

Exhibit E – Conditions of Approval dated June 2, 2023



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

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

June 2, 2023

Please reply to:
Thomas Veatch
(559) 621-8076

Jason Andrade
Infinite Living
jason@californiaretailbuilders.com
(Sent via email only)

SUBJECT: CONDITIONAL USE PERMIT APPLICATION NO. P22-03146 FOR PROPERTY LOCATED AT 2287 WEST BULLARD AVENUE; LOCATED ON THE SOUTH SIDE OF WEST BULLARD AVENUE, BETWEEN NORTH VAN NESS BOULEVARD AND NORTH FORKNER AVENUE (APN: 415-033-44)

On June 2, 2023, the Planning and Development Department Director approved the adaptive reuse of an existing single family residence located on ± 1.5 acres to be used as a new residential respiratory care facility (Congregate Living Health Facility). The project is to be completed in two (2) phases. Phase I proposes to remodel and expand the existing $\pm 3,310$ square-foot residential structure to $\pm 4,500$ square feet. The remodel will include modifications and improvements to the existing building facade and interior space to accommodate a total of nine (9) bedrooms, nurses stations, administrative office, and restrooms. On-site parking and landscaping will also be provided as part of Phase I. Future Phase II proposes to build two (2) new buildings with a combined area of $\pm 9,011$ square feet which will also be utilized as residential respiratory care facilities. The facility will provide acute care services, skilled nursing care, and complex respiratory care to on-site residents on a 24-hour a day basis. A future voluntary subdivision is identified to separate the subject property into three separate parcels, each comprised of one of the proposed buildings to be utilized as a CLHF. The subject property is zoned RS-2/EQ (*Residential Single-family, Low Density/Equine Area Overlay*).

The proposed project was determined to be exempt from the California Environmental Quality Act (CEQA) under Section 15332/Class 32 (*In-Fill Development Projects*) of the CEQA Guidelines. No further environmental assessment will be needed at this time.

The approval of this project is subject to compliance with the following Conditions of Approval:

- 1) Development shall take place in accordance with the Conditions of Approval prepared for P22-03146 dated June 2, 2023.
- 2) Miscellaneous Requirements
 - a) Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and

the proposed development including, but not limited to, the following:

- i) All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
- ii) All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
- iii) Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.

b) Approval of this special permit 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. 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.

APPEALS

Please be advised that this project may be subject to a variety of discretionary conditions of approval. These conditions based on adopted City plans, ordinances and policies; those determined to be required through the interdepartmental/interagency review process; and those determined through the environmental assessment process as necessary to mitigate adverse effects on the health, safety and welfare of the community. The conditions of approval may also include requirements for development and use that would, on the whole, enhance the project and its relationship to the neighborhood and environment.

All conditions of approval based on adopted plans, codes, and regulations are mandatory. Conditions based on the FMC may only be modified by variance, provided the findings required by FMC Section 15-5506 can be made. Discretionary conditions of approval may be appealed but will ultimately be deemed mandatory unless appealed in writing to the Director within 15 days. In the event you wish to appeal the Director's decision, you may do so by filing a written appeal with the Director. The appeal shall include the appellant's interest in or relationship to the subject property, the decision or action appealed and specific reasons why the applicant believes the decision or action appealed should not be upheld.

If you wish to appeal the decision, a written request must be received by the Planning and Development Department by **June 19, 2023**. The written request should be addressed to Jennifer K. Clark, Director, and include the application number referenced above. Please submit the request in writing (mail or email to publiccommentsplanning@fresno.gov and CC the planner listed below) to the Planner by the date noted above. An \$930.66 fee shall apply to an appeal from the applicant.

COMPLIANCE REVIEW PROCESS

Please Note: To complete the compliance review process for building permits relative to planning and zoning issues, **please upload electronic PDF copies** of the corrected, final site plan, together with electronic copies of the elevations, landscape and irrigation plans, operational statement, any fees and title reports for required covenants, and any required studies or analyses **into the compliance record** for final review and approval into the compliance record **at least 15 days before applying for building permits**. The **compliance record number** for this application is **P23-01965**. These documents can be uploaded electronically to the citizen access portal at www.fresno.gov/faaster. Contact Planner once any corrected exhibits are uploaded.

It may be necessary to resubmit these “corrected exhibits” a second time if not all the requirements have been complied with or are not shown on the exhibits. Once the “corrected exhibits” are approved by the Development Services Division, please place these exhibits in the plan check set.

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

EXPIRATION DATES

The exercise of rights granted by these special permits must be commenced by **June 2, 2026**, (three years from the date of approval). An extension of up to one additional year may be granted, provided that the findings required under FMC Section 15-5013-A.1 are made by the Director. All required improvements must be installed prior to the operation of the proposed use.

Pursuant to Section 15-5308 of the FMC an expiration date of seven years from the date of approval has been established for Conditional Use Permits. Therefore, the approval shall expire on **June 2, 2030**, and a new conditional use permit for the proposed use must be obtained prior to that expiration date for the use only (not the physical structure(s)).

If you have any questions regarding this letter, feel free to give me a call at the number listed above.

Sincerely,



Thomas Veatch, Planner
Development Services Division



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Fresno, California 93721-3604
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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 and operations shall take place in accordance with Exhibit A, E, F and L dated December 27, 2022. Revise and transfer all comments or corrections to plan exhibits and upload to the related compliance record before issuance of building permits (see directions below).
<input type="checkbox"/>	2.	Revise Site Plan, Operational Statement, Elevations, and Landscape plan to provide all required information from Content Requirements Checklist.
	3.	Revise site plan and elevation plans so that main entrance façade of the future building proposed adjacent to West Morris Avenue faces the street frontage.
	4.	Provide elevation plans for future buildings proposed for Phase 2.
	5.	Revise elevation plans so that all façade elevations visible from West Bullard and West Morris Avenues that are not a brick veneer have a secondary design element, pattern, or material to avoid blank walls (not including windows). Any wall or ground mounted equipment shall be screened from view.
	6.	Prior to operation of Phase 1, provide verification that the State of California Department of Public Health has issued a license to operate as a Congregate Living Health facility. Provide verification of State approval for Phase 2 prior to operation of future buildings.
<input type="checkbox"/>	7.	Revise site plan so that fencing and walls comply with Section 15-2006 (Fences, Walls, Hedges). The existing fencing on Bullard and Morris Avenues frontages does

		not comply with Section 15-2006-C, and conflicts with DPW Traffic Planning conditions identified below.
	8.	Revise operational statement to include a description of measures taken to minimize potential noise and lighting impacts on surrounding uses outside of normal business hours.
	9.	Revise site plan and landscape plan to provide a complete 10 foot landscape buffer yard along west and east property lines, in accordance with Table 15-2305-C-2 (Type 1).
<input type="checkbox"/>	10.	Lighting shall be designed to be low-profile, indirect, or diffused, create a pleasing appearance, and avoid adverse impacts on surrounding uses. Comply with Section 15-2015.
<input type="checkbox"/>	11.	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"/>	12.	Landscaping must be in place before issuance and final inspection. A Hold on final inspection shall be placed on the proposed improvements until landscaping has been approved and verified for proper installation by the Planning Division. Include this note on the site plan and landscape plan.
<input type="checkbox"/>	13.	Prior to final inspection, a written certification, signed by a landscape professional approved by the Planning and Development Department Director, shall be submitted stating that the required landscaping and irrigation system have been installed in accordance with the landscaping and irrigation plans approved by the Planning Division (Include this note on the site and landscape plans).

PART B – OTHER AGENCY COMMENTS AND CONDITIONS REQUIREMENTS

Planner to check when completed

<input type="checkbox"/>	1.	Air District: Comply with the requirements outlined in the attached air district letters dated November 21, 2022.
<input type="checkbox"/>	2.	Department of Public Utilities (Sewer, Solid Waste, Water): Comply with the attached memoranda dated December 7, 2022.
<input type="checkbox"/>	3.	<p>Fire Department: Comply with redlined commented plan dated February 15, 2023.</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</p>

	<p>Development Policies please see the following: https://www.fresno.gov/fire-training/manuals-and-forms/</p> <p>1. Emergency vehicle access shall be designated by painting the curb red (top and side) and stenciling "FIRE LANE NO PARKING" in 3-inch white letters on the most vertical curb, at least every 50 feet. If no curb is present, a minimum 6-inch wide red stripe shall be painted along the edge of the roadway with "FIRE LANE" in 3-inch white letters at least every 50 feet. (FFD Development Policy 403.005) ***Confirm areas to be designated as fire lanes. The entry to complex shall have the fire lanes marked as well as the areas between Phase II Buildings. Ensure the fire lane markings on the east side emergency access lane is marked on each side. See markup attached in documents.</p> <p>2. Note on plan: Turns in private drives for fire apparatus access shall have minimum 44 foot centerline turn radius. ***The turn radius cannot be met on the east side of the complex next to Phase II Building (4,370 sq. ft.). See markup attached in documents showing the turn radius, per the provided scale, is not being met at the southeast vehicle access point.</p> <p>3. Note on plan: All gates across fire hose and equipment access points shall be a minimum of 4 foot clear width. ***There is only one pedestrian gate shown but appears it does not meet this requirement. See the markup attached in documents.</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>
<input type="checkbox"/>	<p>4. Flood Control: Comply with the attached memoranda submitted by the Fresno Metropolitan Flood Control District dated December 12, 2022. Pay the NOR Review and Grading Plan Review fee prior to the issuance of building permits.</p>
<input type="checkbox"/>	<p>5. Fresno County Environmental Health: Recommended Conditions of Approval:</p> <ul style="list-style-type: none"> Section 113789 of the California Health and Safety Code (California Retail Food Code) exempts child day care facilities, community care facilities, residential care facilities for the elderly, and residential care facilities for the chronically ill, which has the same meaning as a residential care facility, as defined in Health & Safety Code Sections 1250, 1502, 1568.01, and 1569.2. These facilities are not deemed to be FOOD FACILITIES, and, therefore, are exempt from this part. As such, this Division has no regulatory jurisdiction on the daycare facility The project should be routed to the following agency for comment: <p>California Department of Public Health, Licensing and Certification Division 285 W. Bullard Avenue, Suite 101 Fresno, CA 93704</p>

	<p>(559) 437-1500</p> <ul style="list-style-type: none">• The applicant may be required to obtain a Medical Waste Permit from the California Department of Health Services, Medical Waste Management Program. Call (916) 449-5671 for more information.• Facilities that use and/or store hazardous materials and/or hazardous wastes, they shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 (http://cers.calepa.ca.gov/). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.• The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the noise elements of your City's municipal code and the Fresno County Noise Ordinance Code.• Should any underground storage tank(s) be found during construction, 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. <p>The following comments pertain to the remodel of existing structure:</p> <ul style="list-style-type: none">• Should the structure have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structure in order to prevent the spread of vectors to adjacent properties.• In the process of remodeling the existing structure, the contractor may encounter asbestos containing construction materials and materials coated with lead-based paints.• If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.• If the structure was constructed prior to 1979 or if lead-based paint is suspected to have been used in the structure, then prior to remodel/demolishing work the contractor should contact the following agencies for current regulations and requirements: <p>? California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at</p>
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		(560) 620-5600. ? United States Environmental Protection Agency, Region 9, at (415) 947-8000. ? State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.
<input type="checkbox"/>	6.	Department of Public Works (Street Maintenance): Comply with the requirements listed in the attached letter dated March 8, 2023.
	7.	Department of Public Works (Street Trees): Comply with the requirements listed in the attached letter dated March 8, 2023.
<input type="checkbox"/>	8.	Department of Public Works (Traffic): Comply with Public Works Traffic Planning conditions of approval and redlined Exhibits A, Check Print 1 dated December 16 2022.
	9.	Fresno Irrigation District Comply with the attached FID comment memo dated December 5, 2022
	10.	Airports Airspace Protection Airspace review required for any objects (temporary or permanent) over 100 feet tall
	11.	County of Fresno This project is likely to impact county facilities and should require a TIS, please include the count in all future routings best point of contact is hluna@fresnocountyca.gov. Using ITE trip Generation Manual (11th Edition) trips are calculated to be over the county's threshold.
	12.	Land Division and Impact Fee See fee estimate letter dated November 23, 2022
	13.	School District See Fresno Unified School District dated November 8, 2022.

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 15-903 (Intensity and Massing Development Standards- Residential Single Family 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 15-904 (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 15-905.

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

PART D – PLANNING – OTHER REQUIREMENTS

1. The development shall follow the policies of the Fresno General plan, Bullard Community Plan, and the Residential – Single Family, Low Density planned land use designation.
2. The development shall follow the RS-2/EQ (*Residential Single-family Low Density/Equine Overlay*) 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 December 27, 2022.
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.

1. Construct parking lot in accordance with the City of Fresno Parking Manual and the City of Fresno Public Works Standards.

2. All construction work on this project is subject to interruption of the road system becomes impassable for Fire Apparatus due to rain or other obstacles.

3. Two (2) means of ingress/egress must be maintained during all phases of construction.

4. Provide warning signs pertaining to parking in Fire Lane in accordance with Fire Department Standards.

5. Provide 'Hours of Operation' signs at all gate locations.

6. Deed(s) of easement(s) for required dedication(s) shall be prepared by the owner/developer's engineer and submitted to the

City with verification of ownership **PRIOR TO ISSUANCE OF BUILDING PERMITS**

7. Repair all damaged and/or off-grade concrete street improvements as determined by the construction management, also all existing sidewalks in excess of 2% max. cross slope must be brought into compliance prior to occupancy.

8. 2 Working days before commencing excavation operation 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

9. Under ground all existing off site overhead utilities within the limits of this site map as per FMS Section 12-10H and 15-2017 AND PUBLIC WORKS POLICY NO. 260.01.

Resolution No. 13-522/03-229

10. Submit street lighting plans to Public Works Department, Traffic Engineering and Planning.

11. Install street lights on all frontages to city standards as per PW. Std E-1/E-2 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.

12. 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.

13. Construct concrete sidewalks, curbs, gutters and driveway approaches to the public works standards specifications.

14. A backflow prevention device may be required to be installed on the water service to protect the public water system. A plumbing Permit is required to install the device.

Contract the Department of Public Utilities, Water Division

for determination of size, type, acceptable make/model

and location. Back flow prevention devices shall be installed at the developer's expense by a qualified

journeyman plumber who has been certified as competent for such installation by the Water Systems Manager;

backflow devices must be tested and accepted by the Water Division Prior to granting building final; the

developers responsible to contact the Water Division a

minimum of 5 day prior to requesting final building

inspection

6. 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, Zoning Ordinance, and all Public Works Standards and Specifications. The Planning and Development Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or addition or alterations to the construction plan not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revision.

17. No uses of landbuildings, or structures other than those specifically approved pursuant to this site plan shall be permitted.

18. Trees shall be maintained in good health. However,

trees may not be trimmed or pruned to reduce the natural

height or overall crown of the tree, except as necessary

for the health of the tree and public safety; or as may

otherwise be approved by the Planning and Development Department.

19. Landscaping must be in place before issuance of the

certificate of occupancy.

20. Prior to final inspection, a written certification signed

by a landscape professional approved by the Director,

shall be submitted stating that the required landscaping

and irrigation system was installed in accordance with the

landscaping and irrigation plans approved by the Planning

Division, Planning and Development Department.

21. No structures of any kind may be installed or maintained

within the above landscaped areas. No exposed utility

boxes, transformers, meters, piping

(except the backflow prevention device), etc., are allowed

to be located in the landscape areas of setbacks or on

the street frontages of buildings.

All transformers, etc., shall be shown on the site plan. The

backflow device shall be screened by landscaping or such

other means as may be approved.

22. Signs, other than directional signs, if applicable, are

not approved for installation as part of this special

permit. Should additional signs be

required, the applicant must submit for a Sign Review

Permit. Applications and requirements for submittal are

available at the Planning Division's

Public Front counter.

23. All handicapped stalls shall be marked with the

international symbol of spaces and a warning that vehicles

in violation of Section 10-101 of the

Fresno Municipal Code shall be towed away. The

international symbol and tow-away warning shall be posted

conspicuously on seven-foot poles.

24. All handicapped 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 handicapped parking stalls and ramps.

25. Lighting, where provided to illuminate parking sales or

display areas shall be hooded and so arranged and controlled

so as not to cause a nuisance

either to highway traffic or to the living environment. The amount

of light shall be provided according to the standards of the

Department of Public Works.

26. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.

27. 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 416-653-4022) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Informational List 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 recommendations made to the

City as to any further site investigation or site avoidance/preservation.

28. 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.

FIRE NOTES:

29. Automatic fire sprinkler system in the apartments building shall be installed per

NEPA 13 OR 13R standards as approved by the Fire Department.

30. All valves controlling the water supply for automatic sprinklers and water flow

switches on all sprinkler system shall be electronically for integrity.

31. INTERIOR SPRINKLER FLOW ALARM: A single approved visual/audible water flow

diver shall be installed per the City of Fresno Fire Department #45.

32. SPRINKLER FLOW ALARM: An approved audible sprinkler flow alarm shall be

provided on the exterior of the building in an approved location.

An approved audible flow alarm to the occupants shall be provided to the interior

of each dwelling unit. Plans for the installation flow alarm shall be

submitted for review and approval by the Sanger Fire Department prior to

installation.

33. Provide approved

34. UNDERGROUND FIRE SERVICE LINE INSTALLATION: Prior to installation, the

applicant shall submit fire sprinkler underground water supply plans for review and

approval and issuance of a permit by the Fresno Fire Department. Installation shall

be performed by a Calif. Licensed contractor.

35. Landscaping trees or shrubs located adjacent to the fire access drives shall

be of the type that will not impede the fire access due to their growth process

36. The applicant shall provide all weather access to the site during all phases of

construction per Fresno Fire Department standard #29 or #30.

37. The Developer shall install 8" onsite water line.

38. All onsite water mains shall be 15" utility easements dedicated to the city.

39. Any abandon septic systems and water wells shall be per city standards

40. The Developer shall address all Fresno Irrigation District Requirements.

41. The Applicant/Owner shall have a covenant recorded for the perpetual

maintenance of the landscape and irrigation to be installed in public right of way.

42. Lighting shall be shielded to prevent direct view adjacent residential

properties.

43. 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.

44. repair all damaged and/or off grade concrete street

improvements, as determined by the Construction Management Engineer, prior to

occupancy.

45. 2 Working days before excavation operations within the street right-of-way

and/or utility easement, all existing underground facilities shall have been located by

UNDERGROUND SERVICES ALERT (USA). CALL 1-800-642-2444

46. Provide approved police/fire bypass lock ("Best" padlock model 21B700

series or electric cylinder switch model INTB2) or drive access gate(s). All

electric gates shall be equipped with the Best electric cylinder lock

INTB2. A Knox padlock may not be used in place of the Best padlock

model 21B700 series). These locks can be purchased only through Sierra Lock & Glass, 1560 N. Palm Avenue, Fresno, CA 93720.

47. Electric gates shall be provided with battery back-up.

48. Regardless of parking configurations, a minimum clear drive width of 20

feet shall be required. The Fire Marshal (or designee) may require

increases in these widths. (FFD Development Policy 403.002)

49. All gated residential developments require a "Click to Enter" system.

When required, provide an approved visual recognition/feature sign at the

"click to Enter" gate locations.

50. Emergency access gates across entrances that have been designed for

use by fire and police personnel only shall be designated on the

properties site plan prior to construction of the complex. (FFD

Development Policy 403.005) The sign below is required on both sides of

the gate: "FIRE LANE" (in 6 inch letters) "VEHICLES REMOVED AT OWNER'S

EXPENSE" (in 1/2 inch letters) "FRESNO POLICE DEPARTMENT @ (554)

621-7000" (in 1/2 inch letters)

51. 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 - 2265' California Vehicle Code - Fresno Police Department

621-7000" (in 1/2 inch letters)

52. Emergency vehicle access shall be designated by painting the curb red

(top and side) and stenciling "FIRE LANE NO PARKING" in 3-inch white

letters on the most vertical curb, at least every 50 feet. If no curb is

present, a minimum 6-inch wide red strip shall be painted along the edge

of the roadway with "FIRE LANE" in 3-inch white letters at least every 50

feet. (FFD Development Policy 403.005) ***Confirm areas to be

designated as fire lanes. The entry to complex shall have the fire lanes

marked as well as the areas between Phase II Buildings. Ensure the fire

lane markings on the east side emergency access lane is marked on each

side.

53. Turns in private drives for fire apparatus access shall have minimum 44

foot centerline turn radius. The turn radius cannot be met on the east side

of the complex next to Phase II Building (4,370 sq. ft.).

54. Note on plan: All types of vehicle access shall maintain a minimum of 13



SUBJECT: Conditions of Approval for **P22-03146**

DATE: December 16, 2022

TO: Thomas Veatch, Planner III
Planning and Development Department

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

ADDRESS: 2287 West Bullard Avenue

APN: 415-033-44

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>Cross Access Agreement Cross access agreement with property to the west. Contact Planner for processing.</p> <p>Parcel Map Full off-site improvements are required for the existing lot of record. The parcel configuration depicted for the proposed development does not conform to record information. A Parcel Map is required; provide recorded documentation prior to Building Permits. -OR- Resubmit a new application of the proposed project within the existing lot of record.</p>	Thomas Veatch	Planning and Development Department (559) 621-8076 Thomas.Veatch@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 Jeff Beck for fees and processing requirements. Provide a copy of the recorded dedications to Traffic Planning prior to the issuance of building permits.</p>	Mario Rocha	Public Works Department (559) 621-8676 Mario.Rocha@fresno.gov

ATTENTION:

Provide corrections as noted on Exhibit "A".

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

A. GENERAL REQUIREMENTS

1. **Parcel Lines:** Verify parcel lines.
2. **Easements:** Identify, revise, and dimension existing and proposed easements.
3. **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. All existing driveway approaches which no longer provide access to approved vehicle parking areas shall be removed unless otherwise approved by the City Engineer. Such areas shall be reconstructed with curb, gutter, and sidewalk to match existing adjacent street improvements. This work shall be completed and accepted before a Permit of Occupancy is issued or the building is occupied per FMC 13-211.
 - g. Submit street lighting plans to the Public Works Department.
 - h. Submit signing and striping plans to the public works department. Comply with the current Caltrans standards.
 - i. 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.
 - j. Contact the Public Works Department, Traffic Engineering at 559-621-8800, 10 working days prior to any offsite concrete construction.
 - k. All existing sidewalks in excess of 2% maximum cross slope must be brought into compliance prior to acceptance by Public Works.
 - l. All development shall take place in accordance with all city and county laws and regulations.

B. OFFSITE INFORMATION:

1. **Section and Center Lines:** Identify section and/or centerlines.
2. **Public Street Improvements:**
 - a. **Concrete sidewalk**
 - b. **Sidewalk drains**
 - c. **Drive approaches**
 - d. **Curb ramps**
 - e. **Streetlights**
 - f. **Street tree wells**
3. **Accessibility:** Identify and dimension the required 4' minimum path of travel along the public sidewalk adjacent to the property. Provide pinch point dimensions. A pedestrian easement may be required if Title 24 requirements cannot be met.

C. ONSITE INFORMATION:

1. **State standard "STOP":** Identify and install a **30"** state standard "STOP" sign at the location shown. Signs shall be mounted on a **2"** galvanized post with the bottom of the lowest sign **7'** above ground, located behind curb and immediately behind a major street sidewalk.
2. **Gates:**
 - a. Provide a minimum of **20'** setback measured from the gate to the back of walk/right-of-way/pedestrian easement or,
 - b. Provide a gate operational statement on the site plan stating that the gate shall be locked/unlocked from private property or parked on-street without blocking the public sidewalk. Include hours of operation.

PUBLIC IMPROVEMENT REQUIREMENTS

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the exhibits submitted. Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed. Construct additional offsite improvements, including but not limited to, concrete curb, gutter, sidewalk, approaches, ramps, pavement, utility relocations, etc. in accordance with *City of Fresno's Public Works Standards, Specifications*, and the approved street plans.

Repair all damaged and/or off grade off-site concrete street improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600. Pedestrian paths of travel must also meet current accessibility regulations.

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

The construction of any 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.

Bullard Avenue: 4-Lane Arterial

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

1. Construction Requirements:

- a. Construct a driveway approach to *Public Works Standards P-2 and P-6*, as shown on the site plan. Construct permanent paving as needed per *Public Works Standard P-48*. Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit “A”**.
- b. Construct a **10'** sidewalk to *Public Works Standard P-5*. Construct **5' x 6'** tree wells per *Public Works Standard P-8* (modified).
- c. Planting and Irrigation of street trees shall conform to the minimum spacing, guidelines, and requirements as stated in the Standard Specification, Section 26-2.11(C) and Assembly Bill 1881.
- 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-7A* for Arterials. Streetlights installed on major streets shall be fed from a service pedestal with a master photo control as detailed in **Section 3-3.17** of the *City Specifications and Public Works Standards E-15, E-17 and E-18* or as approved by the City Engineer.
- e. Provide a **12'** visibility triangle at all driveways, per Fresno Municipal Code (FMC) 15-2018B.

Morris Avenue: Local

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

1. Dedication Requirements:

- a. Dedicate a street easement sufficient to accommodate a 7' sidewalk pattern measured from the face of curb.
- b. Dedicate a corner cut street easement to accommodate the curb ramp.

2. Construction Requirements:

- a. Construct driveway approaches to *Public Works Standards P-4 and P-6*, as shown on the site plan. Construct permanent paving as needed per *Public Works Standard P-48*. Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit “A”**.
- b. Construct a **5.5'** sidewalk per *Public Works Standard P-5* to a 7' pattern (5.5' sidewalk-1.5' back of walk to property right-of-way line).

- c. Planting and Irrigation of street trees shall conform to the minimum spacing, guidelines, and requirements as stated in the Standard Specification, Section 26-2.11(C) and Assembly Bill 1881.
- d. Construct a concrete curb ramp per *Public Works Standards P-29 and P-32*.
- e. 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 **Infill Area**; therefore, pay all applicable City-wide regional street impact fees. Contact the Public Works Department, Frank Saburit at (559) 621-8797.

Regional Transportation Mitigation Fee (RTMF): Pay all applicable **RTMF** fees to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148 ext. 200; www.fresnocog.org. 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 Traffic Planning is required on the site plan and inserted in the building sets.

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



DATE: March 8, 2023

TO: Thomas Veatch, Planner III
Planning & Development Department

FROM: Adrian Gonzalez, Senior Engineering Technician
Public Works Department, Traffic Operations and Planning Division

SUBJECT: PUBLIC WORKS CONDITIONS OF APPROVAL FOR DEVELOPMENT
PERMIT P22-03146 REGARDING MAINTENANCE REQUIREMENTS

ADDRESS: 2287 West Bullard Avenue

APN: 415-033-44

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. In order 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.

<input checked="" type="checkbox"/>	CFD 9 Annexation Request Package	Adrian Gonzalez	(559) 621-8693 Luis.Gonzalez@fresno.gov
<input checked="" type="checkbox"/>	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.

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.

The property owner shall be responsible for the installation and maintenance of any City required street trees and irrigation systems (existing and proposed) within the City rights-of-way sidewalk pattern along Street Name (s) frontage.

The above ground infrastructure within the City rights-of-way currently exists. The property owner shall be responsible for the installation and maintenance of any City required street trees and irrigation systems (existing and proposed) within the City rights-of-way sidewalk pattern along Street Name (s) frontage.

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.

This site has the basic maintenance requirements per the Fresno Municipal Code for their frontage. The above ground infrastructure within the City rights-of-way already exists. The property owner shall be responsible for the installation and maintenance of any City

required street trees and irrigation systems (existing and proposed) within the City rights-of-way along the Major and Local Street frontage.

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 me at (559) 621-8693 /
Luis.Gonzalez@fresno.gov



DEPARTMENT OF PUBLIC UTILITIES

MEMORANDUM

DATE: December 7, 2022

TO: MINDI MARIBOHO – Development Services Coordinator
Planning & Development Department – Current Planning

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

**SUBJECT: DPU CONDITIONS OF APPROVAL FOR P22-03146 NEW
RESPIRATORY FACILITY APN 415-033-44**

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. 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 proposed Project is an 8-inch water main located in West Bullard Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. On-site water facilities shall be private.
2. No water facilities shall be installed in West Morris Avenue.
3. Installation of water service(s) and meter box(es) shall be required.
4. The developer shall be financially responsible for abandonment of all unused water services previously installed to the property (if any).
5. Destruction of existing on-site wells: Destroy any existing on-site well(s) in compliance with the State of California Well Standards, Bulletins 74-81 and 74-90,

DPU CONDITIONS OF APPROVAL FOR P22-03146 NEW RESPIRATORY FACILITY

APN 415-033-44

December 7, 2022

Page 2 of 4

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.

Water Supply Requirements

1. The Project applicant shall be required to pay Water Capacity Fee charges for the installation of new water services and meters to serve the property.
 - a. The Water Capacity Fee charge assessed to the applicant shall be based on the number and size of service connections and water meters required to serve the property.
 - b. The Water Capacity Fee charges by meter size are defined in the City's Master Fee Schedule (MFS).
 - c. The City reserves the right to require the Project applicant to increase or decrease the size of a water meter for a project or a property to ensure that the meter is properly sized to accommodate fire protection requirements and to allow for accurate volumetric flow measurements at low- and high-flow conditions.
 - d. The Water Capacity Fee Charge for any new or expanded service connection shall be payable prior to the issuance of a building permit at the fee level in effect on the date such permit is issued.
2. The Project applicant shall be required to pay all other water-related fees and charges in accordance with the City's MFS and FMC.

Sewer Requirements

The nearest sanitary sewer mains to serve the proposed Project are an 8-inch sewer main located in West Bullard Avenue and a 6-inch sewer main located in West Morris Avenue. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

1. Installation of sewer parcel/house branch(es) shall be required.
2. On-site sanitary sewer facilities shall be private.
3. House branch (sewer lateral) larger than 6-inch shall require a manhole connection.
4. Destruction of existing on-site private septic systems: 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

DPU CONDITIONS OF APPROVAL FOR P22-03146 NEW RESPIRATORY FACILITY

APN 415-033-44

December 7, 2022

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connections and sewer main extensions shall comply with FMC Section 6-303(a), as may be amended from time to time.

5. The developer shall be financially responsible for abandonment of all unused sewer services previously installed to the property, if any.
6. The Project developer shall contact Utility Billing and Collection Services at (559) 621-6765 prior to pulling building permits regarding conditions of service for special users.

Sanitary Sewer Fees

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

1. 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 developer may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the Project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect at that time, per City of Fresno MFS. The developer 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 complexes within the City of Fresno.

1. This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Allied Waste at (559) 275-1551 or (800) 493-4285.
2. All trash bins provided to office complexes must be serviced with a frequency of at least once per week.

DPU CONDITIONS OF APPROVAL FOR P22-03146 NEW RESPIRATORY FACILITY

APN 415-033-44

December 7, 2022

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3. All office 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 minimum, cardboard, newspaper, paper, glass, plastics, beverage containers, and metal recycling.
4. 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.
5. 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.
6. This location will require 1 (one) 2-cell trash enclosure, designed to accommodate separate facilities containing 2 (two) – 4-cu. yd. bins, one for trash and one for recycling collection to be constructed to current (Public Works Standard Specifications) Solid Waste Standards (P-33, P-34, and P-95) to be serviced weekly.
7. 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.
8. Developer 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.
9. Americans with Disability Act (ADA) requirement for office complexes (developments):

Developer 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 developer installs (constructs) the trash enclosure(s) in accordance with the City's ADA requirements.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.413

Page 1 of 3

PUBLIC AGENCY

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

DEVELOPER

CESAR RODRIGUEZ - CR CONSULTING GROUP
INC.
2615 TUOLUMNE STREET
FRESNO, CA 93721

PROJECT NO: 2022-03146

ADDRESS: 2287 W. BULLARD AVE

APN: 415-033-44

SENT: December 12, 2022

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)
D	\$13,498.00	NOR Review	\$55.00 To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$278.00 Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$13,498.00		Total Service Charge: \$333.00	

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/23 based on the site plan submitted to the District on 11/08/22 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.
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.
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. 2022-03146

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 3

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

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

FR
CUP
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FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 3

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.

a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.

b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.

c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.

8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.

9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.

10. X See Exhibit No. 2 for additional comments, recommendations and requirements.



Debbie Campbell
Design Engineer, RCE

Digitally signed by Debbie Campbell Date: 12/12/2022 10:56:59 AM



Gary W. Chapman
Engineering Tech III

Digitally signed by Gary W. Chapman Date: 11/22/2022 3:55:07 PM

FR
CUP
No. 2022-03146

OTHER REQUIREMENTS

EXHIBIT NO. 2

The District's Master Plan drainage system is designed to serve medium-low density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the density of the proposed project, which is more equivalent to a commercial type land use density. The developer shall be required to mitigate the impacts of the increased runoff from the proposed commercial type land use to a rate that would be expected if developed to medium-low density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by a commercial type density development, to a two-year discharge, which would be produced by the property if developed medium-low density residential. Implementation of the mitigation measures may be deferred until the time of development. However, the District requests that the grading Engineer contact the District as early as possible to review the proposed site grading for verification and acceptance of mitigation design prior to preparing a grading plan.

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.



June 13, 2022

Re: Infinite Living
2287 W. Bullard Avenue
Fresno, California 93711

2287 Bullard, Inc. dba Infinite Living proposes to convert a 3,310 square foot residential home into an approximately 5,000 square foot CLHF (Congregate Life Health Facility), which is located at 2287 W. Bullard Avenue, Fresno, California 93711.

The property site on approximately 1.5 acres and is currently zoned R2 in which a CLHF license is permitted under this zoning with a CUP (Conditional Use Permit). Our site plan is currently in the City of Fresno's DSR (Design Site Review) with an application number of 22TMP-013811. The property's surrounding boundaries are 1 residential home, Malloch Elementary School and a few vacant lots. The property will consist of two phases and will not be subdivided until a later date. The first phase will consist of an existing house which lies north on the property and will be remodeled and expanded. In regards to the infrastructure for the entire property, this will all be done in the first phase as well due to the ingress and egress on the property (entrance and exits and traffic flow). The second phase will consist of two new construction houses that are just south of the existing house and any left over infrastructure that was not done during the first phase.

There are three access points on the property, one north along Bullard Avenue, one along the northwest side that feeds into a round about to a future housing development and one along the south end portion of the property on Morris Avenue. All ingress and egress will be addressed in the first phase.

A CLHF License which will be held by, Infinite Living, and will provide a comfortable residential home for those who are physically challenged and/or who have complex medical needs. Our team of medical professionals will provide Acute Care Services, Skilled Nursing Care and Complex Respiratory Care on a 24 hours a day basis. Our services area ideal for those who have suffered a traumatic brain injury or those who would otherwise be confined to hospitals, nursing homes or alike. Our large range of Medical Services includes: Complex Medical to Basic Medical Care and services. Our home will be comfortable, so it will feel like loved ones are living at home, while they are getting intensive levels of care and support, just as those provided in a larger commercial setting.

The following services will be provided by Infinite Living:

1. Impatient Treatment
2. Medical Supervision
3. Supportive Care
4. Therapy Services
5. 24-Hour Skilled Nursing
6. Social and Recreational Activities
7. Medication Management
8. Dietary Management

In which, well treat the following but not limited to:

1. 24/7 Sub Acute Nursing (For Vent and Trach Dependent Patients)
2. 24-Hour Skilled Nursing Care
3. Medical Supervision
4. Pharmacy
5. Dietary
6. Complex and Wound Care
7. Neuromuscular Disorders
8. Medically Complex Cases
9. Orthopedically Complex Cases

10. Treatment for all levels of Spinal Cord Injuries
11. High-Intensity Rehabilitation Therapy
12. Acquired Brain Injuries
13. Social Recreational

With our extensive team which will include:

1. RN
2. LVN (2)
3. CNA (3)
4. Cook
5. Dietician
6. Doctor (per diem)
7. Beautician
8. Activities Coordinator
9. House Keepers (2)
10. Maintenance

We will provide:

1. Services to persons who are mentally alert, physically disabled, who may be ventilator dependent.
2. Services for persons who have a diagnosis of a terminal illness, a diagnosis of a life-threatening illness, or both. Terminal illness means the individual has a life expectancy of six months or less as stated in writing by his/her attending physician and surgeon. A "life-threatening illness" means the individual has an illness that can lead to a possibility of a termination of life within five years or less as stated in writing by his or her attending physician and surgeon.
3. Services for persons who are catastrophically and severely disabled. A catastrophically and severely disabled person means a person whose origin of disability was acquired through trauma or non-degenerative neurologic illness, for whom it has been determined that active rehabilitation would be beneficial and for whom these services would be provided.
4. Services offered by a CLHF to a catastrophically disabled person shall include, but not be limited to, speech, physical, and occupational therapy.

Here at Infinite Living we are bound to CLHF standards which are found in H&S Code, Section 1267.13. In addition to these standards, CLHF's are required to conform to CCR, Title 22, Skilled Nursing Regulations, except for those sections or portions of sections specified in H&S Code, Section 1267.13(n). These requirements in subsection 1267.13(n) are so specific to skilled nursing facilities, CLHF's were exempted from compliance with these sections.

We looked forward to receiving a favorable response from the City of Fresno, the Community of Central California and all of the families that will need care for their loved ones.

In case of any questions or emergencies, the following contacts shall be used:

Jason Andrade – President 559.286.6151
Patrick Miller – Secretary 619.385.8093
Larry Meza Jr. – Medical Operations 619.851.9144

Sincerely,

Jason Andrade
President
Infinite Living

November 29, 2022

Re: P22-03146

Dear City of Fresno,

Thank you for providing PG&E the opportunity to review the proposed plans for P22-03146 dated 11/8/2022. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management

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: Congregate Care Facility

Address: 2287 W. Bullard Avenue

A.P.N. 415-033-44

Planned Land Use: Low-Density Residential

Current Zoning: RS-2

Site Area: +/- 1.48 acres

Building Area: +/- 4,500 sq. ft.

Entitlement: P22-03146

Estimate Date: November 23, 2022

CITYWIDE/REGIONAL IMPACT FEES		Service Area	Quantity	Units	Fee Rate	Available Credit
Existing						
Citywide Fire Facilities Impact Fee	SFR	1	Units	\$2,285.00	\$2,285.00	
Citywide Police Facilities Impact Fee	SFR	1	Units	\$948.00	\$948.00	
Citywide Regional Street Charge	SFR	1.48	AC	\$8,783.00	\$12,998.84	
New Growth Area Major Street Charge	SFR	1.48	AC	\$27,490.00	n/a	
Citywide Traffic Signal Charge	SFR	1	Units	\$762.00	\$762.00	

Calculated Impact Fee Credits **\$16,993.84**

CITYWIDE/REGIONAL IMPACT FEES		Service Area	Quantity	Units	Fee Rate	Proposed Impact
Proposed						
Citywide Fire Facilities Impact Fee	Comm. Office	4,500	Sq. Ft.	\$688.00	\$3,096.00	
Citywide Police Facilities Impact Fee	Comm. Office	4,500	Sq. Ft.	\$844.00	\$3,798.00	
Citywide Regional Street Charge	Comm. Office	1.48	AC	\$16,517.00	\$24,445.16	
Citywide Traffic Signal Charge	Assisted Living	9	# Beds	\$334.00	\$3,006.00	

Citywide/Regional Impact Fees - As Proposed **\$34,345.16**

	Amount Due	Notes
Citywide Fire Facilities Impact Fee	\$811.00	[7]
Citywide Police Facilities Impact Fee	\$2,850.00	[7]
Citywide Regional Street Charge	\$11,446.32	[6]
Citywide Traffic Signal Charge	\$2,244.00	[6]

Total Fees and Charges **\$17,351.32**

CITY OF FRESNO

DEVELOPMENT AND IMPACT FEE ESTIMATE

NOTES:

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

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

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

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

- The Board of Directors of the Fresno County Regional Transportation Mitigation Fee Agency approved Resolution No. 2009-01 requiring the payment of Regional Transportation Mitigation Fee. The effective date of this resolution is January 1, 2010. Please contact the Council of Fresno County Governments (FCOG) at (559) 233-4148 to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue the Certificate of Occupancy.
- On December 8, 2016, Fresno City Council adopted Resolution No. 2016-258, effective July 1, 2018, administratively updating the impact fees adjusted by this resolution annually to the percentage change in the 20-City Construction Cost Index as reported in the Engineering News Record (ENR) for the 12-month period ending of May of the year of adjustment.
- Payment of Fresno Metropolitan Flood Control District (FMFCD) impact fees may be required. Please contact FMFCD at (559) 456-3292 to determine fee obligation.
- Payment of applicable school district fees is required prior to issuance of Building Permit. Please contact the respective school district to satisfy your fee obligation. Confirmation by the respective school district is required before the City of Fresno can issue building permits

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

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

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

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

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

[6] Due at Building Permit

[7] Due with Certificate of Occupancy

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

[9] Parks fee applicable only to residential developments

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

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

Prepared and Reviewed By: Frank Saburit

Date: November 23, 2022

(559) 621-8797

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

DEPARTMENT OF PUBLIC WORKS

TO: Thomas Veatch, Planner III
Planning & Development Department

FROM: Adrian Gonzalez, Senior Engineering Technician
Public Works, Traffic Operations and Planning Division

DATE: March 8, 2023

SUBJECT: P22-03146; 2287 West Bullard Avenue (APN: 415-033-44) located on the south side of West Bullard Avenue and North Sequoia Drive. 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. Please choose appropriate trees from the list of Approved Street Trees.

BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS

1. The subdivider shall provide long term maintenance for all proposed landscaped areas by either petitioning for annexation in the Community Facilities District or by forming a Home Owner's Association.
2. Maintenance Service Through Annexation into the Community Facilities District. Landscape and Irrigation plans are required and shall be submitted to the Department of Public Works for review and approval prior to a Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works street construction plan set for the final map. Fees are applicable when the subdivider elects to have landscaping maintained by annexing into the City's Community Facilities District.
 - a. Landscaping shall comply with Landscape Buffer Development Standards approved by the City Council on October 2, 1990. Landscape and irrigation plans shall comply with AB1881, water efficient landscaping.
 - b. Should the proposed landscape buffers and/or parkway strips be located next to an existing buffer and/or parkway strip, the planting concept shall simulate the adjacent landscape design to present a more uniform appearance on the street. Variances in the landscape concept will be acceptable, but the design of the new landscape buffer and/or parkway strip shall strive to mimic the existing as much as possible.
 - c. Landscape plans shall indicate grades on a cross-section detail to include fencing or wall details. All fencing shall be placed outside the landscape easement. Maximum slopes shall not exceed 4:1 with 1 foot of level ground between the slope and the back of the side walk and/or face of fence. Erosion control measures shall be implemented on all slopes of 4:1, including the use of synthetic erosion control netting in combination with ground cover species approved by the Department of Public Works/Engineering Services Division.
 - d. The water meter(s) serving the buffer landscaping shall be sized for the anticipated service flows.
 - e. No private flags, signs or identification of any kind shall be permitted in the right-of-way, within the City - controlled easement or on the fence or wall facing the street.
 - f. Landscaping in the right-of-way and landscape setback adjacent to water well sites shall be the responsibility of the City of Fresno Water Division and may not be included in the CFD.

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



2907 S. Maple Avenue
Fresno, California 93725-2208
Telephone: (559) 233-7161
Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

December 5, 2022

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

RE: Conditional Use Permit Application No. P22-03146
S/E Bullard and Van Ness avenues

Dear Mr. Veatch:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. P22-03146 for which the applicant proposes a two phased project to build a new respiratory care facility, APN: 415-033-44. FID has the following comments:

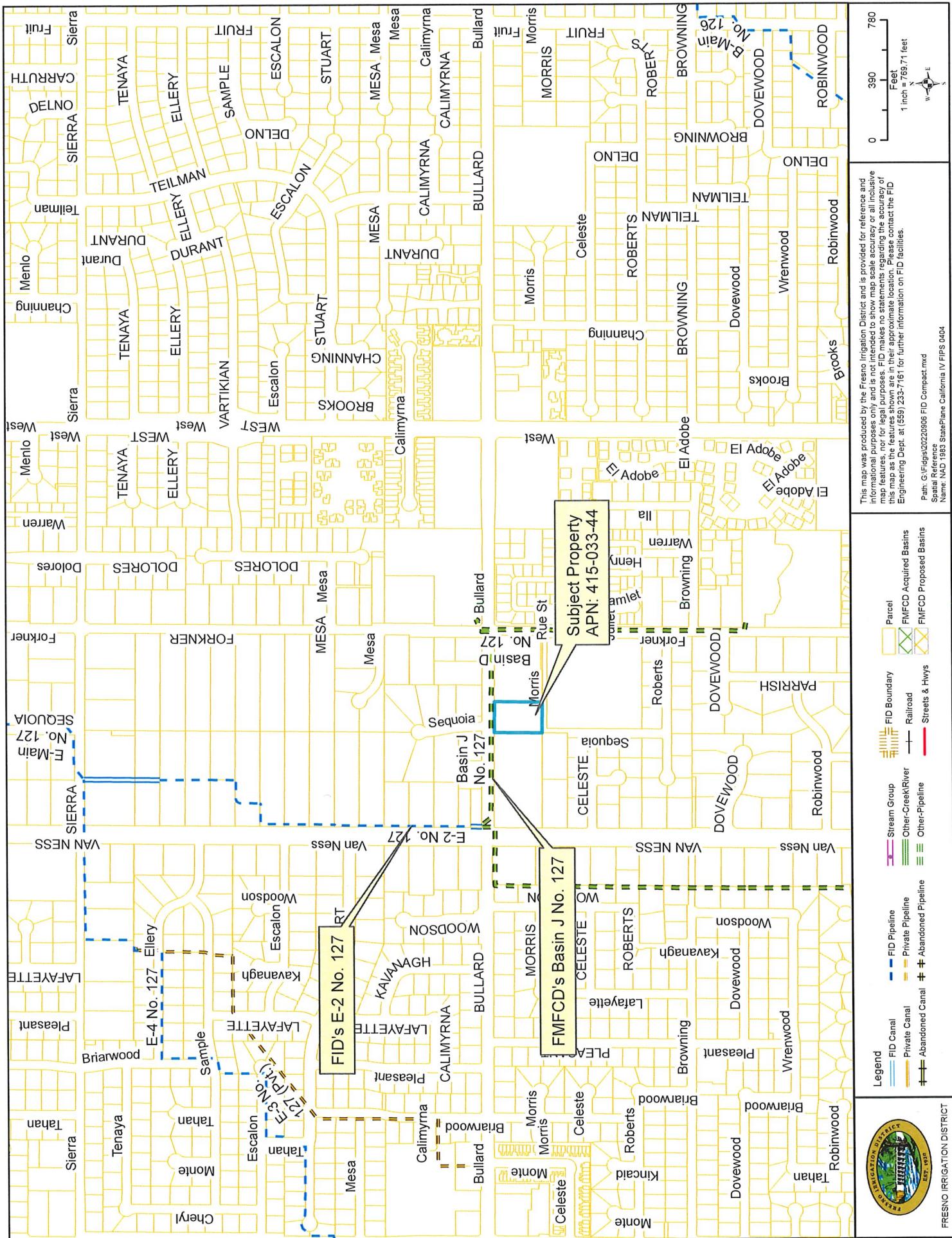
1. FID does not own, operate, or maintain any facilities located on the subject property, as shown on the attached FID exhibit map.
2. For informational purposes, Fresno Metropolitan Flood Control Districts Basin J No. 127 traverses the north side of the subject property, as shown on the attached FID exhibit map. FID recommends contacting FMFCD for further comments.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Chris Lundein at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachment



Jeremy Landrith

From: do_not_reply@fresno.gov
Sent: Tuesday, November 8, 2022 3:11 PM
To: Engineering Review
Subject: Planning Application P22-03146 - Task Assigned

Follow Up Flag: Follow up
Flag Status: Flagged

A task associated with Planning Application P22-03146 has been assigned for your review. You can review details online.

Application Description: Conditional Use Permit Application No. P22-03146 was filed by Cesar Rodriguez of CR Consulting Group Inc. and pertains to the 1.38 acres located at 2287 W BULLARD AVE. The applicant proposes a two phased project to build a new respiratory care facility. Phase 1 proposes to remodel and expand the existing house from 3,310 sq. ft. to 4,500 sq. ft. and Phase 2 proposes to build 2 new buildings 4,641 sq. ft. and 4,370 sq. ft. The parcel is zoned RS-2/EQ.

Task Information: Irrigation District

11/2
Due

PI AN NOTES

**BOARD OF EDUCATION**

Elizabeth Jonasson Rosas, President
Genoveva Islas, Clerk
Claudia Cazares
Valerie F. Davis
Andy Levine
Major Terry Slatic USMC (Retired)
Keshia Thomas

SUPERINTENDENT
Robert G. Nelson, Ed.D.

November 8, 2022

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

**SUBJECT: APPLICATION NO. P22-03146
2287 W. BULLARD AVE.**

Dear Mr. Veatch,

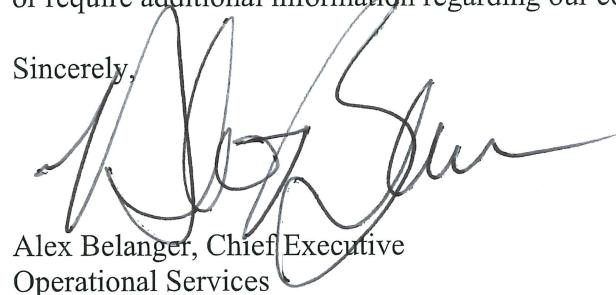
In response to your request for school district information regarding the above planning application for the proposed 'Infinite Living' residential care facility to be completed in two phases and located at 2287 West Bullard Avenue, Fresno Unified School District submits the following. Phase one proposes to remodel and expand the existing house from 3,310 square feet to 4,500 square feet. A second phase proposes the construction of two new residential care facility buildings of 4,641 square feet and 4,370 square feet, with a total project square footage of 13,511 square feet.

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

The District levies a commercial/industrial development fee and the current fee rate is \$0.78 per square foot. Any new development on the property will be subject to the development fee prior to issuance of a building permit and fees will be calculated pursuant to the rate effective at the time of payment.

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

Sincerely,



Alex Belanger, Chief Executive
Operational Services

AB:hh
c: Cesar Rodriguez, Applicant/Agent

DWC

November 21, 2022

Erik Young
City of Fresno
Planning and Development Department
2600 Fresno Street
Fresno, CA 93721

Project: Conditional Use Permit - P22-03146

District CEQA Reference No: 20221520

Dear Mr. Young:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Conditional Use Permit (CUP) referenced above from the City of Fresno (City). Per the CUP, the project consists of constructing a respiratory care facility in two phases located on 1.38 acres. Phase one (1) consists of remodeling and expanding an existing house from 3,310 square feet to 4,500 square feet, and Phase two (2) consists of constructing one (1) 4,641 square foot building and one (1) 4,370 square foot building (Project). The Project is located 2287 W Bullard Ave in Fresno CA.

The District offers the following comments regarding the Project:

1) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM2.5) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM10, PM2.5 standards.

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>.

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) 392-5586

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.

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 project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

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://ww3.arb.ca.gov/ch/handbook.pdf>.

3) Clean Lawn and Garden Equipment in the Community

Since the Project consists of commercial development, gas-powered commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 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>.

4) 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.

5) 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.

6) 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.

6a) 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 may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may 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.

6b) District Rule 9510 - Indirect Source Review (ISR)

The District has reviewed the information provided and has determined the project size is below the District Rule 9510, section 2.1 applicability threshold of 20,000 square feet for a medical development. Therefore, District Rule 9510 requirements and related fees do not apply to the project.

6c) 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>.

6d) District Rule 4601 (Architectural Coatings)

The Project may be subject to District Rule 4601 since it may 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/currntrules/r4601.pdf>

6e) 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

6f) 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).

7) 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 Patrick Chimienti by e-mail at Patrick.Chimienti@valleyair.org or by phone at (559) 230-6139.

Sincerely,

Brian Clements
Director of Permit Services



For: Mark Montelongo
Program Manager