

## Exhibit I



**SUBJECT:** Conditions of Approval for **P23-03982** (Conditional Use Permit) and **P23-03993** (Development Permit)

**DATE:** July 2<sup>nd</sup>, 2025

**TO:** Robert Holt, Supervising Planner  
Planning and Development Department

**FROM:** Braulio Flores, Engineer II  
Public Works Department, Land Planning Section

**ADDRESS:** **6659 North Veterans Boulevard L/S** (Verify with Planning Department)

**APN:** **504-092-09, 504-092-10S, 506-010-14T, 504-092-16**

<b>ATTENTION:</b> The items below require a separate process with additional fees and timelines, in addition to the development permit process. Submit the following items early to avoid delaying approval of building permits. Final approval of the site plan is contingent on receipt of all items checked below.		
<b>To be completed:</b>	<b>Point of Contact</b>	<b>Department and Contact Information</b>
<b>Cross Access Agreement</b> Contact your planner regarding Cross Access Agreement requirements.  <b>Parcel Map, Voluntary Parcel Merger, Lot Line Adjustment</b> 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. Either a Parcel Map, Parcel Merger, and/or Lot Line Adjustment is required; provide recorded documentation <b>prior</b> to Building Permits. <b>-OR-</b> Resubmit a new application of the proposed project within the existing lot of record.	Robert Holt	Planning and Development Department (559) 621-8056 <a href="mailto:Robert.Holt@fresno.gov">Robert.Holt@fresno.gov</a>
<b>CFD Annexation Request Package</b> <b>-AND/OR-</b> <b>Private Maintenance Covenant</b>	Adrian Gonzalez	Public Works Department (559) 621-8693 <a href="mailto:Luis.Gonzalez@fresno.gov">Luis.Gonzalez@fresno.gov</a>

<b>Traffic Impact Study (TIS)</b> A Traffic Impact Study is required. Comply with the City Traffic Engineer's mitigated measures based on the TIS (TIS 24-007). <a href="https://www.fresno.gov/publicworks/traffic-engineering/#tab-2">https://www.fresno.gov/publicworks/traffic-engineering/#tab-2</a>	Jill Gormley	Public Works Department (559) 621-8792 <a href="mailto:Jill.Gormley@fresno.gov">Jill.Gormley@fresno.gov</a>
<b>Deeds (up to 2-month processing time)</b> Deeds are required to provide easements to the City for required public improvements. They shall be prepared by the owner / developer's engineer. Contact Jason Camit for fees and processing requirements. Provide a copy of the recorded dedications to Traffic Planning prior to the issuance of building permits.	Jason Camit	Public Works Department (559) 621-8681 <a href="mailto:Jason.Camit@fresno.gov">Jason.Camit@fresno.gov</a>
<b>Vacation (4 month processing time)</b> A Feasibility Study is required to determine viability and to establish conditions, if any. Contact Jason Camit for fees and processing requirements. Provide a copy of the resolution to vacate to Traffic Planning <b>prior</b> to the issuance of building permits. <a href="https://www.fresno.gov/publicworks/engineering-services/#tab-5">https://www.fresno.gov/publicworks/engineering-services/#tab-5</a>	Jason Camit	Public Works Department (559) 621-8681 <a href="mailto:Jason.Camit@fresno.gov">Jason.Camit@fresno.gov</a>
FAX: When a bus shelter is required by the Transportation Department, FAX Division, a thicker sidewalk will be required. Coordinate all conditions of approval between Public Works and FAX.	Jeff Long	Fresno Area Express 559-621-1436 <a href="mailto:Jeff.Long@fresno.gov">Jeff.Long@fresno.gov</a>

**ATTENTION:**

**Provide corrections as noted on Exhibit "A-1".**

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

**A. GENERAL REQUIREMENTS**

1. **Address:** Verify the project address with the Planning and Development Department.
2. **Assessor's Parcel Number (APN):** Verify APNs.
3. **Property Lines:** Identify, revise and dimension existing and proposed property lines.
4. **Legal description:** Provide/Revise legal description.
5. **Easements:** Identify, revise and dimension existing and proposed easements.
6. **Scope of work:** Identify all items as existing, proposed, to remain, or to be removed.
7. **Legend:** Provide/Revise line type and utility symbols.
8. **Parcel of Record:** Identify the entire parcel at the time of permits. If only a portion of an existing parcel is to be developed, a key map shall be included showing the entire parcel with dimensions.
9. **Phase lines:** If applicable, identify phase lines.
10. **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. <https://www.fresno.gov/publicworks/traffic-engineering/#tab-6>
  - e. Deeds are required to provide easements to the city for required public improvements. They shall be prepared by the owner / developer's engineer. Executed copies shall be submitted to the city with verification of ownership prior to the issuance of building permits.
  - f. Vacations: a feasibility study is required to determine viability and to establish conditions, if any. If approved, recordation of the vacation is required prior to issuance of building permits.
  - g. Underground all existing overhead utilities within the limits of this application as per Fresno Municipal Code Section 15-2017 and Public Works Policy No. 260.01.



- h. Submit street construction plans to the Public Works Department.
- i. Submit street lighting plans to the Public Works Department.  
<https://www.fresno.gov/publicworks/traffic-engineering/#tab-4>
- j. Submit trail construction plans to the Public Works Department.
- k. Submit signing and striping plans to the public works department. Comply with the current Caltrans standards.  
<https://www.fresno.gov/publicworks/traffic-engineering/#tab-4>
- l. Construction on state highways must conform to both City of Fresno and State Division of Highways Specifications.
- m. Provide a 4' minimum path of travel along the public sidewalk directly in front of property, to meet current accessibility regulations. A pedestrian easement may be required if requirements are not met.
- n. Contact the Public Works Department, Traffic Engineering at 559-621-8800, 10 working days prior to any offsite concrete construction.
- o. All development shall take place in accordance with all city laws and regulations.

**B. OFFSITE INFORMATION:**

- 1. **Section and Center Lines:** Identify section and/or center lines.
- 2. **Vacations:** Identify and dimension the existing or proposed vacations.
- 3. **Public Street Improvements:**
  - a. **Center section and median island**
  - b. **Street pavement**
  - c. **Concrete sidewalk**
  - d. **Sidewalk drains**
  - e. **Drive approaches**
  - f. **Emergency Vehicle Access**
  - g. **Curb ramps**
  - h. **Bus bay**
  - i. **Streetlights**
  - j. **Undergrounding of overhead utilities**
  - k. **Signals and Safety lights**
  - l. **Trails**
- 4. **Street furniture:** Identify utility poles, boxes, guy wires, signs, fire hydrants, bus stop benches, trash receptacles, etc.
- 5. **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.
- 6. **Intersections:** Provide the entire street intersection on the site plan. If located on a major street intersection, provide existing striping.

7. **Canals and pipes:** Identify adjacent canals and/or pipes and provide a cross section.

**C. ONSITE INFORMATION:**

1. **Walls or Fencing:** Identify walls and fences complete with height and type of material.
2. **Lot drainage:** Identify lot drainage conveyance to the right-of-way.
3. **Canals and pipes:** Identify onsite canals and/or pipes and provide a cross section.
4. **Drive Through:** Identify and maintain a minimum of a **10**-car stack using **20'** per car. Stacking shall not block parking. Provide and maintain **15'** minimum inside turning radius, **13'** minimum aisle within the turn, **11'** through lane and **9'** minimum at the window.
5. **State standard "STOP":** Identify and install **30"** state standard "STOP" signs at the locations shown. A "right turn only" sign is also required; install a **30" x 36"** state standard sign immediately below the stop sign on the same post. 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.
6. **Parking lot:**
  - a. **Vehicle overhang:** Provide a **2'/3'** overhang. No obstructions over **6"** permitted. **Curbs and /or Wheel Stops:** Identify locations.
  - b. **Directional arrows:** Provide directional arrows to identify the flow of traffic
  - c. **Paving:** Identify limits
  - d. **Turning template:** Provide turning templates for large vehicles. Identify the length for the largest vehicle to access the site in the operational statement.
  - e. **Visibility triangles:** Identify the required 12' visibility triangle at all approaches and alleys.
  - f. **Driveway throat length:** Revise site plan to provide a minimum throat length of **20'** from the back of the public easement.
7. **Gates:**

**Multi-Family:** Provide a minimum of **100'** from the proposed gate to the back of walk/right-of-way/pedestrian easement, for vehicle stacking at the main gate. – **Or-** If multiple gates are provided, a total of **100'** of stacking can be split between the additional gates. If not existing, redesign the main entrance to provide for an onsite turn around. Where the entry is divided, each side shall provide for a minimum opening of 16' each. Where it is not divided, the gate shall be a minimum of 20' wide.

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

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

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

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

### **Herndon Avenue: 6-Lane Expressway**

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

#### 1. Dedication Requirements:

- a. Dedicate a **54'** to **58'** easement, from **Herndon Eastbound- "H2"** line, for public street purposes, within the limits of this application, per *Public Works Standard P-51*. Line shall be established per approved street plans, "*Veterans Boulevard North Extension from Bullard Avenue to Herndon Avenue*".
- b. Dedicate a pedestrian easement to accommodate the required **6'** sidewalk, within the limits of this application.
- c. Relinquish direct vehicular access right to Herndon Avenue as shown on **Exhibit "A-1"**.

#### 2. Construction Requirements:

- a. Construct **20'** of permanent paving per *Public Works Standard P-50*, within the limits of this application and transition paving as necessary.
- b. Construct concrete curb and gutter to *Public Works Standard P-5*. The parkway shall be constructed to a **10'** pattern.
- c. Construct a **6'** sidewalk to *Public Works Standard P-5* within the pedestrian easement per *Public Works Standard P-5* and **P-51**.
- d. Planting and Irrigation of street trees shall conform to the minimum spacing, guidelines, and requirements as stated in the *Model Water Efficiency*

*Landscape Ordinance, Public Works Standards and Specifications, Section 25 and 26.*

- e. Construct a concrete Emergency Vehicle Access (EVA) per *Public Works Standard P-67*.
- f. 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-10* for Expressways. 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. **-AND-** Show the existing streetlight locations on the plans, **-AND-** that they are constructed per current City of Fresno standards.*
- g. Construct an **80'** bus bay curb and gutter at the southeast corner of Herndon Avenue and Hayes Avenue to *Public Works Standard FAX-2* and *FAX-4*, complete with a **10'** monolithic sidewalk (**modified**).
- h. Construct an Expressway barrier fence within the limits of the application per *Public Works Standard P-74 and P-75*.

### **Veterans Boulevard: 6-Lane Super Arterial**

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

#### **1. Dedication Requirements:**

- a. Dedicate a **62'** to **74'** easement, from **Veterans Boulevard- "V2"** line, for public street purposes, within the limits of this application, per *Public Works Standard P-51*. Line shall be established per approved street plans, "*Veterans Boulevard North Extension from Bullard Avenue to Herndon Avenue*".
- b. If not existing, dedicate a corner cut easement for public street purposes at the intersection of Veterans Boulevard and Hayes Avenue.
- c. Relinquish direct vehicular access right to Veterans Boulevard as shown on **Exhibit "A-1"**.
- d. Dedicate a pedestrian easement to accommodate the required **6'** sidewalk, within the limits of this application.

#### **2. Construction Requirements:**

- a. If not existing, construct a concrete curb and gutter to Public Works Standard **P-5**. The parkway shall be constructed to a **10'** pattern.
- b. Planting and Irrigation of street trees shall conform to the minimum spacing, guidelines, and requirements as stated in the *Model Water Efficiency Landscape Ordinance, Public Works Standards and Specifications, Section 25 and 26*.
- c. 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* and *E-8* 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.
- d. If not existing, construct a concrete curb ramp per *Public Works Standards P-24 through P-27, P-28, and P-32*.

- e. Construct a **6'** sidewalk to *Public Works Standard P-5* within the pedestrian easement per *Public Works Standard P-5* and **P-51**.

#### **Hayes Avenue: 4-Lane Collector**

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

##### 1. Dedication Requirements:

- a. Dedicate a **44'** to **63'** easement, from **Hayes- "HA"** line, for public street purposes, within the limits of this application, per *Public Works Standard P-53*. Line shall be established per approved street plans, "*Veterans Boulevard North Extension from Bullard Avenue to Herndon Avenue*".
- b. If not existing, dedicate a corner cut easement for public street purposes at the intersection of Herndon Avenue and Hayes Avenue.
- c. Dedicate a **26'** (minimum) easement for Landscape, Bike and Pedestrian purposes **only**. Above ground utilities are not allowed within this easement. (Additional right of way may be required for grading and drainage purposes.) (**Modified trail: 5'** from face of curb to barrier fence – **26'** trail easement)
- d. Relinquish direct vehicular access right to Hayes Avenue as shown on **Exhibit "A-1"**.

##### 2. Construction Requirements:

- a. Construct driveway approaches to *Public Works Standards P-2* and **P-6**, as approved on the site plan. Construct permanent paving as needed per *Public Works Standard P-48*. Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit. "A-1"**.
- b. If not existing, construct a concrete curb and gutter to *Public Works Standard P-5*. The parkway shall be constructed to a **5'** pattern.
- c. Planting and Irrigation of street trees shall conform to the minimum spacing, guidelines, and requirements as stated in the *Model Water Efficiency Landscape Ordinance, Public Works Standards and Specifications, Section 25 and 26*.
- 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, E-7B, E-8* for Collectors. 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. If not existing to current *Public Works Standards*, then modify or replace the existing ramp to meet current *Public Works Standards*, as determined by the Construction Management engineer **PRIOR** to occupancy.
- f. Construct a **12'** wide Bike and Pedestrian Trail per the *Fresno General Plan*, the City of Fresno *Public Works Standards P-58, P-60, P-61*, and the *Caltrans Highway Design Manual* Chapter 1000 for Class I Bikeways (Bike Paths). Construction shall be complete with lighting, signing, striping, landscaping, and irrigation. Identify the route and cross section on the site plan. Above ground utilities shall not be constructed within this easement. Additional right of way may be required for grading and drainage purposes.

- g. 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](mailto: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](mailto: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**

### **Drive Through Specific Mitigated Measure:**

The following operational condition of approval shall apply:

The drive-thru vehicle stacking shall not queue into the public right-of-way, at any time. The Planning and Development Department shall require the applicant to provide 1) adequate on-site directional signage and 2) a staff member to ensure the vehicles do not overflow into the public right-of-way by monitoring and directing drivers when necessary.

### **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.

**Specific Mitigation Requirements:**

A Traffic Impact Study is required for this development. Comply with the most recent mitigation requirements of the Traffic Operations and Planning Manager for **TIS 24-007**. A copy of the TIS comments can be found on the City of Fresno's web page, Planning and Development Department's "Citizen Portal".

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

**FMSI Requirements:**

**THE FMSI REQUIREMENTS ARE REQUIRED TO BE CONSTRUCTED PRIOR TO OCCUPANCY.**

**Herndon Avenue: Expressway**

1. Dedicate and construct the following **within the limits of this application**. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **55 MPH** design speed.
  - a. East bound: (2) **12'** center section travel lanes and (1) **20'** travel/shoulder lane;
  - b. If not existing, construct, landscape, and irrigate a raised concrete median island with **250'** left turn pockets and a median cap at all major intersections;

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

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

Questions relative to these conditions may be directed to Braulio Flores (559) 621-8806 [Braulio.Flores@fresno.gov](mailto:Braulio.Flores@fresno.gov) in the Public Works Department, Land Planning Section.

## **MAINTENANCE REQUIREMENTS OF PUBLIC IMPROVEMENTS**

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

### **1. The Property Owner's Maintenance Requirements:**

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

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

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

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

- A. 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 Planning & Subdivision Inspection 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-**

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

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

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.

### **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. Choose appropriate trees from the list of Approved Street Trees. <https://www.fresno.gov/publicworks/developer-doorway/#tab-5>

### **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 Homeowner'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 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 sidewalk 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.

#### **MEDIAN ISLAND LANDSCAPE REQUIREMENTS**

1. When median islands front onto the proposed development project, applicants shall submit Plans to the Public Works/Engineering Services showing the location and configuration of all median islands fronting the proposed project.
2. The Public Works Department will review and evaluate existing median island(s) for a determination of all required improvements prior to approval of Final Map.
3. Landscape and irrigation is required on all new construction of median islands and shall be applied in accordance with the City of Fresno, Public Works Department Standards & Specifications and AB 1881. The Public Works Department requires all proposed median islands to be constructed with a one-foot-wide colored concrete strips, flush along curb edge, in a 12 inch by 12 inch brick slate pattern.
4. Trees shall not be planted in sections which are less than eight (8) feet wide unless approved by the Public Works Department. Sections less than eight (8) feet shall be capped with concrete as an integral part of the off-site improvements, whether the median is landscaped or not.

#### **OUTLOTS**

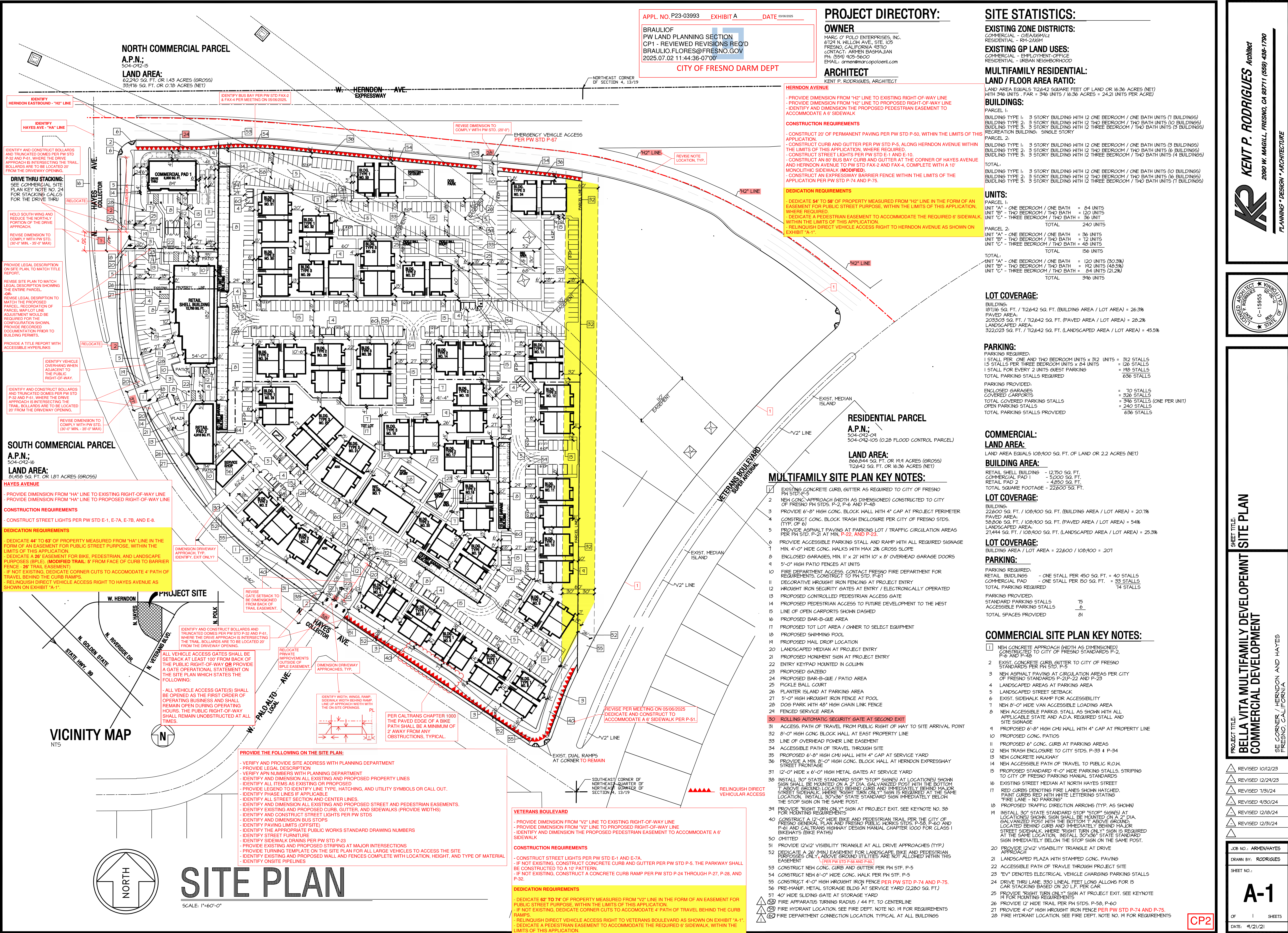
1. Outlots which are utilized for water well purposes will not be included in the CFD. The Water Division Department in Public Utilities will provide the maintenance of all plant material on the well site.

## **TRAIL REQUIREMENTS**

1. The trail shall be constructed in accordance with the "Master Trails Manual" and the Public Works Department standards. The subdivider is responsible for the trail construction. The subdivider is responsible for all landscape and irrigation improvements for and within the trail. Construction plans shall be submitted and shall include landscaping and automatic drip irrigation design. Trail cross-sections will be required with submittal of Street Plans and Landscaping/Irrigation Plans for review and approval. These plans shall be in compliance with current City standards and approved by the Department of Public Works. Landscaping within the regional/multipurpose trail shall include large, medium and low-growing shrubs planted from 3 to 6 feet apart depending on variety, and trees spaced approximately 25 to 45 feet apart to provide 50% shade coverage onto the planting area and pathway. Landscaping adjacent to walls or fences shall comply with "Landscaped Buffer Development Standards." All planting areas shall be irrigated with an automatic system.

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







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

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

April 8, 2025

Robert Holt, Supervising Planner  
Planning and Development Department  
2600 Fresno Street, 3<sup>rd</sup> Floor  
Fresno, CA 93721

**SUBJECT: REVIEW OF THE TRAFFIC IMPACTED ANALYSIS DATED MARCH 4, 2025  
FOR THE PROPOSED BELLA VITA DEVELOPMENT LOCATED SOUTHEAST  
CORNER OF THE HERNDON AND HAYES AVENUES  
TIS 24-007, P23-03993**

## PROJECT OVERVIEW

Traffic and Engineering Services staff has reviewed the Traffic Impact Analysis Report (TIA) prepared by JLB Traffic Engineering, Inc. for the proposed commercial center and multi-family project, which plans to construct 396 multi-family dwelling units, 17,666 square feet of retail uses and 5,000 square feet of fast-food restaurant with drive-through uses on the southeast corner of Herndon and Hayes Avenues. The vacant project site is approximately 18.73 gross acres.

The TIS evaluated the impacts of the project by analyzing six (6) intersections and driveways in the vicinity of the project during the AM and PM peak hours and providing a trip trace to the Herndon Avenue interchanges at State Route (SR) 99. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 11<sup>th</sup> Edition. The table below includes a comparison of the daily (ADT), AM and PM peak hour trips projected to be generated by proposed project as shown in the Traffic Study.

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Multifamily Housing Low-Rise (ITE Code 220)	396 DU	2,669	38	120	158	127	75	202
Strip Retail Plaza (ITE Code 822)	17,666 SF	962	25	17	42	58	58	116
Fast-Food Restaurant with Drive- Through Window (ITE Code 934)	5,000 SF	2,337	114	109	223	86	79	165
<b>Total</b>		<b>5,968</b>	<b>177</b>	<b>246</b>	<b>423</b>	<b>271</b>	<b>212</b>	<b>483</b>

DU = dwelling units

SF = square feet

## **GENERAL COMMENTS and CONDITIONS**

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per the Master Fee Schedule at the time of building permit.

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

For project specific impacts that are not consistent with the General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for fee credit and/or reimbursement. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; [www.fresnocog.org](http://www.fresnocog.org). Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
4. The proposed project shall pay the \$665 Traffic Study review fee for review of the document. Proof of payment shall be provided to the Traffic and Engineering Services Division.
5. The proposed project shall install high visibility school crosswalks per City of Fresno standards at the intersection of Hayes Avenue at Palo Alto Avenue prior to occupancy of the project.
6. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
7. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic and Engineering Services Division, Traffic Planning Section.

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

Sincerely,



Jill Gormley, TE  
Assistant Director  
Public Works Department, Traffic & Engineer Services Division

C: Copy filed with Traffic Impact Study  
Scott Tyler, PE, City Traffic Engineer  
Angela Reis, Traffic Planning Supervisor  
Melessa Avakian, Engineering Services Manager  
Jason Camit, Chief Surveyor





## DEPARTMENT OF PUBLIC UTILITIES

### MEMORANDUM

**DATE:** March 31, 2025

**TO:** ROBERT HOLT – Supervising Planner  
Planning & Development Department – Current Planning

**FROM:** DENISE SORIA, MSCE, PE, Licensed Professional Engineer  
Department of Public Utilities – Utilities Planning & Engineering

**SUBJECT: REVISED DPU CONDITIONS OF APPROVAL FOR P23-03993  
COMM/MFR (Commercial Center and Multi-Family Apartment Complex  
at Herndon & Hayes) – APNs 504-092-09, 10ST, 15, and 16**

### **Background**

Development Permit Application P23-03993 pertains to approximately 18.56 acres. The applicant requests authorization to construct the following: a proposed privately gated multi-family residential apartment complex (APNs 504-092-09 and 10ST) consisting of 35 three-story multi-family residential buildings encompassing a total of 396 multi-family residential dwelling units and commercial complexes on APNs 504-092-15 and 16.

The DPU Conditions of Approval for P23-03993 were previously dated and uploaded to Accela on April 7, 2024. These DPU Conditions of Approval are being revised to reflect changes in the scope of work for the Project.

### **General Requirements**

1. Engineered improvement plans, prepared by a Registered Civil Engineer, if necessary, shall be submitted for Department of Public Utilities (DPU) review and approval.
2. All DPU 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 the approval of improvement plans.
4. A street work permit is required for any work in the Right-of-Way.
5. All underground utilities shall be installed prior to permanent street paving.

6. **Attached to these DPU Conditions of Approval is a preliminary review of the Site Plan for the Project (as such Site Plan was available on Accela as of the date of these Conditions of Approval). Final Site Plan review will be conducted after an update based on these and other conditions for the Project.**

### **Water Service Requirements**

The nearest water mains to serve the Project are 16-inch waters main located in West Herndon Avenue and North Hayes Avenue. Water facilities are available to provide service to the Project subject to the following requirements:

1. On-site (within the gated/private development) water facilities shall be private.
2. Installation of a new water service(s) and meter(s) shall be required, as the existing irrigation services and meters referenced below do not meet the Project's needs. Separate fees will apply to the new/additional water service(s).
3. The applicant shall be financially responsible for the abandonment of any unused water services previously installed to the property, **if any**.
4. Destroy existing on-site well(s), **if any**, in compliance with the State of California Well Standards, Bulletins 74-81 and 74-90, or current revisions, issued by California Department of Water Resources, and City of Fresno standards. The applicant shall comply with Fresno Municipal Code (FMC) Section 6-518, as may be amended from time to time.

### **Water Supply Requirements**

The existing property is currently not served by a domestic water service and meter. The existing property is currently served with 1 (one) 1.0-inch irrigation service (inactive; no meter) at APN 504-090-15.

1. 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. If the total domestic, commercial, industrial, and irrigation water demands for the Project can be accommodated with the existing irrigation services and meter, the applicant shall not be required to pay Water Capacity Fee charges.

- c. If the total domestic, commercial, industrial, and irrigation water demands for the Project cannot be accommodated with the existing irrigation services and meter, and an additional water meter or a larger water meter is required, the applicant shall be required to pay Water Capacity Fee charges.
  - d. If a larger water meter or fire service is required to accommodate the new, larger water demands, then the Water Capacity Fee charge shall be calculated by subtracting the Water Capacity Fee charge associated with the existing irrigation services and meter from the Water Capacity Fee charge associated with the larger water meter size required for the Project.
  - e. The Water Capacity Fee charges by meter size are defined in the City's Master Fee Schedule (MFS).
  - f. The City reserves the right to require the applicant to increase or decrease the size of a water meter for the Project to ensure that it is properly sized to accommodate fire protection requirements and to allow for accurate volumetric flow measurements at low- and high-flow conditions.
  - g. 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 applicant shall be required to pay all other water-related fees and charges in accordance with the City's MFS and the FMC.

### **Sewer Requirements**

The nearest sanitary sewer main to serve the Project is a 15-inch sewer main located in North Hayes Avenue. Sanitary sewer facilities are available to provide service to the Project subject to the following requirements:

- 1. On-site (within the gated/private development) sanitary sewer facilities shall be private.
- 2. Installation of new sewer service branch(es) shall be required.
- 3. The applicant shall be financially responsible for abandonment of any unused sewer services previously installed to the property, if any.
- 4. All existing on-site private septic systems (including septic tanks), **if any**, shall be destroyed and abandoned in compliance with the State of California standards, Fresno County standards, and City of Fresno standards, as may be amended from

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

### **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: Area #19.
3. Wastewater Facility Sewer Charge (Multi-family Residential/Commercial).
4. Sewer Trunk Area Charge: Grantland.
5. 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.
6. Sewer Facility Charges are collected after occupancy on a monthly basis, based on metered usage (water or sewer effluent). The applicant may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the Project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect at that time, per City of Fresno MFS. The applicant shall provide data regarding estimated sewer discharge rates (flow) and loading (BOD/TSS levels) required for calculating the estimated charges.

### **Solid Waste Requirements**

For the purpose of establishing City solid waste service, multi-family complexes of five or more dwelling units are required to provide a trash enclosure per FMC 15-2016.B.2.b.

1. This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Republic Waste at (559) 275-1551 or (800)-493-4285.
2. All multi-family complexes are required to subscribe for recycling services. 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.

3. All trash and recyclable material must be placed in approved containers. At no time may trash and recyclable material be placed on the ground or pavement.
4. Senate Bill (SB) 1383, as enacted in 2017, establishes statewide targets to reduce the statewide disposal of organic waste by 50 percent by 2020 and 75 percent by 2025; and requires that not less than 20 percent of edible food that is currently to be disposed of be recovered for human consumption by 2025. As part of SB 1383, Chapter 12 of Title 14, Division 7 of the California Code of Regulations (CCR), and amended portions of regulations of Title 14 CCR and Title 27 CCR were created, also referred to as Short-Lived Climate Pollutants: Organic Waste Reductions regulations. The City of Fresno adopted Bill B-3, Ordinance 2022-003 to amend Chapter 6, Article 2 of FMC at its March 10, 2022, meeting. Subsequently, the City of Fresno adopted Bill B-11, Ordinance 2022-011 to amend Section 6-233 of FMC relating to the requirements for commercial edible food generators at its May 26, 2022, meeting.
5. As required by FMC section 6-206(a) residential and commercial establishments are required to maintain solid waste, recyclables, and organics collection service through an authorized provider. The City has the right to review the number and size of containers and require applicants to adjust the service level (frequency of service).
6. All Solid Waste and Recycling services collectively must equal or exceed the ratio provided in FMC 15-2016.

This location will require 1 (one) 3-cell trash enclosure, designed to accommodate separate facilities containing 2 (two) – 4-cu. yd. bins, one for trash and one for recycling collection, and 1 (one) 2-cu. yd. bin for green and/or organic/food waste (to be placed in the cell designated for grease collection storage) to be constructed to current Public Works Standard Drawings (Solid Waste Standards) **P-33A through C, P-34, and P-35; and P-93 and/or P-94 and/or P-95** to be serviced once a week.

**Note 1:** On February 24, 2025, DPU's Utilities Planning and Engineering Division informed the applicant of the requirement to have 3-cell trash enclosures to comply with SB 1383. The Site Plan as uploaded to Accela on March 6, 2025, shows the applicant intends to have 8 (eight) 3-cell trash enclosures to be serviced twice a week for the residential component of the Project and 3 (three) 3-cell trash enclosures to be for the commercial component of the Project.

**Note 2:** A part of these Solid Waste Service Requirements (i.e. require adding a third/forth compartment in the trash enclosure to accommodate a bin for green and/or organic/food waste) may need to be modified in the future to comply with SB 1383, as mandated by Chapter 12 of Title 14, Division 7 of the California Code of Regulations. **A reduced size bin for green and/or organic/food waste may be allowed if it is documented that green/landscape 'clippings' (waste) will be hauled away by a landscape contractor.**

DPU CONDITIONS OF APPROVAL FOR P23-03993 COMM/MFR (Commercial Center and Multi-Family Apartment Complex at Herndon & Hayes) – APNs 504-092-09, 10ST, 15, and 16

March 31, 2025

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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. Ingress and egress of the location shall have an unobstructed overhead clearance of 16 feet and shall not be less than 18 feet wide, in accordance with Public Works Standard Drawing **P-34**.
9. The applicant will need to provide a 44-foot (centerline) turning radius at all corners and a T-turnaround (or hammerhead) area where the solid waste vehicle is to turn around, in accordance with Public Works Standard Drawing **P-34**.
10. Dimension offset of proposed trash enclosure from property line. The safe back up limit for a solid waste vehicle shall not exceed 45 feet, in accordance with Public Works Standard Drawing **P-34**.
11. Americans with Disability Act (ADA) requirement for multi-family residential developments:

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



## PROJECT DIRECTORY:

### OWNER

MARC O' POLO ENTERPRISES, INC.  
6124 N. WILLOW AVE., STE. 105  
FRESNO, CALIFORNIA 93710  
CONTACT: ARNEN BASHJIAN  
PH: (559) 405-5600  
EMAIL: armen@marcopoloent.com

### ARCHITECT

KENT P. RODRIGUES, ARCHITECT  
2040 W. MAGILL AVE.  
FRESNO, CA 93711  
CONTACT: KENT RODRIGUES  
PH: (559) 438-1780  
EMAIL: kentp@kprch.com

### CIVIL ENGINEER

ALAN MOK ENGINEERING  
3422 W. SHAW AVE., STE. 106  
FRESNO, CA 93711  
CONTACT: ALAN MOK  
PH: (559) 432-6874  
EMAIL: alan@alamokengineering.com

## SITE STATISTICS:

### EXISTING ZONE DISTRICTS:

COMMERCIAL - O/EAVENGLZ  
RESIDENTIAL - RM-2UGM

### EXISTING GP LAND USES:

COMMERCIAL - EMPLOYMENT-OFFICE  
RESIDENTIAL - URBAN NEIGHBORHOOD

### MULTIFAMILY RESIDENTIAL:

#### LAND / FLOOR AREA RATIO:

LAND AREA EQUALS 112,642 SQUARE FEET OF LAND OR 16.36 ACRES (NET)  
WITH 346 UNITS. FAR = 346 UNITS / 16.36 ACRES = 24.21 UNITS PER ACRE

#### BUILDINGS:

PARCEL 1:  
BUILDING TYPE 1: 3 STORY BUILDING WITH 12 ONE BEDROOM / ONE BATH UNITS (1 BUILDING)  
BUILDING TYPE 2: 3 STORY BUILDING WITH 12 TWO BEDROOM / TWO BATH UNITS (10 BUILDINGS)  
BUILDING TYPE 3: 3 STORY BUILDING WITH 12 THREE BEDROOM / TWO BATH UNITS (3 BUILDINGS)  
RECREATION BUILDING: SINGLE STORY  
PARCEL 2:  
BUILDING TYPE 1: 3 STORY BUILDING WITH 12 ONE BEDROOM / ONE BATH UNITS (3 BUILDINGS)  
BUILDING TYPE 2: 3 STORY BUILDING WITH 12 TWO BEDROOM / TWO BATH UNITS (6 BUILDINGS)  
BUILDING TYPE 3: 3 STORY BUILDING WITH 12 THREE BEDROOM / TWO BATH UNITS (4 BUILDINGS)

TOTAL:  
BUILDING TYPE 1: 3 STORY BUILDING WITH 12 ONE BEDROOM / ONE BATH UNITS (10 BUILDINGS)  
BUILDING TYPE 2: 3 STORY BUILDING WITH 12 TWO BEDROOM / TWO BATH UNITS (16 BUILDINGS)  
BUILDING TYPE 3: 3 STORY BUILDING WITH 12 THREE BEDROOM / TWO BATH UNITS (7 BUILDINGS)

#### UNITS:

PARCEL 1:  
UNIT "A" - ONE BEDROOM / ONE BATH = 84 UNITS  
UNIT "B" - TWO BEDROOM / TWO BATH = 120 UNITS  
UNIT "C" - THREE BEDROOM / TWO BATH = 36 UNIT  
TOTAL 240 UNITS

PARCEL 2:  
UNIT "A" - ONE BEDROOM / ONE BATH = 36 UNITS  
UNIT "B" - TWO BEDROOM / TWO BATH = 72 UNITS  
UNIT "C" - THREE BEDROOM / TWO BATH = 48 UNITS  
TOTAL 156 UNITS

TOTAL:  
UNIT "A" - ONE BEDROOM / ONE BATH = 120 UNITS (30.3%)  
UNIT "B" - TWO BEDROOM / TWO BATH = 192 UNITS (49.5%)  
UNIT "C" - THREE BEDROOM / TWO BATH = 84 UNITS (21.2%)  
TOTAL 346 UNITS

#### LOT COVERAGE:

BUILDING: 187116 SQ. FT. / 112,642 SQ. FT. (BUILDING AREA / LOT AREA) = 26.3%  
PAVED AREA: 203,503 SQ. FT. / 112,642 SQ. FT. (PAVED AREA / LOT AREA) = 28.2%  
LANDSCAPED AREA: 322,023 SQ. FT. / 112,642 SQ. FT. (LANDSCAPED AREA / LOT AREA) = 45.5%

#### PARKING:

PARKING PROVIDED:  
1 STALL PER ONE AND TWO BEDROOM UNITS x 312 UNITS = 312 STALLS  
1.5 STALLS PER THREE BEDROOM UNITS x 84 UNITS = 126 STALLS  
1 STALL FOR EVERY 2 UNITS GUEST PARKING = 193 STALLS  
TOTAL PARKING STALLS REQUIRED 636 STALLS  
PARKING PROVIDED:  
ENCLOSED GARAGES = 10 STALLS  
COVERED CARPORTS = 326 STALLS  
TOTAL COVERED PARKING STALLS = 346 STALLS (ONE PER UNIT)  
OPEN PARKING STALLS = 240 STALLS  
TOTAL PARKING STALLS PROVIDED 636 STALLS

#### COMMERCIAL:

##### LAND AREA:

LAND AREA EQUALS 108,900 SQ. FT. OF LAND OR 2.2 ACRES (NET)

##### BUILDING AREA:

RETAIL SHELL BUILDING - 12,150 SQ. FT.  
COMMERCIAL PAD 1 - 5,000 SQ. FT.  
RETAIL PAD 2 - 4,250 SQ. FT.  
TOTAL SQUARE FOOTAGE - 22,600 SQ. FT.

##### LOT COVERAGE:

BUILDING: 22,600 SQ. FT. / 108,900 SQ. FT. (BUILDING AREA / LOT AREA) = 20.7%  
PAVED AREA: 28,800 SQ. FT. / 108,900 SQ. FT. (PAVED AREA / LOT AREA) = 54%  
LANDSCAPED AREA: 21,444 SQ. FT. / 108,900 SQ. FT. (LANDSCAPED AREA / LOT AREA) = 25.3%

##### LOT COVERAGE:

BUILDING AREA / LOT AREA = 22,600 / 108,900 = .207

##### PARKING:

PARKING REQUIRED:  
RETAIL BUILDINGS - ONE STALL PER 450 SQ. FT. = 40 STALLS  
COMMERCIAL PAD - ONE STALL PER 150 SQ. FT. = 33 STALLS  
TOTAL PARKING REQUIRED 74 STALLS  
PARKING PROVIDED:  
STANDARD PARKING STALLS 75  
ACCESSIBLE PARKING STALLS 6  
TOTAL SPACES PROVIDED 81

#### COMMERCIAL SITE PLAN KEY NOTES:

- NEW CONCRETE APPROACH (WIDTH AS DIMENSIONED) CONSTRUCTED TO CITY OF FRESNO STANDARDS P-2, P-3 AND P-42
- EXIST. CONCRETE CURB, GUTTER TO CITY OF FRESNO STANDARDS PER FH STD. P-5
- NEW ASPHALT PAVING AT CIRCULATION AREAS PER CITY OF FRESNO STANDARDS P-21/P-22 AND P-23
- LANDSCAPED AREAS AT PARKING AREA
- LANDSCAPED STREET SETBACK
- EXIST. SIDEWALK RAMP FOR ACCESSIBILITY
- NEW 8'-0" WIDE VAN ACCESSIBLE LOADING AREA
- NEW ACCESSIBLE PARKG. STALL AS SHOWN WITH ALL APPLICABLE STATE AND A.D.A. REQUIRED STALL AND SITE SIGNAGE
- PROPOSED 6'-8" HIGH CMU WALL WITH 4" CAP AT PROPERTY LINE
- PROPOSED CONG. PATIOS
- PROPOSED 8" CONG. CURB AT PARKING AREAS
- NEW TRASH ENCLOSURE TO CITY STD. P-33 & P-34
- NEW CONCRETE WALKWAY
- NEW ACCESSIBLE PATH OF TRAVEL TO PUBLIC R.O.H.
- PROPOSED STANDARD 9'-0" WIDE PARKING STALLS, STRIPING TO CITY OF FRESNO PARKING MANUAL STANDARDS
- EXISTING STREET MEDIAN AT NORTH HAYES STREET
- RED CURBS DENOTING FIRE LANES SHOWN HATCHED. PAINT CURBS RED WITH WHITE LETTERING STATING "FIRE LANE - NO PARKING"
- PROPOSED TRAFFIC DIRECTION ARROWS (TYP. AS SHOWN)
- INSTALL 30" STATE STANDARD STOP (STOP) SIGNS AT LOCATIONS SHOWN. SIGN SHALL BE MOUNTED ON A 2" DIA. GALVANIZED POST WITH THE BOTTOM ABOVE GROUND, LOCATED BEHIND CURB AND IMMEDIATELY BEHIND MAJOR STREET SIDEWALK, WHERE "RIGHT TURN ONLY" SIGN IS REQUIRED AT THE SAME LOCATION. INSTALL 30"x36" STATE STANDARD SIGN IMMEDIATELY BELOW THE STOP SIGN ON THE SAME POST.
- PROVIDE 12"x12" VISIBILITY TRIANGLE AT DRIVE APPROACH
- LANDSCAPED PLAZA WITH STAMPED CONG. PAVING
- ACCESSIBLE PATH OF TRAVEL THROUGH PROJECT SITE
- "EV" DENOTES ELECTRICAL VEHICLE CHARGING PARKING STALLS
- DRIVE THRU LANE, 330 LINEAL FEET LONG ALLOWS FOR 15 CAR STACKING BASED ON 20 L.F. PER CAR
- PROVIDE "RIGHT TURN ONLY" SIGN AT PROJECT EXIT. SEE KEYNOTE 14 FOR MOUNTING REQUIREMENTS
- PROVIDE 12" WIDE TRAIL PER FH STD. P-58, P-60
- PROVIDE 4'-0" HIGH WROUGHT IRON FENCE
- FIRE HYDRANT LOCATION. SEE FIRE DEPT. NOTE NO. 14 FOR REQUIREMENTS

APPL. NO. P23-03993 EXHIBIT A DATE 03/06/2025  
PLANNING REVIEW BY DATE  
TRAFFIC ENG. DATE  
APPROVED BY DATE  
CITY OF FRESNO DARM DEPT

#### MULTIFAMILY SITE PLAN KEY NOTES:

- EXISTING CONCRETE CURB, GUTTER AS REQUIRED TO CITY OF FRESNO
- NEW CONG. APPROACH (WIDTH AS DIMENSIONED) CONSTRUCTED TO CITY OF FRESNO FH STD. P-2, P-6 AND P-48
- PROVIDE 6'-8" HIGH CONG. BLOCK WALL WITH 4" CAP AT PROJECT PERIMETER
- CONSTRUCT CONG. BLOCK TRASH ENCLOSURE PER CITY OF FRESNO STD. (TYP. OF 6)
- PROVIDE ASPHALT PAVING AT PARKING LOT / TRAFFIC CIRCULATION AREAS PER FH STD. P-21 AT MIN.
- PROVIDE ACCESSIBLE PARKING STALL AND RAMP WITH ALL REQUIRED SIGNAGE MIN. 4'-0" WIDE CONG. WALKS WITH MAX 2% CROSS SLOPE
- ENCLOSED GARAGES, MIN. 11' x 21' WITH 10' x 8' OVERHEAD GARAGE DOORS
- 5'-0" HIGH PATIO FENCES AT UNITS
- FIRE DEPARTMENT ACCESS, CONTACT FRESNO FIRE DEPARTMENT FOR REQUIREMENTS, CONSTRUCT TO FH STD. P-61
- DECORATIVE WROUGHT IRON FENCING AT PROJECT ENTRY
- WROUGHT IRON SECURITY GATES AT ENTRY / ELECTRONICALLY OPERATED
- PROPOSED CONTROLLED PEDESTRIAN ACCESS GATE
- PROPOSED PEDESTRIAN ACCESS TO FUTURE DEVELOPMENT TO THE WEST
- LINE OF OPEN CARPORTS SHOWN DASHED
- PROPOSED BAR-B-QUE AREA
- PROPOSED TOT LOT AREA / OWNER TO SELECT EQUIPMENT
- PROPOSED SWIMMING POOL
- PROPOSED MAIL DROP LOCATION
- LANDSCAPED MEDIAN AT PROJECT ENTRY
- PROPOSED MONUMENT SIGN AT PROJECT ENTRY
- ENTRY KEYPAD MOUNTED IN COLUMN
- PROPOSED GAZEBO
- PROPOSED BAR-B-QUE / PATIO AREA
- PICKLE BALL COURT
- PLANTER ISLAND AT PARKING AREA
- 5'-0" HIGH WROUGHT IRON FENCE AT POOL
- DOG PARK WITH 48" HIGH CHAIN LINK FENCE
- FENCED SERVICE AREA
- ROLLING AUTOMATIC SECURITY GATE AT SECOND EXIT
- ACCESS, PATH OF TRAVEL FROM PUBLIC RIGHT OF WAY TO SITE ARRIVAL POINT
- 8'-0" HIGH CONG. BLOCK WALL AT EAST PROPERTY LINE
- LINE OF OVERHEAD POWER LINE EASEMENT
- ACCESSIBLE PATH OF TRAVEL THROUGH SITE
- PROPOSED 6'-8" HIGH CMU WALL WITH 4" CAP AT SERVICE YARD
- PROVIDE A MIN. 8'-0" HIGH CONG. BLOCK WALL AT HERNDON EXPRESSWAY STREET FRONTAGE
- 12'-0" WIDE x 6'-0" HIGH METAL GATES AT SERVICE YARD
- INSTALL 30" STATE STANDARD STOP (STOP) SIGNS AT LOCATION(S) SHOWN. SIGN SHALL BE MOUNTED ON A 2" DIA. GALVANIZED POST WITH THE BOTTOM ABOVE GROUND, LOCATED BEHIND CURB AND IMMEDIATELY BEHIND MAJOR STREET SIDEWALK, WHERE "RIGHT TURN ONLY" SIGN IS REQUIRED AT THE SAME LOCATION. INSTALL 30"x36" STATE STANDARD SIGN IMMEDIATELY BELOW THE STOP SIGN ON THE SAME POST.
- PROVIDE "RIGHT TURN ONLY" SIGN AT PROJECT EXIT. SEE KEYNOTE NO. 38 FOR MOUNTING REQUIREMENTS
- CONSTRUCT A 12'-0" WIDE BIKE AND PEDESTRIAN TRAIL PER THE CITY OF FRESNO GENERAL PLAN AND FRESNO PUBLIC WORKS STD. P-58, P-60 AND P-61 AND CALTRANS HIGHWAY DESIGN MANUAL CHAPTER 1000 FOR CLASS I BIKEWAY(S) (BIKE PATHS)
- OMITTED
- PROVIDE 12"x12" VISIBILITY TRIANGLE AT ALL DRIVE APPROACHES (TYP.)
- DEDICATE A 26' (MIN) EASEMENT FOR LANDSCAPE, BIKE AND PEDESTRIAN PURPOSES ONLY. ABOVE GROUND UTILITIES ARE NOT ALLOWED WITHIN THIS EASEMENT
- CONSTRUCT NEW CONG. CURB AND GUTTER PER FH STD. P-5
- CONSTRUCT NEW 6'-0" WIDE CONG. WALK PER FH STD. P-5
- CONSTRUCT 4'-0" HIGH WROUGHT IRON FENCE
- PRE-MANUF. METAL STORAGE BLDG AT SERVICE YARD (2280 SQ. FT.)
- 40' WIDE SLIDING GATE AT STORAGE YARD
- FIRE APPARATUS TURNING RADIUS / 44 FT. TO CENTERLINE
- FIRE HYDRANT LOCATION. SEE FIRE DEPT. NOTE NO. 14 FOR REQUIREMENTS
- FIRE DEPARTMENT CONNECTION LOCATION. TYPICAL AT ALL BUILDINGS

#### NORTH COMMERCIAL PARCEL

A.P.N.: 504-042-15  
LAND AREA: 62,240 SQ. FT. OR 1.43 ACRES (GROSS)  
33,916 SQ. FT. OR 0.78 ACRES (NET)

DRIVE THRU STACKING:  
SEE COMMERCIAL SITE PLAN KEY NOTE NO. 24 FOR STACKING CALC. FOR THE DRIVE THRU

#### SOUTH COMMERCIAL PARCEL

A.P.N.: 504-042-16  
LAND AREA: 21,458 SQ. FT. OR 1.01 ACRES (GROSS)  
61,419 SQ. FT. OR 1.41 ACRES (NET)

#### VICINITY MAP

N.T.S.

# SITE PLAN

SCALE: 1"=60'-0"





## Sustainability in Action

March 05, 2025

To whom it may concern,

This letter confirms that Republic Services is the designated service provider for Herndon and Hayes, Fresno, CA 93722, your franchise location north of Ashlan in the city of Fresno. Republic Services authorizes the requested service for access to 8 enclosures, serviced 2 times per week.

As a trusted service partner, we are committed to providing high-quality, reliable services that align with the standards and brand image of Republic Services. Our team is fully trained on your franchise operations and procedures to ensure seamless integration and exceptional customer experiences.

Please feel free to contact us directly at 559-275-1551 with any questions or service requests.

Sincerely,

Grace Martinez-Calderon



Sustainability Advisor  
Republic Services





&  
2600 Fresno Street  
Fresno, California 93721-3604  
www.fresno.gov

---

## **Fire Department**

February 26, 2025

### **Comments**

Approved with conditions. Approval of this plan does not authorize or approve any omission or deviation from applicable adopted codes and adopted standards. Final approval is subject to field inspection.

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 & Development Department 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.

This project has been approved based upon the following conditions:

1. Prior to issuance of building permits, lots 504-092-09 and 504-092-10S shall be merged and recorded with the County.
2. If the project is to be phased, prior to the bringing combustible materials on site, a Phasing Plan shall be submitted to and approved by the Fresno Fire Department.

**P23-03993****DEVELOPMENT IMPACT FEES & CHARGES****APN: 504-092-09, 10ST, 15, 16, 506-010-14T****GOVERNMENT CODE §66020(d)(1)**

*A protest filed pursuant to subdivision (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 following fees are based on preliminary conceptual information. The exact fee obligation will be computed prior to building plan approval by Public Works Department, Land Division & Engineering. The fee rates in effect at the time of building plan approval, determined by the Master Fee Schedule, shall apply (Reso. No. 2016-258).

**SEWER CONNECTION CHARGES****FEE RATE**

- |  |   |
|--|---|
| a. Lateral Sewer Charge                          | \$0.10/sq. ft. (lineal foot, to 100' depth) |
| b. Oversize Charge (UGM Service Area)            | \$0.05/sq. ft. (lineal foot, to 100' depth) |
| c. Trunk Sewer Charge                            |   |
| - Service Area: Grantland                        |   |
| - Commercial, Industrial, Residential (4+ units) | S.T.E.P.**                                  |
| d. Wastewater Facilities Charge                  |   |
| - Commercial, Industrial, Residential (4+ units) | S.T.E.P.**                                  |

**WATER CONNECTION CHARGES****FEE RATE**

- |                              |  |
|------------------------------|--|
| e. Service Connection Charge | Fee based on service(s) and meter(s) sizes specified by owner; fee for service(s) and Meter(s) established by the Master Fee Schedule. |
| f. Frontage Charge           | \$6.50/lineal foot   |
| g. Water Capacity Fee*       |  |
| - 1" Meter Size              | \$5,722.66/each  |
| - 1½" Meter size             | \$7,154.34/each  |
| - 2" Meter Size              | \$14,302.63/each   |
| - 4" Meter Size              | \$35,759.59/each   |
| - 6" Meter Size              | \$71,519.19/each   |
| - 8" Meter Size              | \$343,286.26/each  |

**CITYWIDE DEVELOPMENT IMPACT FEES****FEE RATE**

h. Fire Facilities Impact Fee – Citywide	
- Residential, MFR	\$1,754.85/living unit
- Commercial Office	\$692.68/1000 sq.ft. †
- Commercial Retail	\$606.10/1000 sq.ft. †
i. Park Facility Impact Fee – Citywide	
- Residential, MFR	\$3,878.20/living unit
j. Citywide Regional Street Fee	
- Residential, Multi-Family	\$17,170.00/adj. acre
- Commercial Retail	\$15,876.26/adj. acre
k. New Growth Area Major Street Fee	
- Residential, Multi-Family	\$53,787.39/adj. acre
- Commercial Retail	\$51,054.93/adj. acre
l. Police Facilities Impact Fee – Citywide	
- Residential, MFR	\$727.91/living unit
- Commercial Office	\$849.74/1000 sq.ft. †
- Commercial Retail	\$892.03/1000 sq.ft. †
m. Traffic Signal Charge	
- Residential, Multi-Family	\$595.02/living unit
- Medical/Dental Office	\$2,828.10/1000 sq.ft. †
- Office	\$791.35/1000 sq.ft. †
- General Retail	\$3,068.73/1000 sq.ft. †
- Restaurant	\$5,197.12/1000 sq.ft. †
- Fast-Food Restaurant	\$19,139.31/1000 sq.ft. †

**Notes:**

The Board of Directors of the Fresno County Regional Transportation Mitigation Fee Agency approved Resolution No. 2009 – 01 requiring the payment of Regional Transportation Mitigation Fee. The effective date of this resolution is January 1, 2010. Contact the Council of Fresno County Governments (FCOG) 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.

\* Fee based on meter(s) sizes specified by owner; fee for Water Capacity established by the Master Fee Schedule.

\*\* Upon occupancy of the project, the subdivider/developer/owner 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).

† Building areas to be calculated to the nearest square foot.



&  
2600 Fresno Street  
Fresno, California 93721-3604  
[www.fresno.gov](http://www.fresno.gov)

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## **Central Unified School District**

February 25, 2025

### **Comments**

The District has reviewed the request regarding Development Application No. P23-03993 and has no intention of pursuing this property for a school site in our Facilities Master Plan.

The proposed development will produce 396 dwelling units within multiple three-story buildings. The current accumulated student generation rate for Central Unified School District for Multifamily dwelling units is approximately 0.30.

Based on this rate, the 396 multifamily homes are expected to generate approximately 118 students. Specifically, this breakdown includes 59 students in the TK-6 grade level, 20 students in the 7-8 grade level, and 39 students in the 9-12 grade level. According to the District's current attendance area boundaries, students from this development will attend William Saroyan and Riverbluff Elementary Schools, Rio Vista Middle School, and Central East High School. Attendance area boundaries are designed to balance enrollment and are subject to change.

Due to the increased traffic this development would create, there would be an urgent need to provide our students who walk to school with safety support improvements such as High-Intensity Activated Crosswalk (H.A.W.K.) systems, streetlights, signal lights, and road widening along the main streets. Without these necessary improvements, traffic congestion may increase, posing additional safety hazards for our students along Hayes and Palo Alto Avenues. The safety of our students is our highest priority.

Impacts from the proposed development may also result in the need for additional classroom(s). The District's Current Developer Fee Rates fall under Level I at \$5.17 per square foot for residential and \$0.84 per square foot for commercial developments. Developer fees are assessed annually and are therefore subject to change based on factors that impact growth within the District.

Should you need further information or have any questions, please get in touch with me at (559) 274-4700 ext. 12102 or [Kloya@centralunified.org](mailto:Kloya@centralunified.org)



&  
2600 Fresno Street  
Fresno, California 93721-3604  
www.fresno.gov

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## **Fresno County Environmental Health Division**

March 28, 2024

### **Comments**

Since all of the retail tenants have not been identified for this application, the full range of O uses must be considered. The potential adverse impacts could include (but are not limited to) storage of hazardous materials and/or wastes, medical waste, solid waste, water quality degradation, excessive noise, and odors.

Recommended Conditions of Approval:

1. Prior to issuance of building permits, future food facility applicants will be required to submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Future applicants shall apply for and obtain permits to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
2. Should alcohol sales be proposed, the applicant shall first obtain their license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.
3. Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
4. Future applicants 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.
5. The proposed project has the potential to expose nearby residents to elevated noise levels. It is recommended that the City require a noise study

due to project proximity to residential units. Consideration should be given to the City of Fresno Municipal Code.

6. 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.
7. Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.



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

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

March 29, 2024

Robert Holt  
City of Fresno  
Department and Resource Management  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

RE: Development Permit Application No. P23-03993  
S/W Herndon Avenue and Veterans Boulevard

Dear Mr. Holt:

The Fresno Irrigation District (FID) has reviewed the Development Permit Application No. P23-03993 for which the applicant requests authorization to construct a commercial complex including a retail shell building, and commercial pads for a future commercial building, APNs: 504-092-09, 10ST, 15, 16, and 506-010-14T. This application is being reviewed concurrently with Conditional Use Permit Application P23-03982. FID has the following comment:

1. FID does not own, operate or maintain any facility located on the subject property as shown on the attached FID exhibit map.
2. FID is concerned that the proposed development may negatively impact local groundwater supplies. The area is currently open land with minimal to no water use, supplemented by groundwater pumping. Under current circumstances, the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to groundwater, this deficit will increase. FID recommends the City of Fresno require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.
3. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the development on the City's ability to comply with the requirements of SGMA.

\\fids01\Eng\Agencies\FresnoCity\Development Permit Application\P23-03993\P23-03993 FID Comment.doc

**BOARD OF DIRECTORS**

President RYAN JACOBSEN Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOLF  
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH



Robert Holt  
RE: P23-03993  
March 29, 2024  
Page 2 of 2

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 Jeremy Landrith at (559) 233-7161 extension 7407 or [jlandrith@fresnoirrigation.com](mailto:jlandrith@fresnoirrigation.com).

Sincerely,




Laurence Kimura, P.E.  
Chief Engineer

Attachment





Subject Property  
APNs: 504-092-09, 10ST, 15, 16, and 506-010-14T



FRESNO IRRIGATION DISTRICT

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

Path: G:\Figs\20240220 FID Master.mxd  
Spatial Reference  
Name: NAD 1983 StatePlane California IV FIPS 4004

**Legend**

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

0 400 800 Feet  
1 inch = 799.76 feet

N  
W E



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

File No. 210.412

Page 1 of 3

**PUBLIC AGENCY**

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

**DEVELOPER**

SETH RAMIREZ, RAMIREZ LAND PLANNING  
4233 WEST WATHEN AVE.  
FRESNO, CA 93722

PROJECT NO: **2023-03993**

ADDRESS: **SE CORNER OF HERNDON AVE. AND HAYES AVE.**

APN: **504-092-16, 15, 09, 504-092-10ST**

SENT: **February 18, 2025**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
EG	\$120,159.00	NOR Review	\$632.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$3,216.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$120,159.00		Total Service Charge: \$3,848.00		

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 2/28/25 based on the site plan submitted to the District on 1/27/25 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Creditable storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Creditable drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Creditable facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

**FR  
DPA  
No. 2023-03993  
V.1**

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

Page 2 of 3

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

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

**FR DPA No. 2023-03993 v.1**

**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: 2/18/2025 11:52:23 AM

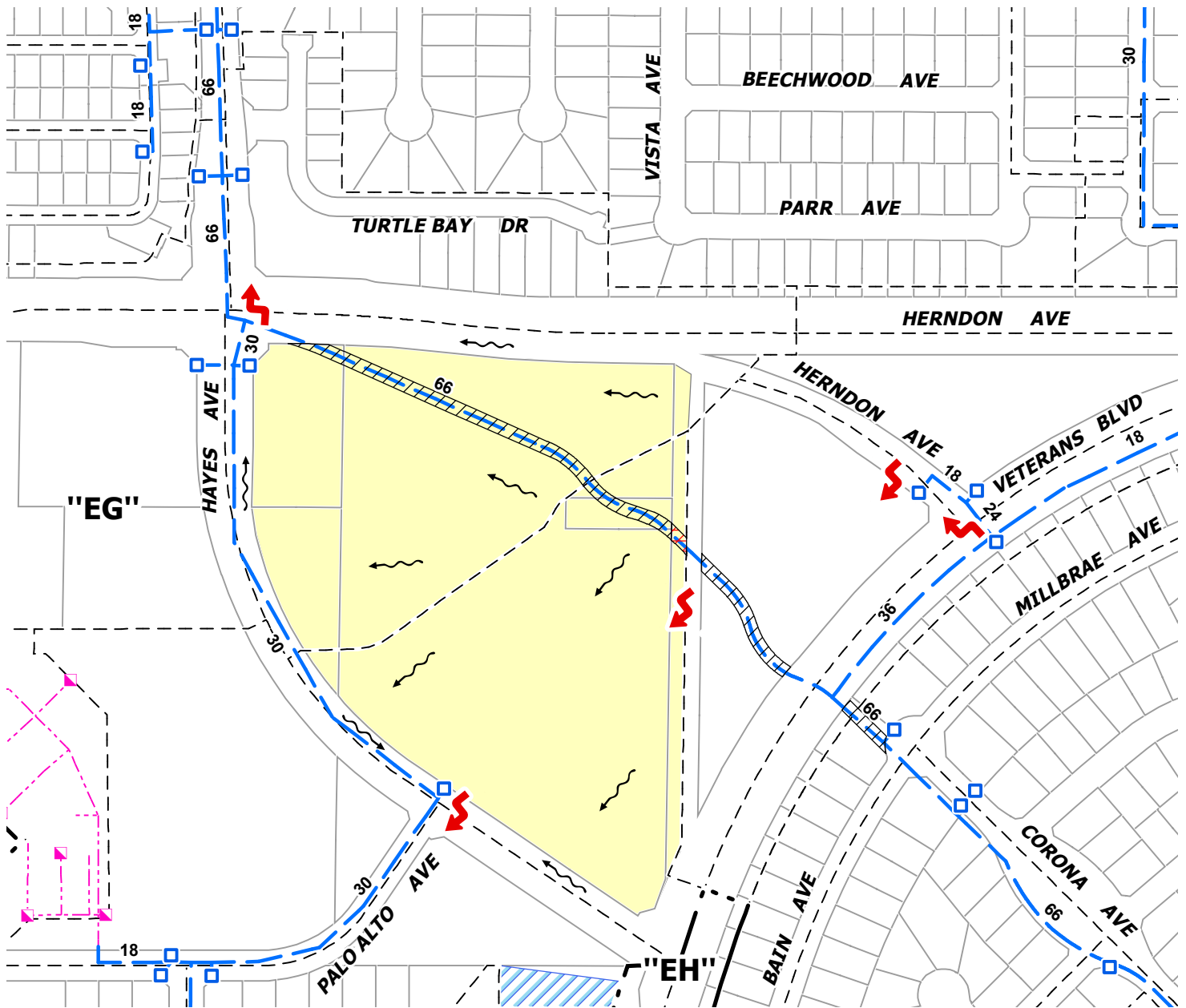


Anthony Zaragoza  
Engineer III

Digitally signed by Anthony Zaragoza Date: 2/12/2025 5:43:09 PM

**FR  
DPA  
No. 2023-03993  
v.1**

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



## LEGEND

— Existing Master Plan Facilities

— Private Facilities

--- Inlet Boundary

--- Drainage Area Boundary

~ Direction Of Drainage

↪ Major Storm Breakover

Existing Storm Drain Pipeline Easements

25' Wide Storm Drain Easement To Be  
Dedicated To District By Developer

Limits Of FR DPA 2023-03993 v.1



1" = 300'

**FR DPA 2023-03993 v.1**  
**DRAINAGE AREA "EG"**

**EXHIBIT NO. 1**

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**



Prepared by: alexm

Date: 2/10/2025

Path: K:\Autocad\DWGS\0EXHIBIT\CITYDPA\2023-03993v.1.mxd

## **OTHER REQUIREMENTS**

### **EXHIBIT NO. 2**

The minimum finish floor elevation shall be 303.00 (U.S.G.S. Datum) for the portion of FR DPA 2023-03993 v.1 draining to the Master Plan inlet near the intersection of Herndon and Hayes Avenues, as shown on Exhibit No. 1.

The District's existing Master Plan drainage system is designed to serve medium density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed mixture of high density residential and commercial density land uses. The developer shall be required to mitigate the impacts of the increased runoff from the proposed mixture of high density residential and commercial density land uses to a rate that would be expected if developed to medium 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 the mixture of high density residential and commercial density development, to a two-year discharge, which would be produced by the property if developed medium 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.

The proposed development of FR DPA 2023-03993 v.1 is located in an area that has historically provided a passage for major storm water flows from the area northeast of FR DPA 2023-03393 v.1 across the proposed site to Hayes Avenue. The grading of the proposed site shall be designed such that there are not adverse impacts to the passage of said major storm water.

The developer shall dedicate a storm drain channel easement for passage of major storm flows across the proposed site to reach Hayes Avenue, as shown on Exhibit No. 1. No objects shall be placed in the storm drain channel easement that reduce the design capacity of the channel. 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 the design prior to preparing a grading plan.

There is an existing twenty-five foot (25') wide storm drain pipeline easement that runs through the proposed site, as shown on Exhibit No. 1. No encroachments into the easement shall be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

The developer shall dedicate a twenty-five foot (25') wide storm drain pipeline easement as shown on Exhibit No. 1. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees. The District mailed out a letter on September 20, 2024 (letter is attached with this Notice of Requirements for reference) for the proposed street vacation of Hayes Avenue, which runs north-south along the east side of FR DPA 2023-03393 v.1, that also identifies the required storm drain easement dedication within the proposed street vacation area.

Runoff from the site draining to Drainage Area "EG" facilities will ultimately impact a sensitive receiving water. Runoff from commercial, residential, and industrial land uses to sensitive receiving waters without mitigation is prohibited by City of Fresno Municipal Code and District Policy. The District is therefore requiring on-site mitigation to improve runoff quality from the site prior to discharge to the public drainage system. The site plan and details of the proposed

## **OTHER REQUIREMENTS**

### **EXHIBIT NO. 2**

mitigation shall be designed per the District's Post-Development Standards Technical Manual and shall be reviewed and approved by the District prior to grading plan approval. The on-site mitigation system for runoff quality shall be paid for by the developer and maintained for the life of the project. To that effect, a maintenance agreement shall be required that runs concurrent with the land.

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

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

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



**Fresno Metropolitan Flood Control District**  
*Capturing Stormwater since 1956*

File 170.241  
210.412 "2023-03993"  
310. "EG"

September 20, 2024

Mr. Jason Camit, Chief Surveyor  
City of Fresno, Public Works Department/Engineering  
2600 Fresno Street, 4<sup>th</sup> Floor (Stop FCO38)  
Fresno, CA 93721-3623

Dear Mr. Camit,

**Proposed Vacation of a Public Street Easement Previously Known as North Hayes Avenue,  
Associated With Development Permit Application No. P23-03993  
Drainage Area "EG"**

The proposed street vacation area lies within the District's Drainage Area "EG". The District has existing storm drainage facilities within the area of the proposed vacation as detailed on the Exhibit provided to the District. The District's facilities are shown on the included map. The District is requiring that the City of Fresno retain a public utility easement or provide the District with a twenty-five foot (25') wide exclusive storm drainage easement centered on the pipeline. No encroachments into the easement will be allowed including, but not limited to, buildings, roof overhangs, swimming pools and trees.

The District requires that the Master Plan drainage patterns remain as designed for the proposed vacation area. Any proposed revisions to existing District facilities must be reviewed and approved by the District prior to implementation.

Thank you for the opportunity to comment. Should you have any questions regarding this matter, please do not hesitate to contact us at (559) 456-3292.

Very truly yours,

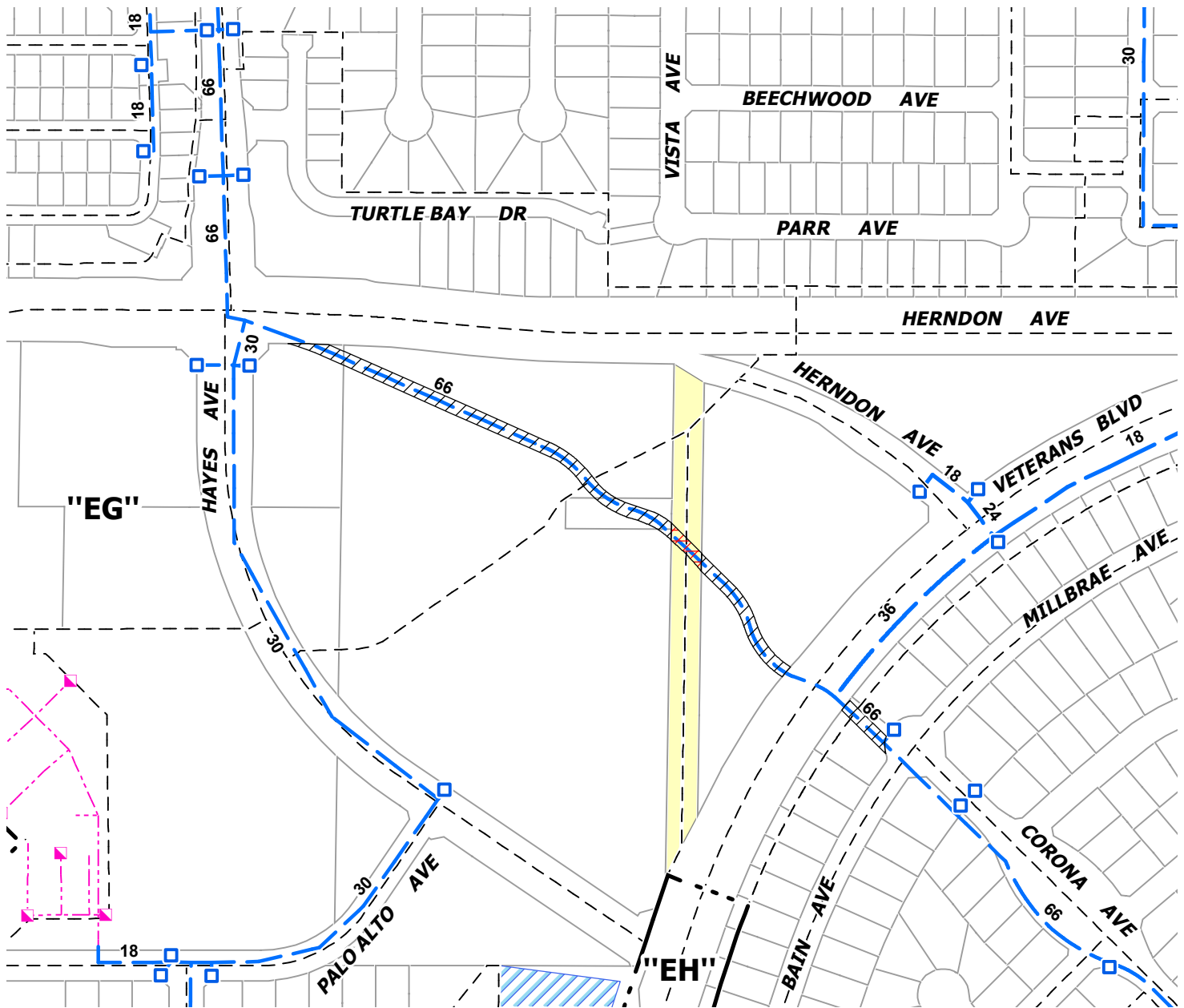
Anthony Zaragoza  
Engineer III

AZ/jt

Attachment(s)



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



## LEGEND

- Existing Master Plan Facilities
- Private Facilities
- Inlet Boundary
- Drainage Area Boundary
- Existing Storm Drain Pipeline Easements
- PUE Or 25' Wide Storm Drain Easement Required
- Limits Of Proposed Vacation Area



1" = 300'

## Vacation Area DRAINAGE AREA "EG"



**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**

Prepared by: alexm  
Date: 9/19/2024  
Path: K:\Autocad\DWGS\0EXHIBIT\VACATION\Herndon & Hayes.mxd



February 7, 2025

Re: Bella Vista Multifamily Development (P23-03993)

Dear City of Fresno,

Thank you for giving us the opportunity to review the subject plans. The proposed Bella Vista Multifamily Development is within the same vicinity of PG&E's existing facilities that impact this property. The applicant proposes multiple uses and improvements within PG&E's existing easements for multiple lines of towers and the transmission of electric energy. Many of the proposed uses and improvements are not compatible with PG&E's easement language and/or PG&E utility Standards. **The applicant may reference the attached PG&E electric facility guidelines and restrictions, as well as the below comments and conditions, to modify their site plan for compliance with PG&E's easement language and/or utility standards.**

PG&E's existing easements do not allow for the construction of any buildings or other structures within the easement areas. Trash enclosures, basketball courts with associated hoops, pickle ball courts, enclosed dog parks, building foundations, and roof eaves should all be located outside of PG&E's easement areas.

Heavy equipment access must be maintained to all PG&E towers, facilities, and easement areas at all times. Cuts, trenches or excavations may not be made within twenty-five feet (25') of our towers. The applicant must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

The Bella Vista Multifamily Development site plan proposes multiple security gates and points of entry for residents and emergency vehicles. PG&E must have the same uninterrupted access through the proposed gates with heavy equipment for the operation and maintenance of its existing towers and facilities. All metal gates in PG&E's easements must be grounded to PG&E specifications.

The applicant is permitted to plant only low-growing shrubs under the wire zone and only grasses within the area directly below the tower. Along the border of the transmission line right-of-way, plant only small trees no taller than ten feet (10'). Any lounge, picnic areas, and seating within PG&E's easement cannot be permanent in nature and must be readily removable. No permanent structures are permitted within PG&E's easement area.

Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed within PG&E easement areas. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Parking is to clear PG&E structures by at least ten feet (10'). Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense and to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.



Please contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782 and PG&E's Service Planning department at [www.pge.com/cco](http://www.pge.com/cco) for any modification or relocation requests, or for any additional services you may require.

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 this response, please contact me at [Vincent.Fazzi@pge.com](mailto:Vincent.Fazzi@pge.com).

Sincerely,

*Vince Fazzi*

Vince Fazzi - Land Agent  
Land Management  
(916) 217-1057

## Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.
8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for



proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M550/K438/550438485.pdf>) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.



March 20, 2024

Robert Holt  
City of Fresno  
Planning and Development Department  
2600 Fresno Street, Third Floor  
Fresno, CA 93721

**Project: Development Permit Application No. P23-03993 and Conditional Use Permit Application No. P23-03982 for Bella Vita Multifamily and Commercial Development**

**District CEQA Reference No: 20240297 and 20240298**

Dear Mr. Holt,

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Site Plan (SP) and the Conditional Use Permit (CUP) from the City of Fresno (City) for the above project. Per the SP and CUP, the project consists of the construction of a 516 multi-family residential apartment complex, a 12,750 square foot commercial retail building, a 4,850 square foot commercial building (SP and CUP), and a 5,000 square foot quick service restaurant building with a drive through lane (CUP) (Project). The Project is located at the southeast corner of Herndon and Hayes Avenue in Fresno, CA.

The District offers the following comments at this time 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 (PM<sub>2.5</sub>) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> standards.

The District's initial review of the Project concludes that emissions resulting from construction and/or operation of the Project may exceed any of the following significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://ww2.valleyair.org/media/g4nl3p0g/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) 392-5585

The District recommends that a more detailed preliminary review of the Project be conducted for the Project's construction and operational emissions.

### **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.

### **1b) Operational Emissions**

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts:

<https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

*Recommended Mitigation Measure:* At a minimum, project related impacts on air quality should be reduced to levels below the District's significance thresholds through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at:

<https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

### **1c) Recommended Model for Quantifying Air Emissions**

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: [www.caleemod.com](http://www.caleemod.com).

## **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. Please contact the District for assistance with performing a Prioritization analysis.

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.

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.

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

<https://ww2.valleyair.org/permitting/ceqa/>.

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](mailto: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 to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

### **3) Ambient Air Quality Analysis**

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: <https://ww2.valleyair.org/permitting/ceqa/>.

### **4) Voluntary Emission Reduction Agreement**

Criteria pollutant emissions may result in emissions exceeding the District's significance thresholds, potentially resulting in a significant impact on air quality. When a project is expected to have a significant impact, the District recommends the environmental review also include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this Project.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs.

The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

## **5) Under-fired Charbroilers**

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

Since the cooking of meat can release carcinogenic PM<sub>2.5</sub> species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM<sub>2.5</sub> standards. Therefore, the District recommends that the environmental review include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or [technology@valleyair.org](mailto:technology@valleyair.org) for more information, or visit: <https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/>

## **6) Vegetative Barriers and Urban Greening**

There are residential units surrounding the Project, along with schools, such as River Bluff Elementary and Rio Vista Middle School located west of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units, schools).

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

## **7) Clean Lawn and Garden Equipment in the Community**

Since the Project consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NO<sub>x</sub> and PM<sub>2.5</sub> 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: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/> and <https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/>.

## **8) 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.

## **9) Electric Infrastructure**

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 <https://ww2.valleyair.org/grants/charge-up> for more information.

## **10) 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: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. 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.

### **10a) 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.

### **10b) District Rule 9510 - Indirect Source Review (ISR)**

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 9,000 square feet of space.

The purpose of District Rule 9510 is to reduce the growth in both NO<sub>x</sub> and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO<sub>x</sub> and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at [ISR@valleyair.org](mailto:ISR@valleyair.org).

### **10c) 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: <https://ww2.valleyair.org/compliance/demolition-renovation/>

### **10d) 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: <https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

### **10e) 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://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>



Information about District Regulation VIII can be found online at:  
<https://ww2.valleyair.org/dustcontrol>

#### **10f) District Rule 4901 - Wood Burning Fireplaces and Heaters**

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at:  
<https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/>

#### **10g) 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).

#### **11) 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 Dylan Casares by e-mail at [Dylan.Casares@valleyair.org](mailto:Dylan.Casares@valleyair.org) or by phone at (559) 230-6574.

Sincerely,

Tom Jordan  
Director of Policy and Government Affairs



For: Mark Montelongo  
Program Manager