City of FRESNO **REPORT TO THE CITYCOUNCIL**

AGENDA ITEM NO.
COUNCIL MEETING 02- 09-12
APPROVED BY
DEPARTMENT DIRECTOR
CITY MANAGER

February 9, 2012

FROM: MARK SCOTT, Interim Director
Development and Resource Management

MIKE SANCHEZ, Planning Manager
Development Services Division

By: JONATHAN BARTEL, Supervising Engineering Technician
Development Services Division

SUBJECT: **ADOPT A RESOLUTION APPROVING THE FINAL MAP OF TRACT NO. 5973 LOCATED WITHIN COPPER RIVER RANCH AND ACCEPTING THE DEDICATED PUBLIC USES OFFERED THEREIN AND TO AUTHORIZE THE PUBLIC WORKS DIRECTOR, PUBLIC UTILITIES DIRECTOR AND THE DEVELOPMENT AND RESOURCE MANAGEMENT DIRECTOR TO EXECUTE THE SUBDIVISION AGREEMENT AND COVENANTS ON BEHALF OF THE CITY**

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution approving the Final Map of Tract No. 5973 and accepting the dedicated public uses offered therein; and to authorize the Public Works Director (or Director's designee) to execute the subdivision agreement and covenant prohibiting parking on driveways on behalf of the City, authorize the Public Utilities Director (or Director's designee) to execute the covenant for special solid waste disposal services on behalf of the City and to authorize the Development and Resource Management Director (or Director's designee) to execute the covenant deferring eligible development impact fees to the time of building permit and occupancy on behalf of the City.

EXECUTIVE SUMMARY

The Subdivider, Copper River Ranch Villages, L.L.C., a California Limited Liability Company, by Lyles Diversified, a California Corporation, as Member (Gerald V. Lyles, Vice President) and by Gleneagles Homes, a California Corporation, DBA Gary McDonald Homes, as Member (Gary L. McDonald, Chairman), has filed for approval, the Final Map of Tract No. 5973 for a 56-lot gated single-family residential gated private street planned development subdivision, with 4-outlots (common areas for private roads, open space, storm drain purposes, public utility purposes and one to be deeded to adjacent property) located on the north side of East Clubhouse Drive between North Alicante and North Knotting Hill Drives. The proposed Final Map is filed pursuant to Vesting Tentative Map No. 5973/UGM ("Tentative Map") and Conditional Use Permit No. C-10-203 which modifies property development standards (lot sizes, yard requirements, gated community, private streets) for a 56-lot single-family residential gated private street planned development subdivision with 4-outlots (common areas for private roads, open space, storm drain purposes, public utility purposes and one to be deeded to adjacent property) on 13.05 net acres at 4.29 dwelling units per acre.

The Final Map is technically correct and conforms to the approved Vesting Tentative Map No. 5973 and conditions of approval dated February 2, 2011, Conditional Use Permit No. C-10-203 and approved revisions thereto, the Subdivision Map Act (SMA) and the Fresno Municipal Code. The Subdivider has signed the

subdivision agreement and covenants and has posted all required performance securities, insurance certificates and paid all fees now due to satisfy the conditions of approval of the Tentative Map. The City Attorney's office has approved all documents as to form and the Risk Management office has approved all security bonds and insurance certificates. The provisions of Section 66474.1 of the Subdivision Map Act require a final map that is in substantial compliance with the approved tentative map to be approved by the City Council.

BACKGROUND

The Fresno City Planning Commission on February 2, 2011 adopted Resolution No. 13081 approving Vesting Tentative Map No. 5973/UGM and Conditional Use Permit No. C-10-203 (CUP) for a 56-lot single-family residential gated private street planned development with 4-outlots (common areas for private roads, open space, storm drain purposes, public utility purposes and one to be deeded to adjacent property) on 13.05 net acres at 4.29 dwelling units per acre.

Attached is the Fresno City Planning Commission report which provides the project details, staff analysis, environmental findings and consistency findings for Vesting Tentative Map No. 5973/UGM with the 2025 General Plan and the Woodward Park Community Plan to comply with the provisions of the Subdivision Map Act.

The approval of Vesting Tentative Map No. 5973/UGM on February 2, 2011 established the initial expiration date of such approval to February 2, 2013. However, the State of California on July 13, 2011 approved Assembly Bill No. 208 to provide for a 24-month extension of the expiration date of eligible approved tentative maps. As an eligible approved tentative map, the expiration date of the approval of the tentative map has been extended 24-months to February 2, 2015.

The Subdivider has satisfied all other conditions of approval by executing the Subdivision Agreement for the Final Map of Tract No. 5973, submitted securities in the total amount of $305,000 to guarantee the completion and acceptance of the public improvements and $152,500 for a payment security and has paid the miscellaneous and development impact fees due as a condition of approval for the Final Map in the amount of $30,944.62. Covenants have been executed to defer eligible development impact fees totaling $282,645.57 to the time of issuance of building permit and final occupancy of each unit, for prohibiting parking on driveways, and for special solid waste disposal service.

The Subdivider has elected to satisfy the maintenance requirements for the landscaping and irrigation systems within the landscape easements, the entrance to the subdivision and the outlots, all interior street curbs, gutters, sidewalks, street lights, street signage and street trees by a homeowner's association in lieu of annexation into the City's Community Facilities District. Sidewalks are being provided on one side of the private streets in accordance with an approved pedestrian access plan (Resolution No. 2010-279 and 2010-280) in-lieu of sidewalks on both sides of the private streets.

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FISCAL IMPACT

There will be no impact to the City's General Fund.

Affirmative action by the Council will result in timely deliverance of the review and processing of the Final Map as is reasonably expected by the Subdivider. Prudent financial management is demonstrated by the expeditious completion of this Final Map inasmuch as the Subdivider has paid the city a fee for the processing

of this Final Map and that fee is, in turn, funding the respective operations of the Development and Resource Management Department.

Attachments:
Resolution Approving the Final Map of Tract No. 5973 and Accepting the Dedicated Public Uses Therein
Final Map of Tract No. 5973
Site Plan Exhibit for C-10-203
Report to the Planning Commission – Consideration of Vesting Tentative Map No, 5973 and Related Environmental Finding for Environmental Assessment No. T-5973

RESOLUTION NO._____

RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, APPROVING THE FINAL MAP OF TRACT NO. 5973 AND ACCEPTING DEDICATED PUBLIC USES THEREIN EXCEPT FOR DEDICATIONS OFFERED SUBJECT TO CITY ACCEPTANCE OF DEVELOPER INSTALLED REQUIRED IMPROVEMENTS

WHEREAS, COPPER RIVER RANCH VILLAGES, L.L.C., a California Limited Liability Company, has offered for approval a Final Map designated as Tract No. 5973 ("map"), pursuant to approved Vesting Tentative Map No. 5973 ("tentative map"); and,

WHEREAS, all the certificates which appear on the map (except the approval certificate of the Council of the City of Fresno and the recording certificate of the Recorder of the County of Fresno) have been signed and acknowledged and said map has been filed for approval; and,

WHEREAS, the subdivision lies within the boundaries of the City of Fresno; and,

WHEREAS, the map conforms to all of the requirements of the Subdivision Map Act of the State of California, and City ordinances, resolutions and standards, except that Section 66492 and 66493 of the Subdivision Map Act may not be fully complied with at the time of passage of this resolution and owner having previously filed with the Clerk of the Board of Supervisors of Fresno County a Tax Compliance Certificate Request along with copies of the map considered herewith by the Council; and,

WHEREAS, the Council finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with all applicable general and specific plans of the City; and,

WHEREAS, the Subdivider and the Owners, whose signatures appear on the map, and others have offered for dedication certain streets, public utility easements, access rights and other public properties and uses as shown and delineated upon said map; and,

WHEREAS, the Planning Commission of the City of Fresno, by formal resolution, approved said tentative map.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council finds that the map is in substantial compliance with said tentative map, any deviations therefrom being deemed to be approved by the Council.

2. That the map is hereby approved and any and all of the streets, public utility easements, public utility facilities, access rights and all parcels of land and easements offered for dedication on the map are hereby accepted, unless it is stated on the Final Map that said dedications are subject to City acceptance of Developer installed improvements, subject to complete compliance with Sections 66492 and 66493 of the Subdivision Map Act prior to release of the map for recordation.

* * * *

CITY'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the _____ day of _____, 2012.

AYES:

NOES:

ABSENT:

ABSTAIN:

YVONNE SPENCE, CMC
City Clerk, City Of Fresno

By:_____
Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By:_____
Shannon Chaffin
Senior Deputy City Attorney

Date:_____

TRACT NO. 5973

A PLANNED UNIT DEVELOPMENT

BEING A SUBDIVISION OF OUTLOT D OF THE AMENDING MAP OF TRACT NO. 5205
IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED AND PLATTED IN FEBRUARY 2011, BY GARY G. GIANNETTA

CONSISTING OF TWO SHEETS

SHEET ONE OF TWO SHEETS

RECORD TITLE INTEREST STATEMENT:

THE UNDERSIGNED, BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION FOR PUBLIC USE THE PARCELS AND EASEMENTS SPECIFIED ON SAID MAP AS INTENDED FOR PUBLIC USE FOR THE PURPOSES SPECIFIED THEREIN.

COPPER RIVER RANCH VILLAGES, L.L.C.,
A CALIFORNIA LIMITED LIABILITY COMPANY

BY: LYLES DIVERSIFIED, INC.
A CALIFORNIA CORPORATION, AS MEMBER

BY: _____
GERALD V. LYLES, VICE PRESIDENT

BY: GLENEAGLES HOMES,
A CALIFORNIA CORPORATION
DBA GARY McDONALD HOMES, AS MEMBER

BY: _____
GARY L. McDONALD, CHAIRMAN

NOTARY ACKNOWLEDGMENT:

STATE OF CALIFORNIA }
COUNTY OF FRESNO }

ON _____, BEFORE ME, _____

PERSONALLY APPEARED_____, WHO
PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE_____

NAME_____

COUNTY OF _____

MY COMMISSION EXPIRES_____

MY COMMISSION NUMBER _____

NOTARY ACKNOWLEDGMENT:

STATE OF CALIFORNIA }
COUNTY OF FRESNO }

ON _____, BEFORE ME, _____

PERSONALLY APPEARED_____, WHO
PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE_____

NAME_____

COUNTY OF _____

MY COMMISSION EXPIRES_____

MY COMMISSION NUMBER _____

THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

1. THE EFFECT OF AN DOCUMENT ENTITLED "BEFORE THE BOARD OF DIRECTORS OF THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT RESOLUTION PROVIDING FOR THE RECORDATION OF A MAP IDENTIFYING AREAS SUBJECT TO PAYMENT OF DRAINAGE FEES AND/OR REQUIREMENTS TO CONSTRUCT PLANNED LOCAL DRAINAGE FACILITIES" EXECUTED BY FRESNO METROPOLITAN FLOOD CONTROL DISTRICT AND CITY OF FRESNO, RECORDED JULY 31, 1995 AS DOCUMENT NO. 95092128, OFFICIAL RECORDS FRESNO COUNTY.
2. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED CONSENT AND AGREEEMENT EXECUTED BY AND BETWEEN CONSOLIDATED INDUSTRIES, INC., CONSOLIDATED LAND COMPANY, A CALIFORNIA LIMITED PARTNERSHIP AND THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT RECORDED NOVEMBER 18, 1996 AS DOCUMENT NO. 96154204 OF OFFICIAL RECORDS FRESNO COUNTY.
3. THE TERMS, PROVISIONS AND EASEMENT(S) CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT AGREEMENT FOR COPPER RIVER RANCH" RECORDED DECEMBER 30, 2004 AS DOCUMENT NO. 2004-0291147 OF OFFICIAL RECORDS FRESNO COUNTY.
4. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED FIRST ADDENDUM TO EASEMENT AGREEMENT FOR COPPER RIVER RANCH RECORDED AUGUST 22, 2006 AS DOCUMENT NO. 2006-0175086 OF OFFICIAL RECORDS FRESNO COUNTY.
18. DECLARATIONS OF COVENANTS, CONDITIONS, RESTRICTIONS & EASEMENTS FOR TRACT NO. 5973 "LA BUENA VIDA", RECORDED _____, AS DOCUMENT NO. _____, FRESNO COUNTY RECORDS.

LEGAL DESCRIPTION:

OUTLOT D OF THE AMENDING MAP OF TRACT NO. 5205, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 76 OF PLATS AT PAGES 46 THROUGH 70, FRESNO COUNTY RECORDS.

THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

5. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED DEVELOPMENT AGREEMENT EXECUTED BY AND BETWEEN COPPER RIVER RANCH, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND COPPER RIVER DEVELOPMENT COMPANY, INC., A CALIFORNIA CORPORATION AND CONSOLIDATED LAND COMPANY, A CALIFORNIA LIMITED PARTNERSHIP RECORDED DECEMBER 30, 2004 AS DOCUMENT NO. 2004-0291148 OF OFFICIAL RECORDS FRESNO COUNTY.
6. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED MEMORANDUM OF BASIN "DE" RELOCATION AGREEMENT EXECUTED BY AND BETWEEN COPPER RIVER RANCH, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND COPPER RIVER DEVELOPMENT COMPANY, INCORPORATED, A CALIFORNIA CORPORATION AND FRESNO METROPOLITAN FLOOD CONTROL DISTRICT RECORDED JANUARY 19, 2005 AS DOCUMENT NO. 2005-0012048 OF OFFICIAL RECORDS FRESNO COUNTY.
7. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED SUBDIVISION AGREEMENT FINAL MAP OF TRACT NO. 5205 (PHASE 1 OF VESTING TENTATIVE MAP NO. 5205/UGM) EXECUTED BY AND BETWEEN CITY OF FRESNO, A MUNICIPAL CORPORATION AND COPPER RIVER DEVELOPMENT COMPANY, INC., A CALIFORNIA CORPORATION RECORDED APRIL 25, 2006 AS DOCUMENT NO. 2006-0086698 OF OFFICIAL RECORDS FRESNO COUNTY.
8. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT DEFERRING CERTAIN SEWER CONNECTION CHARGES, WATER CONNECTION CHARGES, URBAN GROWTH MANAGEMENT FEES AND DEVELOPMENT FEES TO THE TIME OF ISSUANCE OF CERTIFICATE OF OCCUPANCY AND CREATION OF LIEN FOR THE FINAL MAP OF TRACT NO. 5205, PHASE 1 OF VESTING TENTATIVE MAP NO. 5205/UGM" RECORDED APRIL 25, 2006 AS DOCUMENT NO. 2006-0086699 OF OFFICIAL RECORDS FRESNO COUNTY.
9. THE TERMS AND PROVISION CONTAINED IN THE DOCUMENT ENTITLED STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT ACKNOWLEDGING RIGHT-TO-FARM LAW FOR THE FINAL MAP OF TRACT NO. 5205, PHASE 1 OF VESTING TENTATIVE MAP NO. 5205/UGM EXECUTED BY AND BETWEEN COPPER RIVER DEVELOPMENT COMPANY, INC., A CALIFORNIA CORPORATION AND COPPER RIVER RANCH, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND CITY OF FRESNO RECORDED APRIL 25, 2006 AS DOCUMENT NO. 2006-0086700 OF OFFICIAL RECORDS FRESNO COUNTY.
10. MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COPPER RIVER RANCH IN THE DOCUMENT RECORDED JUNE 2, 2006 AS DOCUMENT NO. 2006-0115469 OF OFFICIAL RECORDS FRESNO COUNTY, WHICH PROVIDE THAT A VIOLATION THEREOF SHALL NOT DEFEAT OR RENDER INVALID THE LIEN OF ANY FIRST MORTGAGE OR DEED OF TRUST MADE IN GOOD FAITH AND FOR VALUE, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, NATIONAL ORIGIN, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, SOURCE OF INCOME OR DISABILITY, TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE TITLE 42, SECTION 3604(C), OF THE UNITED STATES CODES OR APPLICABLE STATE LAW. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

    DOCUMENT(S) DECLARING MODIFICATIONS TITLED "FIRST AMENDMENT TO MASTER DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COPPER RIVER RANCH AND SUBORDINATION" THEREOF RECORDED AUGUST 22, 2006 AS DOCUMENT NO. 2006-0175087 OF OFFICIAL RECORDS FRESNO COUNTY.
11. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EARLY CONSTRUCTION AGREEMENT WITH SUBORDINATIONS FOR SEWER AND WATER IMPROVEMENTS FOR TRACT MAP NO. 5274" RECORDED JULY 6, 2006 AS DOCUMENT NO. 2006-0140764 OF OFFICIAL RECORDS FRESNO COUNTY.
12. A DOCUMENT ENTITLED "STATEMENT OF COVENANTS BY AND BETWEEN THE CITY OF FRESNO AND COPPER RIVER RANCH VILLAGES, LLC TO INDEMNIFY THE CITY OF FRESNO FOR CONDITIONAL USE PERMIT APPLICATION NO. C-10-203 AND VESTING TENTATIVE MAP NO. 5973" RECORDED FEBRUARY 18, 2011 AS DOCUMENT NO. 2011-0026318 OF OFFICIAL RECORDS FRESNO COUNTY.
13. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EARLY CONSTRUCTION AGREEMENT FOR SEWER, WATER AND STORM DRAIN IMPROVEMENTS FOR TRACT MAP NO. 5973" RECORDED NOVEMBER 16, 2011 AS INSTRUMENT NO. 2011-154559 OF OFFICIAL RECORDS.
14. A SUBDIVISION AGREEMENT FOR THE FINAL MAP OF TRACT NO. 5973, RECORDED _____, AS DOCUMENT NO. _____, FRESNO COUNTY RECORDS.
15. A STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT TO PROHIBIT THE PARKING OF VEHICLES ON DRIVEWAYS FOR CERTAIN LOTS WITHIN THE FINAL MAP OF TRACT NO. 5973, RECORDED _____, AS DOCUMENT NO. _____, FRESNO COUNTY RECORDS.
16. A STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT PROVIDING SPECIAL SOLID WASTE DISPOSAL SERVICES FOR CERTAIN LOTS WITHIN THE FINAL MAP OF TRACT NO. 5973, RECORDED _____, AS DOCUMENT NO. _____, FRESNO COUNTY RECORDS.
17. A STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT DEFERRING CERTAIN SEWER CONNECTION CHARGES, WATER CONNECTION CHARGES, URBAN GROWTH MANAGEMENT FEES, CITY-WIDE FEES AND DEVELOPMENT FEES TO THE TIME OF ISSUANCE OF CERTIFICATE OF OCCUPANCY AND CREATION OF LIEN FOR THE FINAL MAP OF TRACT NO. 5973, RECORDED _____, DOCUMENT NO. _____, FRESNO COUNTY RECORDS.

ENGINEER'S STATEMENT:

THE SURVEY FOR THIS MAP WAS MADE BY ME OR UNDER MY DIRECTION AND IS TRUE AND COMPLETE AS SHOWN.

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF GARY McDONALD ON FEBRUARY 1, 2011. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE ONE YEAR OF THE DATE THIS MAP IS RECORDED, OR ANY TIME EXTENSION APPROVED BY THE CITY ENGINEER. THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

_____ _____
GARY GIANNETTA, R.C.E. 26996 LIC. EXP. 3-31-13 DATE

CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

_____ _____
SCOTT L. MOZIER, PE 54417 CITY ENGINEER DATE
LICENSE EXPIRES 12-31-2013

CONSULTING LAND SURVEYOR'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

ACTING FOR THE CITY OF FRESNO:
BLAIR, CHURCH & FLYNN CONSULTING ENGINEERS
451 CLOVIS AVENUE, SUITE 200, CLOVIS, CA 93612

BY: _____ _____
HIMAWAN BRASALI, LS 7800 DATE
LICENSE EXPIRES 12-31-2013

PLANNING COMMISSION CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN CONFORMS TO AND IS IN COMPLIANCE WITH THE APPROVED TENTATIVE MAP AND THE REQUIREMENTS IMPOSED BY THE FRESNO CITY PLANNING COMMISSION AS A CONDITION TO THE ACCEPTANCE OF THE FINAL MAP.

_____ _____
KEITH BERGTHOLD DATE
SECRETARY OF THE FRESNO CITY PLANNING COMMISSION

CITY CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE COUNCIL OF THE CITY OF FRESNO, BY RESOLUTION NO. _____ ADOPTED ON _____, 2012, APPROVED THE WITHIN MAP AND ACCEPTED ON BEHALF OF THE PUBLIC ALL PARCELS OF LAND AND EASEMENTS OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION, AND APPROVED THE ABANDONMENT OF THOSE PUBLIC STREETS AND/OR PUBLIC EASEMENTS NOT SHOWN ON THE MAP AND NOTED AS ABANDONED BY THE FILING OF THE MAP.

YVONNE SPENCE, CMC
CITY CLERK

BY: _____ _____
DEPUTY DATE

RECORDER'S CERTIFICATE:

DOCUMENT NO. _____ FEE $ _____
FILED THIS ____DAY OF _____, 2012
AT _____ .M. IN VOLUME _____OF PLATS, AT PAGES ____
AND ____, AT THE REQUEST OF GARY G. GIANNETTA

FRESNO COUNTY RECORDS
PAUL DICTOS, C.P.A., RECORDER

BY: _____
DEPUTY

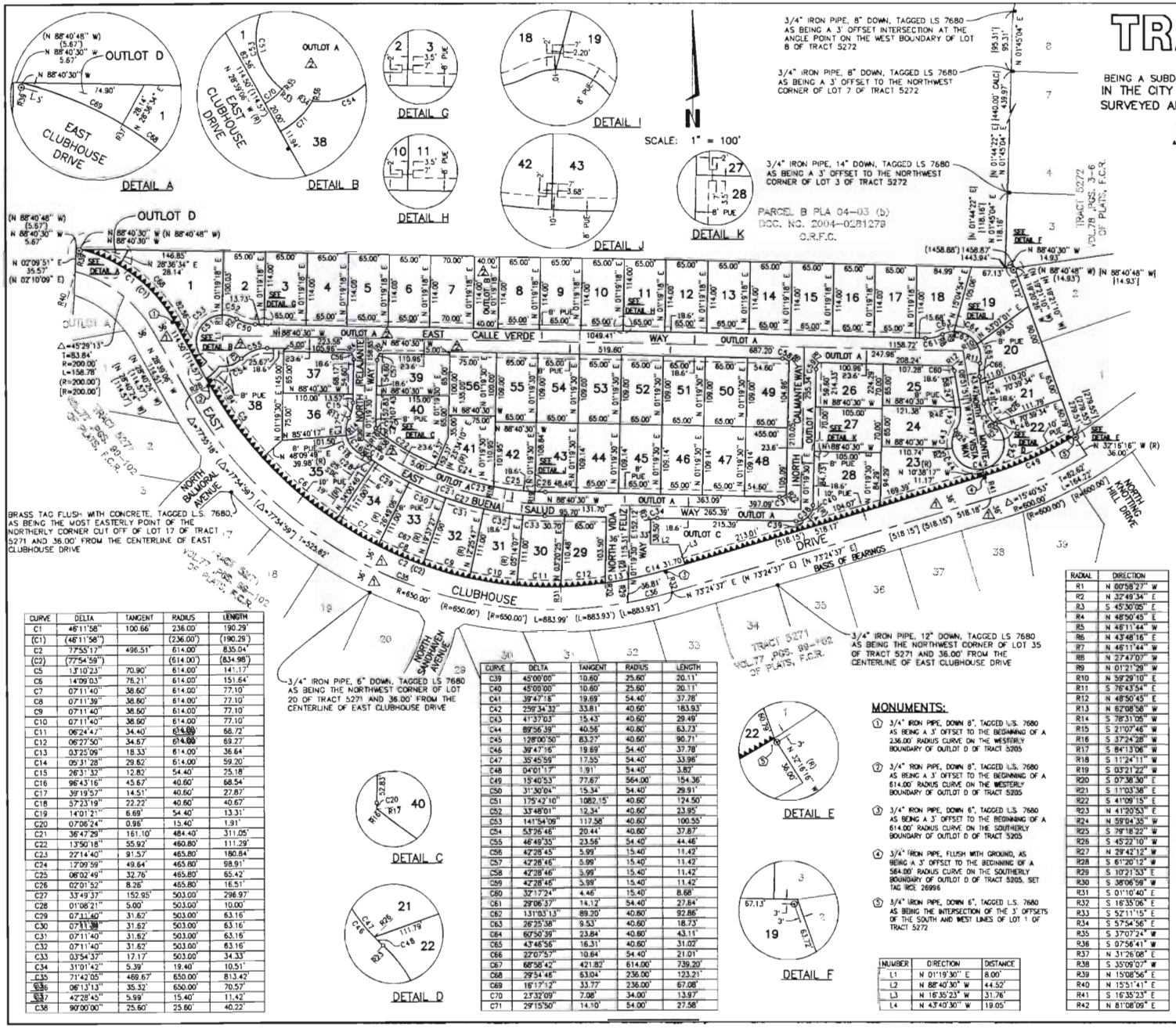
TRACT NO. 5973

A PLANNED UNIT DEVELOPMENT

BEING A SUBDIVISION OF OUTLOT D OF THE AMENDING MAP OF TRACT NO. 5205 IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA SURVEYED AND PLATTED IN FEBRUARY 2011, BY GARY G. GIANNETTA

CONSISTING OF TWO SHEETS

SHEET TWO OF TWO SHEETS



BASIS OF BEARINGS

THE CENTERLINE OF EAST CLUBHOUSE DRIVE ON THE STRAIGHT-OF-WAY ALONG THE SOUTH BOUNDARY OF OUTLOT D OF AMENDING MAP OF TRACT 5205, RECORDED IN VOLUME 76 OF PLATS, PAGES 46 THROUGH 70, FRESNO COUNTY RECORDS BETWEEN THE 650.00 FOOT RADIUS CURVE AND THE 600.00 FOOT RADIUS CURVE TAKEN AS BEARING N 73°24'37" E AS SHOWN ON SAID AMENDING MAP OF TRACT 5205.

LEGEND:

- • MONUMENT FOUND AND ACCEPTED AS NOTED
- ○ SET 3/4" IRON PIPE, 30" LONG, 6" DOWN BELOW GROUND, TAGGED R.C.E. 26996
- ⊙ SET 3/4" IRON PIPE, 30" LONG, 4" UP IN 6" DIAMETER x 30" P.C.C. MONUMENT, DOWN 6" BELOW GROUND, TAGGED R.C.E. 26996
- ▲▲▲▲▲ INDICATES RELINQUISHMENT OF DIRECT ACCESS RIGHTS
- ( ) RECORD DATA AS PER AMENDING MAP OF TRACT 5205, RECORDED IN VOLUME 76 OF PLATS, PAGES 46 THROUGH 70, F.C.R.
- [ ] RECORD DATA AS PER TRACT 5271, RECORDED IN VOLUME 77 OF PLATS, PAGES 99 THROUGH 102, F.C.R.
- [ ] RECORD DATA AS PER TRACT 5272, RECORDED IN VOLUME 78 OF PLATS, PAGES 3 THROUGH 6, F.C.R.
- ⚠ PREVIOUSLY DEDICATED FOR PUBLIC STREET EASEMENT PURPOSES, AS PER AMENDING MAP OF TRACT 5205, RECORDED IN VOLUME 76 OF PLATS, PAGES 46 THROUGH 70, F.C.R
- SDE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT STORM DRAIN EASEMENT, RECORDED _____, 2011 AS DOC. NO. 2011-_____, F.C.R.
- ⚠ FRESNO METROPOLITAN FLOOD CONTROL DISTRICT DRAINAGE CHANNEL EASEMENT, RECORDED _____, 2011 AS DOC. NO. 2011-_____, F.C.R.

F.C.R. FRESNO COUNTY RECORDS

PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE

CALC CALCULATED FROM RECORD DATA

(R) DENOTES RADIAL BEARING

BLUE BORDER INDICATES THE LIMITS OF THIS SUBDIVISION

NOTE:

1. SET 3/4" IRON PIPE, 6" DOWN, TAGGED RCE 26996 AT ALL LOT CORNERS, BLOCK CORNERS, ANGLE POINTS AND CURVE POINTS
2. OUTLOT A AND B FOR PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
3. OUTLOT A FOR PRIVATE STREET AND STORM DRAIN PURPOSES
4. OUTLOT B FOR OPEN SPACE AND STORM DRAIN PURPOSES
5. OUTLOT C FOR OPEN SPACE
6. OUTLOT D TO BE DEEDED TO ADJACENT PROPERTY
7. THAT PORTION OF PUBLIC UTILITY EASEMENT PRVIOUSLY DEDICATED PER THE AMENDING MAP OF TRACT NO. 5205, RECORDED IN VOLUME 76 OF PLATS, AT PAGES 46-70, F.C.R., WHICH IS NOT DELINEATED ON THIS MAP IS DEEMED ABANDONED PURSUANT TO SECTION 66434(g) OF THE SUBDIVISION MAP ACT.

MONUMENTS:

1. 3/4" IRON PIPE, DOWN 8", TAGGED L.S. 7680 AS BEING A 3' OFFSET TO THE BEGINNING OF A 236.00' RADIUS CURVE ON THE WESTERLY BOUNDARY OF OUTLOT D OF TRACT 5205
2. 3/4" IRON PIPE, DOWN 8", TAGGED L.S. 7680 AS BEING A 3' OFFSET TO THE BEGINNING OF A 614.00' RADIUS CURVE ON THE WESTERLY BOUNDARY OF OUTLOT D OF TRACT 5205
3. 3/4" IRON PIPE, DOWN 6", TAGGED L.S. 7680 AS BEING A 3' OFFSET TO THE BEGINNING OF A 614.00' RADIUS CURVE ON THE SOUTHERLY BOUNDARY OF OUTLOT D OF TRACT 5205
4. 3/4" IRON PIPE, FLUSH WITH GROUND, AS BEING A 3' OFFSET TO THE BEGINNING OF A 564.00' RADIUS CURVE ON THE SOUTHERLY BOUNDARY OF OUTLOT D OF TRACT 5205, SET TAG RCE 26996
5. 3/4" IRON PIPE, DOWN 6", TAGGED L.S. 7680 AS BEING THE INTERSECTION OF THE 3' OFFSETS OF THE SOUTH AND WEST LINES OF LOT 1 OF TRACT 5272

CURVE	DELTA	TANGENT	RADIUS	LENGTH
C1	46°11'58"	100.66'	236.00'	190.29'
(C1)	(46°11'58")		(236.00')	(190.29')
C2	77°53'17"	496.51'	614.00'	835.04'
(C2)	(77°54'59")		(614.00')	(834.98')
C5	13°10'23"	70.90'	614.00'	141.17'
C6	14°09'03"	76.21'	614.00'	151.64'
C7	07°11'40"	38.60'	614.00'	77.10'
C8	07°11'39"	38.60'	614.00'	77.10'
C9	07°11'40"	38.60'	614.00'	77.10'
C10	07°11'40"	38.60'	614.00'	77.10'
C11	06°24'47"	34.40'	614.00'	68.72'
C12	06°27'50"	34.67'	614.00'	69.27'
C13	03°25'09"	18.33'	614.00'	36.64'
C14	05°31'28"	29.82'	614.00'	59.20'
C15	26°31'32"	12.82'	54.40'	25.18'
C16	96°43'16"	45.67'	40.60'	68.54'
C17	39°19'57"	14.51'	40.60'	27.87'
C18	57°23'19"	22.22'	40.60'	40.67'
C19	14°01'21"	6.69'	54.40'	13.31'
C20	07°06'24"	0.96'	15.40'	1.91'
C21	36°47'29"	161.10'	484.40'	311.05'
C22	13°50'18"	55.92'	460.80'	111.29'
C23	27°14'40"	91.57'	465.80'	180.84'
C24	17°09'59"	49.64'	465.80'	98.91'
C25	08°02'49"	32.76'	465.80'	65.42'
C26	07°01'52"	8.78'	465.80'	16.51'
C27	33°49'37"	152.95'	503.00'	296.97'
C28	01°08'21"	5.00'	503.00'	10.00'
C29	07°11'40"	31.62'	503.00'	63.16'
C30	07°11'38"	31.62'	503.00'	63.16'
C31	07°11'40"	31.62'	503.00'	63.16'
C32	07°11'40"	31.62'	503.00'	63.16'
C33	03°54'37"	17.17'	503.00'	34.33'
C34	31°01'42"	5.39'	19.40'	10.51'
C35	71°42'05"	466.67'	650.00'	813.42'
C36	06°13'13"	35.32'	650.00'	70.57'
C37	42°28'45"	5.99'	15.40'	11.42'
C38	90°00'00"	25.60'	25.60'	40.22'

CURVE	DELTA	TANGENT	RADIUS	LENGTH
C39	45°00'00"	10.60'	25.60'	20.11'
C40	45°00'00"	10.60'	25.60'	20.11'
C41	39°47'16"	19.69'	54.40'	37.78'
C42	259°34'32"	33.81'	40.60'	183.93'
C43	41°37'03"	15.43'	40.60'	29.49'
C44	89°56'39"	40.56'	40.60'	63.73'
C45	128°00'50"	83.27'	40.60'	90.71'
C46	39°47'16"	19.69'	54.40'	37.78'
C47	35°45'59"	17.55'	54.40'	33.96'
C48	04°01'17"	1.91'	54.40'	3.82'
C49	15°40'53"	77.67'	564.00'	154.36'
C50	31°30'04"	15.34'	54.40'	29.91'
C51	175°42'10"	1082.15'	40.60'	124.50'
C52	33°48'01"	12.34'	40.60'	23.95'
C53	141°54'09"	117.58'	40.60'	100.55'
C54	53°26'46"	20.44'	40.60'	37.87'
C55	46°49'35"	23.56'	54.40'	44.46'
C56	47°26'45"	5.99'	15.40'	11.42'
C57	47°26'46"	5.99'	15.40'	11.42'
C58	47°26'46"	5.99'	15.40'	11.42'
C59	47°26'46"	5.99'	15.40'	11.42'
C60	32°17'24"	4.46'	15.40'	8.68'
C61	29°06'37"	14.12'	54.40'	27.64'
C62	131°03'13"	89.20'	40.60'	92.86'
C63	26°25'38"	9.53'	40.60'	18.73'
C64	60°50'39"	23.84'	40.60'	43.11'
C65	43°46'56"	16.31'	40.60'	31.02'
C66	27°07'57"	10.64'	54.40'	21.01'
C67	68°58'42"	421.82'	614.00'	739.20'
C68	29°54'46"	53.04'	236.00'	123.21'
C69	16°17'12"	33.77'	236.00'	67.08'
C70	23°32'09"	7.08'	34.00'	13.97'
C71	29°15'50"	14.10'	54.00'	27.58'

NUMBER	DIRECTION	DISTANCE
L1	N 01°19'30" E	8.00'
L2	N 88°40'30" W	44.52'
L3	N 16°35'23" W	31.76'
L4	N 43°40'30" W	19.05'

RADIAL	DIRECTION
R1	N 80°58'27" W
R2	N 32°49'34" E
R3	S 45°30'05" E
R4	N 48°50'45" E
R5	N 46°11'44" W
R6	N 43°48'16" E
R7	N 46°11'44" W
R8	N 27°47'07" W
R9	N 01°21'29" W
R10	N 39°29'10" E
R11	S 76°43'54" E
R12	N 48°50'45" E
R13	N 62°08'56" W
R14	S 78°31'05" W
R15	S 21°07'46" W
R16	S 37°24'28" W
R17	S 84°13'06" W
R18	S 11°24'11" W
R19	S 03°21'22" W
R20	S 07°38'30" E
R21	S 11°03'38" E
R22	S 41°09'15" E
R23	N 41°20'53" E
R24	N 59°04'35" W
R25	S 79°18'20" W
R26	S 45°22'10" W
R27	N 29°42'12" E
R28	S 61°20'12" W
R29	S 10°21'53" E
R30	S 38°06'58" W
R31	S 01°10'40" E
R32	S 16°35'06" E
R33	S 52°11'15" E
R34	S 57°54'56" E
R35	S 37°07'24" W
R36	S 07°56'41" W
R37	N 31°26'08" E
R38	S 35°09'07" W
R39	N 15°08'56" E
R40	N 15°51'41" E
R41	S 16°35'23" E
R42	N 81°08'09" E

NOTES:

1. CONTACT SOLID WASTE DIVISION FOR APPOINTMENT TO ESTABLISH ACCESS AND IMPROVEMENTS REQUIRED AS CONDITIONS OF PROVIDING DISPOSAL SERVICE. 621-6888
2. THE SANITARY SEWER SERVICES, WATER, GAS AND ANY OTHER UNDERGROUND SERVICE CONNECTIONS SHALL BE COMPLETED IN ALL AREAS TO BE PAVED PRIOR TO PLACEMENT OF ASPHALT CONCRETE ON SITE.
3. ALL HANDICAPPED PARKING STALLS SHALL BE PLACED ADJACENT TO FACILITY ACCESS RAMPS OR IN STRATEGIC AREAS WHERE THE HANDICAPPED SHALL NOT HAVE TO WHEEL OR WALK BEHIND PARKING VEHICLES WHILE TRAVELING TO OR FROM HANDICAPPED PARKING STALLS AND RAMPS.
4. 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.
5. LIGHTING WHERE PROVIDED TO ILLUMINATE PARKING, SALES OR DISPLAY AREAS SHALL BE HOODED AND SO ARRANGED AND CONTROLLED SO AS NOT TO CAUSE A NUISANCE EITHER TO HIGHWAY TRAFFIC OR TO THE LIVING ENVIRONMENT. THE SPECIFICATIONS AND TYPES OF LIGHTING FIXTURES TO BE INSTALLED ON THE SITE SHALL BE SUBMITTED AND APPROVED BY THE PLANNING DEPARTMENT PRIOR TO ISSUANCE OF THE BUILDING PERMITS. THE AMOUNT OF LIGHT SHALL BE PROVIDED ACCORDING TO THE STANDARDS OF THE DEPARTMENT OF PUBLIC WORKS, THE PLANNING AND DEVELOPMENT DEPARTMENT AND THE FRESNO POLICE DEPARTMENT.
6. ALL SIGN PROPOSALS TO BE SUBMITTED TO PLANNING DEPARTMENT FOR SEPARATE SIGN REVIEW PRIOR TO INSTALLATION FOR VERIFICATION OF COMPLIANCE WITH ZONING ORDINANCES.
7. ALL CONSTRUCTION WORK ON THIS PROJECT IS SUBJECT TO INTERRUPTION IF THE ROAD SYSTEM BECOMES IMPASSABLE FOR FIRE APPARATUS DUE TO RAIN OF OTHER OBSTACLES.
8. REPAIR ALL DAMAGED AND/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEER PRIOR TO OCCUPANCY.
9. TWO MEANS OF INGRESS/EGRESS MUST BE MAINTAINED DURING ALL PHASES OF DEVELOPMENT.
10. ANY UTILITIES REQUIRING RELOCATION SHALL BE THE RESPONSIBILITY AND AT THE EXPENSE OF THE DEVELOPER. FIRE HYDRANTS WILL BE RELOCATED BY CITY FORCES. DEVELOPER IS RESPONSIBLE TO NOTIFY CITY WATER DIVISION AT 621-5300 TO ARRANGE AND COORDINATE WORK.
11. NO USES OF LAND, BUILDING OR STRUCTURES OTHER THAN THOSE SPECIFICALLY APPROVED PURSUANT TO THIS SITE PLAN SHALL BE PERMITTED.
12. NO EXPOSED UTILITY BOXES, TRANSFORMERS, METERS, PIPING, EXCEPTING THE BACKFLOW PREVENTION DEVICE) ETC. ARE ALLOWED TO BE LOCATED IN THE LANDSCAPE AREAS OR SETBACKS OR ON THE STREET FRONTAGES OF THE BUILDINGS. ALL TRANSFORMER, ETC. SHALL BE SHOWN ON THE SITE PLAN. THE BACKFLOW DEVICE SHALL BE SCREENED BY LANDSCAPING OR SUCH OTHER MEANS AS MAY BE APPROVED.
13. LANDSCAPING SHALL BE MAINTAINED IN GOOD HEALTH. TREES MAY NOT BE TRIMMED OR PRUNED TO REDUCE THE NATURAL HEIGHT OR OVERALL CROWN OF THE TREE, EXCEPT AS NECESSARY FOR THE HEALTH OF THE TREE AND PUBLIC SAFETY; OR AS MAY OTHERWISE BE APPROVED BY THE DEVELOPMENT DEPARTMENT.
14. 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 PLANNING DIVISION.
15. SIGNS ARE NOT APPROVED FOR INSTALLATION AS PART OF THIS SPECIAL PERMIT. SUBMIT FOR SEPARATE SIGN REVIEW.
16. SURFACE DRAINAGE OVER DRIVEWAY APPROACHES AND SIDEWALK IS NOT PERMITTED WHEN THE AREA TO BE DRAINED EXCEEDS 1/4 ACRE. SHOW METHOD OF CONVEYING ON-SITE STORM WATER TO STREET. DETAIL CATCH BASINS AND PIPE OR CHANNEL SIZES TO BE USED PER PUBLIC WORKS STDS. P-42 & P-43
17. A BACKFLOW PREVENTION DEVICE IS REQUIRED. CONTACT WATER DIVISION AT 621-5300 FOR REQUIREMENTS. DEVICES MUST BE INSTALLED ON-SITE IN A LOCATION APPROVED BY THE CROSS CONNECTION CONTROL OFFICER; A PLUMBING PERMIT IS REQUIRED TO INSTALL DEVICE; BACKFLOW PREVENTION DEVICES REQUIRED SHALL BE INSTALLED AT CONSUMER'S EXPENSE BY A QUALIFIED JOURNEYMAN PLUMBER CERTIFIED AS COMPETENT FOR SUCH PURPOSES BY THE WATER SYSTEMS MANAGER; BACKFLOW DEVICES MUST BE TESTED AND ACCEPTED BY THE WATER DIVISION PRIOR TO GRANTING BUILDING FINAL; DEVELOPER IS RESPONSIBLE TO CONTACT THE WATER DIVISION A MINIMUM OF 5 DAYS PRIOR TO REQUEST FOR FINAL BUILDING INSPECTION.
18. 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
19. AS REQUIRED BY THE CALIFORNIA ADMINISTRATION CODE (TITLE 24), AN UNOBSTRUCTED 4-FOOT MINIMUM PATH OF TRAVEL ALONG THE PUBLIC SIDEWALK WITHIN THE LIMITS OF THE PROPERTY IS PROVIDED.
20. RAMP AND SIDE SLOPES SHALL BE ROUGH BROOM FINISH PARALLEL TO GROOVING.
21. EACH CURB RAMP SHALL HAVE A DETECTABLE WARNING DEVICE AS PER PW STD. DWGS. P-86 & P-87
22. UNDERGROUND ALL EXISTING OFFSITE OVERHEAD UTILITIES WITHIN THE LIMITS OF THIS SITE/MAP AS PER FMC SECTION 12-1011, SECTION 8-801 AND RES. NO. 78-522/88-229
23. (circled) INSTALL 30" STATE STANDARD "STOP" SIGN (S) AT LOCATION (S) SHOWN. SIGN SHALL BE MOUNTED ON A 2" GALVANIZED POST WITH THE BOTTOM OF THE SIGN 7' ABOVE GROUND; LOCATED BEHIND CURB AND IMMEDIATELY BEHIND MAJOR STREET SIDEWALK.
24. APPROVAL OF THIS SPECIAL PERMIT MAY BECOME NULL AND VOID IN THE EVENT THAT DEVELOPMENT IS NOT COMPLETED IN ACCORDANCE WITH ALL THE CONDITIONS AND REQUIREMENTS IMPOSED ON THIS SPECIAL PERMIT, THE ZONING ORDINANCE, AND ALL PUBLIC WORKS STANDARDS AND SPECIFICATIONS. THE PLANNING AND DEVELOPMENT SHALL NOT ASSUME RESPONSIBILITY FOR ANY DELETIONS OR OMISSIONS RESULTING FROM THE SPECIAL PERMIT REVIEW PROCESS OR FOR ADDITIONS OR ALTERATIONS TO CONSTRUCTION PLAN NOT SPECIFICALLY SUBMITTED AND REVIEWED AND APPROVED PURSUANT TO THIS SPECIAL PERMIT OR SUBSEQUENT AMENDMENTS OR REVISIONS.
25. NO STRUCTURES OF ANY KIND (INCLUDING SIGNS, TRASH AND RECYCLING ETC.) MAY BE INSTALLED OR MAINTAINED WITHIN THE ABOVE-LANDSCAPE AREAS. NO EXPOSED UTILITY BOXES, TRANSFORMERS, METERS, PIPING (EXCEPTING THE BACKFLOW PREVENTION DEVICE), ETC., ARE ALLOWED TO BE LOCATED IN THE LANDSCAPE AREAS OR SETBACKS OR ON THE STREET FRONTAGES OF THE BUILDINGS. ALL TRANSFORMERS, ETC. SHALL BE SHOWN ON THE SITE PLAN. THE BACKFLOW DEVICE SHALL BE SCREENED BY LANDSCAPING OR SUCH OTHER MEANS AS MAY BE APPROVED.
26. ALL FUTURE FENCES, BOLLARDS, ETC. SHALL BE REVIEWED AND APPROVED PRIOR TO INSTALLATION BY THE CITY OF FRESNO, PLANNING AND DEVELOPMENT DEPARTMENT.
27. IF ARCHAEOLOGICAL AND/OR ANIMAL FOSSIL MATERIAL IS ENCOUNTERED DURING PROJECT SURVEYING, GRADING, EXCAVATING, OR CONSTRUCTION, WORK SHALL STOP IMMEDIATELY.
28. IF ANIMAL FOSSILS ARE UNCOVERED, THE MUSEUM OF PALEONTOLOGY, U.C. BERKELEY SHALL BE CONTACTED TO OBTAIN A REFERRAL LIST OF RECOGNIZED PALEONTOLOGISTS. A PALEONTOLOGIST SHALL CONDUCT AN ASSESSMENT AND, IF THE PALEONTOLOGIST DETERMINES THE MATERIAL TO BE SIGNIFICANT, IT SHALL BE PRESERVED.
29. IF THERE ARE SUSPECTED HUMAN REMAINS, THE FRESNO COUNTY CORONER SHALL BE IMMEDIATELY CONTACTED. IF THE REMAINS OR OTHER ARCHAEOLOGICAL MATERIAL IS POSSIBLY NATIVE AMERICAN IN ORIGIN, THE NATIVE AMERICAN HERITAGE COMMISSION (PHONE: 916/653-4082) SHALL BE IMMEDIATELY CONTACTED, AND THE CALIFORNIA ARCHAEOLOGICAL INVENTORY/SOUTHERN SAN JOAQUIN VALLEY INFORMATION CENTER (PHONE: 805/644-2289) SHALL BE CONTACTED TO OBTAIN A REFERRAL LIST OF RECOGNIZED ARCHAEOLOGISTS. AN ARCHAEOLOGICAL ASSESSMENT SHALL BE CONDUCTED FOR THE PROJECT, THE SITE SHALL BE FORMALLY RECORDED, AND RECOMMENDATIONS MADE TO THE CITY AS TO ANY FURTHER SITE INVESTIGATION OR SITE AVOIDANCE/PRESERVATION.
30. (circled) CONSTRUCT CONCRETE CURB RAMP TO PUBLIC WORKS STANDARD(S) P-28.
31. CONTACT PUBLIC WORKS DEPARTMENT, TRAFFIC ENGINEERING @ 621-8800, 0 WORKING DAYS PRIOR TO ANY OFF-SITE CONCRETE CONSTRUCTION.
32. ALL CONSTRUCTION WORK ON THIS PROJECT IS SUBJECT TO INTERRUPTION IF THE ROAD SYSTEM BECOMES IMPASSABLE FOR FIRE APPARATUS DUE TO RAIN OR OTHER OBSTACLES. ALL REQUIRED FIRE ACCESS LANES SHALL BE PROVIDED AND MAINTAINED WITH AN APPROVED ALL WEATHER SURFACE CAPABLE OF SUPPORTING 80,000 LB. VEHICLES (MINIMUM 4" OF BASE ROCK OVER COMPACTED OR UNDISTURBED SOIL OR PER APPROVED ENGINEERED PLANS) YEAR-ROUND AND WITH 24 FEET MINIMUM WIDTH OR OTHER APPROVED METHOD THAT WOULD PREVENT SHOULDER DEGRADATION.
33. 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 PLANNING DIVISION.
34. PRIOR TO GRANTING OF FINAL OCCUPANCY, A WRITTEN CERTIFICATION, SIGNED BY A LANDSCAPE PROFESSIONAL APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT DIRECTOR, SHALL BE SUBMITTED STATING THAT THE REQUIRED LANDSCAPING AND IRRIGATION SYSTEM HAVE BEEN INSTALLED IN ACCORDANCE WITH THE LANDSCAPING AND IRRIGATION PLANS APPROVED BY THE PLANNING DIVISION.
35. ALL FUTURE PROPOSED FENCES, HEDGES AND WALLS, ETC. SHALL BE REVIEWED AND APPROVED BY THE CITY OF FRESNO, PLANNING AND DEVELOPMENT DEPARTMENT PRIOR TO INSTALLATION.
36. SIGNS, OTHER THAN DIRECTIONAL SIGNS, ARE NOT APPROVED FOR INSTALLATION AS PART OF THIS SPECIAL PERMIT. SUBMIT FOR A SEPARATE MASTER SIGN PROGRAM OR SIGN REVIEW APPLICATION. APPLICATIONS AND REQUIREMENTS FOR SUBMITTAL ARE AVAILABLE AT THE PLANNING DIVISION'S PUBLIC FRONT COUNTER.
37. (circled) CONSTRUCT CONCRETE CURB RAMP TO PUBLIC WORKS STANDARD(S) P-29

SCALE: 1" = 50'

VICINITY MAP:

N.T.S.

NET AREA = 13.05 ACRES
GROSS AREA = 4 56 ACRES

LEGEND:

- EXISTING PROPERTY LINE
- CENTERLINE
- EXISTING CURB & GUTTER
- PROPOSED 6" CURB
- PROPOSED CURB & GUTTER

SECTION A-A
PRIVATE STREETS

PRIVATE STREETS

EAST CLUBHOUSE DR. GATE DETAIL

NOTES:

1. PROPOSED LAND USE MEDIUM LOW DENSITY RESIDENTIAL
2. EXISTING ZONING R-1/UGM
3. PROPOSED ZONING R-1/UGM

SITE PLAN

APN 579-074-12s
TRACT 5205-OUTLOT D

C-10-203
TRACT 5973

REVISED EXHIBIT

GARY G. GIANNETTA
CIVIL ENGINEERING & LAND SURVEYING

DATE 1/28/10 REVISED 8/19/10 9/27/11

City of FRESNO **REPORT TO THE PLANNING COMMISSION**

AGENDA ITEM NO. VIII.A.
COMMISSION MEETING 02/02/11
DEPARTMENT DIRECTOR

February 02, 2011

FROM: KEVIN FABINO, Planning Manager
Development & Resource Management Department

THROUGH: MIKE SANCHEZ, Planning Manager
Development Services Division

BY: WILL TACKETT, Planner III
Development Services Division

SUBJECT: CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION NO. C-10-203; VESTING TENTATIVE TRACT MAP NO. 5973/UGM; AND, RELATED ENVIRONMENTAL ASSESSMENT NO. C-10-203/T-5973.

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. APPROVE the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and Mitigated Negative Declaration for Plan Amendment A-09-02 (Air Quality MND) prepared for Environmental Assessment No. C-10-203/T-5973 dated December 17, 2010.

2. APPROVE Conditional Use Permit Application No. C-10-203 subject to the findings included within the Staff Report to the Planning Commission dated February 02, 2011; and, compliance with the Conditions of Approval dated February 02, 2011.

3. APPROVE Vesting Tentative Tract Map No. 5973/UGM subject to the findings included within the Staff Report to the Planning Commission dated February 02, 2011; and, compliance with the Conditions of Approval dated February 02, 2011.

EXECUTIVE SUMMARY

Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of Copper River Ranch Villages, LLC., property owner/subdivider, has filed Conditional Use Permit Application No. C-10-203, and Vesting Tentative Tract Map No. 5973/UGM pertaining to approximately 13.05 net acres of property located on the north side of East Clubhouse Drive between North Alicante and North Knotting Hill Drives; within the Copper River Ranch Development Project.

Conditional Use Permit Application No. C-10-203 and Vesting Tentative Tract Map No. T-5973/UGM propose to develop and subdivide the subject property for the purposes of creating a 56-lot single family residential gated private street planned development subdivision with modified property development standards at an overall density of approximately 4.29 dwelling units per acre. An additional three "Outlots" are proposed to be dedicated for private street, public utilities, storm drain, and open space purposes.

The subject property is currently zoned under the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district classification. The subject property is located within the boundaries of the 2025 Fresno General Plan and Woodward Park Community Plan, which designate the subject property for Medium-Low Density Residential (2.19-6.00 dwelling units/acre) planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the Fresno Municipal Code (FMC), the existing

R-1 (*Single Family Residential*) zone district and the proposed project density of approximately 4.29 dwelling units per acre may be found to be consistent with the Medium-Low Density Residential planned land use designation.

The development and subdivision of the subject property in accordance with Conditional Use Permit Application No. C-10-203 and Vesting Tentative Tract Map No. 5973/UGM will bring the subject property into conformance with the 2025 Fresno General Plan and Woodward Park Community Plan.

PROJECT INFORMATION

PROJECT	Conditional Use Permit Application No. C-10-203 and Vesting Tentative Tract Map No. 5973/UGM propose to create a 56-lot single family residential gated private street planned development with modified building setback requirements at an overall density of approximately 4.29 dwelling units/per acre. An additional three outlots are proposed to be dedicated for private street, public utilities, storm drain, and open space purposes.
APPLICANT	Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of, Copper River Ranch Villages, LLC., owner/subdivider.
LOCATION	North side of East Clubhouse Drive between North Alicante and North Knotting Hill Drives; within the Copper River Ranch Development Project. **(Council District 6, Councilmember Brand)**
SITE SIZE	Approximately 13.05 net acres.
PLANNED LAND USE	Existing - Medium-Low Density Residential Proposed - Medium-Low Density Residential
ZONING	Existing - R-1/UGM *(Single Family Residential District/Urban Growth Management)* Proposed - R-1/UGM *(Single Family Residential District/Urban Growth Management)*
PLAN DESIGNATION AND CONSISTENCY	Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the FMC, the existing R-1 zone district classification for the subject property and the existing Medium-Low Density Residential planned land use designations for the subject property may be found consistent.
ENVIRONMENTAL FINDING	Finding of Project Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 (SCH # 2001071097) and Mitigated Negative Declaration No. A-09-02 (SCH # 2009051016) filed on December 17, 2010.

STAFF RECOMMENDATION

Recommend Approval (by the Planning Commission) of: (1) Adoption of the Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 (SCH # 2001071097) and Mitigated Negative Declaration No. A-09-02 (SCH # 2009051016) prepared for Environmental Assessment No. C-10-203/T-5973 and filed on December 17, 2010 for the Conditional Use Permit and Vesting Tentative Tract Map applications; (2) Conditional Use Permit Application No. C-10-203; and, (3) Vesting Tentative Tract Map No. 5973/UGM.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Open Space / Golf Course	**R-1/UGM** *Single Family Residential District / Urban Growth Management*	Golf Course
East	Medium-Low Density Residential	**R-1/UGM** *Single Family Residential District / Urban Growth Management*	Single Family Residential
South	Medium-Low Density Residential	**R-1/UGM** *Single Family Residential District / Urban Growth Management*	Single Family Residential
West	Medium-Low Density Residential & Open Space / Golf Course	**R-1/UGM** *Single Family Residential District / Urban Growth Management*	Single Family Residential & Golf Course

ENVIRONMENTAL FINDING

The Development and Resource Management Department staff have prepared an initial study and environmental checklist and evaluated the proposed development in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan, the related Master Environmental Impact Report (MEIR) No. 10130/State Clearing House No. 2001071097 and the Mitigated Negative Declaration prepared for Plan Amendment A-09-02 to amend the Air Quality Element of the 2025 Fresno General Plan (Air Quality MND). The subject property remains vacant but may be developed at an intensity and scale that is permitted by the planned land use designation and proposed zone district classification for the site. Thus, the subdivision of the subject property in accordance with Vesting Tentative Tract Map No. 5973/UGM will not facilitate an additional intensification of uses beyond that which would be allowed by the above-noted planned land use designation. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. If has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 and Air Quality MND as provided by CEQA Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause significant impacts on the environment that were not previously examined by the MEIR and the Air Quality MND. Relative to the specific project proposal, the environmental impacts noted in the MEIR and Air Quality MND, pursuant to the 2025 Fresno General Plan land use designation, include impacts associated with the Medium-Low Density Residential planned land use designation specified for the subject property. Based on the initial study prepared, the following findings are made: (1) The proposed project was identified as a Subsequent Project in MEIR No. 10130 because its land use designation and permissible densities and intensities are set forth in Figure I-1 of MEIR No. 10130; (2) The proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR (as indicated on the attached Environmental Assessment Checklist) and Air Quality MND for the reasons discussed within the environmental assessment for the subject project; and, (3) No new additional mitigation measures are required because the proposed project will not generate additional significant effects not previously identified and analyzed by the MEIR and Air Quality MND.

Therefore, the project proposal has been determined to be within the scope of the MEIR and Air Quality MND as defined by Section 15177 of the CEQA Guidelines and staff has properly published a Finding of Conformity to MEIR No. 10130 dated December 17, 2010, with no comments received to date. In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and the Air Quality MND was adopted, has become available.

BACKGROUND / ANALYSIS

Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of Copper River Ranch Villages, LLC., property owner/subdivider, has filed Conditional Use Permit Application No. C-10-203, and Vesting Tentative Tract Map No. 5973/UGM pertaining to approximately 13.05 net acres of property located on the north side of East Clubhouse Drive between North Alicante and North Knotting Hill Drives; within the Copper River Ranch Development Project.

Conditional Use Permit Application No. C-10-203 and Vesting Tentative Tract Map No. T-5973/UGM propose to develop and subdivide the subject property for the purposes of creating a 56-lot single family residential gated private street planned development subdivision with modified building setback requirements at an overall density of approximately 4.29 dwelling units per acre. An additional three "Outlots" are proposed to be dedicated for private street, public utilities, storm drain, and open space purposes.

The subject property is currently zoned under the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district classification. The subject property is located within the boundaries of the 2025 Fresno General Plan and Woodward Park Community Plan, which designate the subject property for Medium-Low Density Residential (2.19-6.00 dwelling units/acre) planned land uses. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the Fresno Municipal Code (FMC), the existing R-1 (*Single Family Residential*) zone district and the proposed project density of approximately 4.29

dwelling units per acre may be found to be consistent with the Medium-Low Density Residential planned land use designation.

The subject property was previously approved for subdivision and development as Village "D" of Vesting Tentative Tract Map No. 5205 (Copper River Ranch); comprising 32 single family residential lots. Vesting Tentative Tract Map No. 5973/UGM proposes the reconfiguration of the approved street and lot patterns for further intensification.

Lots proposed to be created within the planned development meet the minimum lot area, lot width and lot depth requirements of the R-1 zone district property development standards; ranging in size from approximately 7,000 square feet in area to approximately 12,000 square feet in area.

An additional three "Outlots" are proposed to be dedicated and utilized for private street, public utility, storm drain, and open space purposes.

The conditional use permit will provide for reduced front and rear yard setbacks as are typically provided in planned development subdivisions. Residential units range from 2,350 to 2,743 square feet in floor area. Two-car, garages are typical throughout the subdivision with an additional separate one car garage (three covered parking spaces) also standard except where opted as an additional bedroom.

The subject property is bounded on the north by the Copper River Ranch Golf Course. Property to the east, south and west of the subject property has been subdivided and partially developed for single family residential land uses.

Streets and Access Points

The subject property is located on the north side of East Clubhouse Drive between North Alicante and North Knotting Hill Drives; within the Copper River Ranch Development Project. The adjacent segment of East Clubhouse Drive is designated as a Local Public Street. Interior streets will be gated and private without sidewalks.

On December 09, 2010, the City Council approved Resolution No. 2010-279 authorizing specific "pending" applications for planned unit developments designed without sidewalks on both sides of private residential streets to proceed with the entitlement process subject to: (1) The entitlement application must have been received by the City of Fresno and deemed "complete" as defined by the Fresno Municipal Code prior to December 09, 2010; (2) The development applications must be for "vesting" entitlements; and, (3) The applicant must enter into an agreement to defend, hold harmless and indemnify the City of Fresno. This Resolution acknowledged five development entitlement applications for approximately 370 total single family residential units currently pending; including Vesting Tentative Tract Map No. 5973/UGM.

The Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the conditional use permit and vesting tentative tract map applications and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the requirements stipulated within the memoranda from the Traffic Engineering Division dated November 23, 2010. These requirements generally include: (1) The provision of a minimum two points of vehicular access to major streets for any phase of the development; (2) Street improvements, (including, but not limited to, construction of concrete curbs, gutters, and sidewalks, permanent pavement, underground street lighting systems; and, (3) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI)

Fee, and the Regional Transportation Mitigation Fee (RTMF) Fee, and Copper River Ranch Assocaited major Roadway Infrastructure and Interior Collector Roadway Facility Fees.

All necessary dedications to facilitate street improvements have been previously made and no vacations of public street rights-of-way have been identified as necessary at this time.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system.

Public Services

The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the project site subject to implementation of the 2025 Fresno General Plan policies and the mitigation measures of Master Environmental Impact Report No. 10130. Construction and installation of public facilities and infrastructure in accordance with Department of Public Works standards, specifications and policies, including extensions of sewer and water services within the proposed tract, are also required.

Therefore, implementation of the 2025 Fresno General Plan policies and the mitigation measures of Master Environmental Impact Report No. 10130, along with the implementation of the Water Resources Management Plan and the identified project specific conditions of approval will provide an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

The proposed subdivision will be serviced by the Department of Public Utilities, Solid Waste Division with Basic Container Service (three containers for solid waste, green waste, and recyclable materials).

The City of Fresno Fire Department has conditioned the proposed project with requirements for installation of on-site fire hydrants and the provision of adequate fire flows per Public Works Standards, with two sources water. Additionally, the proposed project will be required to designate specific locations within the proposed private street network as "Fire Lanes", with on-street parking restrictions in order to accommodate emergency vehicle movements. These restricted parking areas are limited primarily to cul-de-sacs, "T" intersections, corners, and the primary entryway into the gated subdivision; leaving most street segments available for on-street parking. Emergency vehicle access (EVA) and gated entries will be required to provide approved Police/Fire bypass locks.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that drainage service is available for the development subject to the developer constructing new, and relocating and removing portions of existing, FMFCD Master Plan Facilities as determined by the district. Major storm flows from north of the subject property (north portion of the Copper River Ranch) have historically flowed south across the subject property through an existing 40-foot wide public utility easement (PUE). The portion of this PUE, which is located within proposed Outlot "B" of Vesting Tentative Tract Map No. 5973/UGM will be required to be graded and improved as a drainage "channel" maintained with vegetation. The subdivider/developer will also be responsible for accommodating the passage of the major storm flow to East Clubhouse Drive through the improvement of interior private streets to standards approved by FMFCD for conveyance and storage of flood flows. A drainage report that identifies the adequacy of the conveyance capacity of the streets within the project for major storm flows, including but not limited to, the height of curb, elevation of finish floors, and the setback distances of structures to property lines will be required. Amendments or modifications to the FMFCD requirements will be required to be approved

by the FMFCD Board of Directors, pursuant to Section 13-1307 of the Fresno Municipal Code, prior to approval of the final map.

Conditional Use Permit Findings

Based upon analysis of the conditional use permit application and subject to the applicant's compliance with all of the conditions of approval noted, staff concludes that the following required findings of Section 12-405-A-2 of the Fresno Municipal Code (FMC) can be made.

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 12-405-A-2.	
a. All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,	
Finding a:	The area of the proposed residential planned development is approximately 13.05 net acres in size. The subject site has been proposed to be subdivided into 56 residential lots, with lot sizes ranging from approximately 7,000 to 12,000 square feet in area at an overall density of approximately 4.29 dwelling units/acre. Multi-department/agency review of the proposed development plan (Conditional Use Permit Application No. C-10-203) has demonstrated that there is adequate space to meet all applicable requirements of the Code as established and modified in the Special Permit conditions of approval dated February 02, 2011; including yards, spaces, walls and fences, parking, landscaping and open spaces and other required features.
b. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,	
Finding b:	Staff from the Public Works Department, Transportation Planning section has estimated that the proposed development will generate approximately 42 a.m./57 p.m. peak hour vehicle trips which can be accommodated by the adjacent streets subject to the respective requirements for improvement of adjacent portions of the public street network where not existing, and improvement of interior private streets in accordance with the Department of Public Works, Public Utilities, and FMFCD memorandums referenced above. These requirements are necessary for the traffic generated by the project and to accommodate city services and meet the needs of the proposed subdivision.
c. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The third finding shall not apply to uses which are subject to the provision of Section 12-306-N-30 of this Code.	
Finding c:	The staff of the Development and Resource Management Department has determined that the proposed use will not be detrimental to the public welfare or be injurious to property or improvements in the area in which the property is located if developed in accordance with the various conditions/requirements established through the related vesting tentative tract map application review and conditional use permit application review processes.

Tentative Tract Map Findings

The Subdivision Map Act (California Government Code Section 66400 et. seq.) requires that a proposed subdivision not be approved unless the map, together with its design and improvements, is found to be consistent with the General Plan and any applicable specific plan (Finding No. 1 below).

State law further provides that the proposed subdivision map be denied if any one of the Finding Nos. 2 - 5 below is made in the negative. In addition, State law requires that a subdivision be found to provide for future passive and natural heating or cooling opportunities in the subdivision development (Finding No. 6 below).

1. The proposed subdivision map, together with its design and improvements, is consistent with the City's 2025 Fresno General Plan and Woodward Park Community Plan. Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the FMC the project design meets the density and zoning ordinance criteria for development in the Medium-Low Density Residential planned land use and R-1 (*Single Family Residential*) zone district designation.

2. This site is physically suitable for the proposed type and density of development, because conditions of approval prepared will ensure adequate access and drainage on and off the site; and, that development shall occur in accordance with adopted standards, goals, objectives, and policies for development in the City of Fresno.

3. The proposed subdivision design and improvement is not likely to cause substantial and considerable damage to the natural environment, including fish, wildlife or their habitat, because all agricultural uses on the subject property have been discontinued and the site is located within an area, which has been substantially graded and developed with urban uses. The subject property remains fallow without trees, vegetation, or irrigation to sustain and attract wildlife; or, provide a suitable habitat to species other than vermin. Furthermore, the project will have no impact on the adjacent golf course, which will continue to provide an appropriate and suitable habitat for local species of fauna.

4. The proposed subdivision design and improvements are not likely to cause serious public health and safety problems, because the conditions of approval have shown and will ensure that the subdivision conforms to city health and safety standards, specifications, and policies.

5. The proposed subdivision design will not conflict with public easements within or through the site, because the project design and conditions of approval will assure noninterference with any existing or proposed easements on the subject property.

6. The design of the subdivision provides, to the extent feasible, for future passive and natural heating or cooling opportunities in the subdivision, because of the appropriate use and placement of landscaping plant materials and because of the orientation of the proposed lots, which will permit alignment of structures in an east-west direction for southern exposure.

The subdivision map, subject to the recommended conditions of approval, complies with the design and property development standards of the Zoning Ordinance and local Subdivision Ordinance except as modified in accordance with Planned Development allowances. Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that these findings can be made.

Action by the Planning Commission regarding the conditional use permit and vesting tentative tract map are final unless appealed in accordance with the Fresno Municipal Code, Sections 12-406-I and 12-1019, respectively.

Conclusion

Action by the Planning Commission regarding Conditional Use Permit Application No. C-10-203 and Vesting Tentative Tract Map No. 5973/UGM is final unless appealed in accordance with Sections 12-406-J and 12-1019 of the FMC.

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Woodward Park Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that Conditional Use Permit Application No. C-10-203, and Vesting Tentative Tract Map No. 5973/UGM are appropriate for the project site.

Attachments:
- Vicinity Map
- 2010 Aerial Photograph
- Public Hearing Notice Mailing List Vicinity Map
- 2025 Fresno General Plan Planned Land Use Map
- Vesting Tentative Tract Map No. T-5973/UGM
- Exhibits for Conditional Use Permit Application No. C-10-203
- Conditions of Approval for Vesting Tentative Tract Map No. 5973/UGM dated February 02, 2011.
- Conditions of Approval for Conditional Use Permit Application No. C-10-203 dated February 02, 2011
- Environmental Assessment No. C-10-203/T-5973, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and Mitigated Negative Declaration for Plan Amendment A-09-02 (Air Quality MND) prepared for Environmental Assessment No. C-10-203/T-5973 dated December 17, 2010.

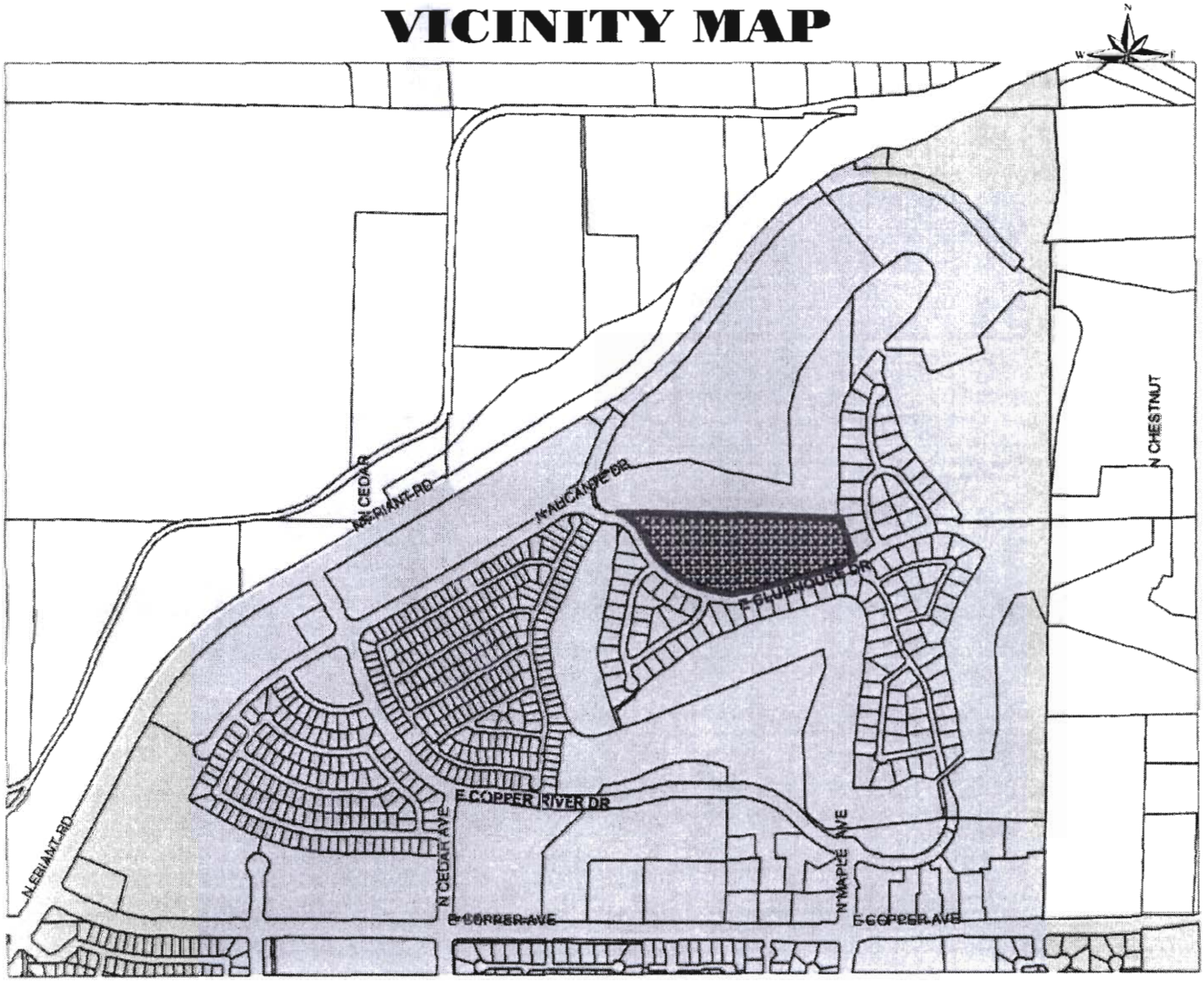
City of FRESNO W. TACKETT
PLANNING & DEVELOPMENT DEPARTMENT
2600 FRESNO STREET
FRESNO, CA. 93721-3604

THIS IS A LEGAL NOTICE

Conditional Use Permit Application No. C-10-203
Vesting Tentative Tract Map No. 5973/UGM

North side of E. Clubhouse Dr. btwn N. Alicante and N. Knotting Hill Dr.

VICINITY MAP

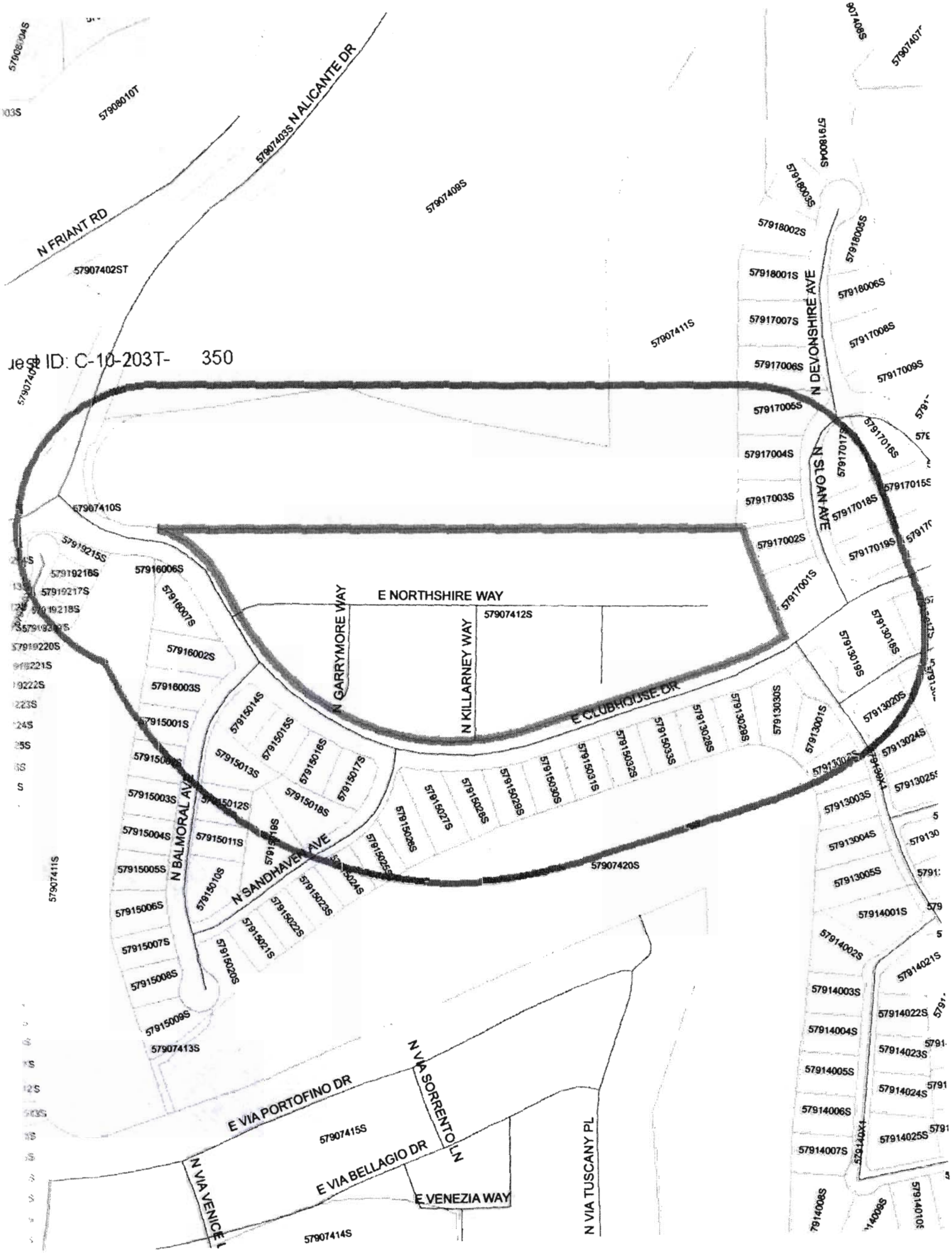


LEGEND

Subject Property

[X] U.G.M. Area

Old Friant Rd
N Friant Rd
N Via Napoli Dr
N Via Ventana Way
N Via Milano Way
E Via Roma Dr
E Via Estrella Dr
E Via Verde Dr
E Via Marbella Dr
N Cedar Ave
E Clubhouse Dr
N Sloan Ave
N Devonshire Ave
Glen Castle Way
N Chestnut Ave
E Copper River Dr
N Maple Ave
Copper Ave
Data SIO, NOAA, U.S. Navy, NGA, GEBCO
© 2010 Google
Google



ID: C-10-203T- 350
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N ALICANTE DR
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57907409S
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57917019S
57917017S
N DEVONSHIRE AVE
N SLOAN AVE
E NORTHSHIRE WAY
N GARRYMORE WAY
N KILLARNEY WAY
E CLUBHOUSE DR
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57913020S
57913024S
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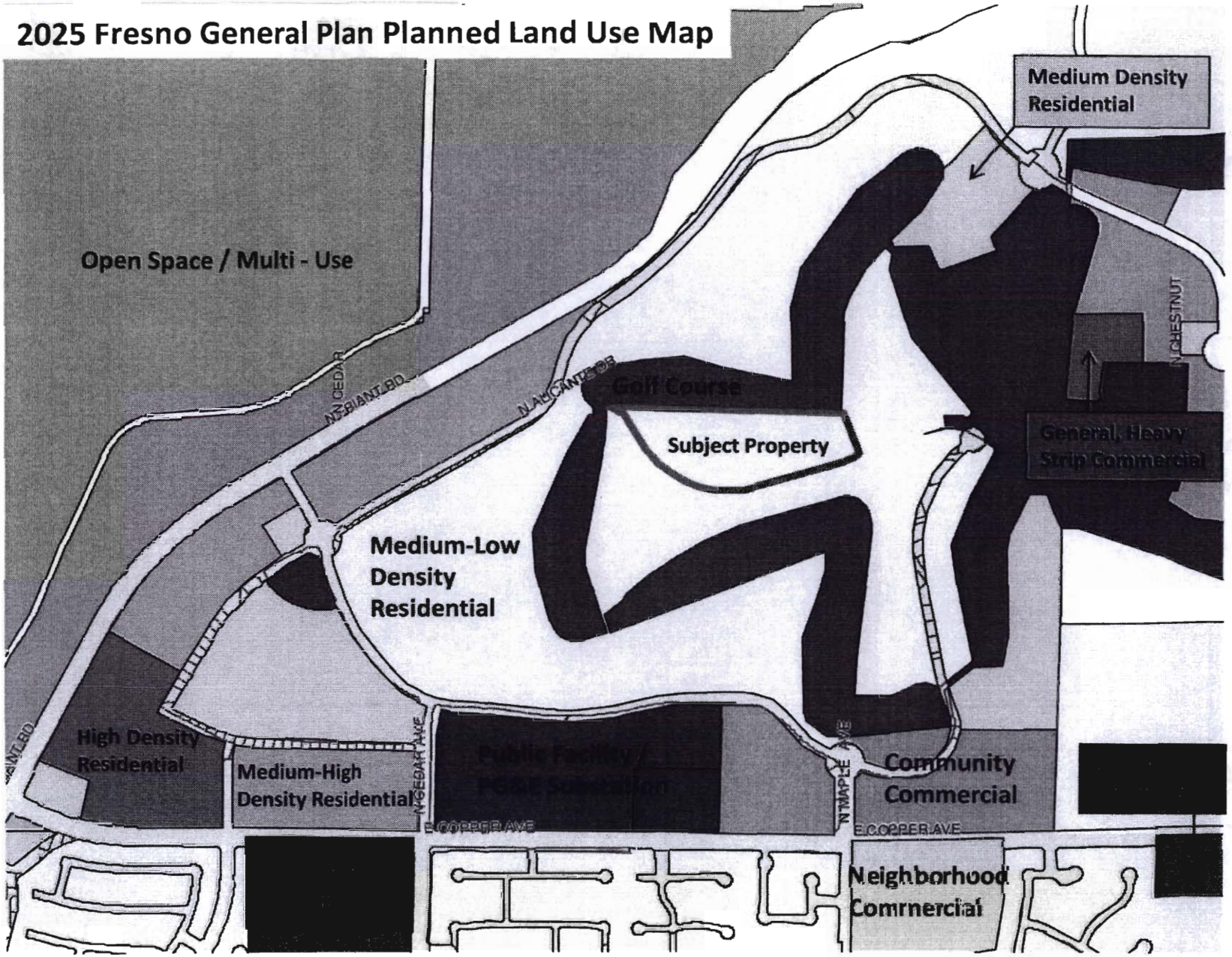
57919218S
57919220S
N BALMORAL AVE
N SANDHAVEN AVE
E VIA PORTOFINO DR
N VIA SORRENTO LN
E VIA BELLAGIO DR
N VIA VENICE
E VENEZIA WAY
N VIA TUSCANY PL

2025 Fresno General Plan Planned Land Use Map

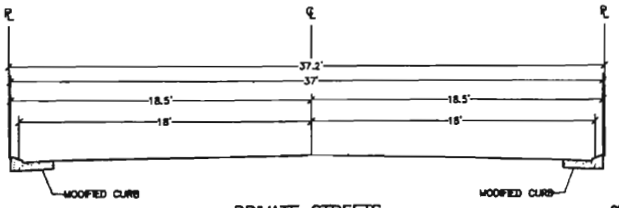


TENTATIVE MAP
TRACT No. 5973

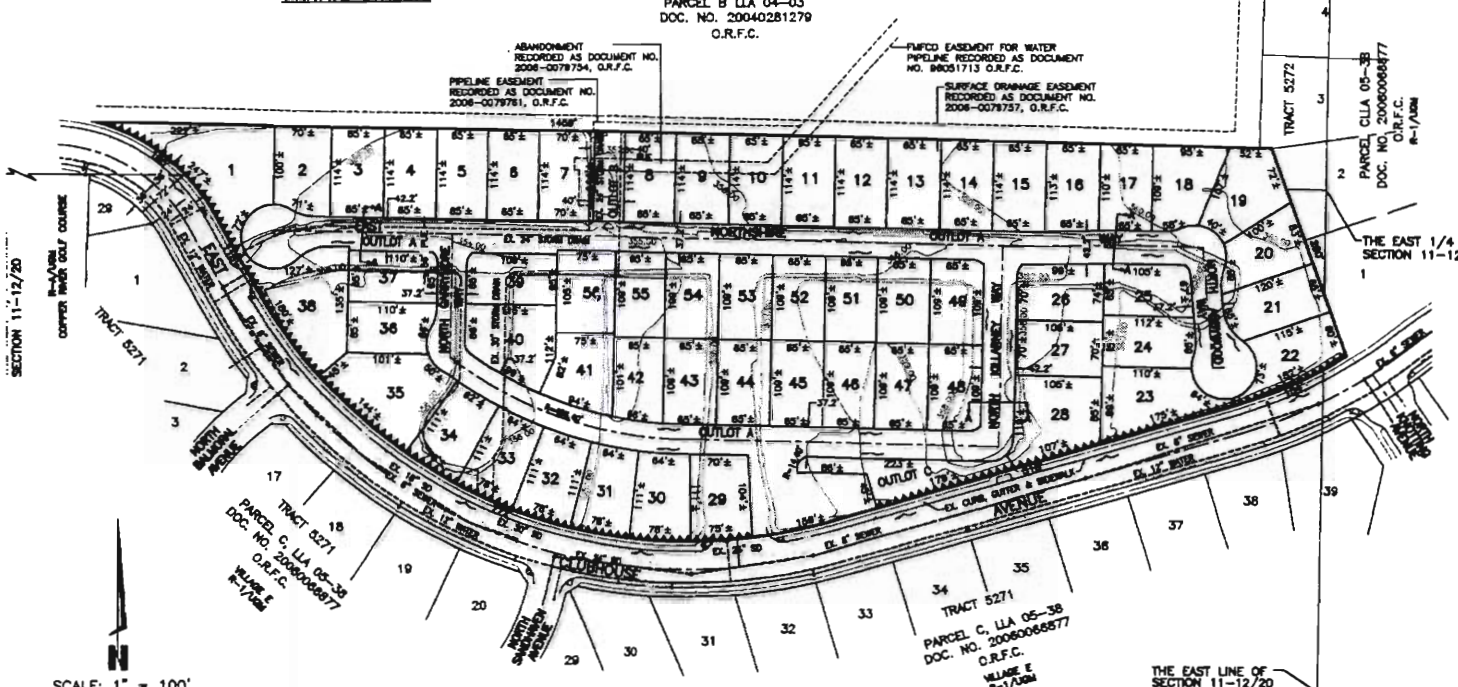
A VESTING MAP
A PHASED MAP
A PLANNED UNIT DEVELOPMENT

APN 579-074-12s
TRACT 5205 – OUTLOT D
NET AREA = 13.05 ACRES
GROSS AREA = 14.56 ACRES

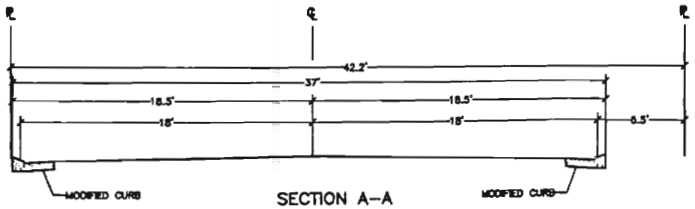
RECEIVED
SEP 09 2010
DEVELOPMENT DEPARTMENT
CITY OF FRESNO



PRIVATE STREETS

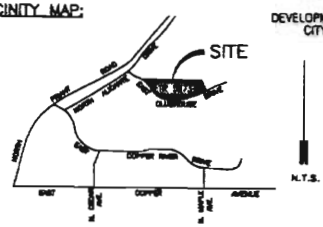


SCALE: 1" = 100'



SECTION A-A
PRIVATE STREETS

VICINITY MAP:



IMPROVEMENTS TO BE INSTALLED:

1. STREETS – PRIVATE
2. SEWER – CITY OF FRESNO STANDARDS
3. WATER – CITY OF FRESNO STANDARDS
4. CURB & GUTTER – PRIVATE
5. SIDEWALK – CITY OF FRESNO STANDARDS
6. STREET LIGHTS – PRIVATE
7. DRAINAGE – FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
8. GAS & ELECTRICITY – PACIFIC GAS & ELECTRIC
9. TELEPHONE – SBC
10. CABLE TELEVISION – COMCAST

NOTES:

1. EXISTING ZONING – R-1/UGM
2. EXISTING USE – VACANT
3. THE STREETS WITHIN THE BOUNDARIES OF THIS SUBDIVISION ARE PRIVATE
4. THERE ARE NO WELLS, CESSPOOLS, SEWER, CULVERTS, CUMPSITES OTHER UNDERGROUND STRUCTURES WITHIN THIS SUBDIVISION.
5. THERE ARE NO EXISTING AREAS WITHIN THIS SUBDIVISION THAT ARE SUBJECT TO INUNDATION OR STORM WATER OVERFLOW.
6. THERES IS LESS THAN A 6" DIFFERENCE BETWEEN THIS TRACT AND ADJACENT PROPERTIES.
7. ▲▲▲▲▲▲ – INDICATES RELINQUISHMENT OF DIRECT ACCESS RIGHTS.
8. THERE MAY BE A 8' PUBLIC UTILITY EASEMENT ALONG THE FRONTA OF ALL LOTS.
9. OUTLOT A IS FOR PRIVATE STREETS, STREETSCAPES AND PUBLIC UTILITIES.
10. OUTLOT B IS FOR OPEN SPACE AND STORM DRAIN AND PUE.
11. OUTLOT C IS FOR OPEN SPACE.
12. THERE ARE NO EXISTING STRUCTURES OR BUILDINGS.
13. THE SUBDIVISION PROVIDES, TO THE EXTENT FEASIBLE, FOR PASSIV NATURAL HEATING OR COOLING OPPORTUNITIES BY MAXIMIZING NORTH-SOUTH FACING LOTS (77%).
14. THERE ARE NO TREES WITHIN THE BOUNDARY OF THIS SUBDIVISION

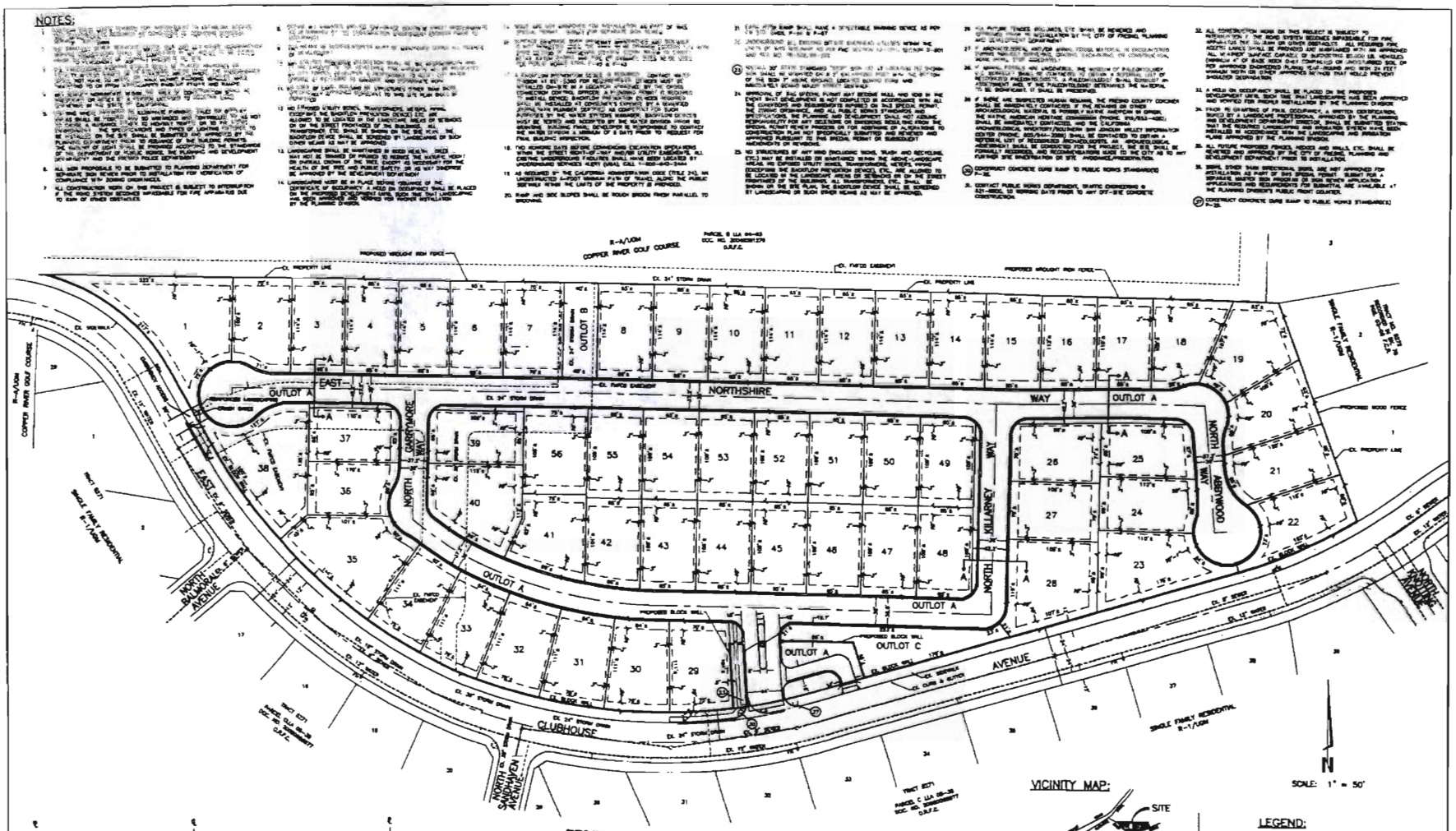
RECORD OWNERS:
COPPER RIVER RANCH VILLAGES, LLC
11328 N. GLENCASTLE AVE.
FRESNO, CA. 93730
(559) 436-1700

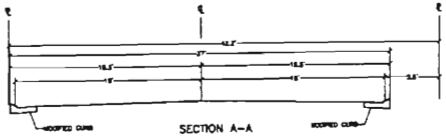
SUBDIVIDER:
COPPER RIVER RANCH VILLAGES, LLC
11328 N. GLENCASTLE AVE.
FRESNO, CA. 93730
(559) 436-1700

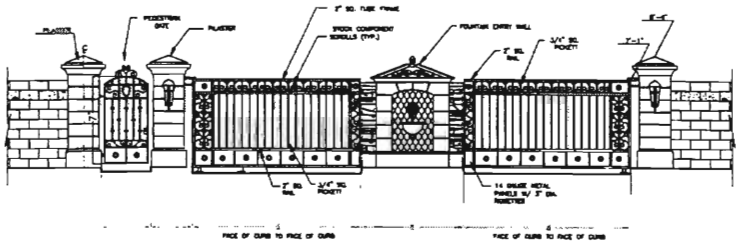
GARY G. GIANNETTA
CIVIL ENGINEERING & LAND SURVEY
1119 "K" STREET
FRESNO, CA. 93721
(559) 264-8580 FAX (559) 264-0880

PREPARED: 1/28/10 REVISED: 5/15/10
6/19/10

NOTES:

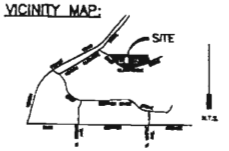






EAST CLUBHOUSE DR. GATE DETAIL

VICINITY MAP:



NET AREA = 13.05 ACRES
GROSS AREA = 14.56 ACRES

N

SCALE: 1" = 50'

LEGEND:

- EXISTING PROPERTY LINE
- CENTERLINE
- EXISTING CURB & GUTTER
- PROPOSED 6" CURB
- PROPOSED CURB & GUTTER

NOTES:

1. PROPOSED LAND USE: MEDIUM LOW DENSITY RESIDENTIAL
2. EXISTING ZONING: R-1/UGH
3. PROPOSED ZONING: R-1/UGH

RECEIVED
OCT 0 1 2010
DEVELOPMENT DEPARTMENT
CITY OF FRESNO

SITE PLAN

APN 579-074-12s
TRACT 5205-OUTLOT D

C-10-205
TRACT 5973

GARY G. GIANNETTA
CIVIL ENGINEERING & LAND SURVEYING

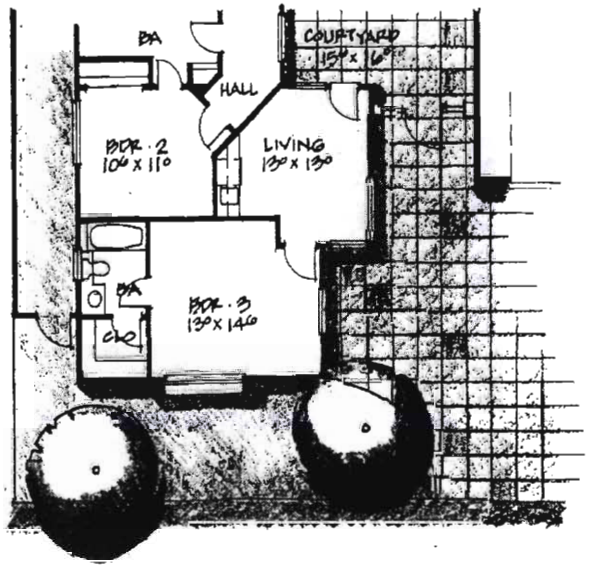
DATE: 1/28/10 REVISED 8/16/10

TRACT 5973
(OUTLOT D OF CRR)
FLOOR PLANS & ELEVATIONS
(Sheet 1 of 3)

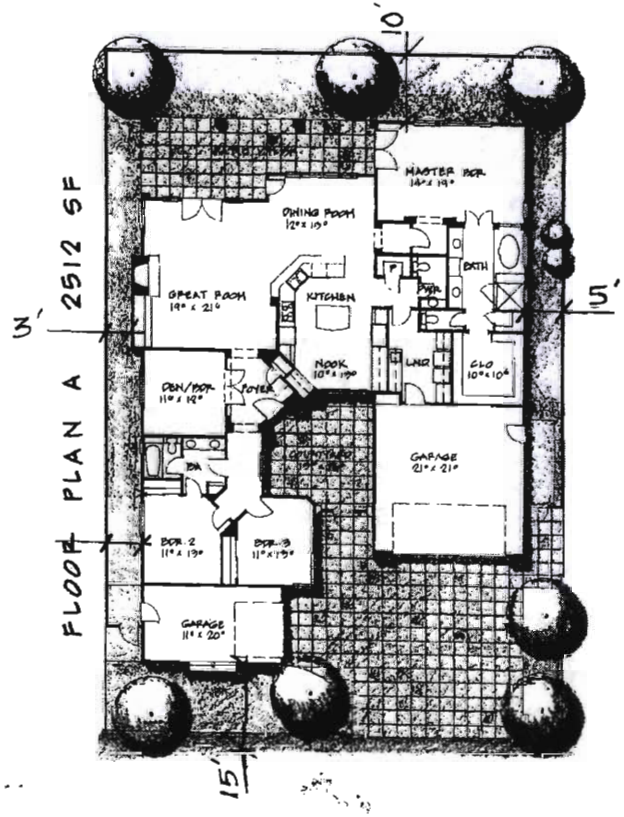
FRONT ELEVATION, PLAN A

GARY McDONALD HOMES

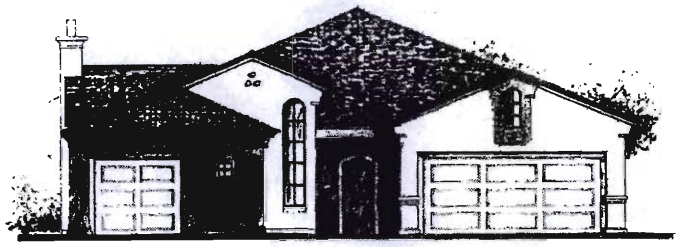
PLAN A CASITA OPTION
2743 SF



FLOOR PLAN A
2512 SF

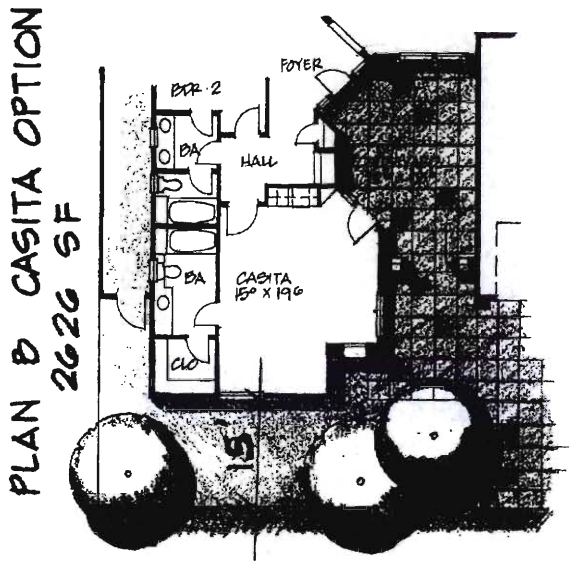


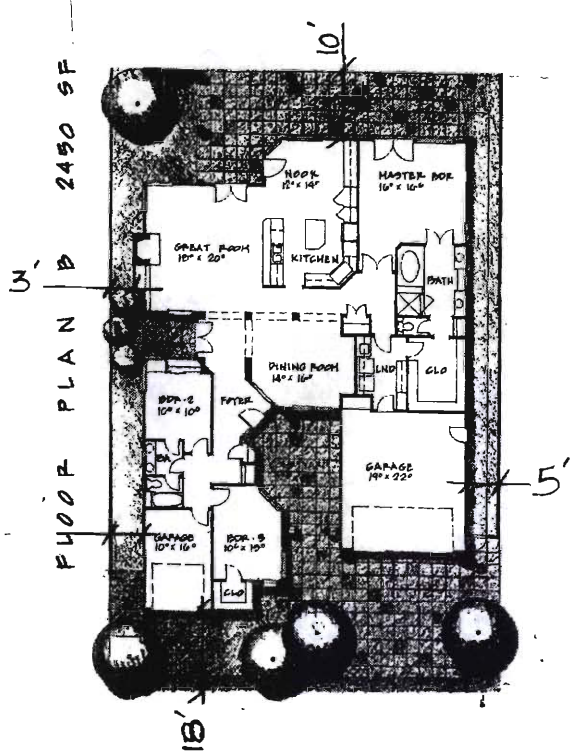
TRACT 5973
(OUTLOT D OF CRR)
FLOOR PLANS & ELEVATIONS
(Sheet 2 of 3)



FRONT ELEVATION, PLAN B

PROPOSED GATED COMMUNITY FOR
GARY McDONALD HOMES
COPPER RIVER RANCH FRESNO, CA

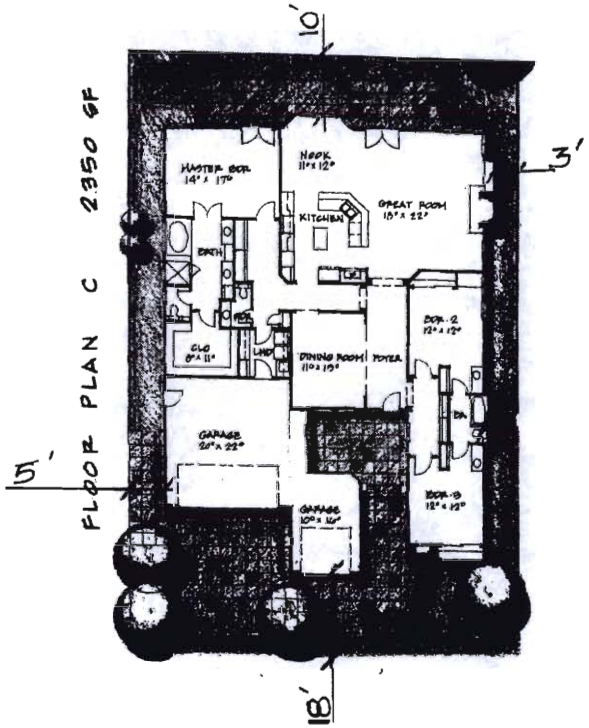




TRACT 5973
(OUTLOT D OF CRR)
FLOOR PLANS & ELEVATIONS
(Sheet 3 of 3)

FRONT ELEVATION, PLAN C

FRONTDOOR GATED COMMUNITY
GARY McDONALD HOMES
CITRUS RIVER RANCH TEMECULA, CA



CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT

CONDITIONS OF APPROVAL

FEBRUARY 02, 2011

VESTING TENTATIVE TRACT MAP NO. 5973/UGM

"A PLANNED DEVELOPMENT"

NORTH SIDE OF EAST CLUBHOUSE DRIVE BETWEEN NORTH ALICANTE AND NORTH KNOTTING HILL DRIVES; WITHIN THE COPPER RIVER RANCH DEVELOPMENT PROJECT

All tentative maps are subject to the applicable provisions of the State Subdivision Map Act, Fresno Municipal Code (FMC), City policies, and City of Fresno Standard Specifications. The following specific conditions are applicable to this vesting tentative map:

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code §66020(d)(1), the imposition of fees, dedications, 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 the imposition of the fees, dedications, reservations or exactions imposed on the development project.

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

The subdivider of property located within the UGM boundaries shall comply with all sewer, water and street requirements and pay all applicable UGM fees imposed under the Urban Growth Management process (with appropriate credit given for the installation of required UGM improvements) in accordance with the requirements of State Law as related to tentative tract maps.

GENERAL CONDITIONS

1. Upon conditional approval of Vesting Tentative Tract Map No. 5973/UGM, the subdivider may prepare a Final Map in accordance with the approved tentative map, and Conditional Use Permit Application No. C-10-203.

2. An Air Impact Assessment (AIA) application for the proposed project shall have been submitted to the San Joaquin Valley Air Pollution Control District prior to the submittal/acceptance of any phase of the Final Map for recordation/processing.

3. The developer/owner shall pay the appropriate park facilities fee and/or dedicate lands for parks and recreation purposes pursuant to Ordinance Nos. 2005-112 and 2005-113 adopted by the Fresno City Council on September 27, 2005.

4. Submit grading plans and a soils report to the City of Fresno Planning and Development Department for verification prior to Final Map approval (Reference: Sections 12-1022 and 12-1023 of the Fresno Municipal Code). Grading plans shall indicate the location of any required walls and indicate the proposed width of required landscape easements or strips. Approval of the grading plan is required prior to Final Map approval.

5. At the time of Final Map submittal, the subdivider shall submit engineered construction plans to the City of Fresno Public Works, Public Utilities, and Planning and Development Departments for grading, public sanitary sewer system, public water system, street lighting system, public streets, and storm drainage, including other technical reports and engineered plans as necessary to construct the required public improvements and work and applicable processing fees.

6. Engineered construction plans shall be approved by the City prior to the approval of the Final Map. If, at the time of Final Map approval, such plans have not been approved, the subdivider shall provide performance security in an amount established by the City to guarantee the completion of plans.

7. Public utilities easements, as necessary, shall be shown on the Final Map and dedicated to the City of Fresno. Public utility easements beyond the limits of the Final Map, but required as a condition of development, shall be acquired at the subdivider's cost and shall be dedicated by separate instrument at the time of Final Map approval. The relocation of existing utilities necessitated by the required public improvements shall be paid for by the subdivider. The subdivider is responsible to contact the appropriate utility company for information.

8. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Article 10, Chapter 12, "Subdivision of Real Property;" Resolution No. 68-187, "City Policy with Respect to Subdivisions;" and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.

9. The subdivider shall pay applicable fees for, but not limited to, plan checks for street improvements and other grading and construction; street trees, street signs, water and sewer service, and inspections in accordance with the City of Fresno Master Fee Schedule (City Resolution No. 79-606 and No. 80-420) and any amendments, modifications, or additions thereto; and in accordance with the requirements of State law as related to vesting tentative maps.

10. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the Fresno Municipal Code (FMC) and the State Subdivision Map Act. The subdivider shall complete all the public improvements prior to the approval of the Final Map by the City. If, at the time of Final Map approval, any public improvements have not been completed and accepted in accordance with the standards of the City, the subdivider may elect to enter into an agreement with the City to thereafter guarantee the completion of the improvements.

11. As a condition of Final Map approval, the subdivider shall furnish to the City a subdivision guarantee listing all parties having any right, title or interest and the nature of their interest per State law.

GENERAL INFORMATION

12. Contact the United States Postal Service for the location and type of mailboxes to be installed in this subdivision.

    a) It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery

Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.

i) Attached for the subdivider/developer's use is a copy of the Mode of Delivery Agreement – New Construction Form.

13. Pursuant to Section 66456.1 of the Subdivision Map Act, which states "The right of the subdivider to file multiple Final Maps shall not limit the authority of the local agency to impose reasonable conditions relating to the filing of multiple Final Maps," multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of Fresno Municipal Code Chapter 12, Article 10, Subdivision of Real Property.

14. The developer/owner shall obtain any and all permits required for the removal or demolition of any existing building or structure located within the subdivision boundaries. The developer/owner shall also obtain any and all permits required for the proper abandonment/closure of any existing water well, septic tank/leach field or cesspool, and irrigation pipeline on the subject property. All such permits shall be obtained prior to commencement of tract grading work, in accordance with Chapter 13 of the Fresno Municipal Code.

15. The subdivider shall comply with Regulation VIII of the San Joaquin Valley Air Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.

16. The developer shall comply with Rule 8060 of the San Joaquin Valley Air Pollution Control District for the control of fugitive dust requirements from paved and unpaved roads.

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

18. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted (business hours: (559) 268-0109; after hours the contact phone number is (559) 488-3111 for the Fresno County Sheriff's Department). If remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (phone number (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (phone number (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists.

19. If animal fossils are uncovered, the Museum of Paleontology at the University of California, Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist; if the paleontologist determines the material to be significant, a recommendation shall be made to the City as to any further site investigation or preservation measures.

20. Apportionment of Special Assessment: If, as part of this subdivision, a division will be made of any lot or parcel of land upon which there is an unpaid special assessment levied under any State or local law, including a division into condominium interest as

defined in Section 783 of the Civil Code, the developer/owner shall file a written application with the City of Fresno Director of Public Works, requesting apportionment of the unpaid portion of the assessment or pay off such assessment in full.

If the subdivider elects to apportion the assessment, the application shall contain the following information:

a) A full description of each assessed lot, parcel or interest to be divided and of how such lot, parcel or interest will be divided;

b) A request that the Engineer apportion the amount remaining unpaid on the assessment in accordance with applicable law; and

c) Written consent of the owner(s) of each such lot, parcel, or interest to the requested apportionment.

d) The application shall be filed prior to the approval of the Final Map(s) by the City and shall be accompanied by a fee in an amount specified in the Master Fee Resolution for each separate lot, parcel, or interest into which the original assessed lot, parcel or interest is to be divided. The fee shall be in an amount sufficient to pay all costs of the City and the Engineer of Work responsible for determining the initial assessment in making the requested apportionment.

ZONING & PROPERTY DEVELOPMENT STANDARDS

21. As a proposed "Planned Development" subdivision, approval of Vesting Tentative Tract Map No. 5973/UGM is contingent upon approval of Conditional Use Permit Application No. C-10-203; authorizing the planned development of the subject property.

22. The subject property is zoned R-1/UGM (Single Family Residential District/Urban Growth Management). Any development on the subject property or individual lots resulting from a subdivision thereof shall comply with the property development standards of the R-1 zone district except as may be modified herein pursuant to Conditional Use Permit Application No. C-10-203.

23. Proposed Outlot "A" of Vesting Tentative Tract Map No. 5973/UGM shall be dedicated for private street, public utility, and storm drain purposes.

24. Proposed Outlot "B" of Vesting Tentative Tract Map No. 5973/UGM shall be dedicated for open space, public utility and storm drain purposes.

25. Proposed Outlot "C" of Vesting Tentative Tract Map No. 5973/UGM shall be dedicated for open space purposes.

Lot Area and Dimensions

26. Pursuant to Section 12-306-N-21 of the FMC the Director of the Development and Resource Management Department or the Planning Commission may modify the property development standards of the underlying zone district if determined that the proposed development conforms to the provisions of the abovementioned section. However, in no case shall proposed parcels be less than the following minimum standards:

a) Proposed lots shall be configured and dimensioned in accordance with Vesting Tentative Tract Map No. 5973/UGM.

- NOTE: All lots proposed by Vesting Tentative Tract Map No. 5973/UGM comply with the minimum lot area and lot dimension development standards of the R-1 zone district.

Building Setbacks

27. Building setbacks shall be provided in accordance with the Conditions of Approval and the approved site plan (Exhibit[s] "A") for Conditional Use Permit Application No. C-10-203.

Fences, Hedges & Walls

28. Fences Hedges and Walls shall be provided in accordance with the Conditions of Approval and the approved site plan (Exhibit[s] "A") for Conditional Use Permit Application No. C-10-203.

LANDSCAPING AND OPEN SPACE

29. All proposed landscaped open spaces, pedestrian connections, entryways, and pathways shall be improved in accordance with the approved landscape improvement plans, which are to be submitted to the Development and Resource Management Department for review and approval prior to Final Map approval.

a) Entryways should contain enhanced landscaping (and irrigation systems), surface materials, and fencing/wall treatments that respectively improve and better define a project's visual image and character.

- NOTE: Lighting details shall be provided with the submittal of the landscape improvement plans.

30. Maintenance of all Outlots proposed within the boundary of Vesting Tentative Tract Map No. 5973/UGM shall be provided pursuant to the Maintenance Obligations stipulated herein below or in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

31. Landscaping, which is compliant with the City of Fresno "Anti-Graffiti Landscaped Buffer Development and Planting Standards," shall be required adjacent to all required walls or fences that are accessible to the public and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

32. 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 landscape easements as determined by the Planning and Development Department. Street trees shall be planted at the minimum rate of one tree for each 60 feet 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 FMC

Section 12-306-N-23, Water Efficient Landscape Standards and AB 1881 Model Water Efficient Landscape Ordinance.

33. Comply with all of the: (1) Street Tree; (2) Buffer Landscape & Maintenance; (3) Median Island Landscape; and, (4) Outlot requirements stipulated within the Department of Public Works Engineering Division memorandum from the Park Supervisor dated October 31, 2010.

STREETS AND RIGHTS-OF-WAY

The following street names shall be corrected on the tentative map:

Street Name	Status	Required Change
(blank fronting onto Lots 40-48)	Add	(provide new street names for review & approval)
East Clubhouse Avenue	Change	East Clubhouse Drive
(blank siding onto Lot 29)	Add	(Provide new street names for review & approval)
North Knotting Avenue	Change	North Knotting Hill Drive

38. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the FMC and the State Subdivision Map Act.

39. Comply with all of the requirements stipulated within the attached Public Works Department, Traffic and Engineering Division memorandum dated November 23, 2010 with the following exceptions:

    a) In accordance with City Council Resolution No. 2010-279, the proposed project is exempt from providing sidewalks on both sides of private streets subject to the execution of an indemnification agreement, in a form provided by the City of Fresno, prior to Planning Commission action respective to the proposed project.

SANITARY SEWER SERVICE

The nearest sanitary sewer mains to serve the proposed project is an 8-inch main located in East Clubhouse Drive. The following sewer improvement conditions shall be required prior to providing City sewer service to the project:

40. Comply with all of the requirements stipulated within the attached Department of Public Utilities, Planning and Engineering Division (Sanitary Sewer) memorandum dated November 01, 2010.

WATER SERVICE

The nearest water main to serve the proposed project is a 12-inch main located in East Clubhouse Drive. The following water improvements shall be required prior to providing City water service to the project:

41. Comply with all of the requirements stipulated within the attached Department of Public Utilities, Water Division memorandum dated November 09, 2010.

SOLID WASTE SERVICE

This tract will be serviced as Single Family Residential properties with basic container service, subject to the following conditions:

42. Comply with all of the requirements stipulated within the attached Department of Public Utilities, Solid Waste Division memorandum dated November 23, 2010.

FIRE SERVICE

Fire service is available to the proposed tract subject to the following requirements:

43. Comply with all of the requirements stipulated within the attached Fresno Fire Department memorandum dated November 04, 2010.

FLOOD CONTROL AND DRAINAGE

44. The subdivider shall be required to comply with the specific requirements imposed by the Fresno Metropolitan Flood Control District (FMFCD) for the subdivision or any amendments or modifications to those requirements which may be granted by the FMFCD Board of Directors, pursuant to Section 13-1307 of the Fresno Municipal Code. These requirements are identified in the District's letters to the Planning and Development Department dated November 23, 2010.

COUNTY OF FRESNO DEPARTMENT OF PUBLIC HEALTH

45. Comply with all of the requirements stipulated within the attached County of Fresno Department of Public Health memorandum dated October 27, 2010.

RIGHT-OF-WAY ACQUISITION

46. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.

47. Rights-of-way acquisition shall include any rights-of-way necessary for proper drainage, signing, pole relocation, and shoulder grading. In general, this will require right-of-way to be provided approximately 10 feet outside the travel lane. The exact requirement must be determined at the project design stage based on the existing conditions and detailed design information.

48. In the event an acquisition of any easement or right-of-way is necessitated by the subject development, said acquisition will be accomplished prior to Final Map approval. The developer/owner should contact the Real Estate Section of the Public Works Department to receive procedural guidance in such acquisitions.

49. Should such acquisition not be accomplished by the subdivider prior to Final Map approval, the subdivider must request and grant to the City the full authority to attempt acquisition either through negotiation or through its power of eminent domain. The subdivider shall furnish to the City Public Works Department, Engineering Division/ Real Estate Section, an appraisal report or a request for an estimated appraisal amount (to be

determined by the City of Fresno Real Estate Section) prior to preparation of a Subdivision Agreement.

50. The subdivider shall submit adequate security in the form of a cash deposit to guarantee payment of all costs associated with the acquisition, including staff time, attorney's fees, appraisal fees, court costs, and all related expenditures and costs necessary to effect the acquisition of such easements or rights-of-way.

MAINTENANCE OBLIGATIONS

51. The long term maintenance of all the items listed below is the ultimate responsibility of the owner/developer.

    a) The property owner shall be responsible for providing for the maintenance of all landscaping and hardscaping located within proposed Outlots associated with the proposed project.

    b) The property owner shall be responsible for providing for the maintenance of all landscaping and hardscaping located in any entry median island or traffic medians located within the project.

    c) The property owner shall be responsible for providing for the maintenance of the curbs and gutters, valley gutter, sidewalks, street lights and street signage within any local public street rights-of-way associated with the project.

    d) The property owner shall be responsible for providing for the maintenance of all street trees within any local public street rights-of-way associated with the project.

52. If the owner/developer chooses to be annexed into the City's CFD for maintenance purposes, then an Annexation Request Package shall be submitted to the Public Works Department for review, processing, and approval.

    - NOTE: Packages must be complete with all required information in order to be accepted. The Annexation Request Form is available on-line on the City of Fresno website (http://www.fresno.gov) under the Public Works Department Developer Doorway.

    a) Construction plans for all features to be maintained by a CFD for a final map shall be included in the final map submission to the Development Department for processing. Where applicable, this shall include a Street Tree Location and Street Tree Species (by street) map. Landscaping plans shall contain actual tree and plant counts by species and include the areas (in square feet) of turf, shrubs and trees, and sidewalks or other paved areas within all landscaped areas.

    - NOTE: The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into the Community Facilities District (CFD). If the outlots are to be included into the CFD, the Department of Public Works will require that landscape and irrigation plans be submitted with landscape buffer plans for approval prior to inclusion into the CFD.

b) Proceedings to place the Final Map into a CFD shall not commence until the Final Map has been annexed into the City of Fresno and the Final Map, Landscape and Street Construction Plans are considered to be technically correct.

c) If the developer/subdivider elects to petition for annexation into the City's Community Facilities District, he/she shall be required to provide the City of Fresno, Department of Public Works, with copies of signed acknowledgments from each purchaser of a lot within the subdivision, attesting to the purchasers understanding that the lot will have an annual maintenance assessment and that he/she is aware of the estimated amount of the assessment. The developer/subdivider shall execute and record a covenant on each lot providing notice that the subject property is subject to annual payment of the Community Facilities District assessment.

55. Should the City Council or owner/developer choose not to include all of the maintenance items or certain items listed above in a CFD, then the property owner/developer shall be responsible for establishing a Home Owners' Association (HOA) or other property based management mechanism which provides for the maintenance of these items in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

a) The subdivider shall establish a Home Owners' Association (or other approved mechanism) to perform the above listed maintenance responsibilities pursuant to a formal agreement with the City pursuant to Section 12-1026 of the Fresno Municipal Code. The agreement with the City described herein, shall among other things, specify level of effort and frequency, insurance requirements, traffic control, and inspection and be subject to approval by the Director of Public Works and the City Attorney's Office.

- NOTE: Should the owner/developer elect to establish a Home Owners' Association to perform maintenance obligations and assure that said obligations are met, then the owner/developer may include such other items as are deemed appropriate and necessary for the sustainability of the subdivision and its amenities within the responsibilities of the association.

b) The proposed Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and the proposed instruments for the homeowners association shall be submitted to the Development and Resource Management Department for review prior to final map approval. Said documents shall be recorded with the final map or alternatively submit recorded documents or documents for recording prior to final acceptance of subdivision improvements. Said documents shall include assignment of responsibility to the homeowners association for landscaping and other provisions as stated in the Development and Resource Management Department Guidelines for preparation of CC&Rs dated January 11, 1985.

i) Proposed CC&Rs for the project shall include a term, which stipulates that there shall be no parking in driveways if the distance from the garage to the face of curb is less than 18 feet. If all garages are to be setback a minimum of 18 feet, then no such term shall be required.

DEVELOPMENT FEES AND CHARGES

This project is subject to the following fees and charges:

- Applicable Flood Fees as determined by the Fresno Metropolitan Flood Control District.

SEWER CONNECTION CHARGES	FEE RATE
a. Lateral Sewer Charge [1]	$0.10/sq. ft. (to 100' depth)
b. Oversize Charge [1]	$0.05/sq. ft. (to 100' depth)
c. Trunk Sewer Charge [2] Service Area: Herndon	N/A
d. Wastewater Facilities Charge [3]	$2,119/living unit
f. Copper River Ranch Sewer Backbone System [4]	$877/living unit
g. Copper Avenue Sewer Lift Station Charge [4]	$650/living unit
h. House Branch Sewer Charge [2]	N/A

WATER CONNECTION CHARGES	FEE RATE
i. 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.
j. Frontage Charge [1]	$6.50/lineal foot
k. Transmission Grid Main Charge [1]	$643/gross acre (parcels 5 gross acres or more)
l. Transmission Grid Main Bond Debt Service Charge [1]	$243/gross acre (parcels 5 gross acres or more)
m. UGM Water Supply Fee [2] Service Area: 101-S	$456/living unit
n. Well Head Treatment Fee [2] Service Area: 101	$0/living unit
o. Recharge Fee [2] Service Area: 101	$0/living unit
p. 1994 Bond Debt Service [1] Service Area: 101	$895/living unit

CITYWIDE DEVELOPMENT IMPACT FEES	FEE RATE
q. Fire Facilities Impact Fee – Citywide [4]	$539/living unit
r. Park Facility Impact Fee – Citywide [4]	$2278/living unit
s. Quimby Parkland Dedication Fee [2]	$1120/living unit
t. Citywide Regional Street Impact Fee [3]	$8,361/adj. acre
u. New Growth Area Major Street Fee [3]	$18,790/adj. acre
v. Police Facilities Impact Fee – Citywide [4]	$624/living unit
w. Traffic Signal Charge [1]	$450.94/living unit
x. UGM Right of Way Acquisition Charge [2]	N/A

COPPER RIVER RANCH IMPACT FEES	FEE RATE
y. CRR Major Roadway Infrastructure Facility Fee [4]	$7,972/adj. acre
z. CRR Major Interior Collector Roadway Facility Fee [4]	$26,676/adj. acre
aa. CRR Clovis Mitigation Fee [2]	$38.99/ADT [5]
ab. CRR Friant Widening Mitigation Fee [2]	$9.76/ADT [5]

Notes:

On July 22, 2008, the Fresno County Board of Supervisors passed Ordinance No. 2008 – 023 requiring the payment of County Public Impact Facilities Impact Fees. The effective date of this ordinance is September 20, 2008. Contact the County of Fresno, Public Works and Planning Department to determine payment of this fee obligation. Confirmation by the County of Fresno is required before the City of Fresno can issue building permits.

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) to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue building permits.

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

[5] Determined by Public Works.

CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT

CONDITIONS OF APPROVAL

FEBRUARY 02, 2011

CONDITIONAL USE PERMIT APPLICATION NO. C-10-203

"A PLANNED DEVELOPMENT"

NORTH SIDE OF EAST CLUBHOUSE DRIVE BETWEEN NORTH ALICANTE AND NORTH KNOTTING HILL DRIVES; WITHIN THE COPPER RIVER RANCH DEVELOPMENT PROJECT

PART A - PROJECT INFORMATION

1.	Assessor's Parcel No(s):	579-072-12
2.	Street Location:	Located on the north side of East Clubhouse Drive between North Alicante and North Knotting Hill Drives. **(Council District 6, Councilmember Brand)**
3.	Existing Zoning	"R-1/UGM" (*Single Family Residential/Urban Growth Management*)
4.	Proposed Zoning	"R-1/UGM" (*Single Family Residential/Urban Growth Management*)
5.	Existing Planned Land Use:	Medium-Low Density Residential (2.19-6.00 dwelling units/acre)
6.	Proposed Planned Land Use:	Medium-Low Density Residential (2.19-6.00 dwelling units/acre)
7.	Plan Areas:	Woodward Park Community Plan
8.	Project Description:	Requests authorization to establish a 56-lot single family residential gated private street planned development with modified property development standards for lots proposed to be created by Vesting Tentative Tract Map No. 5973/UGM.

PART B - GENERAL CONDITIONS AND REQUIREMENTS

The City of Fresno Planning Commission, on February 02, 2011, approved the special permit application subject to the enclosed list of conditions and Exhibit(s) "A", "E" & "L", inclusive, of Conditional Use Permit Application No. C-10-203.

IMPORTANT: PLEASE READ CAREFULLY

Please note that this project may be subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through site plan review

and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings pursuant to Fresno Municipal Code (FMC) Section 12-405.A can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed either verbally or in writing to the City of Fresno Planning Commission at the scheduled public hearing regarding Conditional Use Permit Application No. C-10-6203 and Vesting Tentative Tract Map No. T-5973/UGM.

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:

1. 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;

2. All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,

3. Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.

Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plan not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions. **(Include this note on the site plan.)**

No uses of land, buildings, or structures other than those specifically approved pursuant to this site plan shall be permitted. **(Include this note on the site plan.)**

Transfer all red line notes, etc., shown on the original site plan exhibit(s) to the final site plan(s). CORRECTIONS SHALL INCLUDE ALL THOSE LISTED IN THIS DOCUMENT AND THOSE LISTED IN THE CORRECTION LIST PROVIDED BY THE PLAN CHECK PROCESS.

The exercise of rights granted by this special permit must be commenced by February 02, 2015(four years from the date of Director approval). The time limits for any special permit conditionally granted in

conjunction with an approved tentative tract map shall be automatically extended upon the extension of such tentative tract map pursuant to Section 12-1005.1 of the FMC.

To complete the back-check process for building permit relative to planning and zoning issues, submit copies of this corrected, final site plan, together with copies of the elevations, landscape, and irrigation plans, and any required covenants and/or studies or analyses to the Development Services (Planning) Division for final review and approval, a minimum of ten days before applying for building permits.

Copies of this final approved site plan, elevations, landscape, and irrigation plans stamped by the Development Services Division **must be substituted** for unstamped copies of the same in each of the sets of construction plans submitted for plan check prior to issuance of building permits. The final approved site plan must also include all corrections identified in the plan check process.

Be advised that on-site inspections will not be authorized unless the final stamped approved site plan, elevations, landscape, and irrigation plans are included in the plan check file copy.

Please contact Will Tackett at (559) 621-8063 or via e-mail at Will.Tackett@fresno.gov to schedule an appointment for final sign-off for building permits following your receipt and substitution of the four copies of the stamped, corrected, approved exhibits in the plan check sets.

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 the imposition of the 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.

PART C - 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, for which this review process is dependent, will be imposed whenever such conditions are disclosed.

Questions relating to dedications, street improvements or off-street parking geometrics may be directed to Louise Gilio at (559) 621-8678 / Louise.Gilio@fresno.gov of the City of Fresno Public Works Department, Engineering Division, Traffic Section.

1. STREET ENCROACHMENT PERMITS, DEDICATIONS AND VACATIONS

   a) Exhibit(s) "A" is required to include all street furniture, e.g.: public utility poles and boxes, guy

wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc., within the existing and proposed public rights-of-way.

b) ENCROACHMENT PERMITS. The construction of any overhead, surface or sub-surface private structures and appurtenances extending within the public rights-of-way is prohibited unless an encroachment permit is approved by the City of Fresno Public Works Department, Engineering Division, Special Districts/Projects and Right of Way Section, (559) 621-8693. Encroachment permits must be approved prior to issuance of building permits.

c) DEDICATIONS. The following dedication requirements must be satisfied prior to the issuance of building permits:

i) Dedications shall take place in accordance with the Conditions of Approval for Vesting Tentative Tract Map No. 5973/UGM.

d) VACATIONS. The following vacation requirements must be satisfied prior to issuance of building permits:

i) There are no vacations of public rights-of-way required at this time.

2. STREET IMPROVEMENTS

a) All public improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department or street construction plans required and approved by the City Engineer. The performance of any work within the public street rights-of-way (including pedestrian, water and sewer utility easements) requires a Street Work Permit issued by the Public Works Department, Engineering Services Division at (559) 621-8693, prior to commencement of the work. Contact the Public Works Department, Engineering Services Section at (559) 621-8686 for detailed information. All required street improvements must be completed and accepted by the City prior to occupancy.

b) Existing off-site concrete improvements to remain in place shall be repaired if damaged and/or off grade as determined by the Public Works Department, Construction Management Division (559) 621-5500. Such repairs must be completed prior to final occupancy.

c) Where required, design and construct curb, gutter, AC paving, and sidewalk patterns to Public Works standards, specifications, and policies. Plans shall be prepared by a registered Civil Engineer.

- NOTE: Reference Conditions of Approval for Vesting Tentative Tract Map No. 5973/UGM for requirements respective to local and interior private streets.

d) Install streetlights on all frontages to City Standards as determined by the City Traffic Engineer. Street lighting plans are required and must be approved by the Public Works Department/Engineering Services prior to commencement of the work.

e) Underground all existing off-site overhead utilities within the limits of this site as per FMC

Section 12-1011, Section 8-801 and Resolution No. 78-522/88-229.

f) Submit four copies of a Geometric Approval Drawing (GAD) to Traffic Engineering for review and approval, per the attached checklist, prior to submittal of street plans.

g) Submit the following as a single package to the Public Works Department Engineering Division, Plan Check and GIS Mapping Section, (559) 621-8682, for review and approval, prior to issuance of building and street work permits: Street Improvement Plans, Signing and Striping Plans, Street Lighting Plans and Landscape and Irrigation Plans.

3. SURVEY MONUMENTS AND PARCEL CONFIGURATION

a) All survey monuments within the area of construction shall be preserved and if disturbed, shall be reset by a person licensed to practice Land Surveying in the State of California. **(Include this note on the site plan.)**

PART D - PLANNING/ZONING REQUIREMENTS

1. PLANNING

a) Development is subject to the following plans and policies:

i) "R-1," *Single Family Residential District (Section 12-211 of the FMC)*
ii) "UGM", *Urban Growth Management (Section 12-4.500 et seq. of the FMC)*
iii) 2025 Fresno General Plan
iv) Woodward Park Community Plan

2. ZONING

a) Approval of Conditional Use Permit Application No. C-10-203 is contingent upon approval of Vesting Tentative Tract Map No. 5973/UGM.

b) No portion of any proposed structure within the proposed residential planned development may be located over either existing or proposed easements on the subject property without first having obtained an easement encroachment permit through the Development and Resource Management Department prior to issuance of building permits; and/or,

Existing easements on the subject property, which are located over lots proposed to be created by Vesting Tentative Tract Map No. 5973/UGM, shall be abandoned, relocated or quitclaimed, as may be appropriate prior to issuance of building permits.

3. POPULATION DENSITY

a) Pursuant to the Medium-Low Density Residential planned land use designation for the subject property; the subject property shall be developed in accordance with Vesting Tentative Tract Map No. 5973/UGM and Exhibit(s) "A" of Conditional Use Permit Application No. C-10-203.

i) Based upon the number of dwelling units (du) allowed per acre, respective to the Medium-Low Density Residential planned land use designation, the subject property is required to be developed with between 2.19-6.00 du/acre to meet the density requirements of the 2025 Fresno General Plan and FMC.

- NOTE: Pursuant to Vesting Tentative Tract Map No5973/UGM and Conditional Use Permit Application No. C-10-203, the subject property is proposed to be developed at an overall density of approximately 4.29 du/acre.

ii) A subsequent entitlement will be required in order to revise the current development proposal or authorize an alternative development scheme for the subject property. Further environmental review may also be required for any future revisions dependent upon the level of intensification that may be proposed.

4. BUILDING HEIGHT

a) No building or structure erected in the R-1 (*Single Family Residential*) zone district shall have a height greater 35 feet.

b) All accessory buildings on the subject property, or lots proposed to be created by Vesting Tentative Tract Map No. 5973/UGM shall comply with the requirements and provisions of the development standards of the FMC for the R-1 zone district and are subject to the provisions of Section 12-306-N-1 (Accessory Buildings) of the FMC.

- NOTE: Exceptions. Over height structures may be approved by the City of Fresno Planning Commission or Director of the Planning and Development Department. However, no roof structure or any space above the height limit shall be allowed for the purpose of providing additional living or floor space.

5. BUILDING AND YARD SETBACKS AND SPACES BETWEEN BUILDINGS

Setbacks shall be provided in accordance with Exhibit(s) "A" of Conditional Use Permit Application No. C-10-203, the Conditions of Approval for Vesting Tentative Tract Map No. 5973/UGM; and, the following:

a) Any proposed deviation from the building setbacks established by Exhibit(s) "A" of Conditional Use Permit Application No. C-10-203 requires a revision to Conditional Use Permit Application No. C-10-203.

b) Spaces between buildings shall be provided in accordance with the approved building setbacks and building envelopes for individual properties respective to Exhibit(s) "A" of Conditional Use Permit Application No. C-10-203 and the Conditions of Approval for Vesting Tentative Tract Map No. 5973/UGM.

c) Proposed structures are required to be found in compliance with the fire resistive standards of the Uniformed Building Code. In the event structures do not comply they must be modified so as to meet the requirement.

6. LOT COVERAGE

a) Lot coverage shall be permitted in accordance with the approved building setbacks and building envelopes for individual properties respective to Exhibit(s) "A" of Conditional Use Permit Application No. C-10-203 and the Conditions of Approval for Vesting Tentative Tract Map No. 5973/UGM.

7. OPEN SPACES AND LANDSCAPING

The subdivider shall provide and maintain all landscaping (and irrigation systems) in accordance with the Conditions of Approval of Vesting Tentative Tract Map No. 5973/UGM, and the following:

a) A landscape and irrigation plan prepared by a landscape professional, shall be submitted to the Development Services (Planning) Division and approved for all open space and recreational areas within the development. These plans must be reviewed and approved prior to obtaining building permits.

b) Outlots of Vesting Tentative Tract Map No. 5973/UGM, which are proposed to be dedicated for open space purposes shall be landscaped by the developer in accordance with the approved landscape and irrigation plans and shall thereafter be maintained by the property owner/subdivider in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

c) All yards (including private) and areas designated for open space purposes shall be landscaped and maintained in accordance with Sections 12-306-N-24 of the FMC.

i) All yards and landscaped areas located adjacent to street frontage shall be provided automatic irrigation systems.

ii) All yards (including private) and areas designated for open space purposes shall comply with the water efficient landscape standards in accordance with Section 12-306-N-23 of the FMC.

d) All required Walls or fences, which are accessible to the public, shall incorporate an adjacent landscaped buffer area pursuant to the City of Fresno "Anti-Graffiti Landscaped Buffer Development and Planting Standards."

e) Provide a minimum of 112 medium sized trees on-site per FMC Section 12-306-N-24-g and in accordance with the following:

i) Provide a minimum of one medium size tree for each required parking space, plus one medium sized tree for each residential unit.

- NOTE: One medium size tree is defined as attaining a height of 30-60 feet at maturity. Two small size trees, up to 30 feet high at maturity may be substituted for one medium

size tree.

f) No building permit shall be issued for any development for which a special permit has been issued until the requirements for street trees as provided in Article 3 of Chapter 11 of the FMC have been met and street tree inspection fees paid pursuant to the Master Fee Schedule.

- NOTE: Street trees shall be planted by the property owner and shall be inspected by the City pursuant to the payment of street tree inspection fees.

i) Fresno Municipal Code requires one (1) street tree per 60 linear feet of public street frontage.

- NOTE: The Department of Public Works may approve a request for waiver of street tree requirements if the applicant agrees to plant a minimum of one (1) tree (of similar type and size) for every 60 linear feet of street frontage on private property within ten feet of the back of the sidewalk.

- NOTE: An approved landscape plan, properly scaled and dimensioned, shall serve as a street tree planting permit for on-site trees not in the public right of way. A copy of this plan shall be kept at the job site at all times.

ii) Call (559) 621-5600 to notify the Public Works Department Construction Management Division 72 hours prior to tree hole drilling/tree planting in the public right-of-way, in order to verify tree locations, to obtain inspection of drilling operations, and to check backfilling procedures and safety barriers.

iii) All planting, irrigation and related work within the city right-of-way shall comply with the City of Fresno Public Works Department Standard Specifications, Section 25 and 26.

iv) All landscaping and related work to be performed within the city right-of-way shall be done by a qualified contractor and requires a street encroachment permit from the Public Works Department prior to commencement. Call (559) 621-8685 for information on encroachment permits and required insurance and bonding.

g) All trees shall be maintained in good health. Trees may not be trimmed or pruned to reduce the natural height or overall crown of the tree, except as necessary for the health of the tree and public safety; or as may otherwise be approved by the Development and Resource Management Department. **(Include this note on the site plan and landscape plan.)**

h) All vegetation shall be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemical, blight, or disease, and any such vegetation which shows signs of such damage or injury at any time shall be replaced by the same, similar, or substitute vegetation of a size, form, and character, which will be comparable at full growth.

i) Landscaping shall be kept free from weeds and undesirable grasses.

j) Landscaping must be in place before issuance of the certificate of occupancy for each

individual dwelling.

i) A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division. **(Include this note on the site and landscape plans.)**

- NOTE: The hold on occupancy may be released at the discretion of the Development and Resource Management Department to subjectively accommodate inappropriate planting conditions, which are outside of the control of the developer/subdivider (e.g. weather conditions which may be prohibitive to planting in a timely and appropriate manner, etc.).

- NOTE: The use of utilities for temporary occupancy may be allowed by the Building Official pursuant to FMC Section 13-100.110.1.2 et seq.

ii) Prior to granting of final occupancy, a written certification, signed by a landscape professional approved by the Development and Resource Management Department Director, shall be submitted stating that the required landscaping and irrigation system have been installed in accordance with the landscaping and irrigation plans approved by the Planning Division. **(Include this note on the site and landscape plans.)**

8. FENCES, HEDGES, AND WALLS

Fences, hedges and walls shall be provided in accordance with the Conditions of Approval of Vesting Tentative Tract Map No. 5973/UGM and, the following:

a) All proposed fences, hedges and walls, etc. shall be reviewed and approved prior to installation by the City of Fresno, Development and Resource Management Department. **(Include this note on the site plan.)**

i) Clearly depict any proposed/existing fences, hedges and walls on Exhibit(s) "A" of Conditional Use Permit Application No. C-10-203. Note that all proposed/existing fences, hedges and walls must comply with all policies, ordinances, regulations, etc. of the City of Fresno, Development and Resource Management Department.

ii) Submit a rendering depicting the fence, hedge or wall height, material, location etc. for review and approval.

- NOTE: Only those fences, hedges and walls as shown on the site plan shall be reviewed for approval.

b) All fences, hedges and walls shall conform to the provisions of Section 12-306-H of the FMC except as may be modified herein below.

- NOTE: Without exception, all present and future fences, hedges, and walls shall not exceed three feet in height within the corner cut-off area defined at Section 12-306-H-3-e of the FMC; and, shall conform to all aspects of the corner cut-off

provisions of Section 13-227 (Obstruction to Visibility at Intersection) and 13-228 (Intersection Visibility, Investigation and Enforcement. Lien.) of the FMC.

c) Fences, hedges, and walls, not greater than six feet in height, shall be permitted on all rear and side property lines and on or to the rear of all front yard setback lines.

d) No fence, hedge, or wall over three feet in height shall be permitted in any required front yard setback area.

e) Temporary fences to secure projects under construction are allowed. Any temporary fence shall be adequately secured and constructed to prevent overturning due to wind, vandalism, and/or casual contact by the general public. The construction shall be performed in such a manner as to minimize any potential safety hazard, which may occur as a result of improper fence installation or damage to the fence.

9. ACCESS

a) There shall be vehicular access from a dedicated and improved street, alley or recorded private access to off-street parking facilities.

b) There shall be pedestrian access from a dedicated and improved street, alley or recorded private access to property used for residential purposes.

c) Vehicular and/or pedestrian access shall be maintained and remain clear at all times.

d) Provide vehicular and/or pedestrian access as noted on Exhibit(s) "A" of Conditional Use Permit Application No. C-10-203 and as indicated per Conditions of Approval for Vesting Tentative Tract Map No. T-5973/UGM.

10. OUTDOOR ADVERTISING AND MARKETING

a) Signs, *other than directional signs, if applicable*, are not approved for installation as part of this special permit. Submit for a separate Master Sign Program or Sign Review Application. Applications and requirements for submittal are available at the Planning Division's Public Front Counter. (Include this note on the site plan).

11. BUILDING STANDARDS AND ELEVATIONS

Building plans and elevations for all residential dwellings in the subject planned development shall be subject to review and approval by the Development and Resource Management Department in accordance with the following:

a) Clearly identify all condensing units, air conditioning and heating units on the site and elevation plans. Roof mounted mechanical equipment shall be recessed and shall not be visible from the public right-of-way (or private street) or shall be placed on the ground outside of the required yards.

- NOTE: When placed on the ground outside of required yards, condensing units shall be screened from view of the public right-of-way with structures, fencing and/or landscaping as may be appropriate.

b) Pursuant to Policy numbers C-20-f, C-21-a, C-21-b and C-21-c of the 2025 Fresno General Plan, all proposed buildings shall include design features and decorative treatments. Visible sides of buildings shall not be developed with featureless "blank" walls. Design measures should be utilized to avoid large scale, massive, monolithic, and repetitive "institutional" visual appearances. This may be accomplished by varying the building footprint with indentations, projections, offsets, different building materials, or adding polyfoam with a stucco finish to add visual interest and to break up monotonous walls. Submit elevations inclusive of any required modifications for review and approval.

i) Roofing material shall consist of: architectural grade composition roofing guaranteed by the manufacturer for at least 20 years; cement or clay tile; treated wood shakes; and/or, architectural-grade metal and coated non-glare decorative metal roofing products.

ii) Garage doors with decorative features (which may include windows) shall be provided for each dwelling on all lots within the subdivision which front onto, and gain access from a street.

iii) Where proposed, attic vents shall be decorative, consistent with the style and character of each structure.

PART E - CITY AND OTHER SERVICES

1. TRANSPORTATION/TRAFFIC PLANNING REQUIREMENTS

a) Comply with all of the requirements stipulated within the attached Public Works Department, Traffic and Engineering Services Division memorandum dated November 23, 2010 and any requirements noted on Exhibit(s) "A" of Conditional Use Permit Application No. C-10-203.

2. SOLID WASTE COLLECTION

a) Comply with all of the requirements stipulated within the attached Department of Public Utilities, Solid Waste Division memorandum dated November 23, 2010.

3. FIRE PROTECTION REQUIREMENTS

a) Comply with all of the requirements stipulated within the attached City of Fresno Fire Department memorandum dated November 04, 2010.

4. STREET TREES, BUFFER, PARKWAY AND MEDIAN ISLAND LANDSCAPING

a) Comply with all of the requirements stipulated within the attached Department of Public Works, Engineering Division memorandum from the Parks Supervisor dated October 31, 2010.

5. FLOOD CONTROL REQUIREMENTS

   a) Comply with all of the requirements stipulated within the attached Fresno Metropolitan Flood Control District memorandum dated November 23, 2010.

6. PUBLIC UTILITIES REQUIREMENTS

   a) Comply with all of the requirements of the attached Department of Public Utilities, Planning and Engineering Division (Sanitary Sewer) memorandum dated November 01, 2010.

   b) Comply with all of the requirements stipulated within the attached Department of Public Utilities, Water Division memorandum dated November 09, 2010.

7. COUNTY OF FRESNO, DEPARTMENT OF COMMUNITY HEALTH

   b) Comply with all of the requirements stipulated within the attached County of Fresno Department of Public Health memorandum dated October 27, 2010.

PART F - MISCELLANEOUS

Approval of this site plan is contingent upon the submittal of corrected site plans showing all existing/proposed on-site conditions as reflected on all exhibits and the following:

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

2. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (Phone: 916/653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (Phone: 805/644-2289) shall be contacted to obtain a referral list of recognized archaeologists. An archaeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation.

3. If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. A paleontologist shall conduct an assessment and, if the paleontologist determines the material to be significant, it shall be preserved.

Unless the Planning Commission decision is set for hearing to the Council in accordance with Section 12-406-J of the FMC, the decision of the Commission shall be final and effective at 12:01 a.m. on the sixteenth day after the date of the decision, subject to writ of administrative mandamus under 1094.6 of the Code of Civil Procedures.

DEPARTMENT OF PUBLIC WORKS

TO: Will Tackett, Planner III
Planning Division

FROM: Hilary Kimber, Parks Supervisor II (559.621.1345)
Engineering Division

DATE: October 31, 2010

SUBJECT: Tract 5973 (APN: 579-074-12s) located on the north side of East Clubhouse Drive between North Alicante Drive and North Knotting Hill Drive. The Department of Public Works has reviewed the Tentative Tract Subdivision Map proposed by Gary G. Gianetta Civil Engineering, on plans dated August 19, 2010 for Copper River Ranch Villages, LCC The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street right-of-ways, landscape easements, outlots and median islands:

GENERAL REQUIREMENTS

STREET TREE REQUIREMENTS

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 60' 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 FMC 12-306-23, Water Efficient Landscape Standards and AB 1881 Model Water Efficient Landscape Ordinance.

2. **Street Tree Planting by Developer**: For those lots having internal street frontage available for street tree planting, the developer shall plant one tree for each 60' of street frontage, or one tree per lot having street frontage, whichever is greater. Tree planting shall be within a 10' Planting and Utility Easement. **Trees taller than fifteen (15) feet will not be allowed on North Garrymore Way and the portion of East Northshire Way that contain the 30" FM Flood Control pipe and sewer mainlines.**

   a. Street tree inspection fees shall be collected for each 60' 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.

BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS

1. The subdivider shall provide long term maintenance for all proposed landscaped areas by forming a Home Owner's Association with the Tract 5205 Master Plan. **No trees taller than fifteen (15) feet will be allowed within the buffer on East Clubhouse Avenue due to the existing 8" sewer mainline pipe.**

2. Landscape and Irrigation plans are required and shall be submitted to the Department of Public Works for review and approval prior to a Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works street construction plan set for the final map. Fees are applicable when the subdivider elects to have landscaping maintained by annexing into the City's Community Facilities District.

A. Landscaping shall comply with Landscape Buffer Development Standards approved by the City Council on October 2, 1990. Landscape and irrigation plans shall comply with Sections 12-306-23 & 24 and 14-121 of the Fresno Municipal Code regarding Water Efficient Landscaping and Buffer landscaping and AB 1881.

B. Should the proposed landscape buffers and/or parkway strips be located next to an existing buffer and/or parkway strip, the planting concept shall simulate the adjacent landscape design to present a more uniform appearance on the street. Variances in the landscape concept will be acceptable, but the design of the new landscape buffer and/or parkway strip shall strive to mimic the existing as much as possible.

C. Landscape plans shall indicate grades on a cross-section detail to include fencing or wall details. All fencing shall be placed outside the landscape easement. Maximum slopes shall not exceed 4:1 with 1 foot of level ground between the slope and the back of the side walk and/or face of fence. Erosion control measures shall be implemented on all slopes of 4:1, including the use of synthetic erosion control netting in combination with ground cover species approved by the Department of Public Works/Engineering Services Division.

D. The water meter(s) serving the buffer landscaping shall be sized for the anticipated service flows.

E. 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. **Check median island for location In relation to existing 8" sewer mainline pipe.**

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 FMC sections 12-306-24 and 12-306-23. The Public Works Department requires all proposed median islands to be constructed with 2 foot wide colored concrete strips, flush along curb edge, in a 12 inch by 12 inch brick red 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.

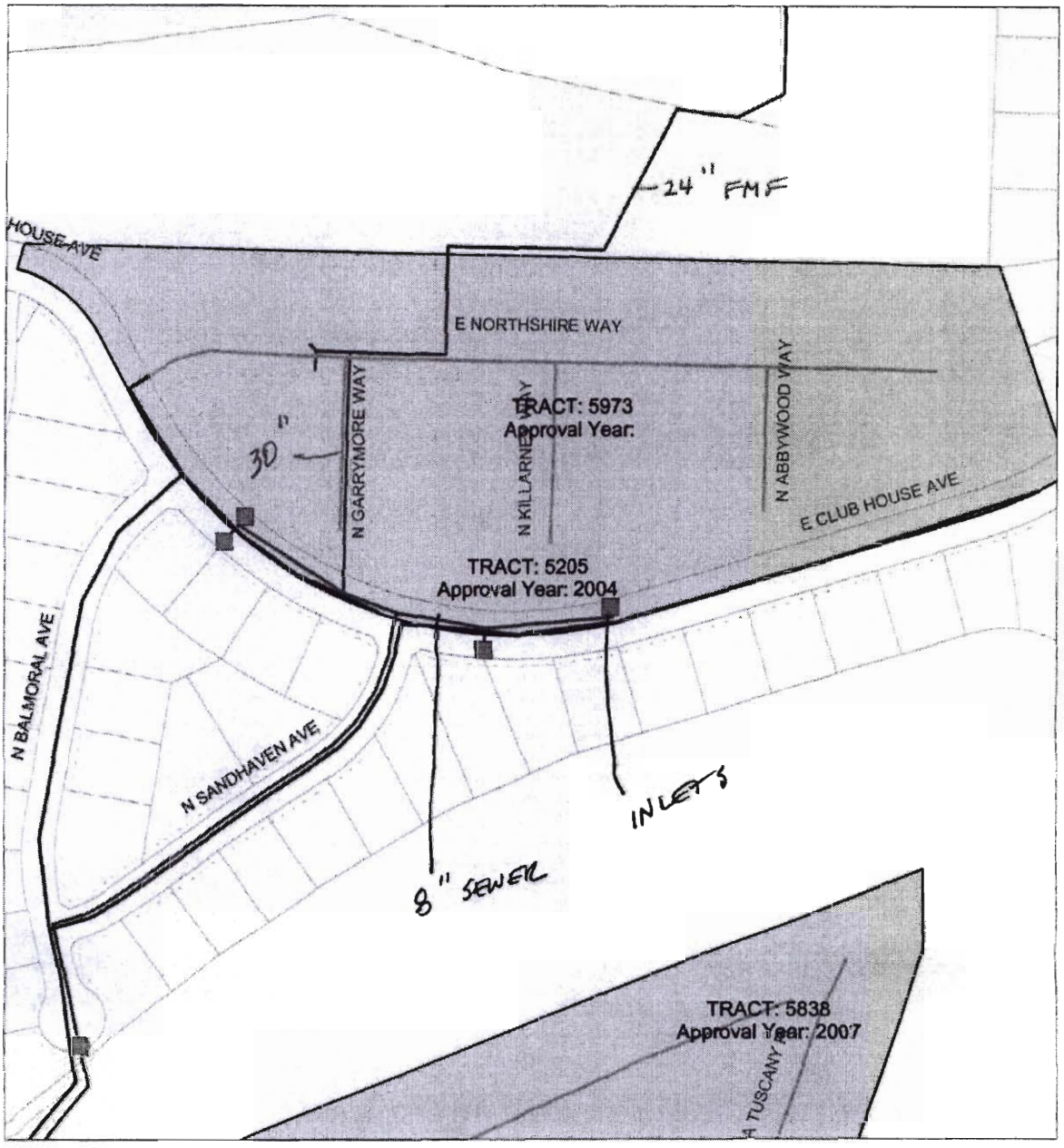
OUTLOTS

1. The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into the Community Facilities District (CFD). If the outlots are to be included into the CFD, the Department of Public Works will require approving landscape and irrigation plans to be submitted with landscape buffer plans prior to inclusion into the CFD.

2. 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.

City of Fresno

- General Plan
- Sewer
- PublicWorks
- Flood Control
- FID
- Parcels
  - Parcels
- Development
  - City Limits
  - Fresno County



SCALE 1 : 2,945

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FEET

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Sunday, October 31, 2010 10:48 AM

City of
FRESNO

DATE: November 23, 2010

TO: Will Tackett, Planner III
Development Department, Planning Division

THROUGH: Bryan Jones, TE, PTP, AICP City Traffic Engineer, Division Manager
Public Works Department, Traffic & Engineering Division

FROM: Louise Gilio, Traffic Planning Supervisor
Public Works Department, Traffic & Engineering Division

SUBJECT: Public Works Conditions of Approval
TT 5973 / C-10-203
1998 East Clubhouse Drive
Copper River Ranch Villages, LLC / Gary Giannetta

The Public Works Department, Traffic and Enginering Division, has completed its review and the following requirements are to be placed on this tentative map as a condition of approval by the Public Works Department.

General Conditions:

1. Curb Ramps: Provide curb ramps at all corners within the limits of this subdivision.
2. Pedestrian Easements: **Identify** all pedestrian easements on the map.
3. Overhead Utilities: Underground all existing offsite overhead utilities with the limits of this map in accordance with Fresno Municipal Code Section 12-1011 and Resolution No. 78-522/88-229.
4. Intelligent Transportation Systems (ITS): Street work on major streets shall be designed to include ITS in accordance with the Public Works ITS Specifications, where not existing.
5. Dead-end Streets: Any temporary dead-end streets created by this subdivision shall be properly barricaded in accordance with the Public Works Standard **P-100**.
6. Outlots: If the subdivider seeks to dedicate to the City, in fee, an outlot for open space purposes, subdivider shall prove to the City that the outlot is free of toxic or hazardous materials pursuant to the requirements of City Administrative Order 8-1, including, but not limited to, performing a Phase I Soils Investigation. The soils Investigation report shall be submitted to the Public Works Department for review and approval. The subdivider must obtain Public Works approval of the soils investigation report and complete any mitigation work identified by the soils investigation prior to subdivider's submittal of the Final Map to the Development Department. Any and all costs associated of the soils investigation and any required mitigation work shall be performed at the sole expense of the subdivider.
7. Plan Submittal: Submit the following plans, as applicable, in a single package, to the Traffic and Engineering Division for review and approval: Street Construction, Signing, Striping, Traffic Signal and Streetlight and Trail Lighting, Signing and Striping.
8. Street widening and transitions shall also include utility relocations and necessary dedications.

Frontage Improvement Requirements:

Public Streets:

Clubhouse Drive: Local

1. If not existing, construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a 12' residential pattern.
2. If not existing, construct 24' of permanent paving (measured from face of curb) within the limits of this subdivision.
3. Construct an underground street lighting system to Public Works Standard **E-3** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-9** for Local Streets.
4. Construct a Fire Access Lane Across Parkway per Public Works Standard **P-67**.
5. Relinquish direct vehicular access rights to Clubhouse Drive from all lots within this subdivision.

Interior Streets: Private
Sidewalks shall be constructed on both sides of the proposed private streets or as approved by the City Traffic Engineer. For details reference ADA standards and the 2025 General Plan page 69 E-1-j.

There shall be no parking in driveways when the distance from the garage to the back of walk (or face of curb if no walk provided) is less than 18'. Contact Planning for CC& R details.

Specific Mitigation Requirements: This tract will generate **42 a.m. / 57 p.m.** peak hour trips. Comply with the mitigation measure requirements of the EIR for T-5205.

1. Relinquish direct vehicular access rights to the east property line of lot 29.
2. The first order of work shall include a minimum of two points of vehicular access to the major streets for any phase of this development.
3. Provide a 4' minimum clearance along Clubhouse Drive, if not existing.

Traffic Signal Mitigation Impact (TSMI) Fee:

This project shall pay the current Traffic Signal Mitigation Impact Fee (TSMI Fee) at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual for single family units (fee rate as shown in the Master Fee Schedule).

This TSMI fee is credited against signal installation and Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) anticipated to build out the 2025 General Plan circulation element and included in the Nexus Study for the TSMI fee. Project specific impacts that are not consistent with the 2025 General Plan, Public Works P69 standards, and/or already incorporated into the TSMI fees infrastructure costs are not reimbursable unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next update and the applicant agrees to pay the new calculated TSMI fee that includes the new infrastructure. 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. If the applicant is conditioned with improvements that are credited/reimbursable with this fee they should work with the Department of Public Works and identify with a Professional Engineers estimate the costs associated with the improvements prior to paying the TSMI fee at time of building permit.

Fresno Major Street Impact (FMSI) Fee :

This Map is in the **New Growth Area**; therefore pay all applicable growth area fees and City-wide regional street impact fees.

Copper River Ranch Associated Major Roadway Infrastructure Fee:

Applicant shall pay fair share contribution.

Copper River Ranch Interior Collector Roadway Facility Fee:

Applicant shall pay fair share contribution.

Regional Transportation Mitigation Fee (RTMF):

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

State of California Department of Transportation (Caltrans) Fees: No Comment

City of
FRESNO

DEPARTMENT OF PUBLIC UTILITIES

Providing Life's Essential Services

Date: November 1, 2010

To: WILL TACKETT, Planner III
Planning and Development

From: DOUG HECKER, Supervising Engineering Technician
Department of Public Utilities, Planning and Engineering Division

Subject: SANITARY SEWER REQUIREMENTS FOR VESTING TENTATIVE TRACT 5973/UGM AND C-10-203

General

T-5973-UGM & C-10-203 were filed by Gary G. Giannetta Civil Engineering, on behalf of Copper River Ranch Villages, LLC, and pertain to 13.05 acres of property located on the north side of East Clubhouse Drive between North Alicante Drive and North Knotting Hill Drive, 1998 East Clubhouse Drive, APN 579-074-12S. T-5973-UGM proposes to subdivide the 13.05 acres of property into a 56-lot single family residential planned unit development with 3 outlots. C-10-204 proposes a gated planned unit development with private streets.

Sanitary Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is an 8-inch main located in East Clubhouse Avenue. The following sewer improvements shall be required prior to providing City sewer service to the project:

1. All sanitary sewer mains shall be extended within the proposed tract to provide service to each lot.
2. Separate sewer house branches are required for each new lot created.
3. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City Sewer System.
4. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies

Sanitary Sewer Fees

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

1. Lateral Sewer Charge.
2. Sewer Oversize Charge.
3. Sewer Facility Charge (Residential)

4. Trunk Sewer Charge: C.R.R. – Sewer Backbone system facility fee.
5. Trunk Sewer Charge: Herndon
6. Copper Avenue sewer lift-station service fee

City of
FRESNO

DEPARTMENT OF PUBLIC UTILITIES – WATER DIVISION

Providing Life's Essential Services

DATE: November 9, 2010

TO: WILL TACKETT, Planner III
Development and Resource Management Department – Current Planning Division

THROUGH: MICHAEL CARBAJAL, Chief Engineering Technician MC
Department of Public Utilities – Water Division

FROM: ROBERT A. DIAZ, Senior Engineering Technician R.A.D
Department of Public Utilities – Water Division

SUBJECT: WATER REQUIREMENTS FOR VESTING TENTATIVE TRACT 5973/UGM

General

T-5973-UGM & C-10-203 were filed by Gary G. Giannetta Civil Engineering, on behalf of Copper River Ranch Villages, LLC, and pertain to 13.05 acres of property located on the north side of East Clubhouse Drive between North Alicante Drive and North Knotting Hill Drive, 1998 East Clubhouse Drive, APN 579-074-12S. T-5973-UGM proposes to subdivide the 13.05 acres of property into a 56-lot single family residential planned unit development with 3 outlots. C-10-204 proposes a gated planned unit development with private streets.

Water Service

The nearest water main to serve the proposed project is a 12-inch main located in East Club House Avenue. The following water improvements shall be required prior to providing City water service to the project:

1. Separate water services with meters shall be provided to each lot created.
2. Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.
3. Construct a water supply well(s) on a site(s) dedicated to the City of Fresno. The well(s) shall be capable of producing a total of 500 gallons per minute. Well sites shall be of a size and at a location acceptable to the Assistant Director of Public Utilities.
4. Water well construction shall include wellhead treatment facilities, if required.
5. No occupancies will be permitted prior to the satisfaction of the water supply requirement.

6. Seal and abandon any existing on-site well in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.

7. Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through any combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Assistant Public Utilities Director.

8. All Public water facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.

Water Fees

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

1. Wet-tie(s), water service(s) and/or meter(s) installation(s).

City of
FRESNO
DEPARTMENT OF PUBLIC UTILITIES

November 23, 2010

TO: Will Tackett, Planner III
Development Department, Planning Division

THROUGH: Robert Weakley, Chief of Operations
Department of Public Utilities, Solid Waste Division

FROM: Chris Weibert, Management Analyst II
Department of Public Utilities, Administration

SUBJECT: TT 5973/UGM & C-10-203, Solid Waste Conditions of Approval
Location: North side of East Clubhouse Drive between North Alicante Drive and North Knotting Hill Drive (APN 579-074-12S)

The Department of Public Utilities, Solid Waste Division has completed a review of the Vesting Tentative Tract Map 5973 and Conditional Use Permit C-10-203 that was submitted by Gary G. Giannetta Civil Engineering, on behalf of Copper River Ranch Villages, LLC. The following requirements and conditions are to be placed on this vesting tentative tract map as a condition of approval by the Department of Public Utilities.

General Requirements:

- Tract 5973 will be serviced as Single Family Residential properties with Basic Container Service. Property owners will receive 3 containers to be used as follows: 1 Gray container for solid waste, 1 Green container for green waste and 1 Blue container for recyclable material.

- The owners, lessees or other tenants of the residential dwellings on service day, before 5:30 a.m., shall place their solid waste containers at the edge of the curb approximately 4 feet apart and shall not block any vehicle accesses, nor be placed within any traffic circle, in accordance with the City of Fresno's Solid Waste Management Division Standards.

- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(11). No solid waste container nor residential rubbish shall be allowed to remain at the curbline after 8:00 p.m. on the collection day.

- Per Municipal Code, Section 6-205 Solid Waste, Recycling and Green Waste Disposal Regulations, Section (c)(10). No material container shall be stored in the front yard or side yard on a street as said yards are described in Chapter 12, Articles 2 and 3 of this Code, unless the container is screened from view from the street in accordance with that article of the Code.

Special Conditions:

Developer shall provide a minimum 18' of clearance at all entrance and exit gates for solid waste vehicles.

Covenant Requirements:

There shall be no parking allowed in the cul-de-sacs on the solid waste service day. All lots that are part of a cul-de-sac shall be clear of all vehicles by 5:30 a.m.:

- Lots 22 and 23
- Lots 1, 2, and 38

City of

FRESNO

FIRE DEPARTMENT

Date: November 04, 2010

To: WILL TACKETT, Planner II
Planning and Development Department , Advance Planning

From: MIKE SCHMIDT, Supervising Fire Prevention Inspector
Fire Department, Fire Prevention & Investigative Services

Subject: T-5973-UGM & C-10-203 were filed by Gary G. Giannetta Civil Engineering, on behalf of Copper River Ranch Villages, LLC, and pertain to 13.05 acres of property located on the north side of East Clubhouse Drive between North Alicante Drive and North Knotting Hill Drive, 1998 East Clubhouse Drive, APN 579-074-12S. T-5973-UGM proposes to subdivide the 13.05 acres of property into a 56-lot single family residential planned unit development with 3 outlots. C-10-204 proposes a gated planned unit development with private streets.

Hydrants

Developer must install **4** on-site hydrants with bollards. See Plan for locations. Provide fire hydrant flow of 1500 GPM with a minimum 8" water main and two sources of water.

Fire hydrants shall be installed, tested, approved, and all surface access roads shall be installed and made serviceable prior to and during the time of construction. The hydrant 4 1/2" outlet shall face the access lane.

General

Two means of ingress/egress must be provided. This access must be maintained during all phases of development.

Streets highlighted on the plan shall be identified as fire lanes as provided in the California Vehicle Code, Section 22500.1. Designate highlighted curbs as fire lanes (red curb with "Fire Lane" in 3" white letters every 50 feet or approved signs every 50 feet).

Provide sign(s) (17" X 22" minimum) at all public entrance drives to the property "Warning - Vehicles stopped, parked or left standing in fire lanes will be immediately removed at owner's expense - 22658 California Vehicle Code - Fresno Police Department 621-2300."

Turns in private drives for fire truck access shall have minimum 44 foot centerline turn radius.

All gates on common access drives shall be equipped with approved Police/Fire bypass locks (BEST LOCKS: Padlock 21B700 series or Cylinder lock 1W7B2). Gates/fences shall not obstruct the minimum width required for fire lanes.

Emergency Access Only Roadways

Emergency accesses are required to be dedicated fire protection easements.

Gates, posts or other barriers suitable to the Fire Department are required to be installed at the entrance to an "emergency access only" roadway. **Provide details of emergency access only gate.**

The entrance to all emergency accesses shall be posted with permanent signs: "FIRE ACCESS (6" LETTERS) vehicles removed at owner's expense (2" letters) FRESNO POLICE DEPARTMENT 621-2300 (1" letters).

All gates on the "emergency access roadway" shall be fitted with a Police/Fire bypass lock (BEST LOCKS: Padlock 21B700 series or Cylinder lock 1W7B2). Gates/fences shall not obstruct the minimum width required for fire lanes.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.45

FR TRACT No. 5973

PUBLIC AGENCY
WILL TACKETT
PLANNING AND DEVELOPMENT DEPARTMENT
CITY OF FRESNO
2600 FRESNO STREET, ROOM 3043
FRESNO, CA 93721-3604

DEVELOPER
GARY MCDONALD / COPPER RIVER RANCH
VILLAGES, LLC.
11326 N. GLENCASTLE AVE.
FRESNO, CA 93730

PROJECT NO: **5973**
ADDRESS: **1998 E. CLUBHOUSE DR.**
APN: **579-074-12S**
SENT: 11/23/10

Drainage Area(s)	Preliminary Fee(s)
DE	$111,939.00

TOTAL FEE: $111,939.00

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.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to approval of the final map at the rates in effect at the time of such approval. The fee indicated above is based on the tentative map. Contact the FMFCD project engineer prior to approval of the final map for the fee.

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

a.) Fees related to undeveloped or phased portions of the project may be deferrable.

b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.

c.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.

d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.

e.) When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.

f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable $300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

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

1. ____ a. Drainage from the site shall BE DIRECTED TO

   X b. Grading and drainage patterns shall be as identified on Exhibit No. 1

FR TRACT No. 5973

___ 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:

X Developer shall construct facilities as shown on Exhibit No. 1 as "Master Plan Facilities to be constructed by Developer".

___ None required.

3. The following final improvement plans shall be submitted to the District for review prior to final development approval:

X Grading Plan

X Street Plan

X Storm Drain Plan

X Water & Sewer Plan

X Final 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. TEMPORARY SERVICE IS AVAILABLE THROUGH

X 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.)

X 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 TRACT No. 5973

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, approved August 1999, (modified December 2002) 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 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, 1997 (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.

Gerald E. Lakeman
District Engineer

Neda Shakeri
Project Engineer

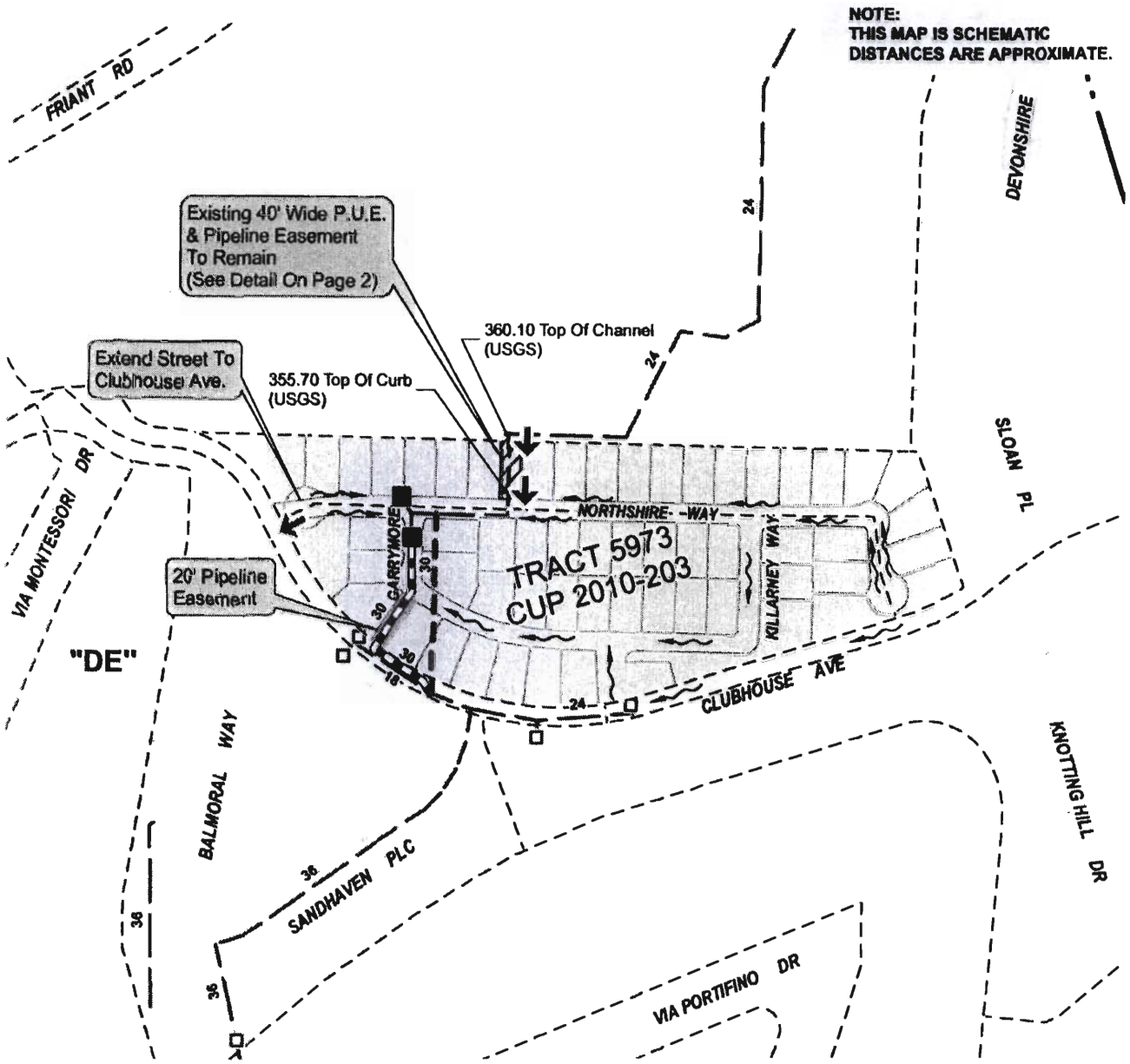
CC:

GARY G. GIANNETTA CIVIL ENGINEERING

1119 S ST.

FRESNO, CA 93721

FR TRACT No. 5973



LEGEND

- Master Plan Facilities To Be Constructed By Developer - Inlets
- Relocated Master Plan Facilities (Not Fee Creditable)
- Existing Master Plan Facilities
- Existing Master Plan Facilities To Be Removed
- Inlet Boundary
- Direction of Drainage
- Major Storm Breakover
- Limits of Project

1 " = 300 '

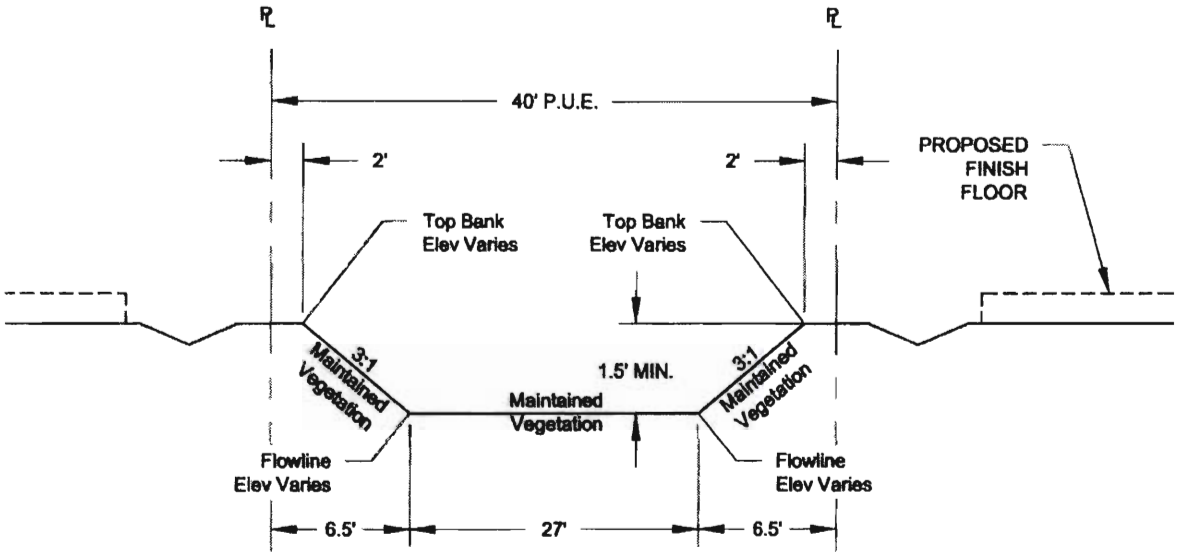
TRACT 5973
CUP 2010-203
DRAINAGE AREA "DE"

EXHIBIT NO. 1
(Page 1 of 2)

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared By: KR
Printing Date: 11.3.2010
File: K:\Autocad\DWGS\DE EXHIBIT TRACTS\5973.dwg

NOTE:
THIS DRAWING IS SCHEMATIC,
DISTANCES ARE APPROXIMATE.



CHANNEL DETAIL
NTS

TRACT 5973
CUP 2010-203
CHANNEL DETAIL
DRAINAGE AREA: "DE"

EXHIBIT NO. 1
(Page 2 of 2)

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

K:\Autocad\DWGS\EXHIBIT\TRACTS\5973 Channel Detail.dwg

DRAWN BY: KR DATE: 11/19/10
REVISED BY: — DATE: —

OTHER REQUIREMENTS
EXHIBIT NO. 2

There are currently construction credits available from the original development agreement for Tract 5205 that could be applied toward a portion of the fee indicated on Page 1 of this notice. Should other subdivisions covered under the original agreement finalize their maps prior to Tract 5973/CUP 2010-203, this credit will be applied to the first finalized maps, unless indicated otherwise by Copper River Development Company, Inc.

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

The existing storm drain pipe shown on attached Exhibit No. 1 will need to be relocated within Outlot A or within a storm drain easement dedicated to the District. Existing Master Plan facilities to be relocated will need to be removed in their entirety. A minimum of twenty-foot (20') wide storm drain easement will be required whenever storm drain facilities are located on private property. No encroachment will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees. The existing storm drain easements that are no longer needed will be quitclaimed upon completion and acceptance of the relocated Master Plan facilities and dedication of the new easement.

Construction of the Master Plan facilities identified on Exhibit No. 1 will provide permanent drainage service to Tract 5973/CUP 2010-203.

The Master Plan facilities for this area have been designed for 46% lot coverage (42% percent lot coverage plus an additional 10% supplemental). Should Tract 5973 develop with lot coverage exceeding 46%, the developer shall be required to mitigate the impacts of the increased runoff to a rate that would be expected if developed to a 46% maximum coverage.

Development No. Tract 5973

OTHER REQUIREMENTS
EXHIBIT NO. 2

The Master Plan has been designed such that during two-year event flow will not exceed the height of the 6 inch curb. Should wedge curb (4.5 inches height) be used the same criteria shall apply whereby flow remains below the top of curb. Any extension or pipe sizes increases due to meeting the requirement listed above shall be at the developer expense.

Major storm flows from north of Tract 5973 (north portion of the Copper River Ranch) have historically flowed south across the tract through an existing forty-foot (40') wide Public Utility Easement (PUE). The PUE shall be graded per the channel detail shown on Exhibit No. 1. The developer will be responsible for accommodating the passage of this major storm flow to Clubhouse Avenue by making Northshire Way a thru street to Clubhouse Avenue or providing an alternate method of passing this flow to Clubhouse Avenue. The street grades, width and pattern shall be consistent with the Flood Study provided by Provost & Pritchard and dated July 24, 2006. Specifically:

1) The developer shall be responsible to provide standard 6 inch curb within those streets designated in the study for ponding storage (Garrymore and Northshire Ways) and for flood routing (Northshire Way).

2) The same amount of ponding storage must be provided (4,779 cubic feet in Northshire and Garrymore Ways and 236 cubic feet in Clubhouse Avenue).

3) Building (home and garage) setbacks from the curb shall remain as per the study: 18 feet for front yards and 8 feet for side yards.

4) Finish floors and garages shall be set 1 foot above the highwater of 354.94 (USGS).

5) The entrance to the tract near Kilarney Way shall be raised to keep flood flows from Clubhouse Avenue out of the tract.

Development No. Tract 5973

County of Fresno
Department of Public Health
Edward L. Moreno, M.D., M.P.H., Director-Health Officer

October 27, 2010

999999999
LU0015823
PE 2602

Will Tackett
City of Fresno
Planning & Development Department
2600 Fresno Street
Fresno, CA 93721

Dear Mr. Tackett:

PROJECT NUMBER: T-5973/UGM, C-10-203

PROJECT DESCRIPTION AND LOCATION: Vesting Tentative Map of Tract No. 5973/UGM was filed by Gary G. Giannetta Civil Engineering, on behalf of Copper River Ranch Villages, LLC., and pertains to 13.05 acres of property located on the north side of East Clubhouse Drive between North Alicante Drive and North Knotting Hill Drive. Vesting Tentative Map of Tract 5973/UGM proposes to subdivide the 13.05 acres of property into a 56-lot single family residential planned unit development with 3 outlots.

Conditional Use Permit Application No. C-10-203 proposes a gated planned unit development with private streets.

APN: 579-074-12S **Zoning: R-1/UGM** **Address: 1998 East Clubhouse Drive**

Recommended Conditions of Approval:

- Construction permits for the 56-lot single family residential development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.

- Construction permits for the 56-lot single family residential development should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Department of Health Services, Division of Drinking Water and Environmental Management (DDWEM). For more information call (559) 447-3300.

- The Fresno County Department of Public Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

Prior to destruction of any existing agricultural well(s), a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. Transportation of these materials on public roadways may require special permits and licensure.

The Department of Public Health is available to provide consultation in cooperation with your city in order to encourage the proper destruction of wells and safeguard our water quality. City staff may contact Wayne Fox, Supervising Environmental Health Specialist, Water Surveillance Program, at (559) 445-3357 for more information.

- Appropriate measures should be incorporated into the project to minimize potentially significant short-term localized noise impacts to noise sensitive receivers caused by the operation of construction equipment. Construction specifications for the project should require that all construction equipment be maintained according to the manufacturers' specifications, and that noise generating construction equipment be equipped with mufflers. In addition, consideration should be given to limiting noise-generating construction activities to daytime hours as specified in your municipal code.

REVIEWED BY:

Janet Gardner Digitally signed by Janet Gardner
DN: cn=Janet Gardner, o=Environmental Health Division, ou=Fresno County Public Health Department, email=jgardner@co.fresno.ca.us, c=US
Date: 2010.10.27 11:33:38 -07'00'

R.E.H.S., M.P.H.
Environmental Health Specialist III

(559) 445-3271

jg

cc: Wayne Fox, Environmental Health Division

T-5973 Copper River

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A FINDING OF CONFORMITY

PROJECT TITLE AND ENVIRONMENTAL ASSESSMENT NO.

C-10-203/T-5973

Conditional Use Permit Application No. C-10-203; and,
Vesting Tentative Tract Map No. 5973/UGM

APPLICANT:

Copper River Ranch Villages, LLC.
11326 N. Glencastle Avenue
Fresno, CA 93730

PROJECT LOCATION:

± 13.05 acres of property located on the north side of East Clubhouse Drive between North Alicante and North Knotting Hill Drives; within the Copper River Development Project, in the City and County of Fresno, CA

Site Latitude: 36° 54'09.00" N
Site Longitude: 119° 45' 00.00" W

Assessor's Parcel Number(s): 579-074-12

Filed with:

FILED

DEC 17 2010

FRESNO COUNTY CLERK
By Sonia Ramirez DEPUTY

FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA
93721

E201010000358

PROJECT DESCRIPTION:

Gary G. Giannetta Civil Engineering & Land Surveying, on behalf of Copper River Ranch Villages, LLC., property owner, has filed Conditional Use Permit (CUP) Application No. C-10-203 and Vesting Tentative Tract Map No. T-5973/UGM pertaining to approximately 13.05 net acres of property located on the north side of East Clubhouse Drive between North Alicante and North Knotting Hill Drives; within the boundary of the Copper River Development Project. CUP Application No. C-10-203 and Vesting Tentative Tract Map No. 5973/UGM requests authorization to subdivide the subject property for the purposes of a creating a 56-lot single family residential gated private street planned development on the subject property.

The subject property is located within the boundaries of the 2025 Fresno General Plan and the Woodward Park Community Plan. The 2025 Fresno General Plan and the Woodward Park Community Plan designate the subject site for Medium-Low Density Residential (2.19-6.00 dwelling units/acre) planned land uses. The subject property is currently zoned under the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district classification. According to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan, the existing R-1 (*Single Family Residential*) zone district for the subject property and the proposed overall density of 4.29 dwelling units/acre are consistent with the Medium-Low Density Residential planned land use designation.

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the Master Environmental Impact Report No. 10130 ("MEIR) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and the Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (SCH # 2009051016) (Air Quality MND). Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.

With the mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR of Air Quality MND. After conducting a review of the adequacy of the MEIR and Air Quality MND pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and the Air Quality MND was adopted, has become available.

Additional information on the proposed project, including the proposed environmental finding and the initial study may be obtained from the Development and Resource Management Department, Development Services Division, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, California 93721-3604. Please contact Will Tackett at (559) 621-8063 or via e-mail at Will.Tackett@fresno.gov for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on January 17, 2010, Please direct comments to Will Tackett, City of Fresno Development and Resource Management Department, Development Services Division, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721-3604; or by email to Will.Tackett@Fresno.gov. Comments may also be sent by facsimile to (559) 498-1026.

Conditional Use Permit Application No. C-10-203 and Vesting Tentative Tract Map No. 5973/UGM, as well as this proposed environmental finding, have been tentatively scheduled to be heard by the Planning Commission on January 26, 2011 at 6:00pm or thereafter. This hearing will be held in the Fresno City Council Chambers located at Fresno City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California, 93721. Your written and oral comments are welcomed at the hearing and will be considered in the final decision.

INITIAL STUDY PREPARED BY: Will Tackett, Planner	SUBMITTED BY: Mike Sanchez, Planning Manager CITY OF FRESNO PLANNING AND DEVELOPMENT DEPARTMENT
DATE: December 17, 2010	

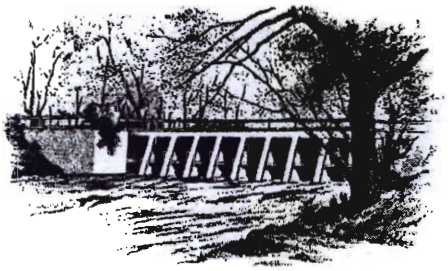
E201010000358

Street Name Review

TM-5973 10/25/10

Street Name	Status	Required Change
East Northshire Way	Good	
(blank fronting onto lots 40-48)	Add	*(provide new street names for review)*
East Clubhouse Avenue	Change	***East Clubhouse Drive***
North Balmoral Avenue	Good	
North Garrymore Way	Good	
North Sandhaven Avenue	Good	
(blank siding onto lot 29)	Add	*(provide new street names for review)*
North Killarney Way	Good	
North Abbywood Way	Good	
North Knotting Avenue	Change	***North Knotting Hill Drive***

E-File



Your Most Valuable Resource - Water

OFFICES OF
FRESNO IRRIGATION DISTRICT
PHONE (559) 233-7161
FAX (559) 233-8227
2907 SOUTH MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2218

October 28, 2010

Mr. Will Tackett
City of Fresno
Development Services/Planning
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

RE: Vesting Tentative Tract Map No. 5973/UGM, Conditional Use Permit C-10-203

Dear Mr. Tackett:

The Fresno Irrigation District (FID) has reviewed the Vesting Tentative Tract Map No. 5973/UGM and Conditional Use Permit No. C-10-203 applications, being filed concurrently, to develop 13.05 acres of property into a 56-lot single family residential planned unit development with 3 outlots, located on the north side of East Clubhouse Drive between North Alicante Drive and North Knotting Hill Drive, APN 579-074-12, and has the following comments:

1. FID does not own, operate, or maintain any facilities located within the limits of the proposed development as indicated on the attached FID exhibit map.

2. The proposed development appears to be within the City of Fresno's Sphere of Influence but lies outside FID's boundary line. The development is not entitled to water from the Kings River.

3. The proposed land use (or change in land use) should be such that the need for water is minimized and/or reduced so that groundwater impacts to the proposed project area and any surrounding areas are eliminated. The "demand" side of water consumed needs to be evaluated or scrutinized as much as the "supply" side of the water supply.

4. FID is concerned that the proposed development may negatively impact local groundwater supplies including those areas adjacent to or neighboring the proposed development area. The area was historically agricultural land and a significant portion of FID is concerned that the proposed development may negatively impact local groundwater supplies including those areas adjacent to or neighboring the proposed development area. The area was historically agricultural land and a significant portion of its water supply was imported surface water, 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

BOARD OF DIRECTORS President JEFFREY G. BOSWELL, Vice-President JEFF NEELY
STEVE BALLS, RYAN JACOBSEN, GEORGE PORTER, General Manager GARY R. SERRATO

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.

5. It is unclear if the source of water for this development is solely groundwater or a mixture of treated surface water from FID's Enterprise Canal. If treated surface water will be used, the City must acquire additional water from a water purveyor, such as FID for that purpose, so as to not reduce water supplies to or create water supply deficits in other areas of the City. Water supply issues must be resolved before any further "hardening" of the water supply demand is allowed to take place.

6. It should be noted that without the use of surface water, continued dependence on solely a groundwater supply will do nothing to reverse or correct the existing overdraft of the groundwater supply beneath the City of Fresno and FID service area. As this project will "harden" or make firmer the need for water, the long-term correction of the groundwater overdraft should be considered as a requirement of the project.

7. The City of Fresno and FID have been working to address water supplies issues for development outside of the FID service area. We encourage the City to continue towards finding solutions to minimize the impacts of changes in land uses and to mitigate any existing adverse water supply impacts within the development areas.

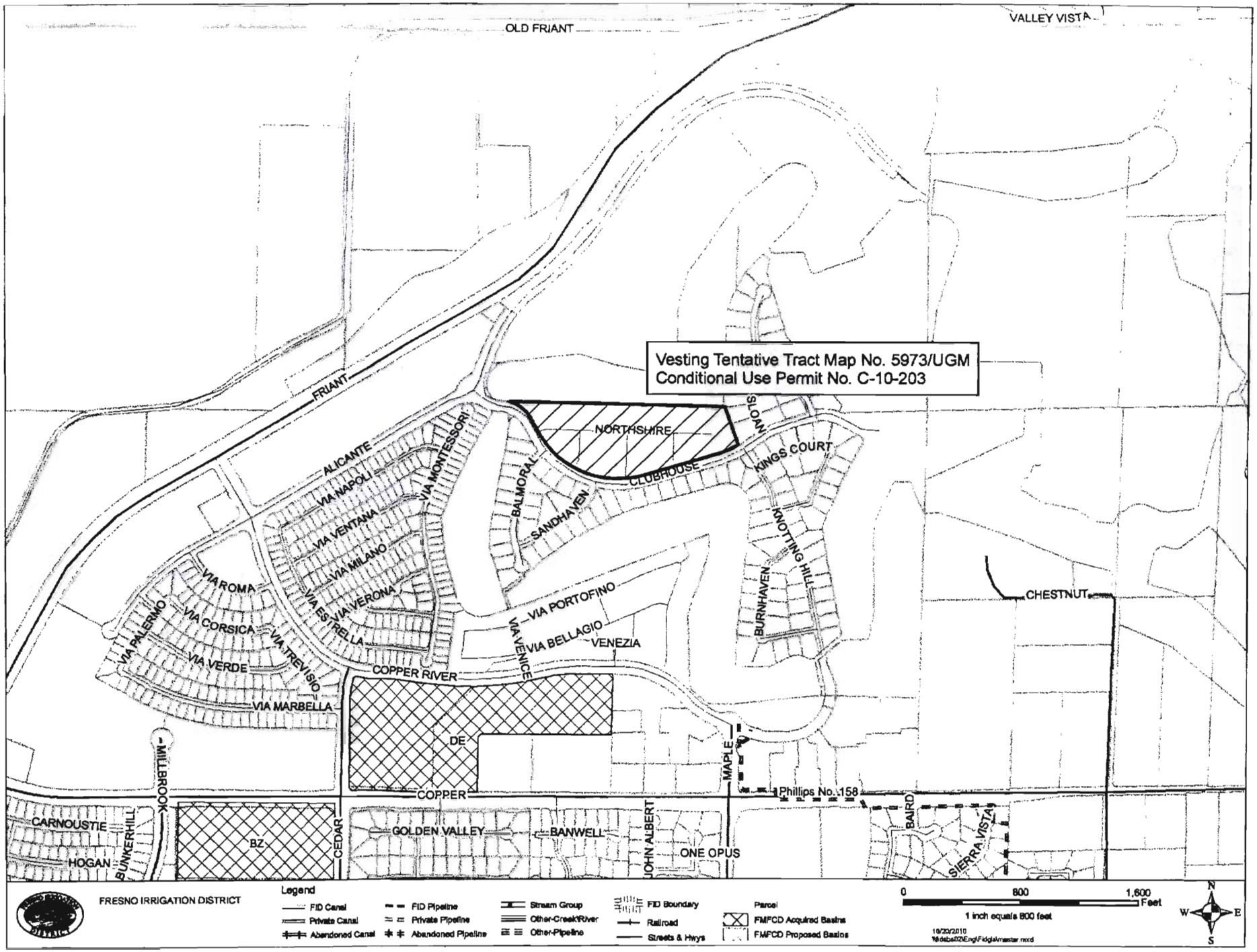
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact James Shields at 233-7161 extension 319 or by email at jshields@fresnoirrigation.com.

Sincerely,

William R. Stretch

William R. Stretch, P.E.
Chief Engineer

Attachment


Vesting Tentative Tract Map No. 5973/UGM
Conditional Use Permit No. C-10-203
OLD FRIANT
VALLEY VISTA
FRIANT
NORTHSHIRE
CLUBHOUSE
SLOAN
KINGS COURT
ALICANTE
VIA NAPOLI
VIA MONTESSORI
VIA VENTANA
VIA MILANO
VIA ESTRELLA
VIA VERONA
BALMORAL
SANDHAVEN
KNOTTING HILL
BURNHAVEN
CHESTNUT
VIA ROMA
VIA PALERMO
VIA CORSICA
VIA TREVISO
VIA VERDE
VIA MARBELLA
VIA PORTOFINO
VIA BELLAGIO
VENEZIA
VIA VENICE
COPPER RIVER
DE
COPPER
MILLBROOK
MAPLE
Phillips No. 158
CARNOUSTIE
HOGAN
BUNKERHILL
BZ
CEDAR
GOLDEN VALLEY
BANWELL
JOHN ALBERT
ONE OPUS
BAIRD
SIERRA VISTA
FRESNO IRRIGATION DISTRICT
Legend
FID Canal
Private Canal
Abandoned Canal
FID Pipeline
Private Pipeline
Abandoned Pipeline
Stream Group
Other-Creek/River
Other-Pipeline
FID Boundary
Railroad
Streets & Hwys
Parcel
FMFCD Acquired Basins
FMFCD Proposed Basins
0
800
1,600
Feet
1 inch equals 800 feet
10/20/2010
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W