the City of Fresno (City). The project consists of the construction and operation of a 5,151 square foot convenience store and gas station (Project). The 1.28 acre Project site is located on the southwest corner of Chestnut Avenue and Olive Avenue (1137 N. Chestnut), in Fresno, CA (APN: 454-09-228).

**Project Description**

The Project consists of the construction of a 5,151 square foot mini-mart/drive through restaurant with a 6-station fuel island (4,560 square feet) on an existing vacant lot. Fuel deliveries would be up to 3 times per week and food deliveries would be up to 5 times per week (via a small delivery truck). The facility will have approximately 24 employees.

Based on information provided to the District, Project specific annual emissions from construction and operation 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).

Other potential significant air quality impacts related to Toxic Air Contaminants (see information below under Health Risk Assessment), Ambient Air Quality Standards, Hazards and Odors, may require assessments and mitigation. More information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: [https://www.valleyair.org/transportation/GAMAQI\\_12-26-19.pdf](https://www.valleyair.org/transportation/GAMAQI_12-26-19.pdf)

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

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**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

The District offers the following comments:

## **1) Project Related Criteria Pollutant Emissions**

- 1a) Construction Emissions:** Construction emissions are short-term emissions and should be evaluated separately from operational emissions. Equipment exhaust, as well as fugitive dust emissions should be quantified. For reference, the District's annual criteria thresholds of significance for construction are listed above.

Although the construction-related emissions are expected to have a less than significant impact, the District suggests that the County advise project proponents with construction-related exhaust emissions and activities resulting in less than significant impact on air quality to utilize the cleanest reasonably available off-road construction fleets and practices (i.e. eliminating unnecessary idling).

## **1b) Project Related Operational Emissions– Truck Routing**

Truck routing involves the path/roads heavy-duty trucks take to and from their destination. The air emissions from heavy-duty trucks can impact residential communities and sensitive receptors.

The District recommends the environmental document evaluate heavy-duty truck routing patterns to help limit emission exposure to residential communities and sensitive receptors. More specifically, this measure would assess current truck routes, in consideration of the number and type of each vehicle, destination/origin of each vehicular trip, time of day/week analysis, vehicle miles traveled and emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT, GHG emissions, and air quality.

## **1c) Project Related Operational Emissions– Reduce Idling of Heavy Duty Trucks**

The goal of this strategy is to limit the potential for localized PM<sub>2.5</sub> and toxic air quality impacts associated with failure to comply with the state's Heavy Duty anti-idling regulation (e.g limiting vehicle idling to specific time limits). The diesel exhaust from excessive idling has the potential to impose significant adverse health and environmental impacts. Therefore, efforts to ensure compliance of the anti-idling regulation, especially near sensitive receptors, is important to limit the amount of idling within the community, which will result in community air quality benefits.

## **1d) Operational Related Emissions – Under-fired Charbroilers**

Projects for restaurants with under-fired charbroilers may pose the potential for immediate health risk, particularly when located in densely developed locations near sensitive receptors. Since the cooking of meat can release carcinogenic PM<sub>2.5</sub> species like polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health.

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

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM<sub>2.5</sub> standards and associated health benefits in the Valley. Therefore, the District recommends that the environmental document include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers. The District is available to assist the City and project proponents with this assessment. Additionally, to ease the financial burden for Valley businesses, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system for up to two years. Please contact the District at (559) 230-5800 or [technology@valleyair.org](mailto:technology@valleyair.org) for more information.

## **1e) Health Risk Screening/Assessment**

Residential receptors are located north, west and southwest of the project site and worksites are located north, east, south and west of the project site. The Health Risk Assessment should evaluate the risk associated with residential and worker receptors in the area and mitigate any potentially significant risk to help limit emission exposure to surrounding receptors.

A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC's are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. List of TAC's identified by OEHHA/CARB can be found at:

<https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants>

The District recommends the development projects be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

- i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using the latest approved California Air Pollution Control Officer's Association (CAPCOA) methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed.

For your convenience, the District's prioritization calculator can be found at:

[http://www.valleyair.org/busind/pto/emission\\_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS](http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS).

- ii) The District recommends a refined HRA for future development projects that result in a prioritization score of 10 or greater. Prior to performing an HRA, it is recommended that the future development project applicants contact the District to review the proposed modeling protocol. A future development project would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices, and would trigger all feasible mitigation measures. The District recommends that future development projects that result in a significant health risk not be approved.

For HRA submittals, please provide the following information electronically to the District for review:

- HRA AERMOD model files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodology.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org); or
- Contacting the District by phone for assistance at (559) 230-6000; or
- Visiting the District's website (Modeling Guidance) at:  
[http://www.valleyair.org/busind/pto/Tox\\_Resources/AirQualityMonitoring.htm](http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm).

## **1f) Ambient Air Quality Analysis**

An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. For development projects the District recommends that an AAQA be performed for the project if emissions exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance is available online at the District's website [www.valleyair.org/ceqa](http://www.valleyair.org/ceqa).

## **2) District Rules and Regulation**

The District issues permits for many types of air pollution sources and regulates some activities not requiring permits. A project subject to District rules and regulation would reduce its impacts on air quality through compliance with regulatory requirements. In general, a regulation is a collection of rules, each of which deals with a specific topic. Here are a couple of examples, Regulation II (Permits) deals with permitting emission sources and includes rules such as District permit requirements (Rule 2010), and New and Modified Stationary Source Review (Rule 2201).

### **2a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 requires that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT).



The gas station (gasoline dispensing operation) is subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. Prior to construction, the Project proponent should submit to the District an application for an Authority to Construct (ATC). For further information or assistance, the project proponent may contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

## **2b) District Rule 9510 (Indirect Source Review)**

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.

Therefore, the project proponent is required to obtain a District Authority to Construct prior to installation of equipment that controls or may emit air contaminants, including but not limited to emergency internal combustion engines, boilers, and baghouses. For more information please contact the District's Small Business Assistance or visit <http://www.valleyair.org/busind/pto/ptoforms/1ptoformidx.htm>.

## **2c) District Regulation VIII (Fugitive PM10 Prohibitions)**

The Project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to construction. Information on how to comply with Regulation VIII can be found online at: [http://www.valleyair.org/busind/comply/PM10/compliance\\_PM10.htm](http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm).

## **2d) Other District Rules and Regulations**

The Project may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

The list of rules above is neither exhaustive nor exclusive. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). 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 (SBA) Office at (559) 230-5888.

### **3) District Comment Letter**

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 contact Georgia Stewart by e-mail at [Georgia.Stewart@valleyair.org](mailto:Georgia.Stewart@valleyair.org) or by phone at (559) 230-5937.

Sincerely,



Arnaud Marjollet  
Director of Permit Services

AM: gs



*Preparing Career Ready Graduates*



**Facilities Management & Planning**

**BOARD OF EDUCATION**

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**SUPERINTENDENT**

Robert G. Nelson, Ed.D.

September 3, 2020

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

Re: **APPLICATION NO. P20-01633**  
**1137 N. CHESTNUT AVE.**

Dear Mr. Siegrist,

In response to your request for school district information regarding the above planning application for the proposed construction of a new commercial building with two retail spaces for a proposed 4,088 square-foot '7-Eleven' convenience store and a 1,063 square-foot 'Starbucks' coffee shop with drive-through to be located at 1137 North Chestnut 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 \$0.66 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 a forthcoming application for a Type 21 alcohol license 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 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: Robert Vermeltfoort, Applicant/Agent

DWC



September 24, 2020

Re: SEVEN ELEVEN  
DBA: "7/11, Starbucks"  
1137 N Chestnut Ave  
Fresno, Ca. 93702

Dear Mr Vermeltfoort,

This letter is to inform the City of Fresno Planning and Development that the Fresno Police Department has received a notice of application for a Type 20 alcohol beverage license for the above address.

Based on B&P Section 24013(a) & B&P 23800(e) – Protests, the Fresno Police Department is protesting the issuance of the ABC license at this location. We have completed our review and recommend denial of the alcoholic beverage license for the following reasons:

- During the past 9 months, there have been excessive incident reports and calls for police service within a 1 mile radius of the premise.
- The above census tract is over-concentrated with eight (8) existing licenses, which four (4) licenses allowed.
- The premise may potentially be the subject of numerous community complaints for nuisance activities such as: loitering, litter, loud music, vandalism, and incident involving alcoholic beverages.

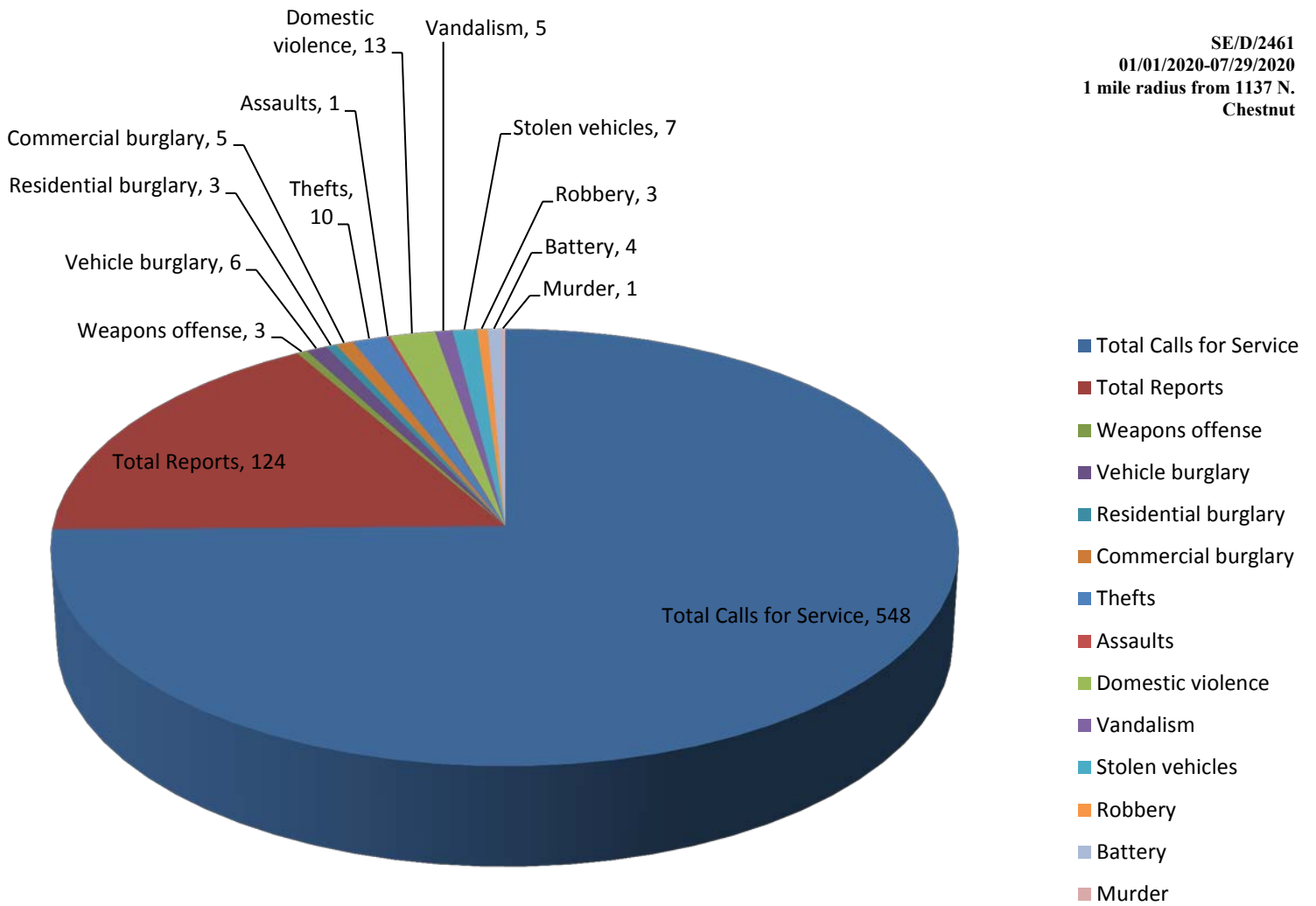
Attached are calls for service justifying the protest.

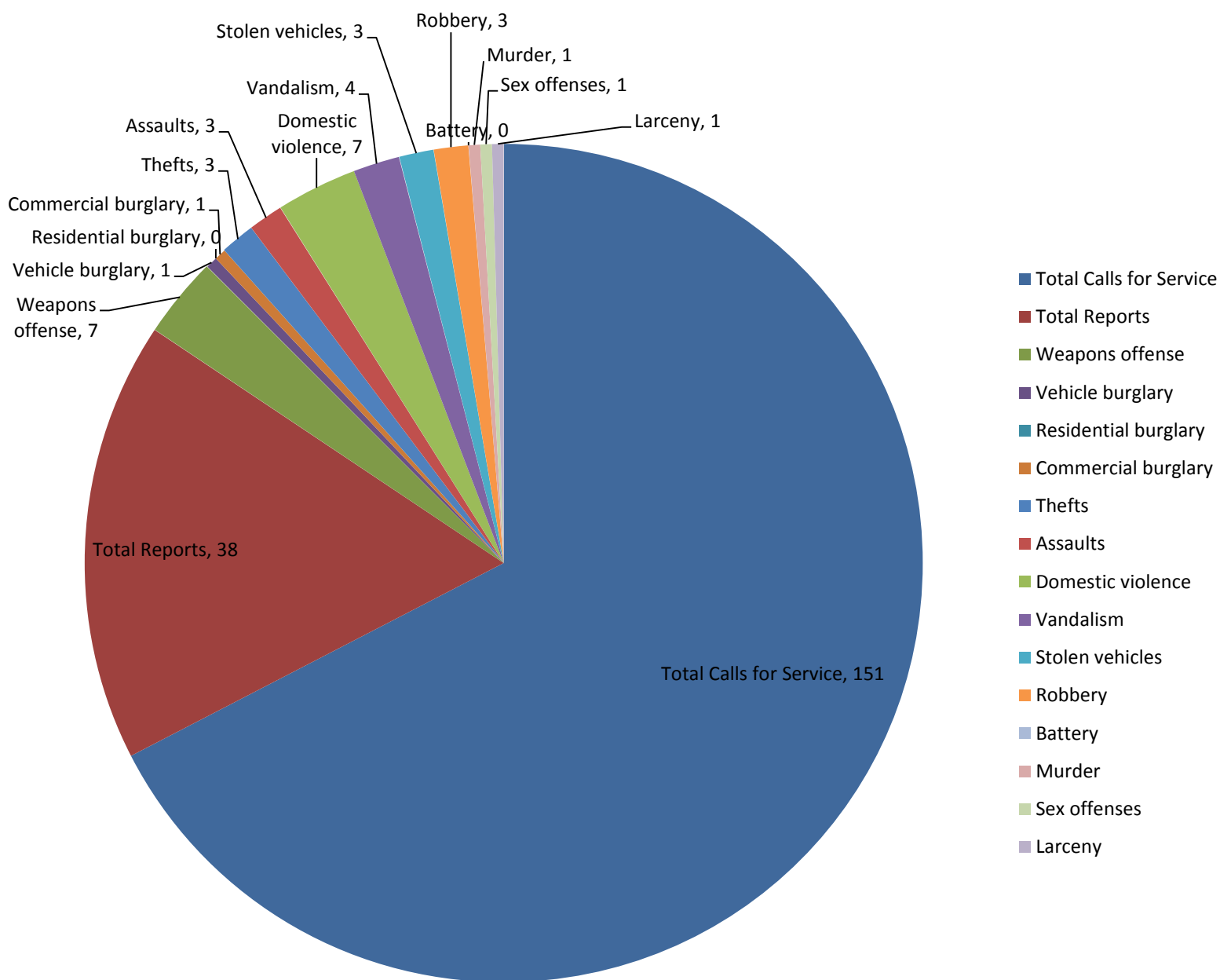
Sincerely,

Andrea Flores

Det. Andrea Flores (SE POP)

SE/D/2461  
01/01/2020-07/29/2020  
1 mile radius from 1137 N.  
Chestnut





## Standard Fresno Police Department ABC CUP Conditions of Approval

The following conditions shall be placed upon the issuance of this license:

1. All applicable provisions of the Fresno Municipal Code are complied with and the site of the proposed use is adequate in size and shape to accommodate the use, and all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping and other required features; and,
2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,
3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. This third finding shall not apply to uses which are subject to the provisions of Section 12-306-N-39 of the Fresno Municipal Code (Regulating Adult Business).

The conditions are established to ensure public safety, and to minimize any impact to the surrounding area. If approved, this Conditional Use Permit would allow for an **off-sale Type 20 ABC license**. We request the following conditions be included as Condition of Approval for Conditional Use Permit P20-02556. These conditions will help to insure and maintain an environment that is least likely to generate criminal activity, public complaints and police calls for service.

### Requested Conditions of Approval:

#### **State and Federal Law**

1. The applicant shall comply with all applicable state and federal law, rules and regulations, including but not limited to the following California Business and Professional Code sections and ABC rules:
  - BP 24046** (Require to Post ABC License on Premises)
  - BP 25612.5** (Loitering, Open Alcoholic Beverage Containers, Consuming Alcoholic Beverages on Premises, Exterior Lighting, Litter Removal, Graffiti Removal, Signs and Barriers in Windows and Doors, Public Phones Blocked from incoming calls, Areas to Display Harmful Matter, Required Copies of Operating Standards Available for Public Viewing)
  - BP 25665** (Minors Remaining in Public Premises)
  - ABC Act Rule 106** (No Buy One Get One Free Drink)
  - ABC Act Rule 107** (No One Under 21 Allowed Signs Posted)
  - ABC Act Rule 139** (Interior Lighting Required for Identification of patrons)
2. Applicant must acquire and maintain a valid Alcohol Conditional Use Permit issued by the City of Fresno



### **ABC Education**

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

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

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

- The ABC-licensed proprietors shall have confirmed with the Development Department within 15 days of the final approval of the CUP or within 15 days of the opening to the public of a new store, whichever is later, that a date certain has been scheduled with the local ABC Office for said prospective employees to take the LEAD Program course; and
- Within 30 days of taking said course, the employee(s) or responsible employer shall deliver to the Planning department each required LEAD Program Certificate evidencing completion of said course.

### **4. Sale of Malt and Wine-Cooler Alcoholic Beverages**

- No Single Sale Alcoholic Beverages to be sold
- Malt liquor or malt beverage products shall not be sold in less than six (6) pack quantities for sale. They must be sold in manufactured pre-packaged multi-unit quantities. This will include all sizes of containers.
- All wine cooler products shall not be sold in less than four (4) pack quantities for sale. They must be sold in manufacturer pre-packaged multi-unit quantities.

### **5. Wine Alcohol per Volume**

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

### **6. Non-refrigerated Alcoholic Beverages**

- Non-refrigerated "hard" liquor or distilled spirits," shall be placed within the cashier's area or, shall be located either in a locked cabinet, or other locked shelving system, with access controlled with either manual, remote control locking devices or other appropriate and acceptable locking systems approved in writing by the Fresno Police Department. During the hours of 10:00 p.m. to 10:00 a.m., the cabinet or shelving system shall be locked and opened only after an authorized employee has verified that the customer seeking to purchase items within the cabinet or shelving system is of "legal age." Anti-theft security devices shall be utilized at ALL non

LOCATION: 1137 N Chestnut Ave

DATE: November 4, 2020

Page 3

refrigerated “hard” liquor or “distilled spirits” (regardless of size) in lieu of being in a locked cabinet or other locked shelving system.

**7. Sales and Service of alcohol**

- Sales and Service of Alcohol may occur only between the hours of 10:00 a.m. and 10:00 p.m. each day of Business operation.

**8. Applicant must install a fully functional color digital video camera system (“System”) that meets the following requirements:**

- The System must continuously record, store, be capable of playing back images and be fully functional at all times, including during any hours the business is closed. The System must be maintained in a secured location inside of the business.
- The System shall have the correct date and time stamped onto the images at all times.
- The camera storage capacity should be for at least 20 days (20 calendar days). Such cameras must be capable of producing a retrievable and identifiable image that can be made a permanent record and that can be enlarged through projection or other means.
- Digital video recorder must be capable of storing at least 20 days of real-time activities.
- The System shall be capable of producing a CD or digital playback feature and may be provided to an authorized representative of the Fresno Police Department within 24 hours of the initial request relating to a criminal investigation only.

**9. The interior of the business must have at least one camera placed to focus on each cash register transaction to include the clerk as well as the customer waiting area.**

- There shall be four (4) exterior cameras placed so as to record activities in the primary customer parking areas of their business. These cameras should be of sufficient quality to be able to identify persons and or vehicles utilizing the business parking lot.
- All interior cameras shall record in color.
- All exterior cameras shall record in color and have automatic low light switching capabilities to black and white. Exterior cameras should be in weatherproof enclosures and located in a manner that will prevent or reduce the possibility of vandalism.

**10. Uptown Market Security**

- A Security Guard will be on site, seven days a week (Mon-Sun) from 10:00 a.m. to 10:00 p.m.

It is recommended, but not required that the owner/operator provide the IP address(s) to the Fresno Police Department Communications Center for any system that is browser-based or viewable from a remote site. The Fresno Police

Department may perform periodic inspections of the System to ensure compliance with these specifications. An inoperable System may be good cause for seeking revocation of the Conditional Use Permit.

11. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within hours of being applied.
12. The rear doors of the premises shall be equipped on the inside with an automatic locking device and shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation.
13. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
14. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
15. No Person under the age of 21 shall sell or deliver alcoholic beverages.
16. No pay phone will be maintained on the interior or exterior of the premises.
17. Petitioner(s) shall police the area under their control in an effort to prevent the loitering of persons about the premises as depicted on ABC-253.
18. The possession of alcoholic beverages in open containers and the consumption of alcoholic beverages are prohibited on or around these premises as depicted on ABC-253.
19. No service of alcohol to obviously intoxicated people.
20. The licensee shall keep the property, adjacent to the licensed premises and under the control of the licensee(s) as depicted on ABC-253, clear of newspaper racks, benches, pay telephones, bicycle racks, and any other objects which may encourage loitering.

### **Posting Property**

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

***NO LOITERING, NO LITTERING  
NO DRINKING OF ALCOHOLIC BEVERAGES  
VIOLATORS ARE SUBJECT TO ARREST.***

The sign shall be two feet square with two inch block lettering. The sign shall be in English and Spanish.

**Consumption of Alcoholic Beverages and Loitering**

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

**Property Responsibility**

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

The purpose of these conditions is to meet the needs of public with minimal impact on public safety. The City of Fresno Police Department requests the approval of this license be made conditional upon acceptance of the above listed conditions