

Exhibit G

**City of Fresno
Planning and Development Department**

**Conditions of Approval
May 7, 2025**

Conditional Use Permit Application No. P23-02631

Planner: Saul Perez (559) 621-8321

PROJECT DESCRIPTION

Conditional Use Permit Application No. P23-02631, was filed by Xiamy Ly-Yang of Rivendell Community Inc. and pertains to ±1.57 acres located on 4927 East McKinley Avenue. The applicant requests to establish and operate a ± 8,568 square foot banquet hall. The proposed hours of operation are 6:00 p.m. to 11:00 p.m. on weekdays and 6:00 p.m. to midnight on weekends.

APN: 494-291-10

ADDRESS: 4927 East McKinley Avenue

ZONING: CC (Community - Commercial)

PART A - ITEMS TO BE COMPLETED

The following items are required prior to final approval and/or commencement of land use activity:

Planner to check when completed

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Development shall take place in accordance with Exhibits A and O dated September 20, 2023 and Exhibit F dated 01/31/2024. Revise and transfer all comments and conditions on Exhibits to the corrected exhibit(s) and upload to the related Compliance Record and submit to the planner at least 15 days prior to issuance of building permits. |
| <input type="checkbox"/> | <p>Provide required parking spaces pursuant to §15-2409 of the Fresno Municipal Code (FMC) for the proposed banquet facility.</p> <p>Prior to application for building permits and change of occupancy, demonstrate that adequate parking (135 parking spaces) will be provided, either with construction of additional stalls or a shared parking covenant, pursuant with FMC SEC. 15-2414.D. - Location of Required Parking.</p> |

PART B - OTHER AGENCY COMMENTS AND CONDITIONS

To be checked when completed where applicable

- | | |
|--------------------------|---|
| <input type="checkbox"/> | <p>1. Building and Safety:</p> <p>The following items require a separate process with additional fees and timelines, in addition to the Conditional Use Permit Application process. Building plans are required to be submitted to the Building and Safety Services Division for approval and permits for the proposed project.</p> <ul style="list-style-type: none">• A "Change of Occupancy" from a B Occupancy to an A-3 Occupancy is required for the proposed project. As such the building shall comply with all current code requirements for the proposed use.• All Construction Documents must be designed, stamped, and signed by a licensed Architect/Engineer. |
|--------------------------|---|

	<ul style="list-style-type: none"> • Provide an occupant load calculation within the construction documents and verify all exiting requirements are being met. Refer to CBC Chapter 10 for additional information.
<input type="checkbox"/> 2.	DPU Solid Waste Management, DPU Planning and Engineering, DPU Water Division: Comply with attached DPU Conditions of Approval memo dated October 9, 2023.
<input type="checkbox"/> 3.	Flood Metropolitan Flood Control District (FMFCD) Fees: Comply with attached FMFCD Notice of Requirements (NOR) memorandum dated October 9, 2023.
<input type="checkbox"/> 4.	Fresno County Environmental Health: Comply with attached Fresno County Environmental Health memorandum dated October 3, 2023.
<input type="checkbox"/> 5.	Fresno Irrigation District: Comply with attached FID memorandum dated October 11, 2023.
<input type="checkbox"/> 6.	Fresno Unified School District: Comply with attached FUSD memorandum dated September 21, 2023.
<input type="checkbox"/> 7.	Police Review: Please consider combating crimes through the implementations of Crime Prevention through Environmental Design (CPTED) concept. Examples: Sufficient lightings helps deter crime and allows officers to properly evaluate the area of any potential criminal activities. Surveillance cameras should be installed at all entry/exit points, points of sales locations, locations where groups of people would congregate and parking lots. Surveillance systems should be digital HD format; hold a minimum of fourteen days (14) of recordings has the ability to play back and is downloadable. If an alcohol license is sought, it will require a more thorough review of the business. This is only an approval of the banquet hall.

PART C - PLANNING DEVELOPMENT CODE STANDARDS

Parking and Loading

Pursuant to [SEC 15-2409](#) of the Fresno Municipal Code (FMC), 1 on-site parking space is required for each 5 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area for group activities or where temporary or moveable seats are provided, whichever is greater. The assembly area is approximately 6,750 sq. ft. per the provided floor plan, meaning that **135 on-site parking spaces are required**.

Prior to application for a change of occupancy, the applicant must demonstrate that adequate parking (135 parking spaces) will be provided, either with construction of additional stalls or a shared parking covenant. If parking is to be provided offsite, it shall comply with FMC [SEC. 15-2414.D. - Location of Required Parking](#).

PART D - PLANNING - OTHER REQUIREMENTS

1. Development shall take place in accordance with the policies of the Fresno General plan, McLane Community Plan and with the Community - Commercial planned land use designation.

- a. [FMC Section 15-2712 \(Banquet Halls\)](#)
2. Development shall take place in accordance with the CC (Community - Commercial) zone district and all other applicable sections of the FMC.
3. Comply with the operational statement submitted for the proposed project dated May 23, 2023.
4. Property development standards and operational conditions are contained in Articles 12 (Commercial Districts), 20 (General Site Requirements), 23 (Landscape), 24 (Parking and Loading) and 25 (Performance Standards). Any project revisions, development and operation must comply with these property development standards and operational conditions.
5. Development shall comply with the City of Fresno Parking Manual, California Building Code, and American Disabilities Act requirements.
6. Development shall take place in accordance with the "General Notes and Requirements for Entitlement Applications" listed below if applicable.

PART E - MISCELLANEOUS AND GENERAL NOTES AND REQUIREMENTS

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

1. Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. This special permit is granted, and the conditions imposed, based upon the Operation Statement provided by the applicant. The Operation Statement is material to the issuance of this special permit. Unless the conditions of approval specifically require operation inconsistent with the Operation Statement, a new or revised special permit is required if the operation of this establishment changes or becomes inconsistent with the Operation Statement. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the special permit or any other enforcement remedy available under the law. The Planning and Development Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.
2. Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:
 - a) All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
 - b) All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
 - c) Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.
3. No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished, or moved in any zoning district, except in accordance with the provisions of this Code. Specific uses of land, buildings, and structures listed as prohibited in any zoning district are hereby declared to be detrimental to the public health, safety, and welfare.
4. Development shall take place in accordance with the Standards, Specifications, and Standard Drawings of the City of Fresno Public Works Department.
5. Development shall take place in accordance with all city, county, state and federal laws and regulations.

6. Owners and persons having ownership interest in businesses operating in the City of Fresno (including leasing out any commercial or industrial property, or renting out four or more dwelling units) are required by the Fresno Municipal Code to obtain a Business Tax Certificate. Contact the City of Fresno Finance Department's Business Tax Division at (559) 621-6880 for more information. Information and an application form is available at the following website: [Click Here](#)
7. All proposed building(s) or structure(s) constructed on the property must comply with the prevailing California Building Code Standards.
8. Any building modifications and/or additions not included with this application are not approved with this special permit and would be subject to a new special permit.
9. A permit granted under the Fresno Municipal Code shall automatically expire if it is not exercised or extended within three years of its issuance. Refer to section 15-5013, Expiration of Planning Entitlements, for more information about the exercise of rights.

FENCES/WALLS, LANDSCAPING, PARKING

10. Nothing in the Development Code shall be deemed to prohibit the erection of temporary fencing around construction sites in compliance with the Building Code and other applicable provisions of the Fresno Municipal Code.
11. Future fences shall be reviewed and approved by the Planning and Development Department prior to installation.
12. Fences, hedges, and walls shall be maintained in good repair, including painting, if required, and shall be kept free of litter or advertising. Where hedges are used as screening, trimming or pruning shall be employed as necessary to maintain the maximum allowed height. Fences shall be maintained and shall stand upright and shall not lean.
13. All planting and other landscape elements shall be permanently maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Wherever necessary, plantings shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Yards shall be maintained free of refuse, debris, rubbish, or other accumulated matter and/or materials, and shall be maintained clean. Grass shall not exceed six inches in height.
14. New landscaping shall have an automatic irrigation system designed to provide adequate and efficient coverage of all plant material. Irrigation systems shall comply with the requirements of the California Green Building Standards Code and/or the California Model Water Efficient Landscape Ordinance and/or the California Plumbing Code as may be amended.
15. Trees shall be maintained by property owners to be free from physical damage or injury arising from lack of water, chemical damage, accidents, vandalism, insects, and disease. Any tree showing such damage shall be replaced with another tree.
16. No tree for which a Tree Removal Permit is required shall be removed until all conditions of the permit have been satisfied and the decision has become final. In addition, tree(s) approved for removal in conjunction with a development application shall not be removed before the issuance of a Building Permit or unless all of the conditions of approval of the development applications are satisfied.
17. The review authority shall issue a Tree Removal Permit if any of the following general criteria is met:
 - a) The tree(s) is irreparably diseased or presents a danger of falling that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices so that the public health or safety requires its removal.
 - b) The tree(s) can potentially cause substantial damage to existing or proposed main structure(s) (e.g. dwellings, other main structures, or public infrastructure) or interfere with utility services and cannot be controlled or remedied through reasonable relocation or modification of the structure or utility services.

- c) The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the Review Authority that there are no reasonable alternatives to preserve the tree(s).
18. Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Current Planning Division. **(Include this note on the landscape plan.)**
 19. Future tenant improvements shall be reviewed and approved by the Planning and Development Department to ensure that adequate off-street parking is provided.
 20. Trees required for parking lots are in addition to trees required elsewhere on the site as prescribed in other sections of the Fresno Municipal Code.
 21. Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
 22. A minimum number of accessible parking stalls are required for the proposed project per State of California Building Code.
 23. All accessible stalls shall be marked with the international symbol of spaces and a warning that vehicles in violation of Section 10-1017 of the Fresno Municipal Code shall be towed away. The international symbol and tow-away warning shall be posted conspicuously on seven-foot poles. **(Include this note on the site plan.)**
 24. Applicants are encouraged to provide shared vehicle and pedestrian access between adjacent properties for convenience, safety, and efficient circulation. A joint access covenant shall be required. **(Include this note on the site plan.)**
 25. All general standards of Section 15-2015 of the Fresno Municipal Code shall apply when lighting is provided to illuminate parking, sales or display areas. **Depict all proposed lights on the site plan.**
 26. Bicycle parking spaces shall be supplied according to Table 15-2429-D: Required On-Site Bicycle Parking Spaces of the Fresno Municipal Code. Each bicycle parking space shall be a minimum of 30 inches in width and eight feet in length and shall be accessible without moving another bicycle. At least 30 inches of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces to allow for the maneuvering of bikes. Overhead clearance shall be a minimum of seven feet. A minimum five-foot aisle between each row of bicycle parking shall be provided for bicycle maneuvering beside or between each row, when multiple rows are proposed. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open spaces, and shall be located proximal to structures.
 27. All general provisions of Section 15-2403 of the Fresno Municipal Code shall apply to all parking areas.
 28. The parking lot is required to meet the [City of Fresno's Parking Manual, Public Works Standards \(P-21, P-22, and P-23\) and Specifications](#). Parking must also comply with the California Building Code's accessibility requirements and the Fire and Solid Waste Department's minimum turning templates. Contact the Planning and Development Department for Parking Manual questions.

SIGNAGE

29. All future signs shall be architecturally compatible with the proposed building(s). Provide a set of drawings, with descriptive information, including, materials, design and colors to allow for a preliminary assessment of the future signage. It is recommended that you provide a copy of the signage early in the project process to allow for staff comment.

30. Signs, other than directional signs, if applicable, are not approved for installation as part of this special permit. **(Include this note on the site plan.)**
31. All proposed signs shall conform to the current sign ordinance. The submittal checklist for signs is available online at: [Click Here](#)
32. Window signs limited to the hours of operation, address, occupancy, and emergency information, subject to the following standards:
 - a) Operational windows signs shall not be mounted or placed on windows higher than the second story.
 - b) The maximum area of exempt window signage shall not exceed three square feet in area.
33. Banners, streamers, moving signs, and inflatables (including air dancers, balloons, and similar objects) are allowed subject to Temporary Use Permit approval for establishments within Non-Residential Districts. Signs of this type do not count toward total maximum sign area. No sign per this section shall be displayed for more than 30 days, and a period of 30 must lapse before displaying another sign. Signs shall not be displayed for more than 60 total days during a calendar year.
34. Every sign displayed within the city, including exempt signs, shall be maintained in good physical condition and shall comply with adopted regulations. All defective or broken parts shall be replaced. Exposed surfaces shall be kept clean, in good repair, and painted where paint is required.

MISCELLANEOUS

35. Noise levels shall not exceed the decibel levels described in Section 15-2506 of the Fresno Municipal Code at any time, measured at the nearest subject property line.
36. No vibration shall be produced that is transmitted through the ground and is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.
37. Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street. Except for public street lights and stadium lights, no light, combination of lights, or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half foot-candle.
38. No use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the lot where the use is located. Windows shall not cause glare that may disrupt adjoining properties, traffic on adjacent streets, etc. Glare or heat reflected from building materials shall be mitigated so as to not disrupt surrounding properties.
39. The address listed in the conditions of approval is the 'Official Address' given to the building. If you would like separate suite or unit numbers for a building, provide a floor plan and contact the City of Fresno Planning and Development Department for 'Official Addresses'. **Only those addresses assigned by the City of Fresno will be recognized as 'Official Addresses'**. The United States Post Office will only recognize addresses assigned by the City of Fresno. If a non-official address is given to a building and/or separate suites, the City of Fresno has the authority to charge a fee and have those addresses corrected. In addition, the United States Post Office will cease mail delivery to those addresses that are not 'Official Addresses'.
40. All projects, including projects that involve less than one acre of property, are required to comply with the City of Fresno's Urban Storm Water Quality Management and Discharge Control Ordinance, Fresno Municipal Code Chapter 6, Article 7 (Sections 6-701 *et seq.*)

When a project involves one acre or more of construction activity (including, but not limited to, grading) the developer is required to obtain a stormwater discharge permit for construction, with a Notice of Intent

(NOI) filed **prior to** commencement of any grading construction activity. Contact the Fresno office of the California Regional Water Quality Control Board at (559) 445-6281 regarding the required NOI and stormwater discharge permit. Additional information on California's construction stormwater regulation may be obtained from the Water Board via the internet:

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

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

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

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

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

41. Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
42. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately. **(Include this note on the site plan.)**
43. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (Phone: (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (Phone: (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists. An archeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation. **(Include this note on the site plan.)**
44. If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist and, if the paleontologist determines the material to be significant, it shall be preserved. **(Include this note on the site plan.)**
45. Connection to a municipal water system is required unless approved measures are included in the project conditions of approval for an alternative water supply.
46. Connection to a municipal City of Fresno sewer system is required unless approved measures are included in the project conditions for alternative wastewater treatment facilities.
47. City of Fresno water and sewer connection charge obligations applicable to this project will be computed during the building construction plan check process and shall be payable at time of issuance of building permit unless other arrangements have been approved to defer such payments to a later date. For information relating to water and sewer service requirements and connection charges, contact Frank Saburit at (559) 621-8797.
48. Open street cuts are not permitted; all utility connections must be bored.
49. CROSS-CONNECTION CONTROL. A backflow prevention device may be required on the water service. Contact the Department of Public Utilities, Water Division (559) 621-5300 for requirements relating to approved devices, locations, testing and acceptance. This requirement must be satisfied prior to final occupancy.
50. This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life

safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of the Planning and Development when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.

51. Open storage (outside an enclosed building) shall be limited to vehicles, boats, recreational vehicles, and trailers. Outdoor storages areas shall be screened from public view by building façades or solid fences. At the discretion of the Review Authority, the treatment of the ground surface of the open storage area may be gravel or other materials as prescribed by the San Joaquin Valley Air Pollution Control District, the Public Works Department, the Fire Department, and the Fresno Metropolitan Flood Control District. All open storage must be depicted on the site plan and described in operational statement. If it is not, it is not allowed on the site.
52. If video surveillance cameras are required or installed, provide signs under the surveillance cameras which notify the public that the subject property is monitored by video surveillance.

FEES

(Not all fees will be applicable to all projects.)

Please reach out to Frank Saburit at (559) 621-8797 for fee questions.)

53. **NOTICE TO PROJECT APPLICANT:** In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.
54. **CITYWIDE DEVELOPMENT IMPACT FEES**
 - a) Traffic Signal Charge (Fresno Municipal Code Section 12-4.1101 to 12-4.1103) This project shall pay its Traffic Signal Mitigation Impact Fee at the time of building permit based on the trip generation rate(s) as set forth in the latest Master Fee Schedule. Refer to the adopted Master Fee Schedule for fee rate. This fee shall be paid at time of building permit.
 - b) Fire Facilities Fee (Fresno Municipal Code Section 12-4.901 to 12-4.906) (based on building square footage, or residential units)
 - c) Police Facilities Fee (Fresno Municipal Code Section 12-4.801 to 12-4.806) (based on building square footage, or residential units).
 - d) Parks Facilities Fee (Fresno Municipal Code Section 12-4.701 to 12-4.706) (based on the number of residential units)
55. **CITYWIDE REGIONAL AND NEW GROWTH MAJOR STREET IMPACT FEES** (Fresno Municipal Code Section 12-4.1006).
 - a) Street Impact Fees shall be due and payable at the time of building permit issuance unless otherwise required by State law.
 - b) Street Impact Fees will be a condition on all development entitlements granted.
56. **FRESNO COUNTY FACILITY IMPACT FEE**

Fresno County adopted a Facilities Impact Fee, but the requirement to pay this fee was subsequently suspended by Fresno County. If the fee has been reinstated at the time of issuance of building permits for this project, or an alternative fee system has been adopted by Fresno County, proof of payment or payment of this fee will be required for issuance of building permits.
57. **REGIONAL TRANSPORTATION MITIGATION FEE (RTMF)**

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

58. SCHOOL FEES

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

59. FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD) FEES

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

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

60. SEWER CONNECTION CHARGES (Fresno Municipal Code Section 6-304(a)). The following sewer connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New sewer connection charges adopted by the Council prior to the issuance of building permits may also be applied.

- a) Lateral Sewer Charge (based on property frontage to a depth of 100')
- b) Oversize Sewer Charge (based on property frontage to a depth of 100')
- c) Wastewater Facilities Charge
- d) Trunk Sewer Charge

Effective January 9, 1999, Ordinance No. 98-97 also amended certain sewer connection charges. Fresno Municipal Code Article 15, Section 12 provides property owners the incentives and deletes certain sewer connection charges pursuant to the Simple Tiered Equity Program (STEP) and the Employment Development Program (EDP). For additional information on the STEP and EDP, contact the Department of Public Utilities, Administration Division at (559) 621-8600.

61. WATER CONNECTION CHARGES: (Fresno Municipal Code Sections 6-507 to 6-513). The following water connection charges may be required and will be payable at the fee rate listed in the Master Fee Schedule at the time payment is due. New water connection charges adopted by the Council **prior to** issuance of building permits may also be applied.

- a) Frontage Charge (based on property frontage)
- b) Service Charges (based on service size required by applicant)
- c) Meter Charges (based on service need)
- d) Water Capacity fee (based on size of meter)

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

63. Any survey monuments within the area of construction shall be preserved or reset by a person licensed to practice land surveying in the State of California.
64. Repair all damaged and/or off-grade concrete street improvements as determined by the Construction Management Engineer, prior to occupancy.
65. Two working days before commencing excavation operations within the street right-of-way and/or utility easements, all existing under-ground facilities shall have been located by underground services.
66. The performance of any work within the public street right-of-way requires a street work permit prior to commencement of work. All required street improvements must be completed and accepted by the City prior to occupancy.
67. Contact the Public Works Department, Traffic Engineering at (559) 621-8800, 10 working days prior to any offsite concrete construction.
68. For Standard Drawings [Click Here](#)
69. For Traffic Planning's website with useful links, additional notes, sample of legend, Parking Manual and Traffic Study Checklist [Click Here](#).
70. Traffic Planning Checklist [Click Here](#).
71. For Traffic Study questions please contact Jill Gormley at (559) 621-8792 or via email at Jill.Gormley@fresno.gov.



OPERATIONAL STATEMENT

CUP FOR A BANQUET HALL

September 6, 2023

PROJECT DESCRIPTION

Rivendell Community, Inc. is an existing Adult Day Care facility, a non-profit organization, providing direct care services to adults with disabilities since 2005.

The purpose of this project is to add an ancillary use to our current facility by fulfilling the requirements for a Conditional Use Permit (CUP) for a Banquet Hall.

Our Day Care program occupies about 10,000 square feet of space for our daily activities.

Public Open Space: 10,000 SF

Our business hours are from 8:00AM To 3:00PM, Monday to Friday.

Rivendell Community, Inc. has 2 large ADA restrooms for men and women. The facility is always kept clean. The women's bathroom has 4 regular stalls and 1 large ADA stall for wheelchairs. The men's bathroom has 1 regular stall, 1 large ADA stall wheelchaired accessible, and 5 urinals.

Project Details

Banquet Hall hours of operation are from 6 p.m. to 11 p.m. on weekdays and 6 p.m. to midnight on weekends

Our project will not require any demolition or any new construction work. The main room of the facility is about 10,000 SF.

Name of project: CUP for a Banquet Hall

Number of employees: 31

Current Service type: Adult day care

I am submitting this CUP to this location so that I can continue to provide more services to my clients and their families for their gatherings and family celebrations, special proms, after business hours, and on evenings and weekends.

APPL. NO.	P23-02631	EXHIBIT	O-1	DATE	09/20/2023
PLANNING REVIEW BY		DATE			
TRAFFIC ENG.		DATE			
APPROVED BY		DATE			

CITY OF FRESNO DARM DEPT

4927 E. MCKINLEY AVENUE ■ FRESNO, CALIFORNIA 93727

OFFICE: 559.276.1171

FAX: 559.276.1181

EMAIL: rivendellfresno@outlook.com



Rivendell Community, Inc. has a large space that can be donated to the community at large, for their senior dances, community, and business meetings.

The parking lot has good lightning and has ample spaces with CCTV cameras throughout the whole facility.

Should you have further questions please contact me at your convenience (559) 458-1958.

Respectfully,

Xiamy Ly-Yang, CEO

Specify if alcohol will be sold during the events.

APPL. NO. P23-02631 EXHIBIT O-2 DATE 09/20/2023
PLANNING REVIEW BY _____ DATE _____
TRAFFIC ENG. _____ DATE _____
APPROVED BY _____ DATE _____

CITY OF FRESNO DARM DEPT

4927 E. MCKINLEY AVENUE ■ FRESNO, CALIFORNIA 93727

OFFICE: 559.276.1171

FAX: 559.276.1181

EMAIL: rivendellfresno@outlook.com

Depict Existing Loading Zone

Depict Gate and Include Height, Material, Etc.

Depict Existing Parking Stalls and Trash Enclosures

NEW RIVENDELL COMMUNITY LOCATION

TENANT LEASE SPACE (NOT A PART)

CAL GREEN 5.407.2.2.1 EXTERIOR DOOR PROTECTION: EXISTING ENTRIES PROTECTED BY 8 FT OVERHANG
CAL GREEN 5.407.2.2.2 FLASHING: NO WORK TO EXTERIOR BOUNDARY

RENOVATE / UPDATE ACCESSIBLE PARKING

Depict Existing Carport Structure

Site Data:
Vicinity map depicting four major streets.
Existing planned land use designation.
Existing zone district.
Assessor's Parcel Number(s) (APN's).
Project site address.
Scope of work: all items shall be listed as existing (to remain or to be removed), proposed or future.
Fences/walls, existing and proposed, including height and type.
Number of parking spaces provided (Specify how many are on Parcel A and how many are on Parcel B).
Number of parking spaces required (1 per 50sf of event space).
Number of bicycle parking spaces provided.
Existing fire lanes.

Depict Existing Signage

Add a note stating that parking will not be permitted on the unpaved portion of parcel 494-291-05.

APPL. NO. P23-02631 EXHIBIT A DATE 09/20/2023
PLANNING REVIEW BY _____ DATE _____
TRAFFIC ENG. _____ DATE _____
APPROVED BY _____ DATE _____
CITY OF FRESNO DARM DEPT

P23-02631

OCCUPANT LOAD	sq ft	OLF	CALCULATED OCC	NOTES
BANQUET DINING	7633	15	509	PLAN DEPICTS 480 SEATED at NON-FIXED TABLES AND CHAIRS. ACTUAL TABLE AND CHAIR LAYOUT SHALL BE COMPLIANT WITH CBC SECTION 1030
GREETING AREA	935	7	134	
TOTALS			643	

CBC TABLE 1006.3.3 MINIMUM NUMBER OF EXITS: 501 - 1,000 OCCUPANTS = 3 EXITS
CBC SECTION 1007.1.1 exc 2 exits shall be separated by not less than 1/3 of the length of the maximum overall diagonal dimension of the area served. See diagram

OCCUPANCY CAPACITY SIGN

OCCUPANCY CAPACITY SIGN:
PERMANENTLY AFFIXED IN CONSPICUOUS LOCATION WITH TEXT AS FOLLOWS:

NUMBER OF OCCUPANTS IN THIS ROOM SHALL NOT EXCEED __ BY ORDER OF THE FIRE MARSHALL

ASSEMBLY ROOMS: PROVIDE A SIGN STATING "MAXIMUM OCCUPANT LOAD 643 PERMANENTLY POSTED NEAR THE MAIN EXIT. THE SIGN SHALL BE LEGIBLE WITH LETTERS THAT ARE CONTRASTING TO THE BACKGROUND. THE OCCUPANT LOAD SIGN SHALL BE PER CITY FIRE MARSHALL APPROVAL

AN APPROVED FIRE SAFETY AND EVACUATION PLAN IN ACCORDANCE WITH 2022 CFC, SECTION 404 SHALL BE PREPARED AND MAINTAINED FOR GROUP A OCCUPANCIES, OTHER THAN THOSE OCCUPANCIES USED EXCLUSIVELY FOR THE PURPOSE OF RELIGIOUS WORSHIP WITH AN OCCUPANT LOAD LESS THAN 2,000 AND FOR BUILDINGS CONTAINING BOTH A GROUP A OCCUPANCIES AND AN ATRIUM. GROUP A OCCUPANCIES SHALL COMPLY WITH 2022 CFC, SECTIONS 403 AND 404. SUBMIT PLANS TO AND OBTAIN PERMIT FROM THE FIRE PREVENTION DIVISION FOR THE INSTALLATION OR MODIFICATION OF FIRE ALARM SYSTEM. SEE FFD POLICY 401.012.

THE GENERAL CONTRACTOR SHALL COORDINATE THE FIRE ALARM SYSTEM INTERFACES BETWEEN THE FIRE ALARM CONTRACTOR, SPRINKLER CONTRACTOR, MECHANICAL CONTRACTOR AND ANY OTHER PERTINENT TRADES (FIRE ALARM, SPRINKLER SYSTEM, HOOD AND VENT EXTINGUISHING SYSTEM, HVAC, FIRE SMOKE DAMPERS, ETC.). ALL WORK MUST REMAIN VISIBLE AND MAY NOT BE COVERED UNTIL THE REQUIRED FIRE INSPECTIONS HAVE BEEN COMPLETED BY THE FIRE DEPARTMENT.

WHEN A FIRE ALARM SYSTEM IS PRESENT AND THE TOTAL COMBINED CFM FOR ALL HVAC UNITS IN A BUILDING IS IN EXCESS OF 2000, DETECTION OF SMOKE IN ONE OF THE DUCT DETECTORS SHALL SHUT OFF THE POWER SOURCE TO ALL THE UNITS. FFD POLICY 407.004. SUBMIT PLANS TO AND OBTAIN PERMIT FROM THE FIRE PREVENTION DIVISION FOR THE INSTALLATION OR MODIFICATION OF FIRE SPRINKLER SYSTEM. INSTALLATIONS MUST ALSO COMPLY WITH FFD POLICY SECTION 405. FFD POLICIES CAN BE FOUND AT: <https://www.fresno.gov/fire-training/manuals-and-forms/>

EVERY ROOM OR SPACE THAT IS AN ASSEMBLY OCCUPANCY SHALL HAVE THE OCCUPANT LOAD OF THE ROOM OR SPACE POSTED IN A CONSPICUOUS PLACE, NEAR THE MAIN EXIT OR EXIT ACCESS DOORWAY FROM THE ROOM OR SPACE, FOR THE INTENDED CONFIGURATIONS. POSTED SIGNS SHALL BE OF AN APPROVED LEGIBLE PERMANENT DESIGN AND BE MAINTAINED BY THE OWNER OR THE OWNER'S AUTHORIZED AGENT. 2022 CFC, SECTION 1004.9.

IN ADDITION TO THE REQUIREMENTS OF SECTION 404.2, THE FIRE SAFETY AND EVACUATION PLANS FOR ASSEMBLY OCCUPANCIES SHALL INCLUDE A DETAILED SEATING PLAN, OCCUPANT LOAD AND OCCUPANT LOAD LIMIT. DEVIATIONS FROM THE APPROVED PLANS SHALL BE ALLOWED PROVIDED THAT THE OCCUPANT LOAD LIMIT FOR THE OCCUPANCY IS NOT EXCEEDED AND THE AISLES AND EXIT ACCESSWAYS REMAIN UNOBSTRUCTED. PROVIDE THE FIRE PREVENTION DIVISION WITH A COPY OF THE APPROVED SEATING DIAGRAM(S) FOR ALL ARRANGEMENTS. SPECIFY WHETHER SEATS ARE FIXED OR MOVABLE AND INCLUDE THE OCCUPANT LOAD. 2022 CFC, SECTION 403.2.1.

IN EVERY A, E, I, B, F-2.1, F-3.1 AND F-4 OCCUPANCY, ALL DRAPES, HANGINGS, CURTAINS, DROPS, AND ALL OTHER DECORATIVE MATERIAL, INCLUDING CHRISTMAS TREES, THAT WOULD TEND TO INCREASE THE FIRE AND PANIC HAZARD SHALL BE MADE FROM A NONFLAMMABLE MATERIAL OR SHALL BE TREATED AND MAINTAINED IN A FLAME-RETARDANT CONDITION BY MEANS OF A FLAME-RETARDANT SOLUTION APPROVED BY THE STATE FIRE MARSHAL. COR TITLE 19, SECTION 3.08.

PROVIDE AN EXTERIOR KNOX BOX ON THE GROUND FLOOR ADJACENT THE MAIN ENTRANCE AT A HEIGHT OF 6 FEET FROM GRADE. KNOX BOXES SHALL BE PROVIDED FOR BUILDINGS WHERE ANY OF THE FOLLOWING CONDITIONS EXIST: HIGH-RISE BUILDING, INTERIOR ELEVATOR(S), FIRE SPRINKLER SYSTEM WITH INTERIOR RISER(S), FIRE PUMP ROOMS, FIRE ALARM SYSTEM, UNDUPLY DIFFICULT ACCESS, AND/OR WHERE REQUIRED BY THE FIRE MARSHAL (OR DESIGNEE). KEYS PLACED IN THE KNOX BOX SHALL BE IDENTIFIED WITH A TAG OR LABEL. KNOX BOXES MAY BE ORDERED ON LINE AT <https://www.knoxbox.com/store/departmentsSearch.cfm>.

NO HAZARDOUS MATERIALS TO BE STORED OR USED IN THE BUILDING. OR PROVIDE DETAILS FOR STORAGE AND USE OF HAZARDOUS MATERIALS IN THE BUILDING. IF QUANTITIES EXCEED THE MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA OF HAZARDOUS MATERIALS LISTED IN 2022 CFC, TABLES 5003.1.1(1), 5003.1.1(2), 5003.1.1(3), AND 5003.1.1(4) REQUIREMENTS FOR AN H OCCUPANCY WILL NEED TO BE MET OR ADDITIONAL CONTROL AREAS MAY BE REQUIRED.

2315.2 CODE SUMMARY

APN 49429110

1.57 AC

Industrial Light "IL"

SITE:

Lat: 36.76582790, Lng: -119.72998070

SDC D (sds = 0.536)

WIND DESIGN: <110 mph

GROUND SNOW LOAD: 0.00

FLOOD ZONE:

CLIMATE ZONE 13

EXISTING STRUCTURE INFORMATION:

TYPE VB SPRINKLERED

(EXISTING STRUCTURE: SINGLE STORY CONCRETE BLOCK LOAD BEARING WALLS, w/ SECONDARY WOOD FRAME LOAD BEARING WALLS; INTERIOR TS COLUMNS CARRYING INTERMEDIATE ROOF BEARING; LOW-SLOPE ROOF PARALLEL CHORD ROOF TRUSSES w/ WOOD DECK AND LOW-SLOPE BUILT-UP ROOFING, WOOD FRAME FACADE FEATURE, NON-LOAD-BEARING INTERIOR PARTITIONS; FIRE SPRINKLERS)

PROPOSED PROJECT:

PROPOSED OCCUPANCY: A-2 w/ B SPACES (RESTROOM AND OFFICE)

ALLOWABLE AREA:

A-2 24,000 sq ft

PROJECT AREA (SEE DIAGRAM): 9,267 sq ft

2022 CBC PARAMETERS

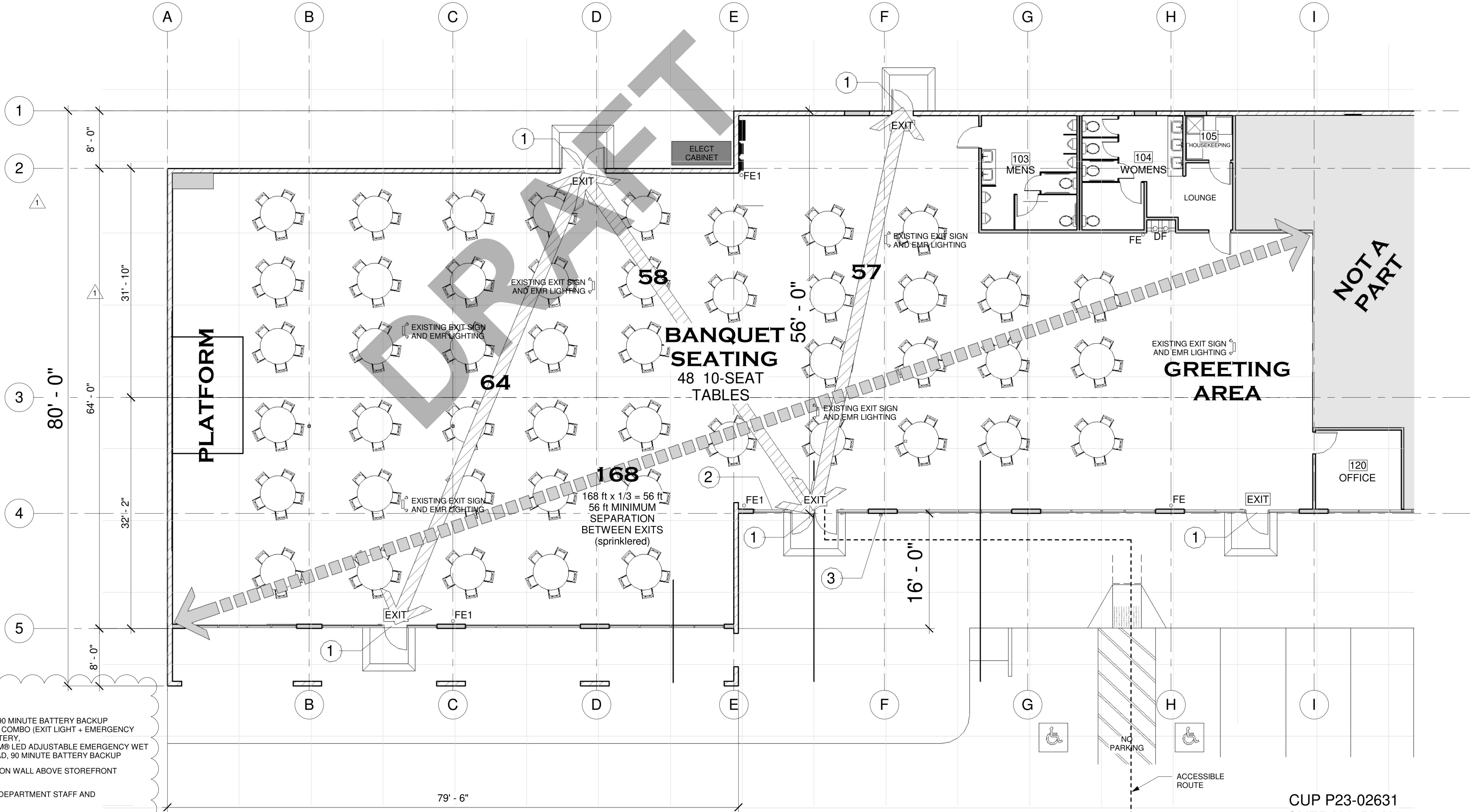
ALLOWABLE HEIGHT	TABLE 504.3	A-2 OCC SPRINKLERED TYPE VB	60 ft
ALLOWABLE STORIES	TABLE 504.4	A-2 OCC SPRINKLERED TYPE VB	2
ALLOWABLE BUILDING AREA	TABLE 506.2	A-2 OCC SPRINKLERED TYPE VB	24,000 sq ft ALLOWABLE BASIC (NO INCREASES)
TYPE OF CONSTRUCTION	602.5		TYPE VB NON-RATED SPRINKLERED
FIRE AND SMOKE PROTECTION	CH 7		NON-RATED CONSTRUCTION, UNPROTECTED OPENINGS PERMITTED UNLIMITED
ATTIC DRAFTSTOPPING	708.4.2, 718.4		ATTIC AREA OF PROJECT: MAXIMUM 3,000 sq ft
INTERIOR FINISHES	CH 8		FLAME SPREAD AND SMOKE DEVELOPED PARAMETERS - SEE NOTED ON PLAN
ACTIVE FIRE PROTECTION SYSTEMS	CH 9		SPRINKLER SYSTEMS, FIRE ALARM AND SMOKE CONTROL
EGRESS	CH 10 TABLE 1006.2.1 TABLE 1017.2		SEE DIAGRAM

4 OCCUPANCY CAPACITY SIGN
12" = 1'-0"

3 CODE COMPLIANCE NOTES
12" = 1'-0"

2 CODE ANALYSIS
12" = 1'-0"

APPL. NO. P23-02631 EXHIBIT F DATE 01/31/2024
PLANNING REVIEW BY DATE
TRAFFIC ENG. DATE
APPROVED BY DATE
CITY OF FRESNO DARM DEPT



KEYNOTES

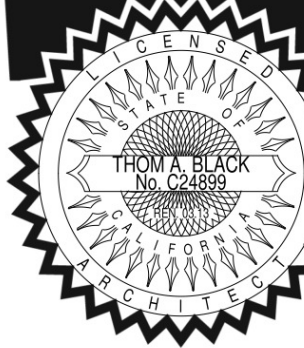
- LITHONIA EXIT SIGNS
INDOOR UNIT ABOVE EXIT: 1.1 WATT / 90 MINUTE BATTERY BACKUP
QUANTUM THERMOPLASTIC EXIT/UNIT COMBO (EXIT LIGHT + EMERGENCY LIGHTS), LED, RED, HIGH OUTPUT BATTERY,
EXTERIOR UNIT ABOVE EXIT: QUANTUM® LED ADJUSTABLE EMERGENCY WET LOCATION SINGLE REMOTE LIGHT HEAD, 90 MINUTE BATTERY BACKUP
- LOCATE OCCUPANCY CAPACITY SIGN ON WALL ABOVE STOREFRONT
- KNOX BOX LOCATION: CONTACT FIRE DEPARTMENT STAFF AND COORDINATE LOCATION AT SITE VISIT

1 FLOOR PLAN
1/8" = 1'-0"

CUP P23-02631
OVERALL PLAN



Thom Black
ARCHITECT



CUP P23-02631

Rivendell Community Inc.
4927 E McKinley

No.	Description	DATE
A	DRAFT	10/30/2023
1	DRAFT	11/9/2023
2		
3		

Project number
1853.1
Author
Checked by
Checker

A 2.1

set date:

2019



DEPARTMENT OF PUBLIC UTILITIES

MEMORANDUM

DATE: October 9, 2023

TO: STEVEN LIENG – Planner II
Planning & Development Department – Current Planning

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

**SUBJECT: DPU CONDITIONS OF APPROVAL FOR P23-02631 RIVENDELL
BANQUET HALL – APN 494-291-10**

General Requirements

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

Water Service Requirements

The nearest water mains to serve the Project are a 12-inch water main located in East McKinley Avenue and an 8-inch water main located in North Fine Avenue. Water facilities are available to provide service to the Project subject to the following requirements:

1. On-site water facilities shall remain private.
2. Installation of a new water service(s) and meter(s) shall be required, if the existing water service and meter at the property are not adequate and/or operational.
3. The applicant shall be financially responsible for the abandonment of any unused water services previously installed to the property.
4. Destroy any existing on-site well(s) in compliance with the State of California Well Standards, Bulletins 74-81 and 74-90, or current revisions, issued by California

Department of Water Resources, Fresno County standards, and City of Fresno standards. Applicant shall comply with Fresno Municipal Code (FMC) Section 6-518, as may be amended from time to time.

Water Supply Requirements

The existing property is currently served with 1 (one) 2.0-inch water service and meter.

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 water service 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 water service 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 water service 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 10-inch sewer main located in North Fine Ave. Sanitary sewer facilities are available to provide service to the Project subject to the following requirements:

1. Installation of a new sewer service branch shall be required if the existing sewer branch (sewer lateral) is not adequate and/or operational.
2. On-site sanitary sewer facilities shall be private.
3. All existing on-site private septic systems (including septic tanks) shall be destroyed and abandoned in compliance with the State of California standards, Fresno County standards, and City of Fresno standards, as may be amended from time to time. All sewer connections and sewer main extensions shall comply with FMC Section 6-303(a), as may be amended from time to time.
4. The applicant shall be financially responsible for abandonment of any unused sewer services previously installed to the property.

Sanitary Sewer Fees

The following Sewer Connection Charges are due and shall be paid for the Project (if not previously paid with the existing sewer service at the property):

1. Lateral Sewer Charge.
2. Oversize Sewer Charge Area.
3. Wastewater Facility Sewer Charge (Non-Residential).
4. Upon connection of this Project to the City Sewer System the owner shall be subject to payment of Sewer Facility Charges per FMC Sections 6-304 and 6-305. Sewer Facility Charges consist of two components: A Wastewater Facilities Charge and Trunk Sewer Charge, where applicable.
5. Sewer Facility Charges are collected after occupancy on a monthly basis, based on metered usage (water or sewer effluent). The applicant may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the Project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect at that time, per City of Fresno MFS. The applicant shall provide data regarding estimated sewer discharge rates (flow) and loading (BOD/TSS levels) required for calculating the estimated charges.

Solid Waste Requirements

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

1. This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Mid Valley Disposal at (559) 237-9425.
2. All office/commercial complexes are required to subscribe for recycling services, per FMC 9-405.1. Recycling services may be provided by the City of Fresno or any private recycling service provider. Recycling services must include, at the minimum, cardboard, newspaper, paper, glass, plastics, beverage containers, and metal recycling.
3. All trash and recyclable material must be placed in approved containers, per FMC 9-404. At no time may trash and recyclable material be placed on the ground or pavement.
4. Bin enclosures, if provided on site, must be used exclusively for the storage of trash and recycling bins, per The Public Works Standard Specifications P-33 and P-34.
5. The proposed Project will generate 15 cubic yards per week per the proposed use and square footage of the buildings. Therefore, this location will require 2 (two) 2-cell trash enclosures, designed to accommodate separate facilities containing 2 (two) – 4 cu. yd. bins, one for trash and one for recycling collection to be constructed to current (Public Works Standard Specifications) Solid Waste Standards (P-33, P-34, and P-95) to be serviced twice a week.
6. Service Route Permits and Location Permits are required for all private trash company services within the City of Fresno per FMC 9-408. All private company trash service arrangements must be pre-approved through Solid Waste Management Division.
7. The applicant will need to provide a 44-foot (centerline) turning radius at all corners and a T-turnaround (or hammerhead) area where the solid waste vehicle is to turn around.
8. Americans with Disability Act (ADA) requirement for office/commercial complexes (developments):

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

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

File No. 210.413

Page 1 of 3

PUBLIC AGENCY

STEVEN LIENG
PLANNING & DEVELOPMENT DEPARTMENT
CITY OF FRESNO
2600 FRESNO STREET
FRESNO, CA 93721-3604

DEVELOPER

XIAMY LY-YANG, RIVENDELL COMMUNITY INC.
4927 E. MCKINLEY AVE.
FRESNO, CA 93727

PROJECT NO: **2023-02631**

ADDRESS: **4927 E. MCKINLEY AVE.**

APN: **494-291-05, 494-291-10**

SENT: **October 09, 2023**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
V	\$0.00	NOR Review	\$79.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$0.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$0.00		Total Service Charge: \$79.00		

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 3/07/24 based on the site plan submitted to the District on 9/20/23 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

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

**FR
CUP
No. 2023-02631**

**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 REMAIN AS EXISTING.
☐ **b.** Grading and drainage patterns shall be as identified on Exhibit No.
☐ **c.** The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
☐ Developer shall construct facilities as shown on Exhibit No. 1 as
☒ None required.

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

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

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

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

**FR
CUP No. 2023-02631**

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

Page 3 of 3

**FR
CUP No. 2023-02631**

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



Debbie Campbell
Design Engineer, RCE

Digitally signed by Debbie Campbell Date: 10/9/2023 11:53:39 AM



Mikel Meneses-Arias
Engineer I

Digitally signed by Mikel Meneses-Arias Date: 10/6/2023 9:38:37 AM

CC:

ANN R MIRASSOU

7108 N. FRESNO #370

FRESNO, CA 93720

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

Fresno County Environmental Health

10/03/2023

Recommended Conditions of Approval:

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

October 11, 2023

Steven Lieng
Development and Resource Management
City of Fresno
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Conditional Use Permit Application No. P23-02631
N/E McKinley and Chestnut avenues

Dear Mr. Lieng:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. P23-02631 for which the applicant proposes to establish a banquet hall in the existing building, APN: 494-291-10. FID has the following comments:

1. FID does not own, operate, or maintain any facilities located on the subject property, as shown on the attached FID exhibit map.
2. For informational purposes, FID's Mill No. 36 runs westerly along the south side of McKinley Avenue approximately 130 south of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along McKinley Avenue or in the vicinity of this facility, FID requires it review and approve all plans.

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

Sincerely,

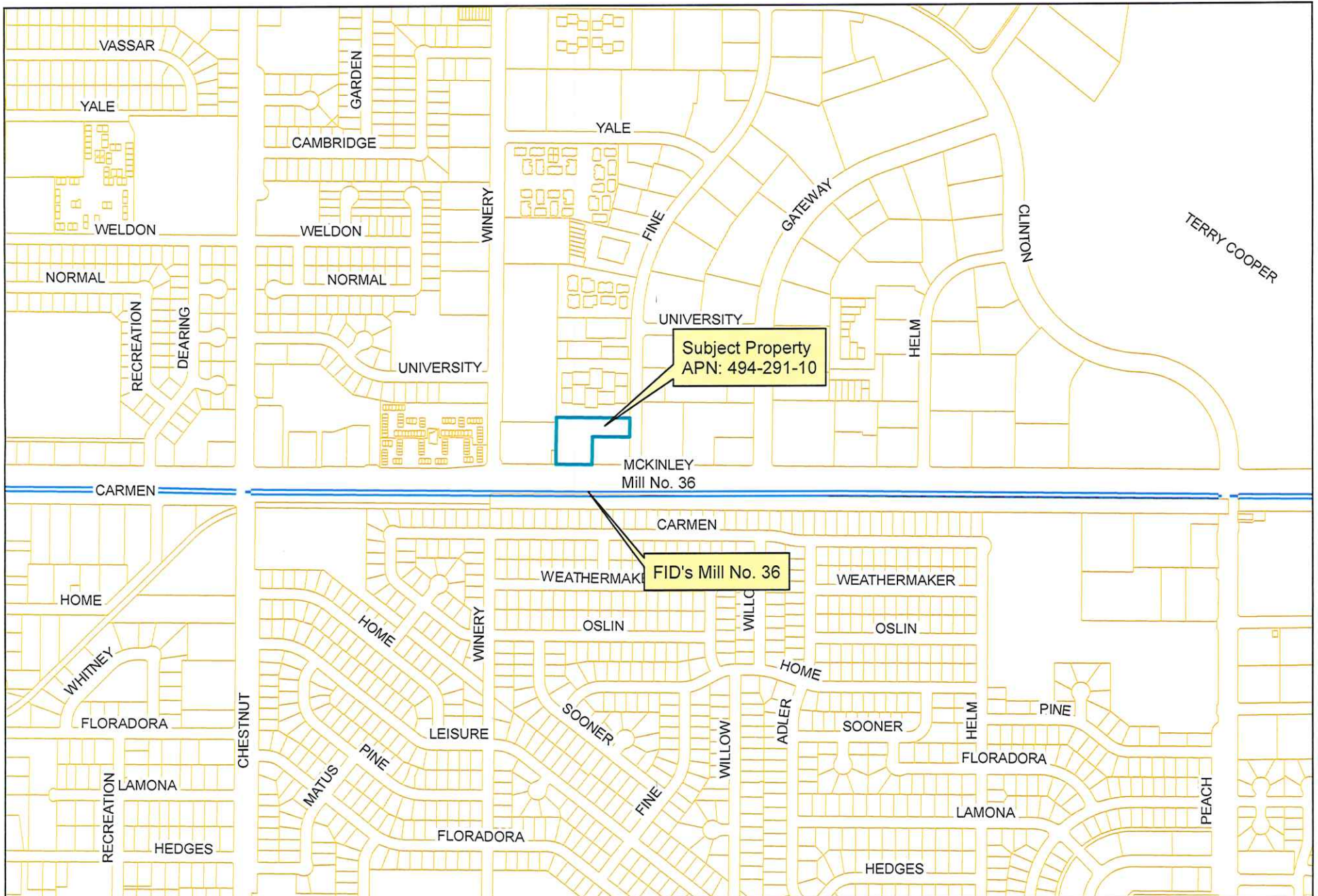
Laurence Kimura, P.E.
Chief Engineer


Attachment

G:\Agencies\FresnoCity\Conditional Use Permit\P23-02631\P23-02631 FID Comment.doc

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FRESNO IRRIGATION DISTRICT

Legend

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


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:\Fidgis\20230727 FID Compact.mxd
 Spatial Reference
 Name: NAD 1983 StatePlane California IV FIPS 0404

0 340 680

Feet

1 inch = 674.39 feet





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Robert G. Nelson, Ed.D.

September 21, 2023

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

Re: **APPLICATION NO. P23-02631**
4927 E. MCKINLEY AVE.

Dear Mr. Lieng,

In response to your request for school district information regarding the above planning application for the proposed establishment of a banquet hall within 10,000 square feet of building space at the existing 'Rivendell Community' center located at 4927 East McKinley Avenue, Fresno Unified School District submits the following.

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

The District levies a commercial/industrial development fee and the current fee rate is \$0.78 per square foot. Any new development on the property will be subject to the development fee prior to issuance of a building permit and fees will be calculated pursuant to the rate effective at the time of payment. However, if no new square footage is constructed no development fee would be charged.

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

Sincerely,

Alex Belanger, Chief Executive
Operational Services

AB:hh

c: Xiamy Ly-Yang, Applicant/Agent

DWC