

Exhibit E - Conditions of Approval for P23-02136 [10/20/2023]



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Planning and Development Department
Jennifer K. Clark, AICP, Director

October 23, 2023,

Please reply to:
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(Sent via email only)

SUBJECT: CONDITIONAL USE PERMIT APPLICATION NO. P23-02136 FOR PROPERTY LOCATED AT 3977 AND 3722 NORTH GOLDEN STATE BOULEVARD (APN's: 433-040-54, 511-240-26)

On October 20, 2023, the Planning and Development Director approved Conditional Use Permit Application No. P23-02136, which authorizes the construction of a ±9,580 square-foot commercial retail building comprised of a food court (±4,538 square-feet) with a drive-through and a grocery market(±4,468 square-feet); a ±3,696 square-foot service station/fuel canopy; and a ±3,600 square-foot car wash building. New on- and off-site improvements are proposed including but not limited to; drive approaches, 91 parking stalls, car wash vacuum stalls, sidewalks, and landscaping. The project includes the vacation of portions of West Buckingham Way and North Brawley Avenue as well as dedications of right of way along Golden State Boulevard. A future lot line adjustment will also be included with the project. The subject property is zoned IL (*Light Industrial*). This application (P23-02136) is a revision to Conditional Use Permit Application No. P21-0102.

The proposed project was determined to be exempt from the State of California Environmental Quality Act (CEQA) by the Planning and Development Department on October 20, 2023, through a Section 15332 Class 32 (Infill) Categorical Exemption. No further environmental assessment is needed. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project and no adverse environmental impacts will occur as a result of the proposed project. The approval of this project is subject to compliance with the following Conditions of Approval:

CONDITIONS OF APPROVAL

PART A – ITEMS TO BE COMPLETED

The following items are required before issuance of building permits or final inspection:

Planner to check when completed		
<input type="checkbox"/>	1.	Development shall take place in accordance with Exhibits A-1, A-2, E, F, L, and O dated April 18, 2023. Transfer all comments and conditions on Exhibits to the corrected exhibit(s) and submit to planner at least 15 days prior to issuance of building permits.

<input type="checkbox"/>	2.	Provide an Elevation Plan for the fuel island canopy that includes a substantial roof structure with materials, colors, and design elements that reflect the architecture of the main building to comply with FMC Section 15-2755-C.
<input type="checkbox"/>	3.	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.
<input type="checkbox"/>	4.	Show location of on-site lighting (e.g. parking lot lighting) to demonstrate light and glare is not directed onto residential use areas or adjacent public rights-of-way and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. 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.
<input type="checkbox"/>	5.	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.
<input type="checkbox"/>	6.	Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division.
<input type="checkbox"/>	7.	Trash and recycling receptacles shall be available. The premises shall be kept in an orderly condition at all times. Litter shall be collected daily.
<input type="checkbox"/>	8.	<p>Drive-through lanes and pick-up windows shall be designed in such a way as to be screened from view from the street through incorporation of additional landscaping (e.g. combination decorative walls and landscape greater than 30 inches in height), and/or incorporation of arbors, trellises, canopies, wall and/or other architectural features to reduce the visual presence of the drive through operations oriented to the street. Refer to Section 15-2728-D and Policy and Procedure No. C-001 (attached).</p> <p>Revised plans shall be submitted to the Planning and Development for review and approval as part of the compliance record prior to the issuance of building permits.</p>
<input type="checkbox"/>	9.	Revise Site Plan and Landscape Plan so that propane tanks, vapor recovery systems, air compressors, utility boxes, garbage, recycling containers/enclosures, and other similar mechanical equipment are screened from public view. Propane tanks, vapor recovery tanks, etc., shall be laid horizontally and shall be screened with a hedge and/or wall to comply with FMC Section 15-2755-A-5.
<input type="checkbox"/>	10.	Menu boards shall be reviewed under a separate Sign Review Application to ensure compliance with FMC Section 15-2728-E.
<input type="checkbox"/>	11.	All signage will be reviewed under separate permits. A master sign program may be required.
<input type="checkbox"/>	12.	Provide a circulation control plan to ensure queuing for the establishment will not adversely affect the private roadway.
<input type="checkbox"/>	13.	Site design shall incorporate landscaping and half screen walls to screen vehicles while allowing eye level visibility into the site per Section 15-2755-A-2.

<input type="checkbox"/>	14.	Signage to encourage customers not to idle shall be placed either before or at the entrance of a drive-through aisle.
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PART B – OTHER AGENCY COMMENTS AND CONDITIONS REQUIREMENTS

To be checked when completed where applicable		
<input type="checkbox"/>	1.	<p>Department of Public Utilities (Planning and Engineering (Sewer), Water Division, and Solid Waste Management):</p> <p>Comply with the requirements and conditions related to sewer, water, and solid waste services in the attached memorandum from the Department of Public Utilities dated July 24, 2023.</p>
<input type="checkbox"/>	3.	<p>Fire Review:</p> <p>All back checks are performed 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.</p> <p>All revisions to plans shall be called out with a cloud or delta.</p> <p>If you have questions and would like more information regarding FFD Development Policies please see the following: https://www.fresno.gov/fire-training/manuals-and-forms/</p> <p>Fire Department back check items require a sign-off from Fire Department staff. Back check items signed by any person other than sworn Fire Department staff are invalid.</p> <p>This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of DARM when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.</p> <p>1) Note on plan: Required fire apparatus access lanes shall be provided year round and maintained with an approved all-weather surface, capable of supporting 80,000-pound vehicles. The fire apparatus access lanes shall be a minimum of 4-inch base rock over compacted or undisturbed native soil or per approved engineering plans with a minimum of 24 feet of clear width or other approved method, which would prevent shoulder degradation. (FFD Development Policy 403.002)</p>

	<p>2) Note on plan: All weather access roads shall be installed and maintained in a serviceable condition prior to and during construction. (FFD Development Policy 403.002)</p> <p>3) Note on plan: Provide note on site plan: Provide sign(s) (17"x22" minimum) at all public entrance drives to the property which state "Warning – Vehicles stopped, parked or left standing in fire lanes will be immediately removed at owner's expense – 22658(a) California Vehicle Code – Fresno Police Department 621-7000."</p> <p>4) Show the location of the fire department connection and note the following on the plan: Fire department connections shall not be installed within five (5) feet of any building opening, excluding a fire department riser access door. (FFD Development Policy 405.025)</p> <p>5) Note on plan: Fire department connections shall be located within forty (40) feet of a fire apparatus access lane. (FFD Development Policy 405.025)</p> <p>6) Note on plan: The minimum size of all fire department connections shall be based upon the system type. No connection shall be less than 2½ inch in size. (FFD Development Policy 405.025)</p> <p>7) Note on plan: Fire department connections shall be located on the street side of buildings or facing approved fire apparatus access roads, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the fire chief. 2022 CFC, Section 912.2.1.</p> <p>8) Note and provide sample of signage on plan: Address Identification. For new and existing buildings, the fire code official is authorized to require approved address or building area identification signage as needed to readily determine the building or area of a building protected by fire department connections. 2022 FMC, Section 10-50912.4.4</p> <p>9) Show the nearest hydrant(s) and note the following on the plan: Access roadways shall be constructed within 10 feet of the fire hydrant.</p> <p>10) Show the fire sprinkler riser on the plan.</p> <p>11) Note on plan: Submit plans (three sets) to and obtain permit from the Fire Prevention Division for the installation of the above ground fuel tanks.</p> <p>12) Note and show distances on plan: Above ground tanks located outside, above grade shall comply with 2022 CFC, Table 2306.2.3.</p>
<input type="checkbox"/>	<p>4. Flood Control District:</p> <p>See attached FMFCD Notice of Requirements (NOR) dated August 8, 2023. NOR and Grading Plan Review fees due.</p>
<input type="checkbox"/>	<p>5. Public Works Traffic Planning:</p> <p>Comply Public Works Traffic Planning conditions of approval memo dated August</p>

		22, 2023 and redlined exhibit, CP1, in the record attachments. For questions, please contact Jairo Mata at Jairo.Mata@fresno.gov or at 559-621-8714.
<input type="checkbox"/>	7.	Land Division Impact Fees Comply with the attached Land Division fee estimate dated July 24, 2023
<input type="checkbox"/>	8.	DPW ROW Landscaping Comply with the attached DPW conditions memo dated May 8, 2023
<input type="checkbox"/>	9.	Public Works TIS Review Comply with the attached DPW conditions memo dated March 10, 2023
<input type="checkbox"/>	10.	Public Works CFD Comply with the attached DPW conditions memo dated July 21, 2023
COMMENTS PROVIDED UNDER P21-00102		
<input type="checkbox"/>	11.	School District Comply with the attached school district comment letter dated November 18, 2020
<input type="checkbox"/>	12.	Fresno Irrigation District Comply with the attached FID comment letter dated March 24, 2021
<input type="checkbox"/>	13.	<p>County Environmental Health</p> <p>Recommended Conditions of Approval:</p> <ul style="list-style-type: none"> • Prior to issuance of building permits, the applicants will be required to submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-3357 for more information. • Prior to operation, the applicants shall apply for and obtain permits to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-3357 for more information. • Prior to 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. • 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. • Prior to the issuance of building permits, the applicant shall submit three (3) sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information. • Prior to operations, the fuel facility applicant shall apply for and secure a Permit to Operate an Underground Storage Tank System from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno

		<p>County Hazmat Compliance Program at (559) 600-3271 for more information.</p> <ul style="list-style-type: none"> • Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information. • 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. • 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.
<input type="checkbox"/>	14.	<p>Long Range Planning This project falls within the boundary of the Specific Plan of the West Area, which is currently being developed. For more information, please visit: https://www.fresno.gov/westareaplan</p>
<input type="checkbox"/>	15.	<p>Caltrans Comply with the attached Caltrans comment letter dated February 22, 2022</p>

PART C – PLANNING DEVELOPMENT CODE STANDARDS

1. Density and Intensity Standards: Compliance with the conditions of approval included in Parts A and B above will result in modifications to the proposed site plan. Should corrections or revisions result in changes to the overall site plan configuration, development shall take place in accordance with FMC Tables 15-1303 (Intensity and Massing Development Standards-Employment Districts)

2. General Site Regulations: Compliance with the conditions of approval included in Parts A and B above will result in modifications to the proposed site plan. Should corrections or revisions result in changes to the overall site plan configuration, development shall take place in accordance with FMC Chapter 15 Article 20 (General Site Regulations)

3. Site Design: Compliance with the conditions of approval included in Parts A and B above will result in a modification to the proposed site plan. Should corrections or revisions result in changes to the site plan configuration, development shall follow FMC Section 15-1304 (Site Development Standards).

4. Parking and Loading: All parking shall be provided in accordance with the City of Fresno Parking Manual and per Article 24 of the FMC.

5. Landscaping: All landscaping shall be provided and maintained in accordance with Article 23 of the FMC.

6. Façade: Development shall comply with the façade design development standard under FMC Sections 15-1305.

7. Fencing: All Fencing, Walls, and Hedges shall be provided and installed per FMC Section 15-2006.

8. Special use Requirements: Development shall comply with FMC Sections 15-2728 (Drive-In and Drive-Through Facilities), Section 15-2744 (Outdoor Dining and Patio Areas), Section 15-2755 (Service Stations), and Section 15-2711 (Automobile/Vehicle Washing).

PART D – PLANNING – OTHER REQUIREMENTS

1. The development shall follow the policies of the Fresno General plan, West Area Community Plan, and the Employment-Light Industrial planned land use designation.

2. The development shall follow the IL (*Light Industrial*) zone district and all other applicable sections of the Citywide Development Code, Chapter 15 of the Fresno Municipal Code (FMC).

3. Comply with the operational statement submitted for the proposed project dated April 18, 2023.

4. The development shall comply with the City of Fresno Parking Manual, California Building Code, and American Disabilities Act requirements.

5. The development shall take place in accordance with the "General Notes and Requirements for Entitlement Applications" listed below if applicable Property development standards and operational conditions are contained in Articles 13 (Employment Districts), 20 (General Site Requirements), 23 (Landscape), 24 (Parking and Loading), and 25 (Performance Standards). Any project revisions, development, and operation must comply with these property development standards and operational conditions.

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.
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 the Fresno Municipal 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 the 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 ensure 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. 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.
15. 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.
16. 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.
17. 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).
18. 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 Current Planning Division. (Include this note on the landscape plan.)
19. Future tenant improvements shall be reviewed and approved by the Planning and Development Department to ensure that adequate off-street parking is provided.
20. Trees required for parking lots are in addition to trees required elsewhere on the site as prescribed in other sections of the Fresno Municipal Code.
21. 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.
22. 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.
23. 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 Fresno 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.)
24. 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.)
25. All general standards of Section 15-2015 of the Fresno Municipal Code shall apply when lighting is provided to illuminate parking, sales or display areas. Depict all proposed lights on the site plan.

26. Bicycle parking spaces shall be supplied according to Table 15-2429-D: Required On-Site Bicycle Parking Spaces of the Fresno Municipal Code. 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.
27. All general provisions of Section 15-2403 of the Fresno Municipal Code shall apply to all parking areas.
28. 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. Contact the Planning and Development Department for Parking Manual questions.

SIGNAGE

29. 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.
30. 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.)
31. All proposed signs shall conform to the current sign ordinance. The submittal checklist for signs is available online at: [Click Here](#)
32. 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.
33. 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.

34. 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

35. Noise levels shall not exceed the decibel levels described in Section 15-2506 of the Fresno Municipal Code at any time, measured at the nearest subject property line.
36. 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.
37. 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 streetlights 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.
38. 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.
39. 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'.
40. 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, Fresno Municipal Code Chapter 6, Article 7 (Sections 6-701 et seq.)

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

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

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

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

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

41. Screen all roof-mounted equipment from the view of public rights-of-way. Depict all mechanical equipment on site plan and elevations.
42. 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.)
43. 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.)
44. 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.)
45. Connection to a municipal water system is required unless approved measures are included in the project conditions of approval for an alternative water supply.
46. 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.

47. 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 the 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) 621-8797.
48. Open street cuts are not permitted; all utility connections must be bored.
49. 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.
50. 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.
51. Open storage (outside an enclosed building) shall be limited to vehicles, boats, recreational vehicles, and trailers. Outdoor storage areas shall be screened from public view by building façades or solid fences. At the discretion of the Review Authority, the treatment of the ground surface of the open storage area may be gravel or other materials as prescribed by the San Joaquin Valley Air Pollution Control District, the Public Works Department, the Fire Department, and the Fresno Metropolitan Flood Control District. All open storage must be depicted on the site plan and described in operational statement. If it is not, it is not allowed on the site.
52. 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.
Please reach out to Frank Saburit at (559) 621-8797 for fee questions.)

53. 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.
54. CITYWIDE DEVELOPMENT IMPACT FEES

- a) Traffic Signal Charge (Fresno Municipal Code 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 Master Fee Schedule. Refer to the adopted Master Fee Schedule for fee rate. This fee shall be paid at the time of building permit.
- b) Fire Facilities Fee (Fresno Municipal Code Section 12-4.901 to 12-4.906) (based on building square footage, or residential units)
- c) Police Facilities Fee (Fresno Municipal Code Section 12-4.801 to 12-4.806) (based on building square footage, or residential units).
- d) Parks Facilities Fee (Fresno Municipal Code Section 12-4.701 to 12-4.706) (based on the number of residential units)

55. CITYWIDE REGIONAL AND NEW GROWTH MAJOR STREET IMPACT FEES (Fresno Municipal Code 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.

56. 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.

57. REGIONAL TRANSPORTATION MITIGATION FEE (RTMF)

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

58. SCHOOL FEES

School fees must be paid, if required, prior to the issuance of building permits. Contact the applicable school district to obtain fee amount. Provide proof of payment (or no fee required) prior to the issuance of building permits.

59. FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD) FEES

- a) A FMFCD Development Fee is required for the review of proposed development projects, including applications for plan amendments, rezones, special permits, subdivisions, and grading plans. This fee is based on project acreage and must be paid directly to FMFCD in order for that agency to review projects and provide a Notice of Requirements. For more information, contact the FMFCD at (559) 456-3292.

- b) FMFCD drainage fees are due, if required, prior to issuance of building permits and are payable at the rate in place at the time of building permit issuance. Unpaid drainage fee obligations that were unpaid for a prior project at the site of a new project must be satisfied by the developer of the new project. Drainage fees may be paid at the Planning and Development Department prior to, or at the time of building permit issuance. They may also be paid directly to FMFCD, and proof of payment provided to the City, in order to obtain construction permits.

60. SEWER CONNECTION CHARGES (Fresno Municipal Code 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')
- c) Wastewater Facilities Charge
- d) Trunk Sewer Charge

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.

61. WATER CONNECTION CHARGES: (Fresno Municipal Code 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) Service Charges (based on service size required by applicant)
- c) Meter Charges (based on service need)
- d) Water Capacity fee (based on size of meter)

62. 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.

**PUBLIC WORKS DEPARTMENT GENERAL NOTES
(to be added to the site plan)**

63. 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.

64. Repair all damaged and/or off-grade concrete street improvements as determined by the Construction Management Engineer, prior to occupancy.

65. 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.
66. The performance of any work within the public street right-of-way requires a street work permit prior to commencement of work. All required street improvements must be completed and accepted by the City prior to occupancy.
67. Contact the Public Works Department, Traffic Engineering at (559) 621-8800, 10 working days prior to any off-site concrete construction.
68. For Standard Drawings [Click Here](#)
69. For Traffic Planning's website with useful links, additional notes, a sample of legend, Parking Manual and Traffic Study Checklist [Click Here](#).
70. Traffic Planning Checklist [Click Here](#).
71. For Traffic Study questions please contact Jill Gormley at (559) 621-8792 or via email at Jill.Gormley@fresno.gov.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

PUBLIC AGENCY

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

DEVELOPER

PAUL SINGH, OPTIMUM PROPERTIES LLC
2894 E. POWERS AVE.
FRESNO, CA 93720

PROJECT NO: **2023-02136**

ADDRESS: **3977 N. GOLDEN STATE BLVD.**

APN: **433-040-54, 433-040-53T**

SENT: **August 08, 2023**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
AK	\$42,727.00	NOR Review	\$130.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$659.00	Amount to be submitted with first grading plan submittal.
		Storm Drain Plan Review		For amount of fee, refer to www.fresnofloodcontrol.org for form to fill out and submit with first storm drain plan submittal (blank copy attached).
Total Drainage Fee: \$42,727.00		Total Service Charge: \$789.00		

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 3/07/24 based on the site plan submitted to the District on 7/07/23 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.) Creditable storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Creditable drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Creditable 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. 2023-02136**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 4

FR
CUP No. 2023-02136

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 MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER.
 None required.

3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
 Grading Plan
 Street Plan
 Storm Drain Plan
 Water & Sewer Plan
 Final Map
 Drainage Report (to be submitted with tentative map)
 Other
 None Required

4. Availability of drainage facilities:
 a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
 b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
 c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
 d. See Exhibit No. 2.

5. The proposed development:
 Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
 Does not appear to be located within a flood prone area.

6. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 4

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No. 2023-02136

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.



Brent Sunamoto
District Engineer, RCE

Digitally signed by Brent Sunamoto Date: 8/7/2023 4:38:38 PM



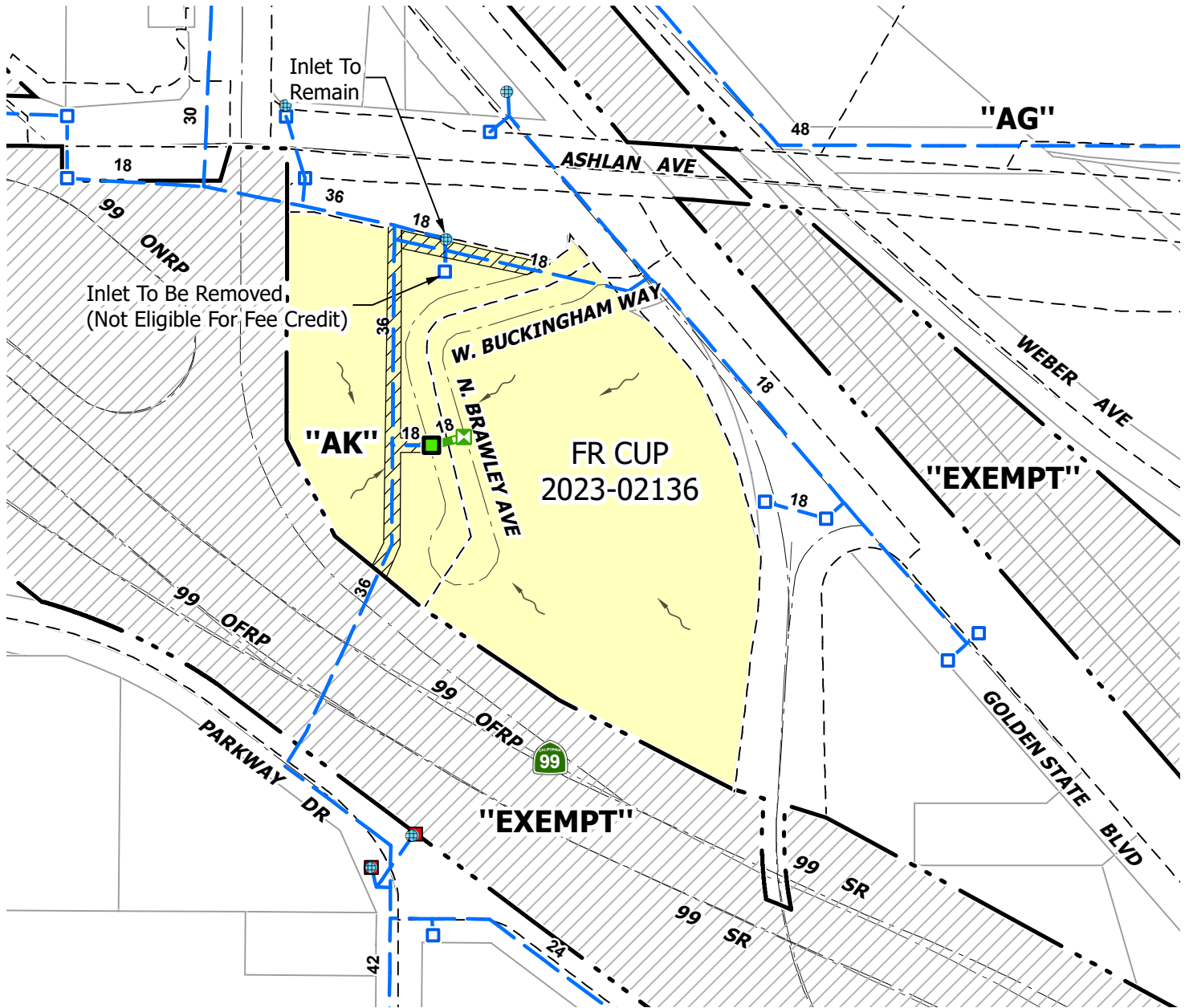
Shauna L. Espinoza Mendoza
Engineer III, RCE

Digitally signed by Shauna L. Espinoza Mendoza Date: 8/7/2023 4:21:00 PM

CC:

SCOTT A. VINCENT, THE VINCENT COMPANY ARCHITECTS,
1500 WEST SHAW AVENUE, SUITE 304
FRESNO, CA 93711

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



LEGEND

- Creditable Facilities (Master Plan Facilities To Be Constructed By Developer) - Inlet
- Non-Master Plan Facilities To Be Constructed By Developer (Not Eligible For Fee Credit)
- Existing Master Plan Facilities
- Future Master Plan Facilities
- Existing Type "E" Inlet
- Inlet Boundary
- Drainage Area Boundary
- Direction Of Drainage
- Minimum 20' Wide Storm Drain Easement To Be Dedicated To District
- Limits Of FR CUP 2023-02136



FR CUP 2023-02136
DRAINAGE AREA "AK"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



OTHER REQUIREMENTS

EXHIBIT NO. 2

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

A minimum twenty-foot (20') wide storm drain easement will be required whenever storm drain facilities are located on private property. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

Construction of the proposed project for CUP 2023-02136 with ground level entries may be at risk during major storm events and will need to be elevated and protected. Breakover elevations need to be checked by the developer's engineer, specifically at the south end of Brawley Avenue towards the State Highway 99 offramp for Ashlan Avenue, to determine the elevation, which would set the finish floor elevation. The finish floor will be required to be elevated a minimum one-foot (1') above the projected breakover elevation mentioned above.

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

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

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

APPL. NO. P23-02136 EXHIBIT O-1 DATE 07/07/2023
 PLANNING REVIEW BY _____ DATE _____
 TRAFFIC ENG. _____ DATE _____
 APPROVED BY _____ DATE _____

CITY OF FRESNO DARM DEPT

Operational Statement for
THE YARD at
GOLDEN STATE
 Fresno, California
 Revised: June 16, 2023

Project Statistics:

- a. Project Developer: Optimum Properties, LLC
 4011 West Ashlan Avenue
 Fresno, California 93722
 559.441.0294
- b. Project Address: 3977 N. Golden State Boulevard,
 Fresno, California
- c. Assessor's Parcels: 433-040-54 & 511-240-26
- d. Parcel Size:
 - 1. APN 433-040-54 4.79 acres
 - 2. APN 511-240-26 0.61 acres
 - 3. Total Gross Acreage 5.40 acres
 - 4. Proposed Development Area 3.68 acres
 - 5. Undeveloped Portion 1.72 acres
- e. Community Plan West
- f. General Plan Designation: Employment, Light Industrial
- g. Current Zoning: IL, Light Industrial
- h. Current Use: Vacant
- i. Proposed Use Mixed-Use Highway Commercial
 Development
- k. Adjacent Uses
 - 1. North Commercial Retail
 - 2. East Vacant Industrial
 - 3. South State Route 99 / Truck Services
 - 4. West State Route 99 / Truck Services
- m. Proposed Uses:
 - 1. Mixed Use Retail Building including a Food Court with multiple food choices / vendors, and a Specialty Grocery Market

CITY OF FRESNO DARM DEPT

- 2. Automotive Fuel Sales
- 3. Carwash with Vacuum Bays

n. Building Areas

- 1. Mixed Use Retail Building
 - a. Food Court 4,538 s.f.
 - b. Grocery Market 4,468 s.f.
 - c. Common Use Spaces 574 s.f.
 - d. Total Retail Building Area 9,580 s.f.
- 2. Automotive Fuel Canopy 3,696 s.f.
- 3. Carwash
 - a. Carwash Building 3,600 s.f.
 - b. Covered Vacuum Bays 3,818 s.f.
 - c. Total Carwash Building Area 7,418 s.f.
- 4. Total Building Area 20,694 s.f.

o. Parking Provided

- 1. Mixed Use Commercial
 - a. Standard Stalls 57 stalls
 - b. Accessible Parking Stalls 3 stalls
 - c. Total Parking for Mixed Use 60 stalls
- 2. Fuel Island Parking 12 stalls
- 3. Carwash Parking Stalls
 - a. Standard Stalls 6 stalls
 - b. Accessible Stalls 1 stall
 - c. Total Carwash Stalls 7 stalls
- 4. Vacuum Bays 12 stalls
- 5. Total Development Parking 91 stalls

p. Site Coverage:

- 1. Building 20,694 s.f. (12.9%)
- 2. Paved Surfaces 67,560 s.f. (42.2%)
- 3. Open Space 71,846 s.f. (44.9 %)

q. Expected Number of Employees

- 1. Food Court 16 employees per shift
- 2. Grocery Market 6 to 8 employees per shift
- 3. Automotive Carwash 6 employees per shift

Project Characteristics:

The site, located between State Route 99 Golden State on- and off-ramps and the Ashlan Avenue overpass, is vacant and utilized for tractor-trailer parking. Based on the location serving automotive traffic from the freeway and commuters from the residential neighborhoods to the east and west of this location, the site is proposed to include a mix of retail and service uses that address the needs of both constituents. The proposed retail building will include 1,730 square feet of space dedicated to trucker services including specialized a specialty Grocery Market and Food Court that offers customers a choice of dining options ranging from Tandoor

(Indian) cuisine to fried chicken, sandwiches and tacos. The Grocery Market will offer fresh and frozen foods, and a warming station with microwave ovens will be available to prepare any choices they have made.

The 4,538 square foot Food Court will offer a convenient stop for freeway users and neighborhood residents and workers who want to dine-in or take-out. Two kitchens will provide four different menus, all available through a drive-through window for added convenience. Beverage service will be shared with the Grocery Market, providing the availability of soda's, slushies, coffees and more at a drink island located in the transition space from the Food Court to the Grocery Market. The Food Court's hours will be 7:00 am to 10:00 pm, seven days per week.

The Grocery Market totals 4,468 square feet and will offer products traditionally found in a grocery store or supermarket. The Fresh Foods section of the store represents 15.4% of the total area and will include fresh produce (both refrigerated and non-refrigerated) brought in from local farmers / vendors, fresh-made salads and sandwiches, juices, seasonal items (such as seasonal fruits and vegetables, as well as hams and turkeys at holiday seasons), and a meat and cheese section (that includes beef, pork, chicken and a variety of cheeses). With a limited number of grocery stores / supermarkets in this area, this will allow residents on their way home to stop and pick-up fresh products for dinner or pick-up missing ingredients for a desired recipe.

The Market will also include the sale of dry goods, including bread, canned goods, spices and baking goods, cleaning and laundry products, again, servicing the neighborhood users and workers. This area represents over thirty percent (30%) of the floor area, while another three percent (3%) is set aside for frozen foods including items such as frozen pizza, dinners (i.e. Lean Cuisine, Hungry Man, etc.) and individual products such as burritos, taquitos, quiche and burgers.

The walk-in cooler will include the sale of chilled soft and energy drinks, dairy products and juices as found at a traditional grocery. A portion of the cooler will include a beer cave, along with several additional doors for the sale of refrigerated beer and wine. Liquor will be inventoried and sold from behind the check-out counters, limiting public access and the chance of minor's attempting to steal product they are not eligible to purchase. Overall, the areas dedicated to liquor sales (including beer and wine) represents only four and six-tenths percent (4.6%) of the floor area of the Grocery Market, and less than two percent (2%) of the total retail building.

Management offices are provided for accounting, ordering, and management functions for the businesses located within the retail building. The hours for the Grocery Market will be 24 hours per day, seven days per week while the management office will generally operate from 8:00 am to 5:00 pm, Monday through Friday.

The Carwash is intended to be a semi-self service unit where assistants pre-wash portions of the vehicle before it is sent through a "tunnel" for the actual wash. Customers are then given the opportunity to "detail" their vehicles at the vacuum

APPL. NO. P23-02136 EXHIBIT O-3 DATE 07/07/2023

PLANNING REVIEW BY _____ DATE _____

TRAFFIC ENG. _____ DATE _____

APPROVED BY _____ DATE _____

CITY OF FRESNO DARM DEPT

bays, utilizing a central vacuum system. The Carwash is expected to be open from 7:00 am until 8:00 pm, seven days perm week.

Specialty Grocery Store, Policy No. C-005:

Specialty Grocery Store Policy and Procedure No. C-005 was established to address the difference between a “grocery store” and a convenience store as defined in the Fresno Municipal Code. In this instance, we are asking to be categorized as a Specialty Grocery Store due to the existence of a convenience store to the north of this property that is within the required separation distance in the FMC. Under Exception B of Fresno Municipal Code Section 15-2706.E.5, the following requirements must be met:

- A. *A Minimum Gross Floor Area of 1,500 sf:* Proposed Building complies.
- B. *A Minimum Ceiling Height of 15 feet:* The exterior elevations indicated building heights that will allow us to meet this standard.
- C. *Lighting:* Efficient retail lighting design will be provided.
- D. *Shelving Height:* Shelving Height will comply with this requirement.
- E. *Flooring Materials:* Flooring in Sales Areas and the Dining portion of the Food Court will be polished concrete meeting County Health Department Standards.
- F. *Window Signage:* Window signage is not proposed and will not be allowed.
- G. *Fresh Food Display:* As indicated on the Grocery Floor Plan, fresh foods will be displayed as you would find them in a supermarket and is visible from the front door.
- H. *Architecture:* The design of the Specialty Grocery Store will be carried throughout the site development.

The intent of the specialty grocery is to highlight the fresh local food products that is available in a very short distance from this location, and emphasizing a “farm to table” approach. The Fresh Foods section of the store represents 15.4% of the total Grocery area while the areas dedicated to liquor sales (including beer and wine) represents only four and six-tenths percent (4.6%) of the floor area of the Grocery Market, and less than two percent (2%) of the total retail building.

On this basis, we request that this project be considered a Specialty Grocery Store based on conformance with the requirements listed under Policy and Procedure C-005.



**CENTRAL UNIFIED SCHOOL DISTRICT
FACILITY PLANNING**

4605 N. Polk Avenue · Fresno, CA 93722
Phone: (559) 274-4700 · Fax: (559) 275-0394

Joseph Martinez, Director, Facility Planning/Const. Mgmt.
Tatum Toste, Facilities Planning Manager
John Rodriguez, Construction Projects Coordinator

November 18, 2020

Thomas Veatch
City of Fresno Planning and Development
2600 Fresno Street
Fresno CA 93721-3604

Subject: **P19-04757 Conditional Use Permit**

This letter is in response to the proposed conditional use permit and transfer of a Type-21 alcohol license. The District has confirmed the proposed establishment to be outside of the ABC distance limits for schools.

The current developer fee rate for commercial developments within the Central Unified School District boundary is \$0.66 per square foot. Developer fee rates are reviewed and assessed annually, therefore, making them subject to change.

Should you need further information or have any questions, please contact me at (559) 274-4700 ext. 63102 or via email at tatumtoste@centralusd.k12.ca.us.

Sincerely,

Tatum Toste
Central Unified School District
Facilities Planning Manager

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: General Market & Service Station - 3977 N. Golden State Blvd.

A.P.N.: 433-040-54

Planned Land Use: Employment - Light Industrial

Current Zoning: IL

Site Area: +/- 3.68 acres

Building Area: +/- 9,580 sq. ft.

Entitlement: P23-02136

Estimate Date: July 24, 2023

WATER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Water Service & Meter Charge	2"	1	EA.	\$2,671.00	\$2,671.00	[1] [6]
Irrigation Service & Meter Charge	1.5"	1	EA.	\$2,508.00	\$2,508.00	[1] [6]
Time & Materials Charge	6" fire	1	EA.	\$15,000.00	\$15,000.00	[1] [6]
Frontage Charge		390	L.F.	\$6.50	\$2,535.00	[1] [6]
Water Capacity Fee	2"	1.00	EA.	\$14,461.71	\$14,461.71	[1] [6]
Water Capacity Fee	1.5"	1.00	EA.	\$7,233.91	\$7,233.91	[1] [6]
Total Water Connection Charges					\$44,409.62	[1]

SEWER CONNECTION CHARGES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
House Branch Sewer Charge		[2]	EA	\$0.00	[2]	[2]
Lateral Sewer Charge		12,800	Sq.Ft.	\$0.10	\$1,280.00	[6]
Oversized Sewer Charge		51,000	Sq.Ft.	\$0.05	\$2,550.00	[6]
Wastewater Facilities Charge		STEP		[3]	[3]	[4] [7]
Total Sewer Connection Charges					\$3,830.00	[3]

CITYWIDE/REGIONAL IMPACT FEES						
	Service Area	Quantity	Units	Fee Rate	Amount Due	Notes
Citywide Fire Facilities Impact Fee	Comm. Retail	9,580	Sq.Ft.	\$612.84	\$5,871.01	[7]
Citywide Police Facilities Impact Fee	Comm. Retail	9,580	Sq.Ft.	\$717.00	\$6,868.86	[7]
Citywide Regional Street Charge	Light Indust.	3.68	AC	\$4,813.10	\$17,712.21	[6]
New Growth Area Major Street Charge	Light Indust.	3.68	AC	\$15,673.13	\$57,677.12	[6]
Citywide Traffic Signal Charge	Fast Food	4,538	Sq.Ft.	\$19,352.18	\$87,820.19	[6]
Citywide Traffic Signal Charge	Conv. Market w/ Fuel	12	# Fuel Positions	\$7,426.31	\$89,115.72	[6]
Citywide Traffic Signal Charge	Car Wash	1	# Stalls	\$8,875.94	\$8,875.94	[6]
Total Citywide/Regional Impact Fees					\$273,941.05	

Total Fees and Charges **\$322,180.67**

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 City of Fresno Department of Finance, Utilities Billing & Collection Division (559-621-6765).

[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: July 24, 2023

(559) 621-8797

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



DATE: July 21, 2023

TO: Thomas Veatch, Planner III
Planning & Development Department

FROM: Adrian Gonzalez, Senior Engineering Technician
Public Works Department, Land Planning Section

SUBJECT: PUBLIC WORKS CONDITIONS OF APPROVAL FOR DEVELOPMENT PERMIT P23-02136 REGARDING MAINTENANCE REQUIREMENTS

ADDRESS: 3977 North Golden State Boulevard

APN: 433-040-54

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

ATTENTION:			
The item (s) below requires a separate process with additional costs and timelines. To avoid delays with the approval of this development, the following item (s) shall be submitted to the Public Works Department and accepted for processing prior to Building Permit approval.			
X	CFD 9 Annexation Request Package	Adrian Gonzalez	(559) 621-8693 Luis.Gonzalez@fresno.gov
X	Private Maintenance Covenant		

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

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

INCOMPLETE Community Facilities District (“CFD”) Annexation Request submittals may cause delays to the annexation process and project approval. The annexation process takes from three to four months and SHALL be submitted for processing prior to Building Permit approval.

All applicable construction plans for this development are to be submitted to the Public Works Department for review and approval prior to the CFD process. The Landscape and Irrigation Plans are required to be approved prior to the finalization of the CFD process.

MAINTENANCE REQUIREMENTS OF PUBLIC IMPROVEMENTS

The Property Owner for commercial, industrial and multi-family developments shall be responsible for providing maintenance for certain required public improvements located within and adjacent to the public streets on the perimeter associated with their development and as approved by the Public Works Department.

1. The Property Owner's Maintenance Requirements

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

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

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within public street rights-of-way, required public trail easements, and landscape easements located between required sound walls and adjacent to public streets; including without limitation, median islands (1/2 if frontage is only on one side) and parkways. **(Major and Local Public Streets)**
- All amenities such as benches, drinking fountains, trash receptacles, City required fencing and low voltage lighting, as approved by the Public Works Department for officially designated and required public trails.
- Tree trimming only of required street trees within public street easements along **Major and Local Public Street frontages**.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, median capping and maintenance bands (1/2 if frontage is only on one side), and traffic calming structures in the street rights-of-way. **(Major Public Streets)**
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, median island curbing and hardscape, street paving and street name signage. **(Local Public Streets)**

- All costs associated with the street lights (including repair and replacement) within public street rights-of-way. **(Major and Local Public Streets)**

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

- I. The Property Owner may petition the City of Fresno to request annexation to CFD No. 9 by completing and submitting an Annexation Request Package to the Public Works Department, Land Section for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at <http://www.fresno.gov>, under the Public Works Department, Developer Doorway.
 - **Proceedings to annex territory to CFD No. 9 SHALL NOT commence** unless this development is within the City limits and all construction plans (this includes Street, Street Light, Signal and Landscape and Irrigation plans as applicable) are considered technically correct.
 - The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 9 are not subject to change after acceptance for processing.**
 - The annexation process takes from three to four months and **SHALL** be completed prior to building permit approvals. The review and approval of Landscape and Irrigation Plans are required to be approved by the Public Works Department prior to the completion of the annexation process.
 - Public improvements not listed above will require special approval by the Public Works Department Director or his designee.

-OR-

- II. The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 9 for Services **SHALL** be included in a Private Maintenance Covenant for the required Services associated with this development or as approved by the City Engineer.

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

For any questions regarding these conditions please contact Adrian Gonzalez at (559) 621-8693 / Luis.Gonzalez@fresno.gov

DEPARTMENT OF PUBLIC WORKS

TO: Thomas Veatch, Planner III
Planning & Development Department

FROM: Adrian Gonzalez, Senior Engineering Technician
Public Works, Land Planning Section

DATE: July 20, 2023

SUBJECT: P23-02136; 3977 N Golden State Blvd (APN: 433-040-54) located on the southwest corner of North Golden State Boulevard and West Buckingham Way. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street rights-of-way, landscape easements, outlots and median islands:

GENERAL REQUIREMENTS

STREET TREE REQUIREMENTS

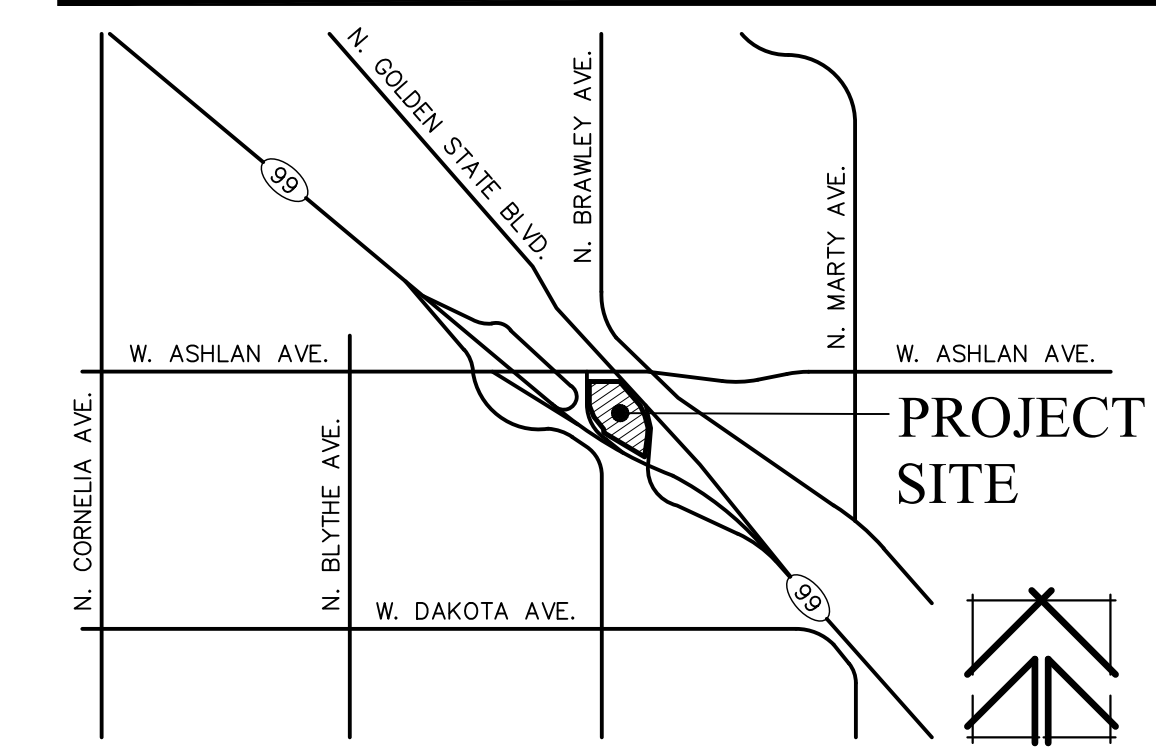
1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 40' of street frontage or one tree per home (whichever is greater) by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with AB 1881.
2. Street Tree Planting by Developer: For those lots having internal street tree frontage available for street tree planting, the developer shall plant one tree for each 40' of street frontage, or one tree per lot having street frontage, whichever is greater. Tree planting shall be within a 10' Public Planting and Utility Easement.
 - a. Street tree inspection fees shall be collected for each 40' of public street frontage or one tree per lot whichever is greater.
 - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."
 - c. Landscape plans for all public use areas, such as parkways, buffers, medians and trails, shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.
 - d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city-controlled property is in conformance with the Specifications of the City of Fresno.
 - e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.
 - f. There are no designated street trees for any of the streets on this project. Choose appropriate trees from the list of Approved Street Trees. <https://www.fresno.gov/publicworks/developer-doorway/#tab-5>

Submit all landscape and irrigation plans, to the scale of 1" = 20', to dpwplansubmittal@fresno.gov for plan review, prior to the installation of any landscaping within the right-of-way.

SITE NOTES

- NO USES OF LAND, BUILDINGS OR STRUCTURES OTHER THAN THOSE SPECIFICALLY APPROVED PURSUANT TO THIS SITE PLAN SHALL BE PERMITTED.
- REPAIR ALL DAMAGED AND/OR OFF-SITE CONCRETE IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT DIVISION PRIOR TO OCCUPANCY.
- ALL UTILITIES REQUIRING RELOCATION SHALL BE THE RESPONSIBILITY AND AT THE EXPENSE OF THE DEVELOPER. CONTACT CITY TRAFFIC ENGINEER FOR INFORMATION REGARDING REIMBURSEMENTS RELATIVE TO RELOCATING TRAFFIC SIGNAL FACILITIES. FIRE HYDRANTS WILL BE RELOCATED BY CITY FORCES. THE DEVELOPER IS RESPONSIBLE TO NOTIFY CITY WATER DIVISION TO ARRANGE AND COORDINATE WORK.
- THE GENERAL CONTRACTOR SHALL CALL FOR A SUBGRADE INSPECTION PRIOR TO PLACEMENT OF CONCRETE PAVING.
- PREPARATION OF THE SOIL / SITE FOR THE INSTALLATION OF BUILDING FOUNDATIONS AND CONCRETE PAVING SHALL COMPLY WITH THE REQUIREMENTS OF THE GEOTECHNICAL INVESTIGATION REPORT PREPARED FOR THE PROJECT.
- THERE SHALL BE NO ON-SITE WATER RETENTION, NOR SHALL THERE BE DRAINAGE ONTO ADJACENT PROPERTIES.
- ALL ON-SITE WATER SHALL BE DRAINED TO ON-SITE DRAINAGE INLETS, COLLECTED THERE AND CONVEYED UNDER SIDEWALK IN AN APPROPRIATE MANNER TO EXIT AT THE FACE-OF-CURB PER CITY OF FRESNO PUBLIC WORKS STANDARD.
- TWO (2) WORKING DAYS 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 1-800-942-2444.
- ADDRESS NUMERALS SHALL BE A MINIMUM OF SIX (6) INCHES TALL, CONTRAST WITH BACKGROUND, BE CLEARLY VISIBLE FROM THE PRIMARY ROADWAY AND BE ILLUMINATED WHETHER INTERNALLY OR EXTERNALLY BETWEEN DUSK AND DAWN DAILY PER CITY OF FRESNO MUNICIPAL CODE (TMC) 4-3-204(g).
- THE CONTRACTOR SHALL VERIFY AND CONFORM WITH ALL THE UTILITY COMPANIES REQUIREMENTS FOR THE INSTALLATION OF UTILITIES TO THIS PROJECT.
- TWO MEANS OF INGRESS/EGRESS MUST BE MAINTAINED DURING ALL PHASES OF DEVELOPMENT.
- FIRE HYDRANTS SHALL BE TESTED, PAINTED AND APPROVED AND ALL ACCESS ROADS SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING THE TIME OF CONSTRUCTION.
- DEED(S) OF EASEMENT(S) FOR THE REQUIRED DEDICATION(S) SHALL BE PREPARED BY THE OWNER/ DEVELOPER'S ENGINEER AND SUBMITTED TO THE CITY OF FRESNO WITH VERIFICATION OF OWNERSHIP PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
- A BACK FLOW 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.
- NO STRUCTURES OF ANY KIND (INCLUDING SIGNS AND/OR FENCES) MAY BE INSTALLED OR MAINTAINED WITHIN THE REQUIRED- LANDSCAPED AREAS. NO EXPOSED UTILITY BOXES, TRANSFORMERS, METERS, PIPING (EXCEPTING THE BACKFLOW PREVENTION DEVICE), ETC., ARE ALLOWED TO BE LOCATED IN THE LANDSCAPE AREAS OR SETBACKS OR ON THE STREET FRONTS OF THE BUILDINGS. ALL TRANSFORMERS, ETC., SHALL BE SHOWN ON THE SITE PLAN. THE BACKFLOW DEVICE SHALL BE SITED BY LANDSCAPING OR SUCH OTHER MEANS AS MAY BE APPROVED.
- TREES SHALL BE MAINTAINED IN GOOD HEALTH. HOWEVER, TREES MAY NOT BE TRIMMED OR PRUNED TO REDUCE THE NATURAL HEIGHT OR OVERLAP CROWN OF THE TREE, EXCEPT AS NECESSARY FOR THE HEALTH OF THE TREE AND PUBLIC SAFETY, OR AS MAY BE OTHERWISE APPROVED BY THE DEVELOPMENT DEPARTMENT.
- 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.
- LIGHTING WHERE PROVIDED TO ILLUMINATE PARKING, SALES OR DISPLAY AREAS SHALL BE HOODED AND SO ARRANGED AND CONTROLLED SO AS NOT TO CAUSE 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.
- SIGNS, OTHER THAN DIRECTIONAL SIGNS, IF APPLICABLE, ARE NOT APPROVED FOR INSTALLATION AS A PART OF THIS SPECIAL PERMIT.
- 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.
- IF ARCHAEOLOGICAL AND/OR ANIMAL FOSSIL MATERIAL IS ENCOUNTERED DURING PROJECT SURVEYING, GRADING, EXCAVATING, OR CONSTRUCTION, WORK SHALL STOP IMMEDIATELY.
- 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 ARCHAEOLOGICAL ASSESSMENT SHALL BE CONDUCTED FOR THE PROJECT. THE SITE SHALL BE FORMALLY RECORDED AND RECORDS MADE TO THE CITY AS TO ANY FURTHER SITE INVESTIGATION OR SITE AVOIDANCE/ PRESERVATION.
- IF ANIMAL FOSSIL REMAINS 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.
- ALL CONSTRUCTION ON THIS PROJECT IS SUBJECT TO INTERRUPTION IF THE ROAD SURFACE BECOMES IMPASSABLE FOR FIRE APPARATUS DUE TO RAIN OR OTHER OBSTACLE.
- INSTALL STREET LIGHTS ON ALL FRONTAGE TO CITY OF FRESNO STANDARDS AS DETERMINED BY THE CITY TRAFFIC ENGINEER. STREET LIGHTING PLANS ARE REQUIRED AND MUST BE APPROVED BY THE PUBLIC WORKS DEPARTMENT/ ENGINEERING SERVICES PRIOR TO COMMENCEMENT OF THE WORK.
- NOTWITHSTANDING ALL OTHER CONDITIONS, ALL CONSTRUCTION AND IMPROVEMENTS SHALL BE IN STRICT ACCORDANCE WITH ZONING, BUILDING, AND ALL OTHER ORDINANCES, STANDARDS AND POLICES OF THE CITY OF FRESNO AND THE CALIFORNIA STATE UNIVERSITY, FRESNO BUILDING DEPARTMENT.
- ALL NECESSARY PUBLIC IMPROVEMENTS SHALL BE INSTALLED. THIS INCLUDES, BUT IS NOT LIMITED TO DRIVEWAY IMPROVEMENTS, ROADWAY AND SIDEWALK REPAIR, AND REPAIRS TO THE EXISTING ACCESSIBLE RAMP. REFER TO ATTACHMENT E FOR DETAILS ON THE NECESSARY IMPROVEMENTS. THIS LIST MAY NOT BE ALL-INCLUSIVE AND ADDITIONAL REQUIREMENTS MAY BE ADDED AT THE BUILDING PERMIT STAGE IF NEEDED.
- ALL LIGHTING SHALL COMPLY WITH THE CALIFORNIA ENERGY CODE AND SHALL NOT SPILL OVER ONTO ADJACENT PROPERTIES.
- TEMPORARY FENCES TO SECURE PROJECTS UNDER CONSTRUCTION ARE ALLOWED. ANY TEMPORARY FENCE SHALL BE ADEQUATELY SECURED AND CONSTRUCTED TO PREVENT OVERTURNING DUE TO WIND, VANDALISM, AND/OR CASUAL CONTACT BY THE GENERAL PUBLIC. THE CONSTRUCTION SHALL BE PERFORMED IN SUCH A MANNER AS TO MINIMIZE ANY POTENTIAL SAFETY HAZARD, WHICH MAY OCCUR AS A RESULT OF IMPROPER FENCE INSTALLATION OR DAMAGE TO THE FENCE.
- PRIOR TO FINAL INSPECTION, A WRITING CERTIFICATION, SIGNED BY A LANDSCAPE PROFESSIONAL, APPROVED BY THE DIRECTOR, SHALL BE SUBMITTED STATING THAT THE REQUIRED LANDSCAPE AND IRRIGATION SYSTEM WAS INSTALLED IN ACCORDANCE WITH THE LANDSCAPING AND IRRIGATION PLANS APPROVED BY THE DEVELOPMENT SERVICES DIVISION, DEVELOPMENT DEPARTMENT.
- 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 SIGN BE POSTED CONSPICUOUSLY ON SEVEN FOOT POLES.
- ALL ACCESSIBLE PARKING STALLS SHALL BE PLACED ADJACENT TO FACILITY ACCESS RAMPS OR IN STRATEGIC AREAS WHERE THE HANDICAPPED SHALL NOT HAVE TO WHEEL OR WALK BEHIND PARKED VEHICLES WHILE TRAVELING TO OR FROM ACCESSIBLE PARKING STALLS AND RAMPS.
- WINDOW SIGNS ARE LIMITED TO FOUR SQUARE FEET AREA, PROVIDING INFORMATION ABOUT HOURS OF OPERATION AND EMERGENCY, SALES OR RENTAL INFORMATION ONLY. EXTERIOR SIGNAGE SUCH AS BANNERS, FLAGS AND PENNANTS ARE PROHIBITED. HOWEVER, SPECIAL EVENT BANNER SIGNS ARE PERMITTED FOR 30 DAYS IF APPROVED BY THE DEVELOPMENT AND RESOURCES MANAGEMENT DEPARTMENT, ATTACHED TO THE BUILDING, AND NOT EXCEEDING 32 SQUARE FEET IN AREA.
- SCREEN ALL ROOF-MOUNTED EQUIPMENT FROM THE VIEW OF PUBLIC RIGHT-OF-WAY.
- OPEN STREET CUT ARE NOT PERMITTED; ALL UTILITY CONNECTIONS MUST BE BORED.
- OUTDOOR STORAGE OF MATERIALS, INCLUDING ISO CONTAINERS, IS PROHIBITED. ALL MATERIALS SHALL BE STORED WITH A COMPLETELY ENCLOSED BUILDING, UNLESS APPROVED BY THE DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT.

VICINITY MAP



SITE STATISTICS

AGENCY JURISDICTION(S):	CITY OF FRESNO
PROJECT ADDRESS:	4011 WEST ASHLAN AVENUE FRESNO, CALIFORNIA 93650
ASSESSOR'S PARCEL(S):	433-040-54; 511-240-26
PROJECT PROPOSAL:	FOOD COURT WITH SEATING/ GROCERY MARKET/ CAR WASH/ FUEL ISLANDS
GENERAL PLAN DESIGNATION:	COMMERCIAL - MIXED USE
CURRENT ZONING:	LIGHT INDUSTRIAL (IL)
SITE AREA:	160,100 S.F. (3.68 ACRES) WITHIN THE DEVELOPMENT LIMITS
SITE COVERAGE:	a. BUILDING AREA 20,694 S.F. (12.9%) b. PAVING 67,560 S.F. (42.2%) c. OPEN SPACE 71,846 S.F. (44.9%)
BUILDING AREA(S):	a. MIXED USE COMMERCIAL 9,580 S.F. b. FUEL ISLAND 3,696 S.F. c. CARWASH 3,600 S.F. d. COVERED VACUUM BAYS 3,818 S.F. e. TOTAL BUILDING AREA 20,694 S.F.
OCCUPANCY GROUP(S):	a. MIXED USE COMMERCIAL A-3/ M b. FUEL ISLAND M c. CARWASH B d. COVERED VACUUM BAYS B
CONSTRUCTION TYPE:	a. MIXED USE COMMERCIAL V-B WITH NFPA-13 AUTOMATIC SPRINKLER SYSTEM V-B V-B V-B
PARKING REQUIRED:	a. MIXED USE COMMERCIAL 1. GROCERY MARKET/ COMMON SPACE (4,672 S.F. @ 1 STALL/ 450 S.F.) 10 STALLS 2. FOOD COURT (4,908 S.F. @ 1 STALL/ 125 S.F.) 40 STALLS 3. TOTAL STALLS REQUIRED 31 STALLS b. CARWASH 1. OFFICE/ RECEPTION AREA (270 S.F. @ 1 STALL/ 250 S.F.) 1 STALL 2. ACCESSIBLE STALLS REQUIRED 3 STALLS c. MIXED USE COMMERCIAL 1. MIXED USE COMMERCIAL 2 STALLS 2. CARWASH 1 STALL
PARKING PROVIDED:	a. MIXED USE COMMERCIAL 1. STANDARD STALLS 57 STALLS 2. ACCESSIBLE STALLS 3 STALLS 3. TOTAL STALLS PROVIDED 60 STALLS b. CARWASH 1. STANDARD STALLS 6 STALLS 2. ACCESSIBLE STALLS 1 STALL 3. TOTAL STALLS PROVIDED 7 STALLS

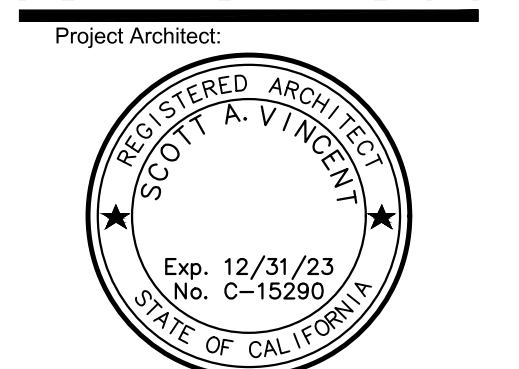
THE VINCENT COMPANY

ARCHITECTS, INC.
1500 West Shaw, Ste. 304
Fresno, California 93711
Phone: 559.225.2602

Revisions	Date

THE YARD at GOLDEN STATE

PROPOSED COMMERCIAL DEVELOPMENT
4011 WEST ASHLAN AVENUE
FRESNO, CALIFORNIA



Issuances:	Date:
<input checked="" type="radio"/> DESIGN REVIEW	06.16.23
<input type="radio"/> PLAN CHECK	
<input type="radio"/> BACK CHECK	
<input type="radio"/> PERMITS	
<input type="radio"/> CONSTRUCTION	
<input type="radio"/> AS BUILT	

All drawings and written material appearing herein constitute original work of the architect and may not be duplicated, used, or disclosed without written consent of the architect.

Reference North:

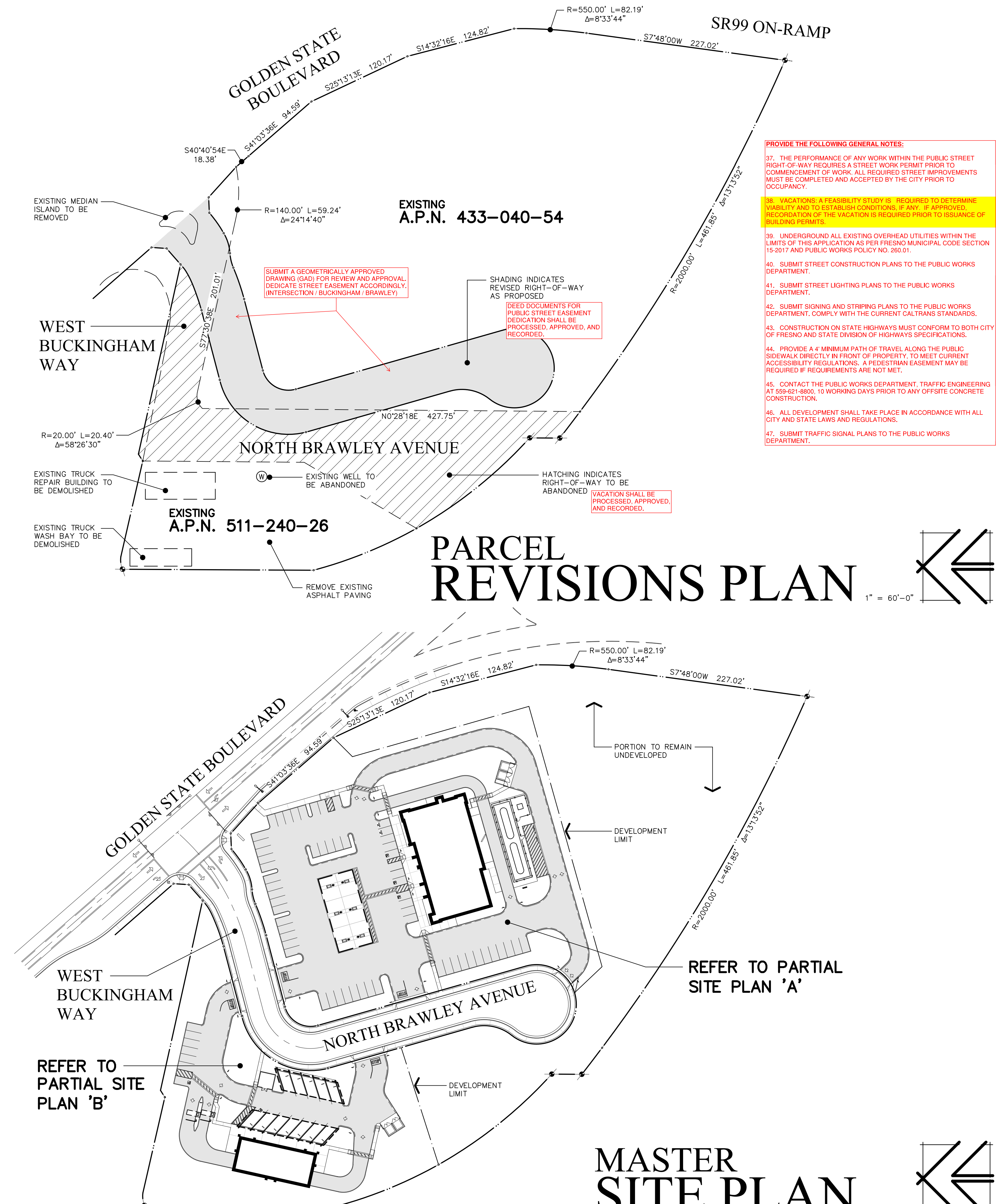
Scale: 1/4" = 1'-0"

Project Name: THE YARD
FRESNO, CALIFORNIA

Project Number: 0210103
Plot Date: 06.16.23

Sheet Number: **PA1**

Of . . . Sheets . . .



Z:\2021\02\10103 - The Yard at Golden State\DESIGN PROPOSALS\SRPPA1 - Site Plan.dwg, 6/16/2023 12:56:07 PM, svnc

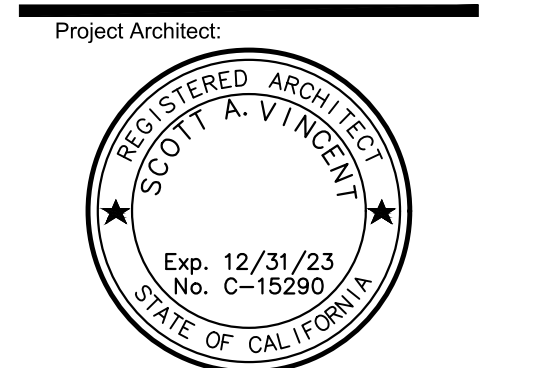
Revisions	Date

PROPOSED COMMERCIAL DEVELOPMENT

**THE YARD at
GOLDEN STATE**

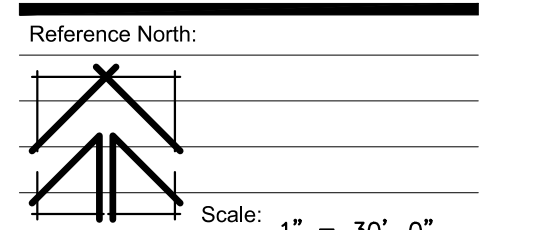
4011 WEST ASHLAN AVENUE
FRESNO, CALIFORNIA

Project Architect:



Issuances:	Date:
<input checked="" type="radio"/> DESIGN REVIEW	06.16.23
<input type="radio"/> PLAN CHECK	
<input type="radio"/> BACK CHECK	
<input type="radio"/> PERMITS	
<input type="radio"/> CONSTRUCTION	
<input type="radio"/> AS BUILT	

All drawings and written material appearing herein constitute original work of the architect and may not be duplicated, used, or disclosed without written consent of the architect.



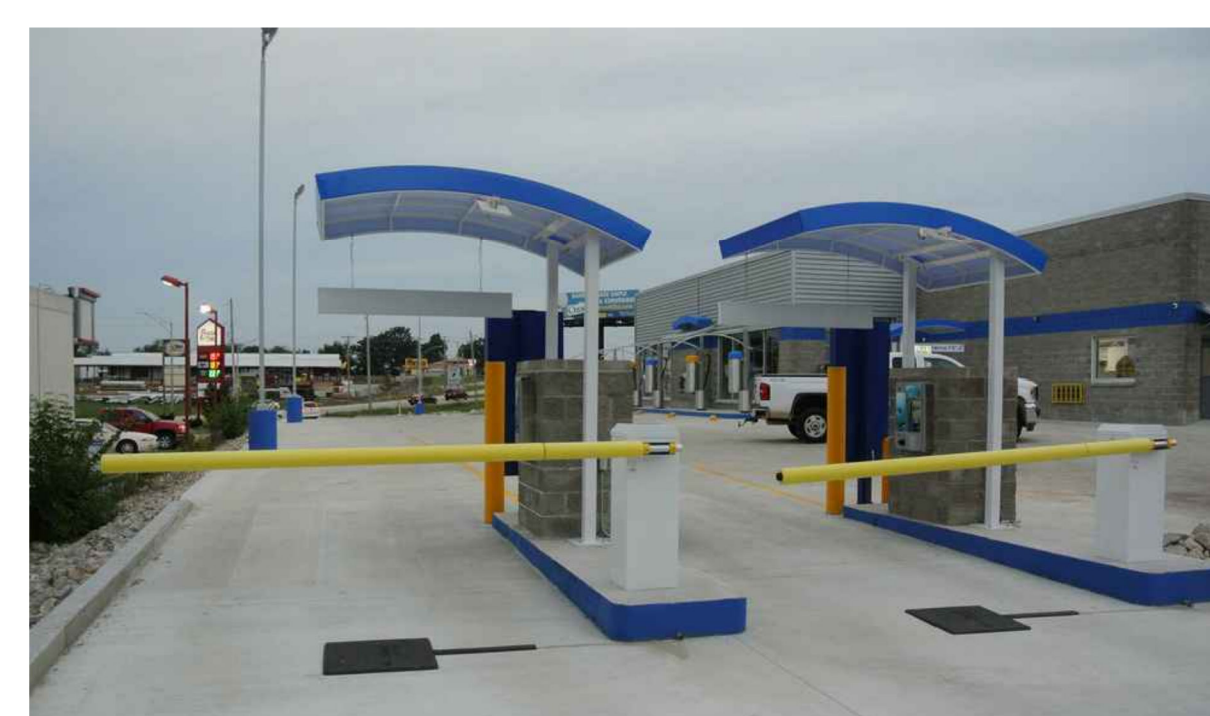
Project Name: THE YARD
FRESNO, CALIFORNIA
Project Number: 0210103
Plot Date: 06.15.23
Sheet Number:

KEYNOTES

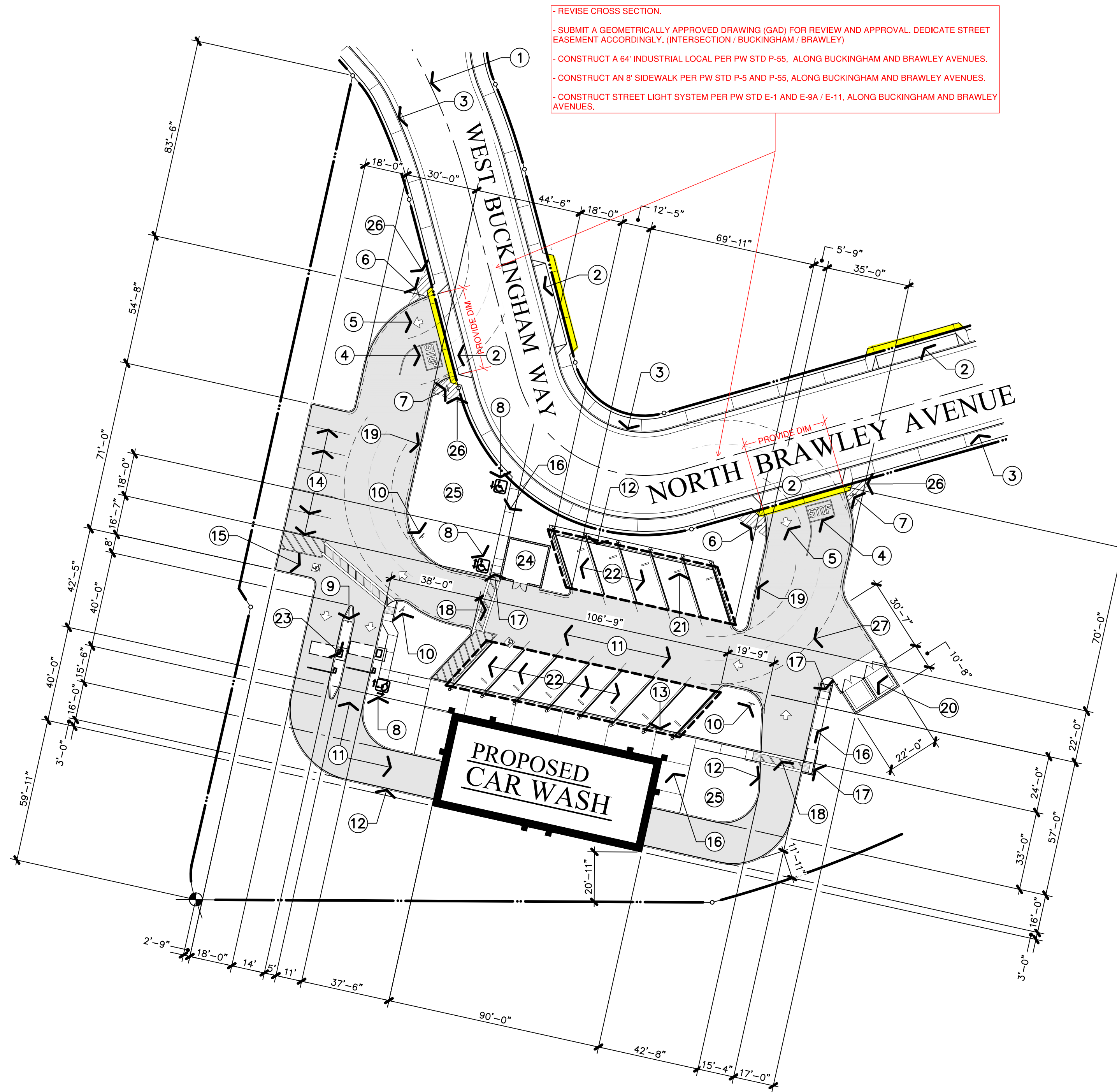
- INDICATES THE CENTER OF THE STREET.
- INSTALL NEW COMMERCIAL STREET TYPE APPROACH PER CITY OF FRESNO PUBLIC WORKS STANDARDS P-2 AND P-4. PROVIDE PEDESTRIAN EASEMENT TO THE CITY OF FRESNO AS REQUIRED TO MAINTAIN A 4'-0" WIDE PATH-OF-TRAVEL AT THE SIDEWALK. TYPICAL.
- INSTALL RIGHT-OF-WAY IMPROVEMENTS ALONG STREET FRONTAGE TO INCLUDE CAST-IN-PLACE CONCRETE CURB, GUTTER, SIDEWALK, AND ASPHALT PAVING PER CITY OF FRESNO PUBLIC WORKS STANDARDS P-5, P-50, E-1 AND E-7. TYPICAL.
- INSTALL WHITE PAINTED TRAFFIC SIGNAGE PER CITY OF FRESNO PUBLIC WORKS STANDARDS/ TYPICAL.
- INSTALL WHITE PAINTED DIRECTIONAL ARROWS PER CITY OF FRESNO PUBLIC WORKS STANDARDS/ TYPICAL.
- AT EACH ENTRANCE TO OFF-SITE PARKING, A 17' x 22' (MINIMUM) SIGN SHALL BE PLACED TO READ: "UNAUTHORIZED VEHICLES PARKED IN DESIGNATED ACCESSIBLE SPACES NOT DISPLAYING DISTINGUISHING PLACARDS OR SPECIAL LICENSE PLATES ISSUED FOR PERSONS WITH DISABILITIES WILL BE TOWED AWAY AT THE OWNER'S EXPENSE. TOWED VEHICLES MAY BE RECLAIMED BY CONTACTING THE CITY OF FRESNO POLICE DEPARTMENT AT 621-7000" / TYPICAL.
- INDICATES THE LOCATION OF 30" STATE STANDARD "STOP" SIGN(S). SIGN SHALL BE MOUNTED ON A 2 INCH DIAMETER GALVANIZED POST WITH THE BOTTOM OF SIGN 7'-0" ABOVE ADJACENT FINISHED GRADE. TYPICAL.
- INDICATES THE LOCATION OF POLE MOUNTED DIRECTIONAL SIGNAGE INDICATING THE ACCESSIBLE PATH-OF-TRAVEL/ TYPICAL.
- INDICATES THE LOCATION OF 24" HIGH x 24" WIDE "CAR WASH ENTRANCE" SIGN MOUNTED ON A 2 INCH DIAMETER GALVANIZED POST WITH THE BOTTOM OF SIGN AT 2'-0" ABOVE ADJACENT FINISHED GRADE.
- INSTALL POLE MOUNTED "DO NOT ENTER - EXIT ONLY" SIGN MOUNTED WITH THE BOTTOM OF SIGN AT 8'-0" ABOVE WALK. LETTERS SHALL BE BLACK ON A REFLECTORIZED WHITE BACKGROUND.
- INSTALL ASPHALTIC CONCRETE PAVING OVER CLASS II AGGREGATE BASE OVER NATIVE SOIL COMPACTED TO 90% PER CITY OF FRESNO PUBLIC WORKS STANDARDS (SHOWN SHADED). THE SUBGRADE SHALL BE PREPARED AS INDICATED IN THE PROJECT SOILS REPORT/ TYPICAL.
- INSTALL 6 INCH CONTINUOUS CONCRETE CURB/ TYPICAL.
- INSTALL 6 INCH CONTINUOUS CONCRETE CURB WITH INTEGRAL 4 INCH THICK CONCRETE WALK OVER COMPACTED NATIVE SOIL/ TYPICAL.
- INSTALL 4 INCH WIDE WHITE PAINTED STRIPING AT 9'-0" ON-CENTER PER CITY OF FRESNO PUBLIC WORKS STANDARDS/ TYPICAL AT PARKING STALLS.
- INDICATES THE LOCATION OF VAN ACCESSIBLE PARKING SPACE WITH 8'-0" WIDE UNLOADING ZONE LOCATED ON THE PASSENGER SIDE OF THE STALL. PROVIDE PAINTED POLE MOUNTED SIGNAGE PER CITY OF FRESNO PUBLIC WORKS STANDARDS/ TYPICAL.
- INSTALL 4 INCH THICK CAST-IN-PLACE CONCRETE WALKWAY WITH NON-SLIP FINISH (AS SELECTED BY THE OWNER) APPLIED OVER COMPACTED NATIVE SOIL. PROVIDE 5% MAXIMUM SLOPE IN THE DIRECTION OF TRAVEL WITH A 2% MAXIMUM CROSS-SLOPE.
- INSTALL ACCESSIBLE RETURNED CURB RAMP PER TITLE 24 CFR ACCESSIBILITY REQUIREMENTS. PROVIDE 3'-0" DEEP x WIDTH OF RAMP TRUNCATED DOME PATTERN AT TRANSITION TO VEHICULAR PATHWAYS/ TYPICAL.
- INSTALL 4'-0" WIDE (MINIMUM) PAINTED CROSSWALK WITH 5% MAXIMUM SLOPE AND 2% MAXIMUM CROSS-SLOPE IN THE DIRECTION OF TRAVEL/ TYPICAL.
- DASHED LINE INDICATES LOCATION(S) OF CURBS TO BE PAINTED RED AND MARKED "FIRE LANE - NO PARKING". LETTERS SHALL BE WHITE, 3 INCHES HIGH AND SPACED AT 50'-0" ON-CENTER PER CITY OF FRESNO FIRE DEPARTMENT STANDARDS/ TYPICAL.
- INDICATES LOCATION OF TRASH AND RECYCLING ENCLOSURE WITH REINFORCED CONCRETE MASONRY WALLS AND STEEL GATES PER CITY OF FRESNO PUBLIC WORKS STANDARDS P-33 AND P-34/ TYPICAL.
- INDICATES LOCATIONS OF 6' x 36" PRE-CAST CONCRETE WHEEL STOPS/ TYPICAL.
- COORDINATE THE INSTALLATION OF VACUUM STATIONS WITH AWNING COVERS WITH THE CAR WASH EQUIPMENT VENDOR/ TYPICAL.
- COORDINATE THE INSTALLATION OF PAY-POINT STATIONS WITH AWNING COVERS WITH THE CAR WASH EQUIPMENT VENDOR/ TYPICAL.
- INSTALL 6'-0" HIGH REINFORCED SPLIT-FACED CONCRETE MASONRY VACUUM EQUIPMENT ENCLOSURE WITH (2) 4'-0" WIDE x 6'-0" HIGH CORRUGATED STEEL GATES. COORDINATE THE INSTALLATION OF VACUUM EQUIPMENT WITH THE CAR WASH EQUIPMENT VENDOR.
- LANDSCAPE AREAS. COORDINATE THE WORK WITH THE LANDSCAPE DRAWINGS / TYPICAL.
- INDICATES 12' x 12' CLEAR VISION ZONES AT DRIVE APPROACHES (SHOWN HATCHED).
- INDICATES THE LOCATION OF 34'-0" INSIDE TURNING RADIUS; 44'-0" CENTERLINE RADIUS; AND 54'-0" OUTSIDE RADIUS FOR EMERGENCY VEHICLE ACCESS PER CITY OF FRESNO FIRE DEPARTMENT STANDARDS.



① VACUUM BAY AWNINGS



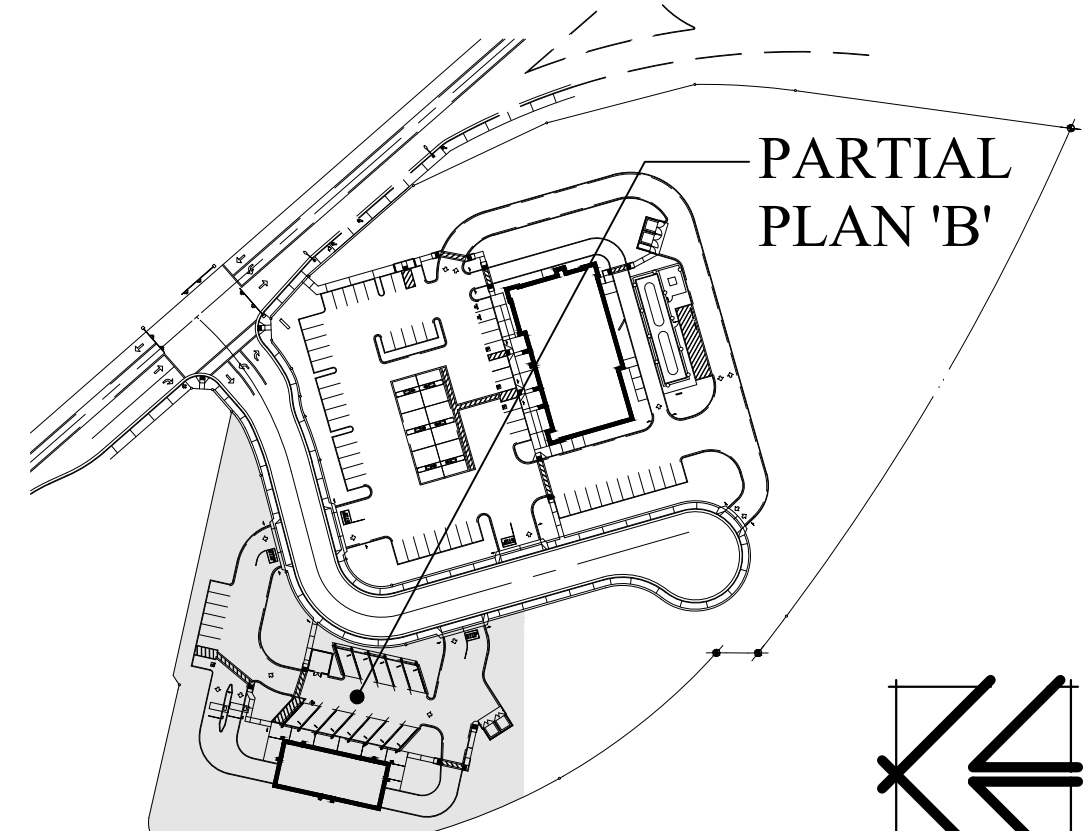
② PAY-POINT AWNINGS



PARTIAL SITE PLAN 'B'

1" = 30'-0"

KEY PLAN



ANDREINAA
PW - TRAFFIC & ENGINEERING
SERVICES DIVISION
CPI - REV W/C OAS: Exp. AS
ANDREINA.AGUILAR@FRESNO.CO.GOV
2023.08.22 14:14:14-0700

Z:\2021\10210103 - The Yard at Golden State\DESIGN PROPOSALS\SRPPA3 - Partial Car Wash Site Plan.dwg, 6/16/2023 12:57:26 PM, s.vinc



SUBJECT: Conditions of Approval for **P23-02136**

DATE: August 22, 2023

TO: Thomas Veatch, Planner III
Planning and Development Department

FROM: Andreina Aguilar, Chief Engineering Technician
Public Works Department, Traffic and Engineering Services Division

ADDRESS: 3977 North Golden State Boulevard

APN: 433-040-54 & 511-240-26

ATTENTION:		
The items below require a separate process with additional fees and timelines, in addition to the development permit process. Submit the following items early to avoid delaying approval of building permits. Final approval of the site plan is contingent on receipt of all items checked below.		
To be completed:	Point of Contact	Department and Contact Information
<p>Geometrically Approved Drawing (GAD) Submit a Geometrically Approved Drawing (GAD) for review and approval for Golden State Boulevard and Buckingham Avenue intersection, Buckingham Avenue, and Brawley Avenue.</p>	Harmanjit Dhaliwal	Public Works Department (559) 621-8694 Harmanjit.Dhaliwal@fresno.gov
<p>Deeds (up to 2-month processing time) Deeds are required to provide easements to the City for required public improvements. They shall be prepared by the owner / developer's engineer. Contact Mario Rocha for fees and processing requirements. Provide a copy of the recorded dedications to Land Planning Section prior to the issuance of building permits. https://www.fresno.gov/publicworks/engineering-services/#tab-5</p>	Mario Rocha	Public Works Department (559) 621-8676 Mario.Rocha@fresno.gov

<p>Vacation (4 month processing time)</p> <p>A Feasibility Study is required to determine viability and to establish conditions, if any. Contact Jason Camit for fees and processing requirements. Provide a copy of the resolution to vacate to Traffic Planning prior to the issuance of building permits.</p> <p>https://www.fresno.gov/publicworks/engineering-services/#tab-5</p>	<p>Jason Camit</p>	<p>Public Works Department (559) 621-8681 Jason.Camit@fresno.gov</p>
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ATTENTION:

Provide corrections as noted on Exhibit "A1-A3".

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

A. GENERAL REQUIREMENTS

1. **Address:** Obtain official project address with the Planning and Development Department.
2. **Legal description:** Provide legal description.
3. **Easements:** Identify and dimension existing and proposed easements.
4. **Required Notes:** Revise General Notes to include the required Public Works Department notes.
 - a. 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.
 - b. Repair all damaged and/or off-grade concrete street improvements as determined by the Construction Management Engineer, prior to occupancy.
 - c. 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
 - d. The performance of any work within the public street right-of-way requires a street work permit prior to commencement of work. All required street improvements must be completed and accepted by the City prior to occupancy.
 - e. 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.
 - f. Vacations: a feasibility study is required to determine viability and to establish conditions, if any. If approved, recordation of the vacation is required prior to issuance of building permits.
 - g. Underground all existing overhead utilities within the limits of this application

as per Fresno Municipal Code Section 15-2017 and Public Works Policy No. 260.01.

- h. Submit street construction plans to the Public Works Department.
- i. Submit street lighting plans to the Public Works Department.
- j. Submit traffic signal plans to the Public Works Department.
- k. Submit signing and striping plans to the public works department. Comply with the current Caltrans standards.
- l. Construction on state highways must conform to both City of Fresno and State Division of Highways Specifications.
- m. 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.
- n. Contact the Public Works Department, Traffic Engineering at 559-621-8800, 10 working days prior to any offsite concrete construction.
- o. All development shall take place in accordance with all city and state laws and regulations.

B. OFFSITE INFORMATION:

- 1. **Street furniture:** Identify utility poles, boxes, guy wires, signs, fire hydrants, bus stop benches, trash receptacles, etc.
- 2. **Accessibility:** Identify and dimension the required 4' minimum path of travel along the public sidewalk adjacent to the property. Provide pinch point dimensions. A pedestrian easement may be required if Title 24 requirements cannot be met.

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.

Underground all existing overhead utilities within the limits of this site/map as per ***Fresno Municipal Code Section 15-2017*** and ***Public Works Policy No. 260.01***.

The construction of any private 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.

Golden State Boulevard: Local

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

1. Construction Requirements:

- a. Construct concrete curb, gutter, and an **8'** sidewalk to *Public Works Standard P-5*. The curb shall be constructed to an **8'** pattern (from face of curb to street easement line).
- b. 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-9A* and *E-9B* for Locals.
- c. Construct concrete curb ramps per *Public Works Standards P-28* and *P-32*.
- d. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.

Buckingham Avenue: Local Industrial

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

1. Dedication and Vacation Requirements:

- a. Dedicate street easement based on the approved Geometrically Approved Drawing (GAD).
- b. Dedicate pedestrian easement to accommodate a public 4' path of travel behind all driveways.
- c. Vacate street easement for the existing street alignment.

2. Construction Requirements:

- a. Construct **48'** of permanent paving per *Public Works Standard P-50*, within the limits of this application.
- b. Construct driveway approaches to *Public Works Standards P-2* and *P-6*. Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit "A1-A3"**.
- c. Construct concrete curb, gutter, and **8'** sidewalk to *Public Works Standard P-5*. The curb shall be constructed to an **8'** pattern (from face of curb to street easement line).
- d. Construct an underground street lighting system to *Public Works Standard E-1* within the limits of this application. Spacing and design shall conform to *Public Works Standard E-9A* for Locals.
- e. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.

Brawley Avenue: Local Industrial

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

1. Dedication and Vacation Requirements:

- a. Dedicate street easement based on the approved Geometrically Approved Drawing (GAD).

- b. Dedicate pedestrian easement to accommodate a public 4' path of travel behind all driveways.
 - c. Vacate street easement for the existing street alignment.
2. Construction Requirements:
- a. Construct **48'** of permanent paving per *Public Works Standard P-50*, within the limits of this application.
 - b. Construct a cul-de-sac per *Public Works Standard P-18*.
 - c. Construct driveway approaches to *Public Works Standards P-2* and *P-6*. Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit "A1-A3"**.
 - d. Construct concrete curb, gutter, and **8'** sidewalk to *Public Works Standard P-5*. The curb shall be constructed to an **8'** pattern (from face of curb to street easement line).
 - e. Construct an underground street lighting system to *Public Works Standard E-1* within the limits of this application. Spacing and design shall conform to *Public Works Standard E-9A* and *E-11* for Locals.
 - f. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.

Public Improvement Plans are required and shall be approved by the City Engineer. Contact Scott Tyler at (559) 621-8654 or at Scott.Tyler@fresno.gov and submit Public Improvement Plans for all required work, in a single package, to Engineering Services Division. Dedications shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45** MPH design speed for Collectors and **55** MPH for Arterials. Utility poles, streetlights, signals, etc. shall be relocated as determined by the City Engineer. The performance of any work within the public right of way and/or easements (including street, bike, pedestrian, landscape, and utility easements) requires a **Street Work Permit prior** to commencement of work. Contact Public Works Department at (559) 621-8800, 10 working days prior to construction of any improvements in the public right-of-way and/or easements. All improvements shall be constructed in accordance with the City of Fresno, *Public Works Department Standard Drawings and Specifications*. Traffic Control Plans shall be required to ensure the sidewalk, or an approved accessible path remains open during construction. Contact Melessa Avakian at (559) 621-8812 or at Melessa.Avakian@fresno.gov and submit Traffic Control Plans to the Traffic Operations and Planning Division. All work shall be reviewed, approved, completed, and accepted **prior** to obtaining a certificate of occupancy.

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.

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 **New Growth Area**; therefore pay all applicable growth area fees and citywide regional street impact fees. Contact the Public Works Department, Frank Saburit at (559) 621-8797.

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

In order to obtain street or building permit approval from the Public Works Department, an approval stamp with a signature from Land Planning Section 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 Andreina.Aguilar@fresno.gov in the Public Works Department, Traffic and Engineering Services Division.



DEPARTMENT OF PUBLIC UTILITIES

MEMORANDUM

DATE: July 24, 2023

TO: THOMAS VEATCH – Planner III
Planning & Development Department – Current Planning

FROM: DEJAN PAVIC, PE, Projects Administrator
Department of Public Utilities – Utilities Planning & Engineering

SUBJECT: DPU CONDITIONS OF APPROVAL FOR P23-02136 NEW GENERAL MARKET AND SERVICE STATION WITH DRIVE-THROUGH – APNs 433-040-54 and 511-240-26

General Requirements

1. Engineered improvement plans, prepared by a Registered Civil Engineer, if necessary, shall be submitted for Department of Public Utilities review and approval.
2. All Department of Public Utilities facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.
3. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
4. A street work permit is required for any work in the Right-of-Way.
5. All underground utilities shall be installed prior to permanent street paving.

Water Service Requirements

The nearest water main to serve the Project is a 14-inch water main located within an easement along the north side of West Buckingham Way. Water facilities are available to provide service to the Project subject to the following requirements:

1. Installation of an 8-inch water main (including installation of City fire hydrants) in North Brawley Avenue from the existing 14-inch water main located in the existing easement (proposed to be abandoned) along the north side of West Buckingham Way, south across the Project frontage shall be required.
2. Installation of new water service(s) and meter box(es) shall be required.
3. No domestic water or irrigation service connections shall be allowed to the existing 14-inch water main located in the easement along the north side of West Buckingham Way.

DPU CONDITIONS OF APPROVAL FOR P23-02136 NEW GENERAL MARKET
AND SERVICE STATION WITH DRIVE-THROUGH

APNs 433-040-54 and 511-240-26

July 24, 2023

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4. No domestic water or irrigation service connections shall be allowed to the existing 16-inch water main located in Golden State Boulevard.
5. The existing fire hydrant located at the North Brawley Avenue and West Buckingham Way curve shall be relocated to the new City street right-of-way.
6. A 30-foot Water Main Easement over the existing 14-inch water main located along the northerly alignment of the Project shall be dedicated to the City.
 - a. All water main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the water main. The planting plan for any proposed landscape within the easement shall be approved by the Director of Public Utilities or designee. No trees shall be located within 8 feet of the water main. All water mains within an easement shall be clearly marked with signage above indicating the exact location and type of facility below.
 - b. In the event City damages any street, sidewalk, landscaping or other improvements in exercising reasonable care, use and enjoyment of the Water Main Easement, City shall not be obligated to restore any street, sidewalk, landscaping or other improvements so damaged. The City shall have the right, without notice and at the property owner's expense, to remove from the Water Main Easement any building, fence, tree, or other encroachment not approved by the Director of Public Utilities or designee. The Water Main Easement shall be maintained by the property owner free of any surface obstructions, except for those that may be approved by Director of Public Utilities, so that City may have vehicular access to and through the Water Main Easement at all times.
7. The applicant shall be financially responsible for the abandonment of any unused water services previously installed to the property.
8. Destroy any existing on-site well(s) in compliance with the State of California Well Standards, Bulletins 74-81 and 74-90, or current revisions, issued by California Department of Water Resources, Fresno County standards, and City of Fresno standards. Applicant shall comply with Fresno Municipal Code (FMC) Section 6-518, as may be amended from time to time.

Sewer Requirements

The nearest sanitary sewer main to serve the Project is an 8-inch sewer main located in North Golden State Boulevard. Sanitary sewer facilities are available to provide service to the Project subject to the following requirements:

1. Installation of new sewer service branch(es) shall be required.
2. On-site sanitary sewer facilities shall be private.

DPU CONDITIONS OF APPROVAL FOR P23-02136 NEW GENERAL MARKET
AND SERVICE STATION WITH DRIVE-THROUGH

APNs 433-040-54 and 511-240-26

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3. All existing on-site private septic systems (including septic tanks) shall be destroyed and abandoned in compliance with the State of California standards, Fresno County standards, and City of Fresno standards, as may be amended from time to time. All sewer connections and sewer main extensions shall comply with FMC Section 6-303(a), as may be amended from time to time.
4. The applicant shall be financially responsible for abandonment of any unused sewer services previously installed to the property.

Sanitary Sewer Fees

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

1. Lateral Sewer Charge.
2. Oversize Sewer Charge.
3. Wastewater Facility Sewer 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 FMC 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, based on metered usage (water or sewer effluent). The applicant 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 City of Fresno MFS. The applicant shall provide data regarding estimated sewer discharge rates (flow) and loading (BOD/TSS levels) required for calculating the estimated charges.

Solid Waste Requirements

The following are Solid Waste Requirements for the purpose of establishing City solid waste service policies for office/commercial space. These service requirements apply to all office/commercial complexes within the City of Fresno.

1. This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Mid Valley Disposal at (559) 237-9425.
2. All office/commercial complexes are required to subscribe for recycling services, per FMC 9-405.1. Recycling services may be provided by the City of Fresno or any private recycling service provider. Recycling services must include, at the

DPU CONDITIONS OF APPROVAL FOR P23-02136 NEW GENERAL MARKET
AND SERVICE STATION WITH DRIVE-THROUGH

APNs 433-040-54 and 511-240-26

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minimum, cardboard, newspaper, paper, glass, plastics, beverage containers, and metal recycling.

3. All trash and recyclable material must be placed in approved containers, per FMC 9-404. At no time may trash and recyclable material be placed on the ground or pavement.
4. Bin enclosures, if provided on site, must be used exclusively for the storage of trash and recycling bins, per The Public Works Standard Specifications P-33 and P-34.
5. This location will require 1 (one) 3-cell trash enclosure, designed to accommodate separate facilities containing 2 (two) – 4-cu. yd. bins, one for trash, one for recycling collection, and one for grease collection storage to be constructed to current (Public Works Standard Specifications) Solid Waste Standards (P-33, P-34, and P-95) to be serviced weekly.
6. Service Route Permits and Location Permits are required for all private trash company services within the City of Fresno per FMC 9-408. All private company trash service arrangements must be pre-approved through Solid Waste Management Division.
7. The applicant will need to provide a 44-foot (centerline) turning radius at all corners and a T-turnaround (or hammerhead) area where the solid waste vehicle is to turn around.
8. Americans with Disability Act (ADA) requirement for office/commercial complexes (developments):

The applicant shall install (construct) a trash enclosure(s) for the Project that complies with the City's ADA requirements as defined in the City's Standard Drawings, Details and Specifications. The certificate of occupancy for the Project shall be withheld until the applicant installs (constructs) the trash enclosure(s) in accordance with the City's ADA requirements.

August 22, 2023

Thomas Veatch
City of Fresno
Development & Resource Management Department
2600 Fresno Street
Fresno, CA 93721

Project: P23-02136-The Yard at Golden State

District CEQA Reference No: 20230632

Dear Mr. Veatch:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Operational Statement for P23-02136, which is a revision for the City of Fresno's (City) Conditional Use Permit (CUP) P21-00102, for The Yard at Golden State. Per the information provided the project consists of a retail building, which includes a 4,538 square foot food court, a 4,468 square foot specialty grocery store and 574 square feet of common use spaces, a 3,696, square foot automotive fuel canopy and a 3,600 square foot carwash, with 3,818 square feet of covered vacuum bays (Project). The Project is located 3977 N. Golden State Boulevard in Fresno, CA.

The District offers the following comments regarding the Project:

1) Project Related Emissions

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):

<https://www.valleyair.org/transportation/GAMAQI.pdf>.

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

2) Health Risk Screening/Assessment

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) 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.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

http://www.valleyair.org/transportation/ceqa_idx.htm.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

3) Truck Routing

Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors.

The District recommends the City evaluate HHD truck routing patterns for the Project, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

4) Cleanest Available Heavy-Duty Trucks

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NO_x emissions in the San Joaquin Valley. The District's CARB-approved 2018 PM_{2.5} Plan includes significant new reductions from HHD trucks, including emissions reductions by 2023 through the implementation of CARB's Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 standard of 0.2 g-NO_x/bhp-hr by 2023. Additionally, to meet federal air quality attainment standards, the District's Plan relies on a significant and rapid transition of HHD fleets to zero or near-zero emissions technologies.

Although the Project is not expected to exceed District significance thresholds, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure:* Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero technologies.
- *Recommended Measure:* All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

5) Reduce Idling of Heavy-Duty Trucks

The goal of this strategy is to limit the potential for localized PM_{2.5} and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

Since the Project is expected to result in HHD truck trips, the District recommends the CUP include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors.

6) Under-fired Charbroilers

The Project may have restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM_{2.5} species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. 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 air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM_{2.5} standards. Therefore, the District recommends that the City 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, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: <http://valleyair.org/grants/rctp.htm>

7) Vegetative Barriers and Urban Greening

The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors.

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

8) Clean Lawn and Garden Equipment in the Community

Gas-powered commercial lawn and garden equipment have the potential to result in an increase of NO_x and PM_{2.5} emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement

of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at:

<http://www.valleyair.org/grants/cgym.htm>

and <http://valleyair.org/grants/cgym-commercial.htm>.

9) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

10) Electric Vehicle Chargers

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

11) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

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

11a) 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 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project will be 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 ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

11b) District Rule 9510 - Indirect Source Review (ISR)

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 2,000 square feet of commercial development.

The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. Currently for this Project, the District received an AIA application (ISR project #20210076).

11c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility

is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at:

<http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

11d) District Rule 4601 (Architectural Coatings)

The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:

<http://www.valleyair.org/rules/currnrules/r4601.pdf>

11e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

11f) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

12) 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 Cherie Reed by e-mail at Cherie.Reed@valleyair.org or by phone at (559) 230-5940.

Sincerely,

Brian Clements
Director of Permit Services



For: Mark Montelongo
Program Manager

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

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

March 10, 2022

Thomas Veatch, Planner II
Planning and Development Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

**SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) DATED FEBRUARY 2, 2022, FOR THE PROPOSED CONVENIENCE STORE AND GAS STATION “THE YARD” LOCATED ON THE SOUTHWEST CORNER OF GOLDEN STATE BOULEVARD AND BUCKINGHAM WAY.
TIS 22-005, P21-00102**

PROJECT OVERVIEW

Traffic Operations and Planning staff has reviewed the Traffic Impact Study (TIS) prepared by Peters Engineering Group for the proposed Convenience Store and Gas Station “The Yard” located at southwest corner of Golden State Boulevard and Buckingham Way, “project”, which plans to develop a 13,275 square foot mixed use building with a drive through and interior food court, 16 automobile fueling positions, six truck fueling positions, five electric vehicle charging stations, two taco trucks, a truck scale, a picnic area, and a dog park. The restaurant portion of the convenience market building covers approximately 4,695 square feet. The subject property is currently zoned as Light Industrial (IL). The approximately 4.8 acres site is currently vacant.

The TIS evaluated the trip generation characteristics for the proposed project. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 11th Edition and methodologies developed by the Traffic Operations and Planning Division for truck parking. The table below includes the weekday (ADT), AM and PM peak hour trips projected to be generated by proposed project as shown in the TIS.

Land Use	Size	ADT	Weekday					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Truck Stop (ITE Code 150)	12.101 ksf	5,514	161	161	322	146	129	275
Fast-Food Restaurant with Drive-Through Window (ITE Code 934)	1.174 ksf	554	24	24	48	20	19	39
Fast-Food Restaurant without Drive-Through Window (ITE Code 933)	0.384 ksf	134	6	4	10	6	6	12
Electric Vehicle Charging	5 stalls	206	6	6	12	6	6	12
Subtotal		6,408	197	195	392	178	160	338
Internal Capture*		-178	-7	-7	-14	-6	-6	-12
Totals		6,230	190	188	378	172	154	326

ksf = thousand square feet

*= Internal capture of 20 percent of fast-food with drive-through window, taco truck, and electric vehicle charging trips were assumed to be captured with remainder of the truck stop.

GENERAL COMMENTS and CONDITIONS

1. Transportation impact criteria are tiered based on a project's location. Four (4) Traffic Impact Zones (TIZ) have been identified in the General Plan. Each TIZ has specific criteria to be used in determining the level of analysis required for a project. The proposed project is located in Traffic Impact Zone (TIZ) III. This TIZ requires a traffic impact study if a project is projected to generate more than 100 trips during a peak hour. The proposed project is projected generate at least 326 trips during each peak hour. The TIS submitted for this project is sufficient for the project as proposed.
2. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per the Master Fee Schedule at the time of building permit.

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

For project specific impacts that are not consistent with the General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not

be eligible. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

3. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
4. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
5. The proposed project shall pay the \$525 Traffic Study review fee for review of the document per the City's Master Fee Schedule. Proof of payment shall be provided to the Traffic Operations and Planning Division.
6. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic Operations and Planning Division, Traffic Planning Section.

To address healthy and safety concerns identified in the TIS, the following conditions shall be met:

1. The proposed project shall install a traffic signal with protected left-turn phasing per City of Fresno standards at the intersection of Golden State Boulevard and Buckingham Way prior to the issuance of building permits for the project. The traffic signal equipment shall be installed in the ultimate location and may require the acquisition of right-of-way. The intersection shall be constructed to the following configuration:
 - Eastbound – one (1) left-turn lane and one (1) right-turn lane.
 - Southbound – one (1) through lane and one (1) right-turn lane.
 - Modification to the free-right turn pocket will be required to prevent conflicts with northbound left turn movement.
 - Northbound – one (1) left-turn lane and one (1) through lane.
 - Shoulders shall be provided in all directions.
2. The proposed project shall install a raised median island from the southern limits of the project to approximately 350' north of the project limits to prevent left turn movements. Left turns will be allowed from northbound Golden State to westbound Buckingham and from eastbound Buckingham to northbound Golden State.
3. The proposed project shall construct a sidewalk from the northern project limits to the existing sidewalk north of the Ashlan Avenue overpass.

4. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.

If you have any further questions regarding this matter, please contact me at (559) 621-8694 or harmanjit.dhaliwal@fresno.gov.

Sincerely,



Harmanjit Dhaliwal, PE
Supervising Professional Engineer
Public Works Department, Traffic Operations & Planning Division

C: Copy filed with Traffic Impact Study
Jill Gormley, Traffic Operations & Planning Division Manager
Louise Gilio, Traffic Planning Supervisor
Andrew Benelli, Assistant Director
Francisco Magos, Engineering Services Manager
Jason Camit, Chief Surveyor

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7373 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov



February 22, 2022

06-FRE-99-26.31
TRAFFIC IMPACT STUDY
CONVENIENCE STORE & GASOLINE STATION THE YARD

Sent via email

John Rowland PE, TE
Peters Engineering Group
862 Pollasky Avenue
Clovis, CA 93612

Dear Mr. John Rowland:

Thank you for the opportunity to review the Traffic Impact Study for the proposed convenience store with a gasoline station. The Project is located on the southwest corner of the at-grade intersection of North Golden State Boulevard and Buckingham Way in the City of Fresno, in Fresno County.

The project site (APN: 433-040-54) covers approximately 4.9 acres and is just south of Ashlan Avenue. At buildout, the convenience store is planned to contain 13,275 square feet of building space with 16 automobile fueling positions and six truck fueling positions. The facility will operate 24 hours per day, seven days a week, and will staff 2-4 employees. Site access is proposed via one driveway along Golden State Boulevard and one driveway via Buckingham Way. The posted speed limit along Golden State Boulevard is 40 mph. The nearest access point to a state facility is the State Route (SR) 99 southbound on-ramp, located along Golden State Boulevard. The south and east side of the project site share frontage with SR 99 right of way.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development Review (LDR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

Caltrans has previously reviewed a Site Plan for this project on March 30, 2021 and those comments still apply.

1. Access control rights are currently in place for the project site parcel located adjacent to the ramp entrance. Access control rights are typically acquired near ramp intersections to preclude the addition of driveways situated within short distance of other access points. The access control currently in place optimizes the safety and operations of the short segment of Golden State Boulevard that includes the southbound on-ramp. **The proposed driveway along Golden State Boulevard will not be permitted. Access to the project site shall be limited to via Buckingham Way.**
2. It is anticipated that the trips generated by this development will be accommodated by the recent modifications and will not have a significant operational and safety impact on the nearby state highway facility.
3. For a given speed of 40 mph, the ideal spacing between adjacent access connections (driveways, intersections, etc.) should be 820 feet (refer TRB Access Management Manual 2nd Edition, Exhibit 15-13). The segment of Golden State Boulevard that is situated between the SR 99 SB on-ramp to Buckingham Way is approximately 200 feet. **Therefore, ideally, there should not be any driveways situated along this segment of Golden State Boulevard.** Not adding additional adjacent access connections situated along such a short segment is essential for the safe and efficient operation of Golden State Boulevard. **This Office would therefore recommend that the proposed driveway that would directly access Golden State Boulevard not be permitted. It is recommended that access to the proposed development be provided via Buckingham Way**
4. Caltrans recommends the Project pay into the City of Fresno's Traffic Signal Mitigation Impact Fee or TSMI Fee for on-going development in the vicinity.
5. Caltrans recommends the Project implement "smart growth" development regarding parking to offer more alternative transportation choices to employees and future patients. Alternative transportation choices may include but not limited to parking for electric vehicles, carpools, vanpools, car-share, and/or other ride-share programs.
6. Caltrans recommends providing bike parking to accommodate for bicyclist.

Mr. John Rowland
February 22, 2022
Page 3

If you have any further questions, please contact Nicholas Isla at (559) 981-7373 or email nicholas.isla@dot.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Padilla", with a long horizontal flourish extending to the right.

DAVID PADILLA, Branch Chief
Transportation Planning – North

C: Thomas Veatch, Planning, City of Fresno