



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VII-B
COMMISSION MEETING 04/01/15

DEPARTMENT DIRECTOR

April 1, 2015

FROM: MIKE SANCHEZ, Assistant Director
Development & Resource Management Department

THROUGH: BONIQUE EMERSON, AICP, Planning Manager *BE*
Development Services Division

BY: CHRISTOPHER PRECIADO, Planner II *CP*
Development Services Division

SUBJECT: CONSIDERATION OF REZONE APPLICATION NO. R-14-012, C-14-150 ABCUP, AND RELATED ENVIRONMENTAL ASSESSMENT NO. R-14-007/C-14-150 FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF NORTH BLACKSTONE AND EAST CLINTON AVENUES

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. **RECOMMEND APPROVAL** (to the City Council) of the Environmental Assessment No. R-14-012/C-14-150 dated February 27, 2015, Finding of Conformity with the Fresno General Plan Master Environmental Impact Report (MEIR), State Clearing House No. 2012111015.
2. **RECOMMEND APPROVAL** (to the City Council) of Rezone Application No. R-14-012 requesting authorization to reclassify the subject properties from the C-6 (Heavy Commercial) and the R-3 (Medium Density Multiple Family Residential) to the C-1 (Neighborhood Shopping Center) zone district.
3. **APPROVE** Conditional Use Permit Application No. C-14-150 which proposes the construction of a ±27,870 square-foot grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant also requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold) for the grocery store. This approval is subject to compliance with the Conditions of Approval for this project dated April 1, 2015, including the requirement to comply with Policy 3 of Goal 3, Objective 3, of the Tower District Specific Plan. This policy prohibits on-site surface parking from fronting on a major street. This approval is also contingent upon City Council approval of Rezone Application No. R-14-012 and the related environmental assessment.

EXECUTIVE SUMMARY:

Rezone Application No. R-14-012 and Conditional Use Permit Application No. C-14-150 were filed by Tab Johnson of Rich Development LLC, and pertain to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the Official Zone Map to reclassify the subject properties from the C-6 (Heavy Commercial) and the R-3 (Medium Density Multiple Family Residential) to the C-1 (Neighborhood Shopping Center) zone district. The applicant proposes the construction of a ±27,870 square-foot grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. There are seven (7) residential buildings and two (2) commercial buildings presently on the site. All of the existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold) for the grocery store.

PROJECT INFORMATION:

PROJECT See Executive Summary

APPLICANT Tab Johnson
Rich Development
600 N.Tustin Avenue, No. 150
Santa Ana, CA. 92705
Dirk Poeschel
Poeschel Land Development Services, Inc.
923 Van Ness Avenue, #200
Fresno, CA. 93721

LOCATION 2321 North Blackstone Avenue; Located on the southwest corner of North Blackstone and East Clinton Avenues
APN's: 444-092-04, 05, 13, 16-portion, and 17-portion (Council District 7, Councilmember Olivier)

SITE SIZE Approximately 4.14 acres

PLANNED LAND USE Existing - Neighborhood Mixed Use

ZONING Existing - R-3 (*Medium Density Multiple Family Residential*)
Existing - C-6 (*Heavy Commercial*)
Proposed - C-1 (*Community Commercial*)

PLAN DESIGNATION AND CONSISTENCY The project (with proposed conditions) and the proposed C-1 zoning are consistent with the planned land use of Neighborhood Mixed Use as designated by the Fresno General Plan adopted by the Fresno City Council on December 18, 2014; the Fresno High-Roeding Community Plan; and the Tower District Specific Plan.

ENVIRONMENTAL FINDING The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project fully within the scope of the Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the Fresno General Plan adopted by the Fresno City Council on December 18, 2014. Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.

PLAN COMMITTEE RECOMMENDATION The Tower District Design Review Committee reviewed the proposed project during its regularly scheduled meeting on January 2, 2015 and recommended that the project be denied. At the March 6, 2015 meeting, the committee reviewed the staff recommendations for site design, in adherence to the General Plan and Tower Specific Plan, and concluded that the Tower Committee supports staff recommendation to approve the project with conditions.

BORDERING PROPERTY INFORMATION:

	Planned Land Use	Existing Zoning	Existing Land Use
North	Neighborhood Mixed Use	C-6 Heavy commercial	General Commercial
South	Neighborhood Mixed Use Residential Medium High Density	R-3 Medium Density Multi Family Residential C-6-Heavy commercial	Medium Density Multiple Family Residential General Commercial
East	Neighborhood Mixed Use	C-5 General Commercial	General Commercial
West	Neighborhood Mixed Use Residential Medium High Density	R-3 Medium Density Multi Family Residential	Medium Density Multiple Family Residential

ENVIRONMENTAL FINDING:

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. (MEIR) SCH No. 2012111015 prepared for the Fresno General Plan adopted by the Fresno City Council on December 18, 2014. Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.

With 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. 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 that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Based upon the attached environmental assessment and the list of identified mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and has prepared a Finding of Conformity for this project. A public notice of the attached Environmental Assessment Application No. R-14-012/C-14-150 was published on February 27, 2015 with no comments or appeals received to date.

BACKGROUND / ANALYSIS:

The proposed C-1 zoning is consistent with the planned land use of *Neighborhood Mixed Use* as designated by the Fresno General Plan Update adopted by the Fresno City Council on December 18, 2014; the Fresno High-Roeding Community Plan; and the Tower District Specific Plan. Conditional Use Permit Application No. C-14-150, with conditions as outlined, would also be consistent with the adopted plans and policies.

The subject property is bounded on the north and west by retail commercial uses, to the east by low rise multifamily and the south by residential and commercial office uses.

CONDITIONS OF APPROVAL:

The Blackstone corridor is located in IM-1, Priority Areas for Development per the Fresno General Plan, as adopted by City Council on December 18, 2014 (General Plan). The General Plan has designated the subject site for Neighborhood Mixed Use (NMU). This designation provides

“for mixed-use districts of local-serving, pedestrian-oriented commercial development, such as convenience shopping and professional offices in two- to three-story buildings. Development is expected to include ground-floor neighborhood retail uses and upper-level housing or offices, with a mix of small lot single family houses, townhomes, and multi-family dwelling units on side streets, in a horizontal or vertical mixed-use orientation. The built form will have a scale and character that is consistent with pedestrian-orientation, to attract and promote a walk-in clientele, with small lots and frequent roadway and pedestrian connections permitting convenient access from residences to commercial space. Automobile-oriented uses are not permitted.”

Staff has worked with the applicant to develop a site design that will be consistent with the General Plan and also comply with several policies contained in the Tower District Specific Plan. During the pre-application process, the city suggested that the applicant redesign and relocate the main building to the front of the lot, abutting Blackstone Avenue. Upon further deliberations with staff, the City proposed a compromise which would place the additional retail and restaurant space along Blackstone adjacent to the setbacks, with the main building as originally proposed. The applicant originally opted to keep the original concept, which kept the building as shown on Exhibit “A”, at the back of the property, however, has recently submitted a conceptual plan with a pad at the corner of Vassar and Blackstone Avenues and an additional pedestrian walkway from the BRT stop to the entrance of the proposed grocery store. Although details still need to be worked out and the developer’s client has to approve, staff is supportive of this conceptual design as it meets the intent of policies contained in the General Plan and Tower District Specific Plan.

Staff recommends approval of the proposed project with conditions that exclude any parking between Blackstone Avenue and the project site, as shown on attached conceptual plan SD-1 dated March 26, 2015. These conditions comply with the Tower District Specific Plan and the General Plan policies.

LAND USE PLANS AND POLICIES:

One of the specific policies that this project does not comply with is found in the Tower District Specific Plan, Policy 3, Objective 3, Goal III, which states the following, *“Policy 3: Eliminate and prevent on-site parking which fronts on major streets, and develop urban, in contrast to suburban, standards for provision of onsite parking.”* This would require the applicant to bring pedestrian oriented building fronts closer to Blackstone Avenue and would require a redesign of the project. Compliance with specific plan policies is mandatory.

Other policies within the Tower District Specific Plan to which the project does not conform include the following:

Goal III; Respect and further enhance the historic character of the Tower District as a place not dominated by the automobile.

Objective 1: Support existing or propose new neighborhood serving pedestrian oriented retail service businesses with the Tower District following historic patterns of Development.

Policy 1: Restrict opportunities for development of suburban style, strip commercial businesses. Restrict development that bears no relationship to the distinctive character of the Tower district.

Policy 2: Strongly encourage and support pedestrian oriented storefronts through appropriate use, design guidelines, and development. Frequent entries, display windows, and continuous, active retail places where people want to walk, shop, and just browse.

Objective 2: Make commercial areas convenient, safe focal point for neighborhood activities and public life.

Policy 3: Provide streetscape elements, public plazas and open space to engender public activities and functions.

Commentary: The project does propose architectural enhancements to some elevations, in particular the front (east) and southern elevations, but it falls out of compliance with the above policies as the north and west elevation are proposed to be aesthetically featureless by use of blank CMU walls with elevations reaching twenty-six (26) feet in height. Despite the projects location on the periphery of the Tower District Specific Plan, the redevelopment of four acres at a major intersection within the inner city is viewed a major opportunity to implement the new General Plan. The incorporation of urban design elements would provide a proper interface between contrasting development styles and invoke an element of synergism to the surrounding properties.

Further, there are policies within the Fresno General Plan that the project, as proposed, would not comply with. These policies are as follows:

UF-12-a: BRT Corridors. Design land uses and integrate development site plans along BRT corridors, with transit-oriented development that supports transit ridership and convenient pedestrian access to bus stops and BRT station stops.

Commentary: Developments close to major streets encourage walking and can be connected with the adjacent neighborhoods through a network of pedestrian ways. The City of Fresno, Bus Rapid Transit (BRT) station is planned for the northwest corner of Blackstone and Vassar Avenues. Site design, as proposed, does not integrate the future BRT station in its design and pedestrian access to the site, in particular the main building, is not direct or efficient, and does not support transit-oriented development.

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Rezone Application No. R-14-012/C-14-150

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UF-12-e: Access to Activity Centers. Promote adoption and implementation of standards supporting pedestrian activities and bicycle linkages from surrounding land uses and neighborhoods into Activity Centers and to transit stops. Provide for priority transit routes and facilities to serve the Activity Centers.

LU-5-g: Scale and Character of New Development. Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

Commentary: The elevations (west-abutting the residential district, and north facing Clinton Avenue) are proposed to be blank featureless concrete masonry walls with an elevation of twenty-six feet. Said walls do not comply with the transition in scale and architectural character between new buildings and established residential neighborhoods. The use of trellis and lattice systems, as well as jogs in the elevation can create this architectural character to blend in with the surrounding community.

LU-6-a: Design of Commercial Development. Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, regulations and design review procedures.

D-1-h: Screening of Parking. Consider requiring all new development with parking in Activity Centers and along corridors to be screened or concealed. Locate principal pedestrian entrances to new non-residential buildings on the sidewalk; any entrances from parking areas should be incidental or emergency use only.

Commentary: The project proposes the parking lot to front Blackstone Avenue, with a single pedestrian path of travel traversing the full depth of the parking lot. A more "Urban" approach would be to have the buildings closer to the street that creates a node of activity for the pedestrian. In addition pedestrian/vehicular conflicts would be reduced with the parking behind the buildings.

D-4: Preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

D-4-f: Design Compatibility with Residential Uses. Strive to ensure that all new non-residential land uses are developed and maintained in a manner complementary to and compatible with adjacent residential land uses, to minimize interface problems with the surrounding environment and to be compatible with public facilities and services.

D-6: Encourage design that celebrates and supports the cultural and ethnic

diversity of Fresno.

D-7: Continue applying local urban form, land use, and design policies to specific neighborhoods and locations.

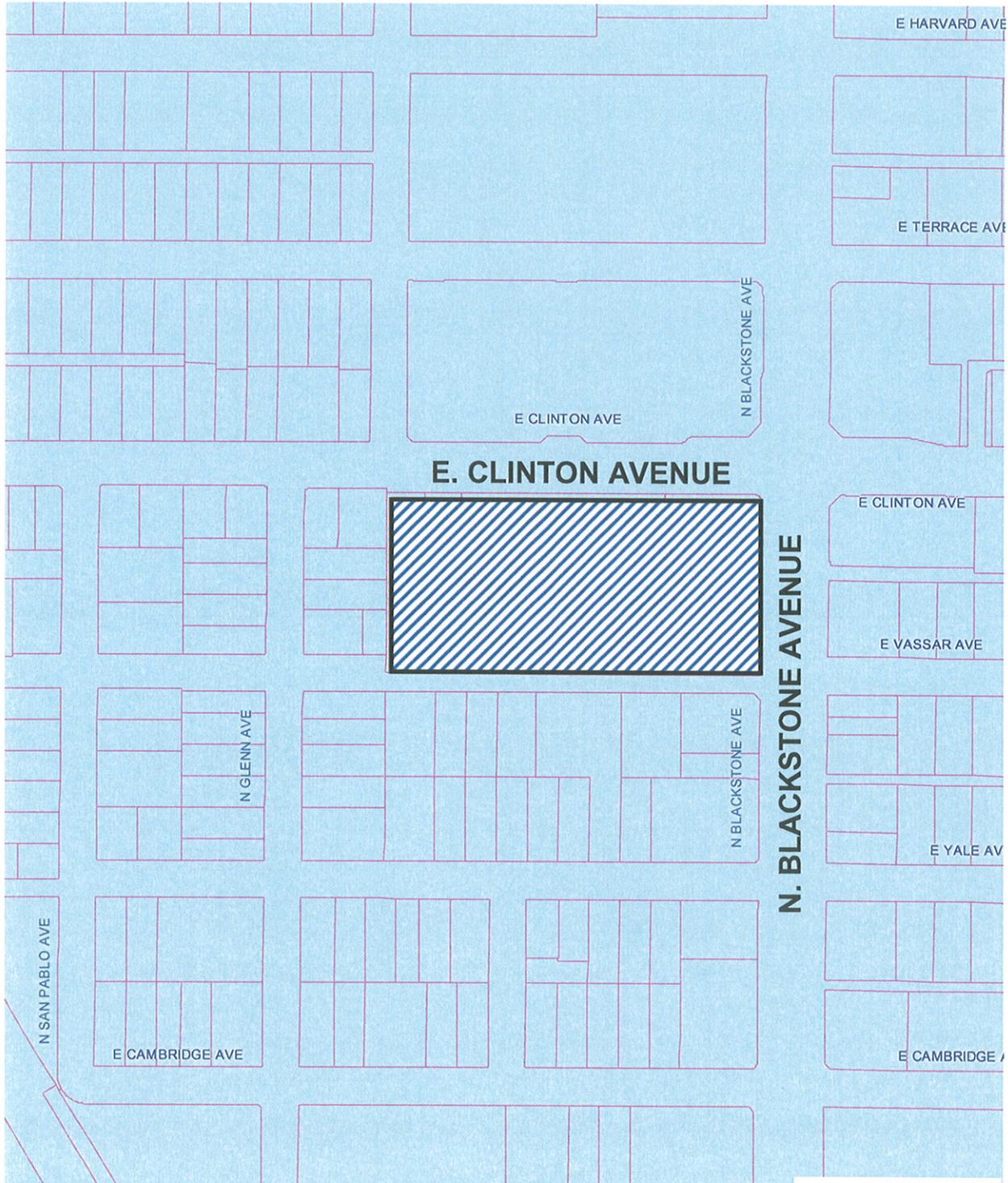
Commentary: The project will be conditioned to conform to the Fresno General Plan, Tower Specific Plan, and development standards, as contained in the conditions of approval.

Conditional Approval can only be granted if the project complies with the Fresno General Plan and Tower Specific Plan's Goals, Objectives, and Policies, where the site shall have buildings located at the street frontage. This will ensure that the project is built to be compatible with the adjacent residential neighborhood and will ensure that the future development will not be detrimental to the surrounding community.

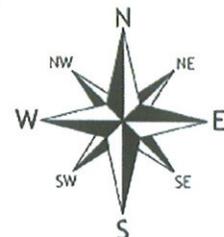
CONDITIONAL USE PERMIT APPLICATION REVIEW FINDINGS:

Findings per Fresno Municipal Code Section 12-405-A-2	
a. <i>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,</i>	
Finding a:	If the conditions of approval are complied with and the site is redesigned, the project will comply with all codes and policies and this finding can be made.
b. <i>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,</i>	
Finding b:	The proposed project is expected to generate high volumes of traffic given that it will be supermarket-grocery store, strip retail, and drive through restaurant. The Traffic Impact Study (TIS) as prepared for the proposed retail center indicates a project trip generation of 5,332 total daily trips to the site. During its construction, the project may generate additional vehicle trips. The Public Works Department -Traffic Engineering has received the TIS for the proposed project and after a review of this study has determined the project will not have significant impacts on traffic and the surrounding community.
c. <i>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 the FMC.</i>	

VICINITY MAP



LEGEND
Subject Property



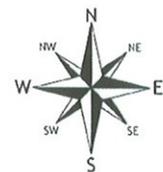
AERIAL MAP



LEGEND



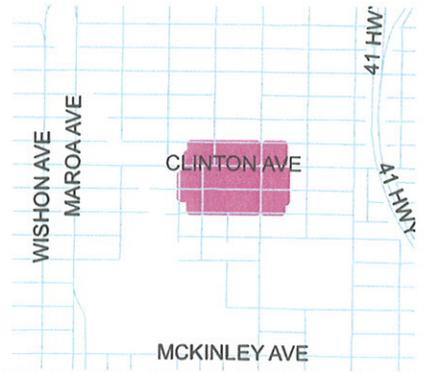
Subject Property



99547 R-14-012

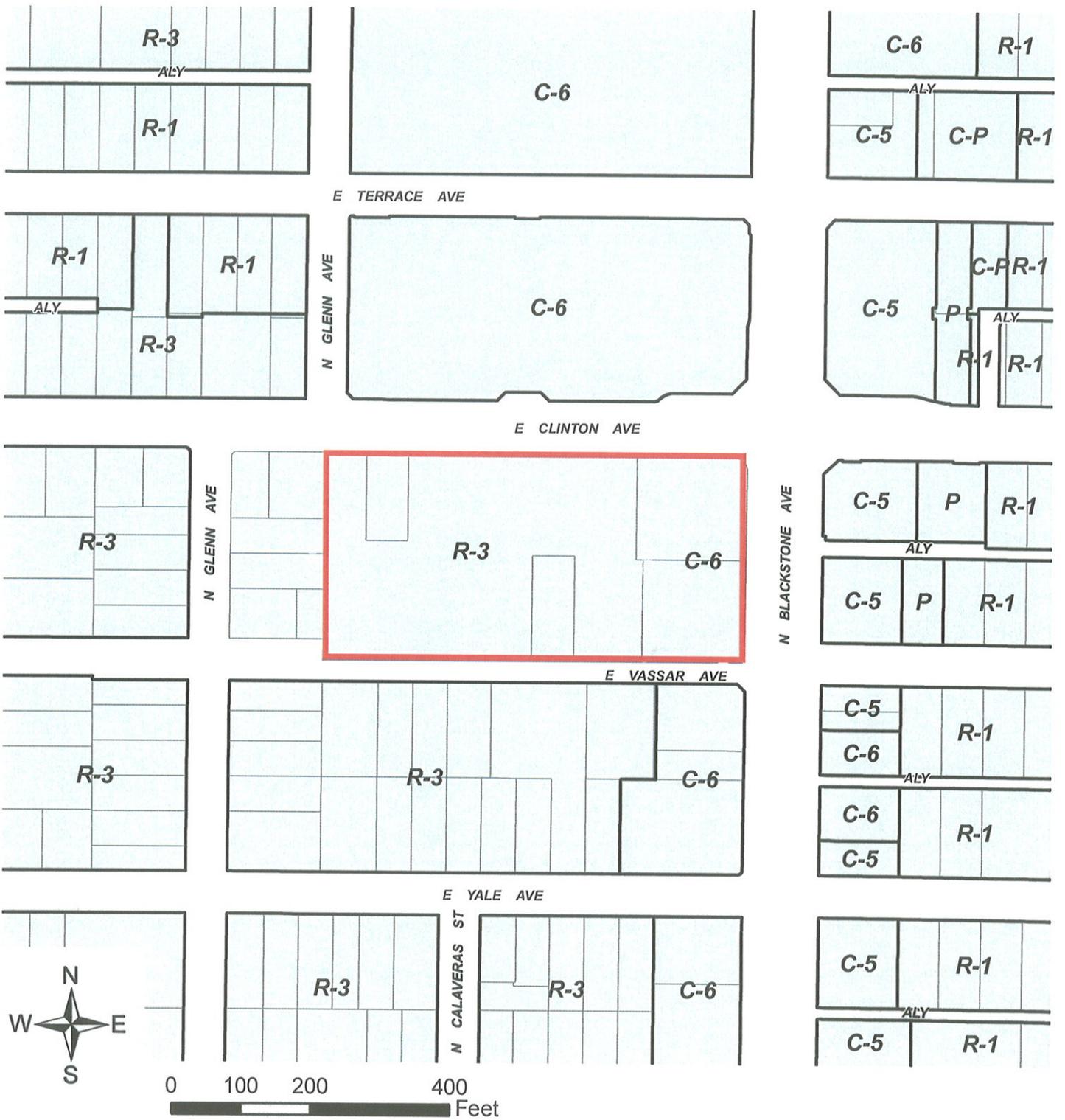
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Address List Map, c:\gisdm5\automap\adrlist.mxd, Fri Mar 06 15:52:08 2015





R-14-012

APN: 444-092-04, 05, 13, 16 (portion) and 17 (portion)
 2321 North Blackstone Avenue



R-3 and C-6, to C-1 (4.14 Acres)

**CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT**

**CONDITIONS OF APPROVAL
APRIL 1, 2015**

CONDITIONAL USE PERMIT APPLICATION No. C-14-150

**2321 North Blackstone Avenue
(APNs: 444-092-04, 05, 13, 16, and 17)**

The Planning Commission will consider approval of Conditional Use Permit Application No. C-14-150 at a noticed public hearing on April 1, 2015 at 6:00 p.m. Staff recommends that the special permit application be approved subject to the conditions listed in this document.

Project Description: Conditional Use Permit Application No. C-14-150 proposes the construction of a ±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. To conform to the General Plan, Tower District Specific Plan, and the Tower District Design Guidelines, the applicant proposes to locate a 1,650 square foot retail building at the corner of Blackstone and Vassar Avenues. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold) for the Smart & Final store.

CONDITIONS OF APPROVAL

PART A – ITEMS TO BE COMPLETED

The following items are required prior to issuance of building permits, occupancy, or commencement of land use activity as noted below:

Planner to initial when completed	
<input style="width: 50px; height: 20px;" type="checkbox"/>	<p>1. Development shall take place in accordance with Exhibits A (2 – one from Planning and one from PW Traffic), F, E1, E2 and L dated December 4, 2014 and Exhibit "SD-1" conceptual site plan as submitted on March 25, 2015 (2 – one from Planning and one from PW Traffic). Transfer all comments and conditions on exhibits to the corrected exhibit(s) and submit to planner at least 15 days prior to issuance of building permits.</p>

<input type="checkbox"/>	2.	<p>A landscape plan is required for review prior to issuance of building permits (Per FMC § 12-306-N-24-j-2). Submit three copies of detailed, final landscaping and irrigation plans prepared by a landscape professional, showing the number and types of trees (differentiate between species), to the Development Services Division. The type of landscaping is to be determined by the applicant and to conform to minimum city standards. These plans must be reviewed and approved prior to issuance of building permits. Hilary Kimber must approve the revised landscape plan prior to issuance of building permits. Contact Hilary Kimber at 559-621-1345.</p>
<input type="checkbox"/>	3.	<p>Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division.</p>
<input type="checkbox"/>	4.	<p>Prior to final inspection, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division, Development and Resource Management Department (see form, attached).</p>
<input type="checkbox"/>	5.	<p>Parking lot shading shall be provided pursuant to the attached Performance Standards for Parking Lot Shading dated February 13, 2006. Provide shade calculations on the revised landscape plan. This revised landscape plan must be reviewed and approved prior to issuance of building permits.</p>
<input type="checkbox"/>	6.	<p>Per FMC § 12-306-N-24-g-(3): <i>“Each commercial and industrial parcel of land or lot shall have a minimum of one medium-sized tree for every two parking spaces. Two small trees (15—30 feet at maturity) shall be counted as one medium-sized tree. All present and future tree planting and shrub planting shall conform to the corner cut-off provisions of Sections <u>13-227</u> and <u>13-228</u> of this Code.”</i> There are 192 parking stalls proposed, therefore ninety-six (96) medium sized trees are required. The applicant to revise the landscape plan to conform the aforementioned development standard. This revised landscape plan must be reviewed and approved prior to issuance of building permits.</p>
<input type="checkbox"/>	7.	<p>The parcel configuration depicted for the proposed development does not conform to record information: Voluntary Lot Merger and Record Documentation for APNs: 444-092-04, 444-092-05, 444-092-13, 444-092-</p>

		16, and 444-092-17 is required to establish this configuration prior to issuance of building permits . A Hold on Final Permit shall be placed on the proposed development until such time that Voluntary Lot Merger has been approved and verified by the Development Services Division.
<input type="checkbox"/>	8.	The Fresno Metropolitan Flood Control District Notice of Requirements (NOR) fee of \$163.00, a Grading Plan Review Fee of \$826.00, and a Flood Control fee of \$16,354.00 are due prior to issuance of building permits. Contact the Fresno Metropolitan Flood Control District, 559-456-3292, for all fee requirements. Provide proof that these fees have been paid prior to issuance of building permits.
<input type="checkbox"/>	9.	Comply with the conditions contained in the letter from the County of Fresno, Department of Public Health, dated December 12, 2014. The applicant/tenant(s) shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-4058 for more information. A Hold on Occupancy shall be placed on the proposed development until such time that proof has been provided and verified by the Development Services Division. Provide proof that these requirements have been met prior to occupancy.
<input type="checkbox"/>	10.	Comply with the conditions contained in the letter from the Department of Public Utilities, Water Division, dated December 19, 2014. Provide proof that concerns and comments are resolved.
<input type="checkbox"/>	11.	Comply with the conditions contained in the letter from the Department of Public Utilities, Sewer Division, dated March 16, 2015. Provide proof that concerns and comments are resolved.
<input type="checkbox"/>	12.	Comply with the conditions contained in the letter from the Solid Waste Division, dated December 22, 2014. Provide proof that concerns and comments are resolved. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.
<input type="checkbox"/>	13.	Revise the site plan to comply with comments provided by the City of Fresno Fire Department in a memo dated December 29, 2014. Provide revised site plan for review and approval prior to issuance of building permits.

<input data-bbox="193 489 284 552" type="checkbox"/>	<p>14. Development shall comply with the attached ABC CUP Conditions issued by the Fresno Police Department Northwest Problem Oriented Policing District, dated December 16, 2014. Please contact Detective Dawnielle Serrano at (559) 621-6529 regarding compliance with their conditions. Please provide proof of compliance with Police conditions to Planner prior to Final Approval of this Conditional Use Permit.</p>
<input data-bbox="193 720 284 783" type="checkbox"/>	<p>15. Refer to City of Fresno Policy and Procedures C-001, dated June 4, 2010, <i>“Interim Design Guidelines for Drive-Throughs”</i> for a general example of the proper design of a drive-through stacking lane. At a minimum, a berm, hedge, or low wall with landscaping is required to reduce the visibility of the drive through lane from the street.</p>
<input data-bbox="193 1119 284 1182" type="checkbox"/>	<p>16. Per FMC § 12- 306-I-2.1-C, and §12-306-I-5-d, indicate the number of bicycle stalls on the site plan and clearly demonstrate how the bicycle rack with stalls filled will not obstruct the path of travel or accessible route minimum width requirements. Bicycle parking spaces shall each consist of one slot in a bike rack. Bicycle parking spaces shall be grouped in bicycle racks which allow four feet of clearance on all sides. There shall be adequate space between rack slots to park, lock, and remove bicycles. Bicycle parking spaces and the required four-foot clearance shall be protected from motor vehicle encroachment by means of fixed barriers not less than six inches nor more than three feet in height. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open space, and shall be located proximal to structures. <u>The total required bicycle stalls shall be equal to a minimum of 10% of required parking stalls.</u> Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.</p>
<input data-bbox="193 1644 284 1707" type="checkbox"/>	<p>17. Per FMC § 12-306-N: The number and location of street trees for the proposed project shall be approved by the Department of Public Works, Parks Supervisor and shown on the landscape plan(s) prior to the final approval of the landscape plans and prior to issuance of a street tree planting permit. The 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. Contact Hilary Kimber at (559) 621-1345 for further information and requirements. <u>Provide 10 street trees (605/60=10) on each of Clinton and Vassar Avenues and 5 street trees (290/60=5) on Blackstone Avenue.</u> The street trees on Clinton Avenue may be placed within the landscape setback. Revise exhibits and submit to planner at</p>

		least 15 days prior to applying for building permits.
<input type="checkbox"/>	18.	Provide proof of payment of Fresno Unified School District fees and otherwise comply with their memo dated December 16, 2014 prior to obtaining building permit(s).
<input type="checkbox"/>	19.	The Indirect Source Review (ISR) - Air Impact Assessment (AIA) is required and must be completed. Contact the San Joaquin Valley Unified Air Pollution Control District (District). District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. To identify District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found at www.valleyair.org/rules/1ruleslist.htm . If you have any questions or require further information, please call the District at (559) 230-6000 and ask to speak to the ISR/CEQA group. The ISR must be completed and all applicable fees must be paid in addition to any applicable off-site mitigation fees to the San Joaquin Valley Air Pollution Control District (SJVAPCD) and comply with the SJVAPCD District Rule 9510 prior to issuance of building permits. Submit verification to the planner that this process has been completed.
<input type="checkbox"/>	20.	The applicant is required to comply to the Tower Specific Plan, Policy 3, Objective, 3, and Goal III; <i>"Eliminate and prevent surface parking which fronts on major streets"</i> . <u>Conceptual Exhibit "SD-1" complies with the requirement.</u> Revise Exhibit A and submit to planner at least 15 days prior to applying for building permits.
<input type="checkbox"/>	21.	Per policy D-1-h of the Fresno General Plan, as adopted by the Fresno city Council on December 18, 2014; <i>"Screening of Parking. Consider requiring all new development with parking in Activity Centers and along corridors to be screened or concealed. Locate principal pedestrian entrances to new non-residential buildings on the sidewalk; any entrances from parking areas should be incidental or emergency use only."</i> <u>Conceptual Exhibit "SD-1" complies with the requirement.</u> Revise exhibits and submit to planner at least 15 days prior to applying for building permits.
<input type="checkbox"/>	22.	Per FMC § 12-217.5-E-3-b; <i>"When abutting property along said street is zoned or planned for residential use, the street side yard shall be equal to the required yard setback for the abutting district"</i> . The abutting zone

		district is R-3, and therefore a minimum fifteen (15) foot landscape setback is required along Clinton and Vassar Avenues, for a minimum length of sixty (60) feet from said zone district. Revise exhibits and submit to planner at least 15 days prior to applying for building permits.
<input type="checkbox"/>	23.	Comply with the conditions contained in the letter from The Fresno Irrigation District (FID), dated December 15, 2014. Provide proof that FID concerns and comments are resolved. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.
<input type="checkbox"/>	24.	Deeds required for dedications and pedestrian easements (pedestrian, accessible route, corner cut/curb ramp, etc.) shall be completed (deeds recorded) prior to issuance of building permits. Contact the Department of Public Works Transportation Planning Division, Supervising Engineering Technician, Louise Gilio, at 559-621-8678. Provide proof that these requirements have been met prior to issuance of building permits.
<input type="checkbox"/>	25.	Lighting where provided to illuminate parking, supermarket-grocery store, strip retail, restaurant drive through, or patio areas, shall be hooded and so arranged and controlled so as not to cause a nuisance either to pedestrian or vehicular traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works. Depict all proposed lights on the site plan. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.
<input type="checkbox"/>	26.	The Department of Transportation/Fresno Area Express (FAX), the city of Fresno's public mass transportation system, will be constructing a Bus Rapid Transit (BRT) station the northwest corner of Blackstone and Vassar Avenues. Coordinate with FAX Project Manager Capital BRT, Ara Nurcanyan, at 559-621-1420, to resolve site geometrics for the planned BRT station. Provide proof that these requirements have been met prior to issuance of building permits.
<input type="checkbox"/>	27.	Add the following note to the site plan: <i>"Signs, other than directional signs, if applicable, are not approved for installation as part of this Conditional Use Permit. All outdoor advertising and signage shall conform to the requirements 12-217-5-K-1 and the city of Fresno Sign Ordinance, Chapter 12, Article 17."</i> Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.
<input type="checkbox"/>	28.	Per § 12-306-H, the proposed fence running parallel to Vassar Avenue

	<p>shall be reduced in height to six (6) feet maximum, and shall not be located within the minimum fifteen (15) foot landscape setback. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.</p>
<p><input type="checkbox"/></p>	<p>29. LOADING SPACES per FMC § 12-217.5-L, the provisions of § 12-306-L shall apply: 1. Every hospital, institution, hotel, <u>commercial building</u>, industrial building, or apartment building hereafter erected or established, when occupied by a use which involves pick-up and delivery of materials (other than normal solid waste collections) from trucks and tractor-trailers weighing more than two tons, shall provide and maintain loading spaces as provided in this section. When a special permit procedure is initiated pursuant to 12-406-A or a Certificate of Occupancy for a change of use is sought pursuant to 12-313, the application shall include a statement, signed by the property owner or authorized agent, describing the type and frequency of expected deliveries to the site.</p> <p>Per FMC § 12-217.5-L-e. Loading spaces shall be not less than twelve feet in width and forty feet in length, and shall have fourteen feet of vertical clearance. Loading spaces need not be marked on an exterior paved area if the facility has equivalent interior loading area which is kept accessible for expected delivery vehicles.</p> <p>Add the following note to the site plan, <i>“All loading shall be done only between the hours of 8:00 a.m. and 6:00 p.m.”</i> per FMC § 12-306-L-1-h.</p> <p><u>Provide one additional loading space for the main building and one loading space for the strip retail building.</u> Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.</p>
<p><input type="checkbox"/></p>	<p>30. Per the city-wide design guidelines, provide architectural features and consistency between all building elevations, in particular the west residential facing CMU wall, as well as the Clinton Avenue facing CMU wall. Refer to the attached “City-Wide Design Guidelines” as applicable. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.</p>
<p><input type="checkbox"/></p>	<p>31. Per the city-wide design guidelines, provide architectural screening of all trash enclosures. Provide trash enclosure elevations for review and approval to the planner at least 15 days prior to issuance of building permits. A Hold on Occupancy shall be placed on the proposed development until such time that the trash enclosure elevations have been reviewed and approved by the Development Services Division.</p>

<input type="checkbox"/>	<p>32. Add applicable notes from the attached document titled "General Notes and Requirements for Entitlement Applications". Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.</p>
<input type="checkbox"/>	<p>33. Provide the minimum four (4) foot dedication on Blackstone Avenue for the sidewalk portion to the north of the Blackstone avenue drive approach. Verify with PW Traffic the extent of this required dedication. A complete review by traffic will be required once the revised site plan is submitted. The Approved Exhibit "SD-1" is conceptual. Details related to the specific dimensions and layout will be determined during the corrected exhibit process. Refer to exhibit A, dated December 4, 2014, for additional PW Traffic comments.</p>
<input type="checkbox"/>	<p>34. The southern pedestrian pathway passing through the parking lot to be constructed as a raised concrete path, with eight (8) foot square tree wells and minimum four (4) foot path of travel, as measured from the inside edge of curbs. The pathway to start from Blackstone and lead to the front doors of the main building. The parking stalls may be fifteen (15) feet in depth at this location, provided the pathway is designed per above. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.</p>
<input type="checkbox"/>	<p>35. The minimum landscape setback on Blackstone Avenue shall be ten (10) feet, except where pedestrian oriented building fronts are located.</p>
<input type="checkbox"/>	<p>36. The Front doors of the proposed 1,650 square foot building, labeled as <i>Building #4</i> on conceptual site plan exhibit "SD-1", dated March 26, 2015, are required to face Blackstone. This building may be located slightly further from Blackstone Avenue to facilitate a pedestrian friendly interface between the proposed building and the BRT station transit amenities. Coordinate with FAX Project Manager Capital BRT, Ara Nurcanyan, at 559-621-1420. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.</p>

PART B – OTHER REQUIREMENTS

1. Planning/Zoning/Environmental Compliance Requirements

- a) Property development standards and zoning requirements are contained in the attached "Property Development Standards Checklist" prepared for Conditional Use Permit Application No. C-14-150 and dated April 1, 2015. Any future revisions to the proposed project shall comply with these conditions.
- b) Development shall take place in accordance with the attached "General Notes and Requirements for Entitlement Applications" as applicable.
- c) **This special permit is contingent on the approval of Rezone Application No. R-14-012.**
- d) Any changes to approved elevations are subject to review and approval by the Development and Resource Management Department.
- e) Development shall take place in accordance with the attached "City-Wide Design Guidelines" as applicable.
- f) Development shall take place in accordance with the attached "Parking Lot Shading Performance Standards" as applicable.
- g) Development shall take place in accordance with the policies of the Fresno General Plan adopted by the Fresno City Council on December 18, 2014; the Fresno High-Roeding Community Plan; and the Tower District Specific Plan, and with the Neighborhood Mixed Use planned land use designation.
- h) Development shall take place in accordance with the C-1 (*Community Commercial*) zone district and all other applicable sections of the Fresno Municipal Code.
- i) Pay applicable development fees prior to issuance of building permits.
- j) Comply with the operational statement for the proposed project dated December 4, 2014.

2. City and Other Services

- a) Development shall take place in accordance with the attached memoranda and letters from City of Fresno Departments and partner agencies (Building and Safety Services dated December 10, 2014, Fire Department dated December 29, 2014, Department of Public Works-Median Island Maintenance dated December 23, 2014, Fresno Metropolitan Flood Control District dated December 31, 2014, County of Fresno, Fresno Unified school District dated December 8, 2014, Fresno Irrigation District dated December 15, 2014, Department of Public Utilities dated December

26, 2014, Department of Public Utilities, Water Division dated December 19, 2014, Department of Public Utilities, Sewer Division dated March 16, 2015, Fresno Area Express memo dated December 8, 2014 and January 7, 2015, Fresno Police Department dated December 16, 2014, Solid Waste division dated December 22, 2014, the Department of Public Health dated December 12, 2014, the City Traffic Engineer, Department of Public Works Traffic Engineering, dated February 25, 2015, and the Department of Public Works-Traffic and Engineering Services Division dated March 11, 2015.

3. Miscellaneous Requirements

- a) Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:
 - i) All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
 - ii) All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
 - iii) Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.
- b) Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. The 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 plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.

Please be advised that this project may be subject to a variety of discretionary conditions of approval. These conditions based on adopted City plans and policies, those determined through Conditional Use Permit and environmental assessment essential to mitigate adverse effects on the health, safety and welfare of the community, and recommend conditions for development that would on the whole enhance the project and its relationship to the neighborhood and environment.

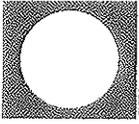
APPEALS

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 Section 12-405 can be made. Discretionary conditions of approval will ultimately be deemed mandatory unless appealed. In the event you wish to appeal any of these conditions, you must state your appeal (in writing or in testimony) at or prior to the Planning Commission hearing for this project scheduled on April 1, 2015 at 6:00 p.m. or thereafter.

EXPIRATION DATES

The exercise of rights granted by this special permit must be commenced within four years from the date of approval (presumably on April 1, 2019). There is no extension. All improvements must be installed prior to the operation of the proposed use, unless otherwise stated in the conditions of approval.

Enclosures: Exhibit 1: Exhibits A, F, E1, E2 and L dated December 4, 2014, SD-1 dated March 25, 2015
Exhibit 2: Comments from Partner Agencies & Departments
Exhibit 3: Final Property Development Standards for Conditional Use Permit Application No. C-14-150 dated April 1, 2015
Exhibit 4: General Notes and Requirements for Entitlement Applications
Exhibit 5: City-Wide Design Guidelines
Exhibit 6: City of Fresno Bicycle Standards
Exhibit 7: Performance Standards for Parking Lot Shading
Exhibit 8: City of Fresno Policy and Procedures C-001, dated June 4, 2010, "Interim Design Guidelines for Drive-Throughs",



RICH
 ARCHITECTS
 608 N. DAVIS STREET
 FRESNO, CA 93701
 TEL: (559) 233-1234
 FAX: (559) 233-1235

**Retail Center
 FRESNO**

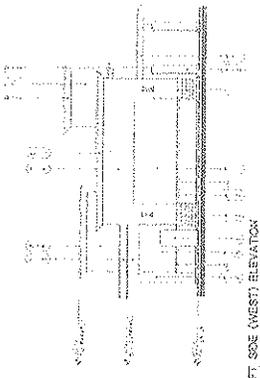
**LOCATION:
 1000 N. CLAYTON AVENUE
 & BLACKSTONE AVENUE
 FRESNO, CA 93701**

**PROJECT:
 RETAIL
 BUILDING #3
 ELEVATIONS**

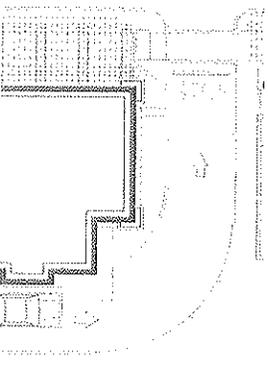
**COURTNEY+LE
 ARCHITECTS**

DATE: 02-14-14

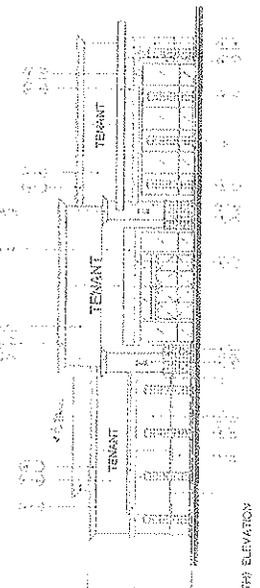
EL 2



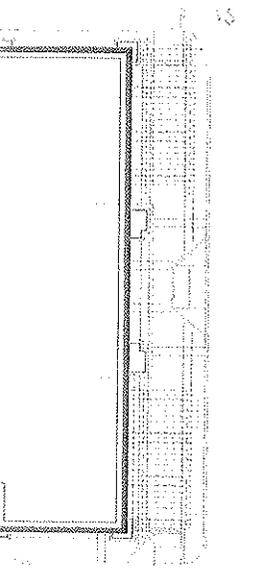
3 LEFT SIDE (WEST) ELEVATION



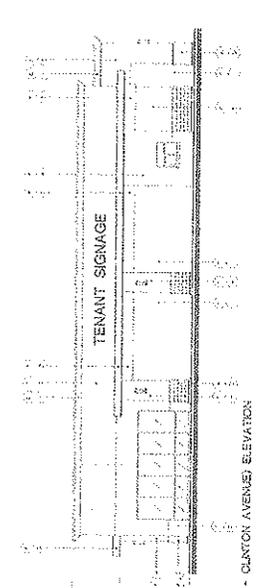
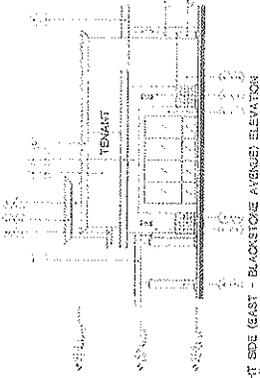
4 RIGHT SIDE (EAST - BLACKSTONE AVENUE) ELEVATION



1 FRONT (SOUTH) ELEVATION



2 REAR (NORTH - CLAYTON AVENUE) ELEVATION



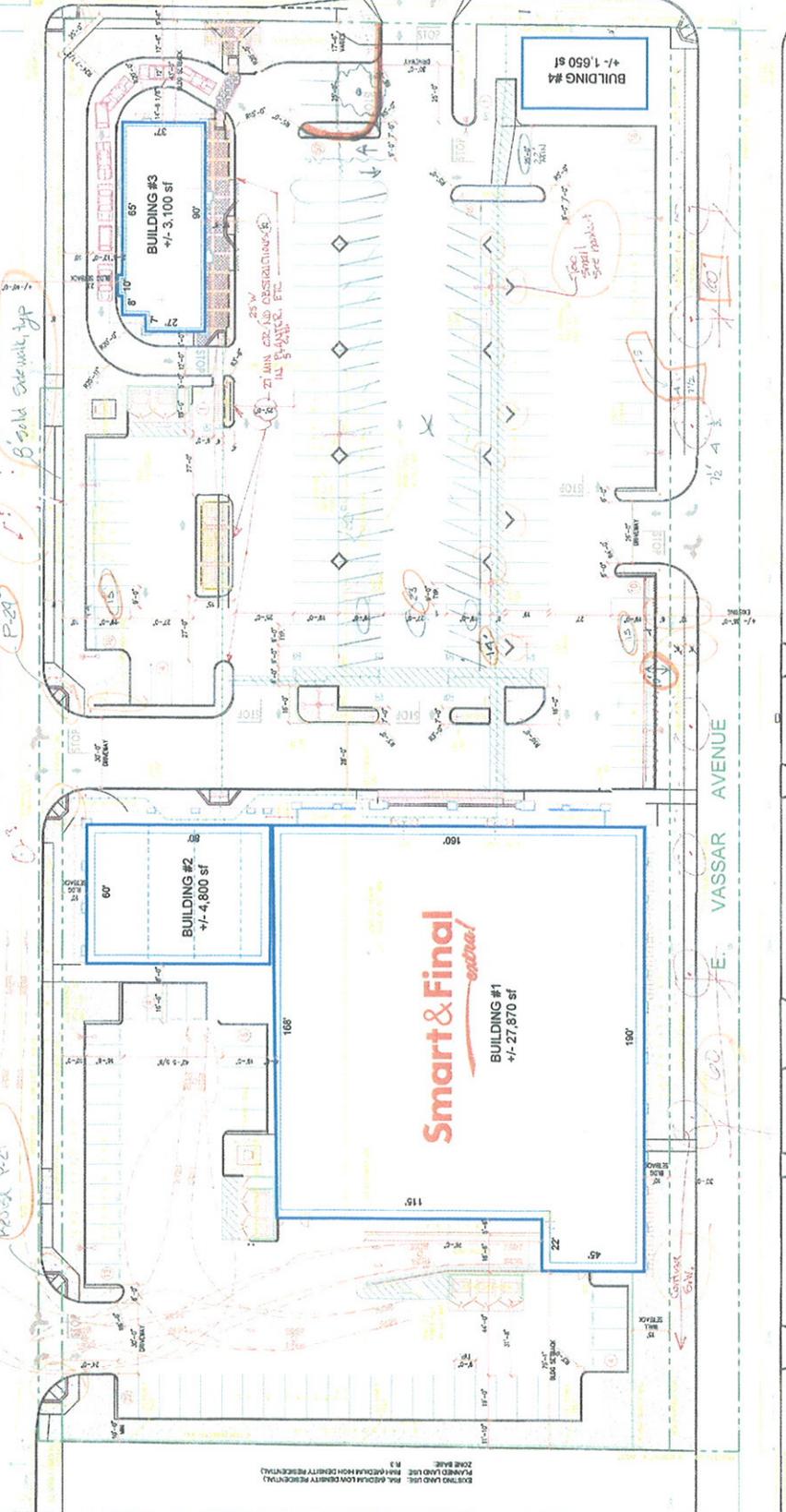
5 SCHED. OF EXTERIOR MATERIALS & FINISHES

NO.	DESCRIPTION	FINISH
1	PAINTS & COATINGS	1. EXTERIOR PAINT
2	GLASS	2. CLEAR GLASS
3	CONCRETE	3. POLISHED CONCRETE
4	BRICK	4. RED BRICK
5	STONE	5. NATURAL STONE
6	WOOD	6. EXTERIOR WOOD
7	ROOFING	7. ASPHALT/FLY ASH
8	MECHANICAL	8. GALVANNEED STEEL
9	FINISH	9. FINISH

E. CLINTON AVENUE

Recess P22

Recess P29



Smart & Final
extra!

BUILDING #1
+/- 27,870 sf

BUILDING #2
+/- 4,800 sf

BUILDING #3
+/- 3,100 sf

BUILDING #4
+/- 1,650 sf

EXISTING LAND USE: R-1 (MEDIUM DENSITY RESIDENTIAL)
PLANNED LAND USE: R-3 (MEDIUM HIGH DENSITY RESIDENTIAL)
ZONE BASE: R-3

EXISTING LAND USE: R-3 (MEDIUM HIGH DENSITY RESIDENTIAL)
PLANNED LAND USE: R-3 (MEDIUM HIGH DENSITY RESIDENTIAL)
ZONE BASE: R-3

EXISTING LAND USE: R-1 (MEDIUM DENSITY RESIDENTIAL)
PLANNED LAND USE: R-3 (MEDIUM HIGH DENSITY RESIDENTIAL)
ZONE BASE: R-3

EXISTING LAND USE: R-1 (MEDIUM DENSITY RESIDENTIAL)
PLANNED LAND USE: R-3 (MEDIUM HIGH DENSITY RESIDENTIAL)
ZONE BASE: R-3

1 PROPOSED SITE PLAN

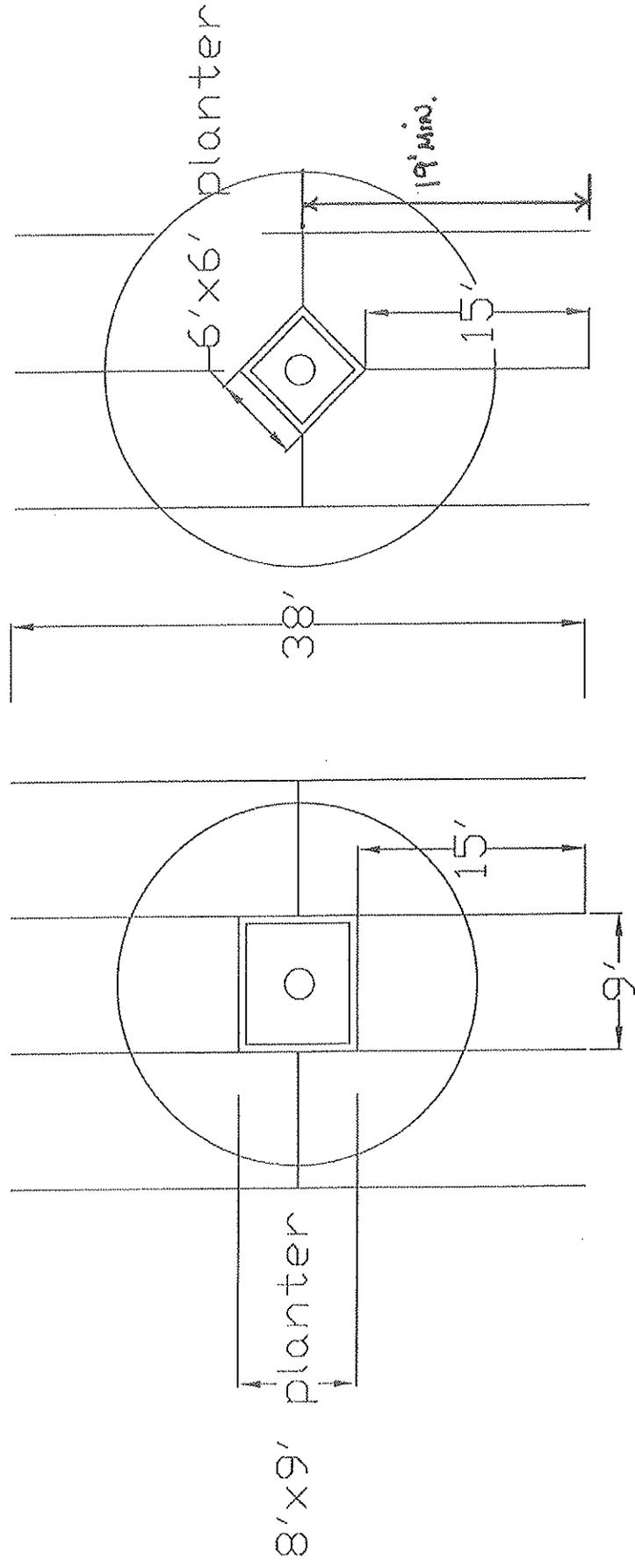
VICINITY MAP



SITE DATA

<p>APPLICANT: SMART & FINAL</p> <p>PROJECT: 411 AC OF UNIMPAVED 17' SIDE YARD SETBACK</p> <p>OWNER: SMART & FINAL</p> <p>ADDRESS: 411 AC OF UNIMPAVED 17' SIDE YARD SETBACK</p> <p>DATE: 10/20/2023</p> <p>SCALE: 1" = 100'</p>	<p>EXISTING ZONE: R-1 (MEDIUM DENSITY RESIDENTIAL)</p> <p>PLANNED ZONE: R-3 (MEDIUM HIGH DENSITY RESIDENTIAL)</p> <p>EXISTING FLOOR AREA: 17,000 SF</p> <p>PLANNED FLOOR AREA: 37,000 SF</p> <p>EXISTING LOT AREA: 17,000 SF</p> <p>PLANNED LOT AREA: 37,000 SF</p> <p>EXISTING SETBACKS: 17' SIDE YARD SETBACK</p> <p>PLANNED SETBACKS: 17' SIDE YARD SETBACK</p>	<p>EXISTING HEIGHT: 17' SIDE YARD SETBACK</p> <p>PLANNED HEIGHT: 17' SIDE YARD SETBACK</p> <p>EXISTING STORIES: 17' SIDE YARD SETBACK</p> <p>PLANNED STORIES: 17' SIDE YARD SETBACK</p> <p>EXISTING PARKING: 17' SIDE YARD SETBACK</p> <p>PLANNED PARKING: 17' SIDE YARD SETBACK</p>	<p>EXISTING UTILITIES: 17' SIDE YARD SETBACK</p> <p>PLANNED UTILITIES: 17' SIDE YARD SETBACK</p> <p>EXISTING SERVICES: 17' SIDE YARD SETBACK</p> <p>PLANNED SERVICES: 17' SIDE YARD SETBACK</p>
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*- RECS FROM TRAFFIC



PARKING LOT PLANTERS

Operational Statement Template

Please use this template as a specific guide to explaining the scope of your project. This required information will assist all individuals, departments and agencies in their review and drafting of their comments, conditions and suggestions. Our goal is to facilitate an accurate and complete description of your project in order to avoid unnecessary delays in gathering additional information. If you have any questions about the requested information or need help completing any portions of this form please call the Development Partnership Center at (559) 621-8180. This form must be completed and submitted in order to process your application. If this operational statement is not submitted or incomplete your application will not be accepted for processing.

Project Description: R-14-012 and C-14-150

Site Plan Review, Rezone & C.U.P. & Lot Line Adjustment

is being submitted by John P. Le of Courtney + Le Architects on behalf of Rich Development Enterprises, LLC and pertains to 4.14 acres of property located at SWC E. Clinton and N. Blackstone Ave.

APN: 444-092-04, 05, 13, 16 & 17 and is zoned C-6 and R-3 with a planned land use of Commercial / General Heavy

is requesting authorization to:

Develop an existing multiple parcels to a retail center.

The proposed development will consist of:

A major tenant anchored by a supermarket, multi-tenant building and a restaurant pad with drive-thru

The ~~existing~~ site currently ~~exists~~ of +/- 35,770 sf with 192 ~~existing~~ ^{new} parking spaces.

The proposed hours of operation are from 6:00 AM to 12:00 AM on Monday to Sunday

Other facts pertinent to this project are as follows: midnight

Community Plan - Fresno High-Roeding

Existing Land Use - CGH (Commercial / General Heavy), RML (Medium Low Density Residential), RMLV (Medium Low Density Residential / Part Vacant),

Planned Land Use - CGH (Commercial / General Heavy)

Specific plan - Tower District

Operational Narrative: *(This is your opportunity to communicate in detail all other characteristics of your property that would be important to consider when reviewing for completeness and contemplating approval. Describe your proposed operation/development in as much detail as possible including information such as name of business, product or service, anticipated traffic-customers, deliveries, etc., any special events, number of employees, required equipment, on-site storage, demolition or adaptive reuse of existing structures, noise generation, any hazardous materials, etc.)*

This application is for a proposed new development located at SWC of E. Clinton Avenue and N. Blackstone Avenue. The site will be anchored by a supermarket potentially a Smart & Final with adjacent smaller retail shops and a stand alone restaurant pad with drive-thru.

Smart & Final is a small warehouse-style food and supply store that caters to caterers as well as small businesses, restaurants, and individual households. It's a non-membership warehouse stores that sell groceries, party supplies, paper products, cleaning supplies in bulk sizes and small quantities. The store also offers fresh and pre-packaged produce, cuts of meat that are packaged off site, premium wine, frozen foods, dairy and deli in smaller-sized items. Smart & Final employs about 28 full time and part time employees with average 8-9 employees per shift.



2600 Fresno Street-Third Floor
 Fresno, California 93721-3604
 (559) 621-8277 FAX (559) 488-1020

Development and Resource Management Department
 Jennifer K. Clark, Director

PROPERTY DEVELOPMENT STANDARDS
April 1, 2015

PROJECT DESCRIPTION

Conditional Use Permit Application No. C-14-150-ABCUP was filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant proposes the construction of a ±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 ((Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold) for the Smart & Final store.

ZONING: Rezone 444-092-04, 05, 13, 16 (portion) and 17 (portion) from R-3 and C-6 to C-1
ADDRESS: 2321 North Blackstone Avenue (site address)

GENERAL INFORMATION

ZONING pursuant to Section 12.217 of the Fresno Municipal Code (FMC)	
Existing	C-6 (Heavy Commercial), R-3 (Medium Density Multiple Family Residential)
Requested	C-1 (Neighborhood Shopping Center)
Pending	C-1 (Neighborhood Shopping Center)
PLANS	
Community Plan	Fresno High-Roeding Community Plan
Specific Plan	Tower District Specific Plan
Redevelopment	N/A
PREVIOUS ACTIONS	
Applications	C-04-223, Conditions of project approval for prior entitlements will carry forward to C-14-150, as applicable.
Covenants/ Easements	Cross Access Agreement with Shopping Center required for the grocery store, strip retail, and drive through restaurant. The recorded Cross Access Agreement shall be submitted prior to issuance of building permits.
Development Agreements	N/A

TRACT MAP or LOT SPLIT	
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PROPERTY DEVELOPMENT STANDARDS

Use the website below to access the Zoning Ordinance (Chapter 12, articles 2 and 3) to find more information on zoning/property development standard requirements:

<http://library.municode.com/index.aspx?clientId=14478&stateId=5&stateName=California>

USE PERMITTED		
A grocery store, retail store, and restaurant are allowed by-right in the C-1 (Neighborhood Shopping Center) zone district pursuant to Section 12.217.1.B of the Fresno Municipal Code (FMC). Alcohol, the retail sale of, for on- or off-site consumption pursuant to Sections 12-304-B-24 and 12-326, as applicable, is allowed pursuant to a conditional use permit, per 12-217.3-B-1.		
LOT AREA per Section 12-217.5 of the FMC		
	Required	A. No requirements.
	Proposed	4.14 acre site
LOT DIMENSIONS		
	Required	B-1. Width. No requirements. 2. Depth. Each lot shall have a minimum depth of one hundred fifty (150) feet.
	Proposed	290 ft. wide x approx. 448 ft. feet deep
DWELLING UNIT DENSITY		
	Permitted	N/A
	Proposed	N/A
BUILDING HEIGHT		
	Permitted	D.1. No building or structure erected in this District shall have a height greater than thirty-five (35) feet.
	Proposed	Single-story (35 feet)

YARDS E.1. General Yard Requirements:

a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky, except as provided in Subsection 12-105-L-4, Section 12-105-Y(yard) and the exceptions of Subsection 12-216.5-E-5 (C-P District).

b. The first ten feet of a required yard abutting a street shall be landscaped and maintained in accordance with Subsection 12-306-N-24.

c. Except as provided in subdivision b, above, all yards may be used for parking, loading, or access to parking or loading.

2. Front Yard: Each lot shall have a front yard of not less than ten (10) feet, except when abutting property along said street is zoned or planned for residential use, the front yard shall be equal to the required yard setback for the abutting district, except it may, but shall not be required to, exceed twenty (20) feet.

3. Side Yard:

a. Interior side yard. None required except when abutting property zoned or planned for residential uses, there shall be a side yard of not less than ten (10) feet.

b. Corner lots. There shall be a street side yard of not less than ten (10) feet, except: When abutting property along said street is zoned or planned for residential use, the street side yard shall be equal to the required yard setback for the abutting district, except it may, but shall not be required to, exceed twenty (20) feet.

4. Rear Yard:

a. None required except where the rear of the "C-1" District abuts any property zoned or planned for residential use, there shall be a rear yard of not less than ten (10) feet.

Required Building Setback		Proposed Building Setback	
Front (Blackstone)	10 feet	Front	43 feet
Interior Side	N/A	Interior Side	N/A
Street Side (Clinton and Vassar)	10 feet	Street Side	10 feet (trellis and box columns, 10.5 feet to main bldg.)
Rear	10 feet	Rear	75 feet
Required Landscaping Setback		Proposed Landscaping Setback	
Front	10 feet	Front	Varies – 16-17 feet
Interior Side	N/A	Interior Side	N/A

Street Side (Clinton and Vassar)	15 feet – per FMC 12-217.5-E-3 (b): see above	Street Side	<u>15 ft. for sixty (6) ft. , ten (10) ft at the main building</u>
Rear	10 feet	Rear	10 feet

Landscape Setbacks per 12-306-24.j. Except where more restrictive requirements are provided elsewhere by this Code, or by an adopted community or specific plan or redevelopment plan or policy, at the time of development or major modification in an office, commercial or industrial district which has frontage or a boundary adjacent to a major street, or which has a boundary or local street that is also the boundary of property zoned or planned for residential use, the property owner or developer shall provide and maintain a landscaped area along the frontage or boundary adjacent to the major street, or along and parallel to the major or local street that is the boundary of the property zoned or planned for residential use. The landscaped area shall be at least ten feet wide, extend the entire distance of the street frontage or boundary, and be approved by the Director. The landscaping in such landscaped area shall be designed, installed, and maintained in accordance with the official landscaping standards established by the Parks and Recreation Director from time to time.

SPACE BETWEEN BUILDINGS

Main Buildings	F. No requirements
Accessory Buildings	N/A
Garages	N/A

LOT COVERAGE

Permitted	G. The maximum coverage of the lot by buildings or structures shall <u>not exceed thirty-three (33) per cent of the total area</u> , including easements. In calculating lot area, one-half (½) of the width of all abutting alleys may be included in the "C-1" District; however, when there is an approved plan for an integrated center, said plan shall govern.
Proposed	24.9% covered by canopy and proposed building (27891+4800+3100+1650=39420/157820)

FENCES, HEDGES, WALLS

Required	H. All fences, hedges and walls shall conform to the provisions of Section 12-306-H.
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Development Standards

Conditional Use Permit Application No. C-14-150

April 1, 2015

Page 5

	Proposed	<p>8 ft. high solid wall at the western property line due to noise from main grocery store functions.</p> <p>8 ft. high solid wall parallel to Vassar avenue is not per code, not included in the noise study for noise mitigation efforts, and therefore not allowed. The applicant is conditioned to reduce the height of said wall to maximum 6 ft., and place it outside of the min. 15 ft. required landscape setback,</p>
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OFF-STREET PARKING

<p>Required</p>	<p>OFF-STREET PARKING.</p> <ol style="list-style-type: none"> 1. The general requirement for off-street parking spaces and areas shall be two square feet of parking area for each square foot of floor area. 2. For a supermarket there shall be at least three square feet of parking area for each one square foot of floor area or fraction thereof. 3. The required parking shall be provided on the lot with the building or uses being served, or on a contiguous lot in the "P" District. 4. The special parking requirements and improvement and maintenance standards of Section 12-306-I, shall apply as thereto specified. <p><i>Per 12-105-S-36:</i></p> <p><i>SUPERMARKET shall mean a market having <u>fifteen thousand or more square feet</u> of floor area devoted principally to the sale of food. The grocery store exceeds this minimum and therefore is considered a supermarket for parking calculations.</i></p> <p><i>Per 12-105-R-7:</i></p> <p><i>RETAIL STORE shall mean a business selling goods, wares, or merchandise directly to the ultimate consumer.</i></p> <p>Total parking required calculated as:</p> <p>Grocery Store: $27870 \text{ square foot} / 370 (3) = 225.97$ for <u>226 spaces required of which 7 are required accessible, including 2 stalls being van accessible (At least two van accessible parking space must be provided for every 6 or fraction of 6 total accessible parking spaces, and an accessible passenger loading zone is required for every 100 continuous linear feet of loading zone space or fraction thereof. Chapter 11B, 2013 CBC)</u></p> <p>Strip Retail: $4800/370 (2) = 25.94$ for <u>26 spaces required, of which 2 are accessible</u></p> <p>Restaurant: (Per 12-306-I-2.2-d-1): $= 3100/125 = 24.8$ for <u>25 spaces required, of which 1 is required to be accessible</u></p> <p>Total parking required: 277 spaces of which 10 spaces are required to be accessible, with 2 of those spaces being van accessible.</p> <p><u>Applicability of the Tower District Specific Plan Area Design Guidelines:</u></p> <p>The new General Plan planned land use for this site is Neighborhood Mixed Use, and therefore can take advantage of the guidelines reduced parking ratio.</p> <p>Therefore, subject to the Tower District Specific Plan Area Design Guidelines, the minimum amount of parking should be at least 40% of the minimum parking requirement of the C-5 zone district (the C-5 zone district refers to the C-6 Zone District which requires 3 square feet of parking area for 1 square foot of building area (Supermarket), 1 square foot of parking area for 1 square foot of building area (strip retail and drive through). Normally the drive through would have a parking ratio of one parking space for every 125 square feet of building, although, since the building is less than 33% of the total proposed buildings, this requirement does not apply.</p> <p>The supermarket building is approximately 27,870 square feet and would require 225.9 parking stalls but at 40% of this requirement 90.4 parking stalls are required. The retail building and drive through restaurant total 7,900 square feet and would require 21.4 parking stalls but at 40% of this requirement 8.5 parking stalls are required. The proposed pad of 1650 square feet would require 13.37, but at 40% of this requirement, 6 parking stalls required. <u>The total parking required would therefore be 105 parking stalls, with 5 of those parking stalls required to be accessible.</u></p>
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	Proposed	192 spaces of which 7 are accessible. Utilizing the TDDRDG, the required parking has been reduced and therefore the proposed parking is adequate.
ACCESS		
	Required	<p>J-1. 1. There shall be adequate vehicular access from a dedicated and improved street, service road or alley, the design of which shall be approved by the Director of Public Works.</p> <p>2. The Director shall specify the location and number of means of ingress and egress to property by conditions established at the time of review of the required site plan.</p>
	Proposed	Access off North Blackstone, Clinton, and Vassar Avenues to project site.
<p>OUTDOOR ADVERTISING per 12-218.5-K.1 The following signs may be permitted, subject to approval of a shopping center Master Sign Program per 12-1708, including (in summary):</p> <p>b. directional signs maximum area of 24 square feet and height of 8' related to location of buildings on property;</p> <p>c. one freestanding sign for each 600 feet of street frontage;</p> <p>d. occupancy signs on exterior wall or façade (1) total area of all signs not to exceed 10% of total area of said wall or façade;</p> <p>g. 1 free-standing monument sign with maximum area of 32 square feet and height of 5 feet for each detached structure located within 50 feet of a major street and included in a planned, integrated shopping center;</p> <p>h. maximum of 4 freestanding permanent flagpoles not exceeding 25 feet high and conforming to 12-1710(h);</p> <p>i. all freestanding signs set back 45 feet from rear or side property line adjoining a residential district per 12-306-N.9;</p> <p>j. no signs erected at intersection of streets so to obstruct free and clear vision of vehicle operators; all signs to conform to Art. 17 of Ch.12.</p>		
	Permitted	Per 'Master Sign Program' for shopping center.
	Proposed	None at this time – A separate Sign Permit/Master Sign Program is required.
<p>LOADING SPACES per 12-217.5-L, the provisions of Section 12-306-L shall apply: 1. Every hospital, institution, hotel, <u>commercial building</u>, industrial building, or apartment building hereafter erected or established, when occupied by a use which involves pick-up and delivery of materials (other than normal solid waste collections) from trucks and tractor-trailers weighing more than two tons, shall provide and maintain loading spaces as provided in this section. When a special permit procedure is initiated pursuant to 12-406-A or a Certificate of Occupancy for a change of use is sought pursuant to 12-313, the application shall include a statement, signed by the property owner or authorized agent, describing the type and frequency of expected deliveries to the site.</p> <p>e. Loading spaces shall be not less than twelve feet in width and forty feet in length, and shall have</p>		

fourteen feet of vertical clearance. Loading spaces need not be marked on an exterior paved area if the facility has equivalent interior loading area which is kept accessible for expected delivery vehicles.

	Required	2.c. 0 to 3,500 square feet of floor area – No loading spaces is required. 3,501-15,000 – one loading space required 15,001 – 45,000 – two loading spaces required
	Proposed	None shown, however the site plan shows a loading dock for the supermarket grocery store. Not to Code. Applicant to be conditioned to provide an additional loading space for supermarket and one for the strip retail building.

TREES (On-Site) per Section 12-306-N.24.c. Landscaping provided in conjunction with any use requiring a site plan shall be generally designated on the site plan. Prior to the issuance of any building permit, a detailed landscape planting, irrigation, and grading (when a landscape mound is proposed) plan shall be submitted to a scale of not less than one inch equaling forty feet, which shall show the location, size, and variety of all plantings, water supply, contours and similar designations as the Director may require for sufficient clarity to indicate the nature and extent of the work proposed.

g.(3) Planting. Except for driveways and as otherwise provided by this Code all required yards shall be landscaped. Each residential parcel of land or lot shall have a minimum of one medium-sized tree (30—60 feet at maturity) for each required parking space, plus one medium sized tree for each residential unit. Each commercial and industrial parcel of land or lot shall have a minimum of one medium-sized tree for every two parking spaces. Two small trees (15—30 feet at maturity) shall be counted as one medium-sized tree. All present and future tree planting and shrub planting shall conform to the corner cut-off provisions of Sections 13-227 and 13-228 of this Code.

	Required	Minimum of 1 medium-sized tree for each 2 parking spaces required. 192 stall/2= 96 medium sized trees required.
	Proposed	57 trees shown on landscape plan. Not to Code. Show landscape and trees on site plan to conform to the tree requirement as mentioned above.

SUMMARY AND OTHER COMMENTS /REQUIREMENTS

A. Miscellaneous

(1) Provide shade calculations on the landscape plan for parking lot shading in accordance with the **attached** *Development Department, Performance Standards for Parking Lot Shading*, including tree species and tree counts. **This requirement has not been met.**

Please call out the tree species for each tree depicted on the site plan.

(2) See the attached General Notes and Requirements for Entitlement Applications for additional general notes and requirements.

B. Local Plans and Policies

The New Fresno General Plan

The following policies contained within the Fresno General Plan, as adopted by City Council on December 14, 2014, will be applied to all land use applications submitted for the site and will ensure that the future development will not be detrimental to the surrounding community:

UF-12-a: BRT Corridors. Design land uses and integrate development site plans along BRT corridors, with transit-oriented development that supports transit ridership and convenient pedestrian access to bus stops and BRT station stops.

UF-12-b: Activity Centers. Mixed-use designated areas along BRT and/or transit corridors are appropriate for more intensive concentrations of urban uses. Typical uses could include commercial areas; employment centers; schools; compact residential development; religious institutions; parks; and other gathering points where residents may interact, work, and obtain goods and services in the same place.

UF-12-c: Local-Serving Neighborhood Centers. Design Neighborhood Centers for local services and amenities that build upon the character and identity of surrounding neighborhoods and communities.

UF-12-e: Access to Activity Centers. Promote adoption and implementation of standards supporting pedestrian activities and bicycle linkages from surrounding land uses and neighborhoods into Activity Centers and to transit stops. Provide for priority transit routes and facilities to serve the Activity Centers.

LU-2-a: Infill Development and Redevelopment. Promote development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs.

LU-2-d: Infrastructure Upgrades. Facilitate urban infill by building and upgrading community and neighborhood public infrastructure and services to enhance public health and convenience, and improve the overall experience and quality of city living.

LU-5-g: Scale and Character of New Development. Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and

established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

LU-6: Retain and enhance existing commercial areas to strengthen Fresno's economic base and site new office, retail, and lodging use districts to serve neighborhoods and regional visitors.

LU-6-a: Design of Commercial Development. Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, regulations and design review procedures.

LU-6-d: Neighborhood and Community Commercial Center Design. Plan for neighborhood mixed use and community commercial uses to implement the Urban Form concepts of this Plan, promote the stability and identity of neighborhoods and community shopping areas, and allow efficient access without compromising the operational effectiveness of the street system.

D-1: Provide and maintain an urban image that creates a "sense of place" throughout Fresno.

D-1-h: Screening of Parking. Consider requiring all new development with parking in Activity Centers and along corridors to be screened or concealed. Locate principal pedestrian entrances to new non-residential buildings on the sidewalk; any entrances from parking areas should be incidental or emergency use only.

D-4: Preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

D-4-f: Design Compatibility with Residential Uses. Strive to ensure that all new non-residential land uses are developed and maintained in a manner complementary to and compatible with adjacent residential land uses, to minimize interface problems with the surrounding environment and to be compatible with public facilities and services.

D-6: Encourage design that celebrates and supports the cultural and ethnic diversity of Fresno.

D-6-a: Consult with neighboring populations, including non-English speaking groups, to inform the architecture, landscape, programming, and interior design of City-owned facilities such as parks, offices, street lighting, and other visible features.

D-7: Continue applying local urban form, land use, and design policies to specific neighborhoods and locations.

Tower District Specific Plan:

Goal III; Respect and further enhance the historic character of the Tower District as a place

not dominated by the automobile.

Objective 1: Support existing or propose new neighborhood serving pedestrian oriented retail service businesses with the Tower District following historic patterns of Development.

Policy 1: Restrict opportunities for development of suburban style, strip commercial businesses. Restrict development that bears no relationship to the distinctive character of the Tower district.

Policy 2: Strongly encourage and support pedestrian oriented storefronts through appropriate use, design guidelines, and development. Frequent entries, display windows, and continuous, active retail places where people want to walk, shop, and just browse.

Objective 2: Make commercial areas convenient, safe focal point for neighborhood activities and public life.

Policy 3: Provide streetscape elements, public plazas and open space to engender public activities and functions.

Objective 3: Develop and adopt a parking plan for the Tower District based on pedestrian oriented standards for commercial and public uses.

Policy 3: Eliminate and prevent on-site parking which fronts on major streets, and develop urban, in contrast to suburban, standards for provision of onsite parking.

The existing properties has been used for residential dwellings and commercial businesses, with the latest being a tire shop, restaurant, and residential uses. In addition, the surrounding land uses are consistent with the current zoning and planned land use designations.

Through the application of the new Fresno General Plan and Tower Specific Plan's Goals, Objectives, and Policies, the site shall have the retail and drive through restaurant buildings located at the street frontage, as a conditional of approval.

Fresno High-Roeding Community Plan:

City-Wide Design Guidelines:



CERTIFICATION OF THE INSTALLATION OF REQUIRED LANDSCAPING AND LANDSCAPE IRRIGATION SYSTEM

City of Fresno Planning and Development Department
2600 Fresno Street Room 3043
Fresno, California 93721-3604

ATTN: _____
[printed name of planner who processed the project listed below]

REGARDING: _____
[Conditional Use Permit No. / Site Plan Review No. / Variance No. / Tract No.]

I, _____, hereby certify, under penalty of perjury, that all
[printed name of landscape professional]
landscaping and related irrigation system improvements have been installed as required
pursuant to the final corrected landscape plans/exhibits approved by the City of Fresno for the
above development project. These landscape exhibits, numbered _____,
[numbers from entitlement file]
were submitted on _____ and were approved on _____
[date] [date]
by the above-named planner.

Certified by: _____
[signature of landscape professional]

Certified on: _____ [date signed] _____ [type of license, and license number of the signer]

Telephone (with area code): (_____) _____

Business Address: _____

Christopher Preciado

From: Lauren Filice
Sent: Wednesday, January 14, 2015 1:50 PM
To: Christopher Preciado
Subject: C-14-150, R-14-012 Smart & Final, 2321 Blackstone
Attachments: Blackstone Smart & Final.pdf

Chris –

The Tower District vote was 3 of 3 attending committee members voted NO against the proposed Smart & Final at 2321 Blackstone.

The project record is attached... Issues with this project include:

- new General Plan designates site as Mixed Use – no longer commercial.
- Building sets back from street at rear of lot – truck deliveries will intrude on adjacent residential uses.
- Overall design is not consistent with Tower Design guidelines... monolithic buildings, location on lot, not open to Street/ walkable.
- Loss of brick buildings with unique character on Clinton is not acceptable.
- Large percentage of site to be re-zoned from multi-family to commercial – in area where low cost housing would be of benefit.

Lauren Filice, Planner III
Development and Resouce Management Department
Development Services Division
City of Fresno
2600 Fresno Street, 3rd Floor
Fresno, CA 93721-3604
(559) 621-8070
Lauren.Filice@fresno.gov

Tower District Specific Plan Design Review Committee Project Record

Project Information

Date: 01/02/15

Location: 2321 N. Blackstone Ave. APN: _____

Project Description

Agenda Date: _____

Existing: _____

Proposed: New Smart + Final

Contractor/Contact: _____

Phone Number: _____

Zoning/Plan Designation: _____

Tower District Specific Plan Design Review Committee Recommendation

G On _____, the Committee recommended **approval** of the project, subject to the following conditions:

*Recommend Reconsideration of form (bldg location) - No consensus.
 No consensus on use itself (consistency w/ future plans for blackstone Ave)
 Recommend consistent treatment of all building class. + no blank, featureless walls, which are unorthodox institutional in appearance character defining features on all sides.*

G The Committee recommends the project **not be approved**, for reasons listed above.

G The Committee takes **no action** at this time, for reasons listed above.

VOTING RECORD:

DATE OF FINAL ACTION:	Clifton	Schmidt	Soza	Mintz	Vacant	Vacant	Vacant

YES							
NO	✓	✓	✓				
ABSENT							

Signature of Chair: _____

Date: _____



DATE: March 11, 2015

TO: Christopher Preciado
Development and Resource Management Department

FROM: Mario Rocha, Senior Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT: Conditions of Approval for C-14-150
ADDRESS: 2321 North Blackstone Avenue
APN: 444-092-04, 05, 13, 16

ATTENTION:

The items below require a separate process with additional fees and timelines, in addition to the CUP/SPR permit process. In order to avoid delays in obtaining a building permit, the following items shall be submitted to the Public Works contacts shown below.

X	Deed (up to 2 month processing time) Deed documents for the required dedications must conform to the format specified by the city and shall be prepared by the applicant's engineer. The cost of deed document processing and recordation fee must be paid at the time of deed submittal and submitted with verification of ownership prior to the issuance of building permits.	Jeff Beck	(559) 621-8560 jeff.beck@fresno.gov
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PUBLIC IMPROVEMENT REQUIREMENTS

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the exhibits submitted. Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed.

Repair all damaged and/or off grade off-site concrete street improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600. Pedestrian paths of travel must also meet current ADA regulations. All existing sidewalks in excess of 2% maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.

Underground all existing off-site overhead utilities within the limits of this site/map as per FMC Section 12-1011 and Resolution No. 78-522/88-229.

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

Street work on major streets shall be designed to include Intelligent Transportation Systems (ITS) conduit in accordance with the Public Works ITS specifications.

Blackstone Avenue: Arterial

1. Dedication Requirements
 - a. Dedicate 4' of for pedestrian easement purposes, within the limits of this application.
 - b. Dedicate a corner cut for public street purposes at the intersection of Blackstone and Clinton.
2. Construction Requirements
 - a. Construct a standard curb ramp per Public Works Standard **P-28**, based on a 30' radius.
 - b. South of driveway approach, construct new concrete curb and gutter to Public Works Standard **P-5** as shown on exhibit "A". North of the proposed driveway approach, construct a 10' wide concrete sidewalk to Public Works Standard **P-5**. Construct 4' x 6' tree wells per Public Works Standard **P-8**. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
 - c. Verify and identify that the existing street lights and locations shown on exhibit "A" are constructed per current City of Fresno Standards.
 - d. Remove abandoned (existing driveway approaches not identified for utilization) or reduce excessive width driveway approaches as noted on **Exhibit "A"**, and install sidewalk, curb and gutter per City of Fresno Public Works Standard Drawing **P-5** to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-211.
 - e. Construct a 30' minimum to a 35' maximum driveway approach to Public Works Standard(s) **P-2** and **P-6**. **If parking is allowed adjacent to the curb, provide 10' of red curbing (3 coats) on both sides of the proposed driveway approaches.** Construct a concrete pedestrian walkway behind all driveway approaches as identified on **Exhibit "A"**. Asphalt concrete paving per City of Fresno Public Works Standard Drawing **P-21** may be substituted for concrete.
 - f. Provide a 10' visibility triangle at all driveways.

Clinton Avenue: Collector

1. Dedication Requirements
 - a. Dedicate 2' of for pedestrian easement purposes, within the limits of this application.
2. Construction Requirements:
 - a. Construct a 10' wide concrete sidewalk to Public Works Standard **P-5**. Construct 4' x 6' tree wells per Public Works Standard **P-8**. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
 - b. Verify and identify that the existing street lights and locations shown on exhibit "A" are constructed per current City of Fresno Standards.
 - c. Remove abandoned (existing driveway approaches not identified for utilization) or reduce excessive width driveway approaches as noted on **Exhibit "A"**, and install sidewalk, curb and gutter per City of Fresno Public Works Standard

pw to revise this condition

- Drawing **P-5** to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-211.
- d. Site Plan approval of a street type approach **P-76** is a tentative approval until such time that a qualified Civil Engineer prepares street plans that provide the sufficient cross drainage approved by the City Engineer in accordance with Public Works Standard **P-10**. If grades are not sufficient, construct to Public Works Standards **P-2** and **P-6**.
 - e. Provide a **10'** visibility triangle at all driveways.

Vassar Avenue: Local

1. Dedication Requirements
 - a. Dedicate **30'** of property, from center line, for public street purposes, within the limits of this application, per Public Works Standard **P-56**.
 - b. Dedicate a corner cut for public street purposes at the intersection of Vassar and Blackstone.
2. Construction Requirements:
 - a. If not existing, construct permanent paving per Public Works Standard **P-50**, from face of curb to center line of street, within the limits of this application and transition paving as necessary.
 - b. Construct a standard curb ramp per Public Works Standard **P-28** based on a **25'** radius.
 - c. Construct concrete curb, gutter and a **12'** wide sidewalk to Public Works Standard **P-5**. Construct **4' x 6'** tree wells per Public Works Standard **P-8**. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
 - d. Construct an underground street lighting system to Public Works Standard **E-2** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-9** for Locals.
 - e. Remove abandoned (existing driveway approaches not identified for utilization) or reduce excessive width driveway approaches as noted on **Exhibit "A"**, and install sidewalk, curb and gutter per City of Fresno Public Works Standard Drawing **P-5** to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-211.
 - f. Site Plan approval of a street type approach **P-76** is a tentative approval until such time that a qualified Civil Engineer prepares street plans that provide the sufficient cross drainage approved by the City Engineer in accordance with Public Works Standard **P-10**. If grades are not sufficient, construct to Public Works Standards **P-2** and **P-6**.

Street Construction Plans are required and shall be approved by the City Engineer. All improvements shall be constructed in accordance with the City of Fresno, Public Works Department Standard Drawings and Specifications. The performance of any work within the public street right of way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. When preparing Street Plans and/or Traffic Control Plans, contact (Randy Schrey) at (559) 621-8807, **10 working days** in advance, to make sure that sidewalks or an approved accessible path remain open during construction. Submit construction plans for all required work, in a single package, to the City of Fresno's, Traffic and Engineering Services Division. All work shall be reviewed, approved, completed and accepted **prior** to obtaining a certificate of occupancy. Utility poles, street lights, signals, etc. shall be relocated as determined by the City Engineer.

All 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.

Off-Street Parking Facilities and Geometrics

1. Off-Street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawing(s) **P-21, P-22, P-23**.
2. 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 a major street sidewalk. A "right turn only" sign is also required, at the same location; install a **30" x 36"** state standard sign immediately below the stop sign on the same post.
3. Provide parking space needs, circulation, access, directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as noted on **Exhibit "A"**.

Prior to resubmitting a corrected exhibit, provide the following information on the site plan:

A. General Requirements

1. **Legend:** Provide line types and utility symbols
2. **Parcel of Record:** Identify the entire parcel at the time of permits and a legal description.

B. Offsite Information:

1. **Section and Center Lines:** Identify.
2. **Street Improvements and Furniture:** Identify existing and proposed curb, gutter, sidewalks (provide width), ADA ramps (provide radius), street lights (specify if wood or metal pole), traffic signals, utility poles, boxes, signs, tree wells, etc.

C. Onsite Information:

1. **Buildings:** Identify and label all buildings that are existing to be removed.
2. Identify a **10'** visibility triangle at all driveways and points of egress into public right of way.
3. **Driveways and Alleys:** Provide a **10'** visibility triangle at all driveways.
4. **Parking Lot:**
 - a. **Stalls:** Provide length and width. Identify the **3'** vehicular overhang adjacent to continuous curbing. No obstructions shall be within the **3'** overhang.
 - b. **Curbs and/ or Wheel Stops: 6" high**
 - c. **Directional flow of traffic:** Identify existing and proposed directional arrows at beginning and end of aisles.
 - d. **Paving:** per Public Works Standards **P-21,P-22, P-23**

Questions relative to these conditions may be directed to Mario Rocha at 559 621-8695 Mario.Rocha@fresno.gov, in the Public Works Department, Traffic and Engineering Services Division.



PUBLIC WORKS DEPARTMENT

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

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

February 25, 2015

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

SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) DATED JANUARY 12, 2015 FOR THE PROPOSED RETAIL CENTER, CONDITIONAL USE PERMIT C-14-150 AND REZONE APPLICATION R-14-012, LOCATED AT THE SOUTHWEST CORNER OF BLACKSTONE AND CLINTON AVENUES
 TIS 15-001, C-14-150, R-14-012

PROJECT OVERVIEW

We have reviewed the Traffic Impact Study (TIS) prepared by Peters Engineering for the proposed retail center, "project", that plans to construct approximately 35,770 square feet of retail uses on the southwest corner of Blackstone and Clinton Avenue. The proposed project will consist of supermarket, fast-food restaurant with drive through and retail uses.

The TIS evaluated the impacts of the project by analyzing five (5) intersections in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 9th Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the project as shown in the TIS:

Land Use	Size	ADT	Weekday					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Supermarket (ITE Code 850)	27,870 sf	2,850	59	36	95	135	130	265
Shopping Center (ITE Code 820)	4,800 sf	944	15	10	25	38	41	79
Fast Food Restaurant with Drive Through (ITE Code 934)	3,100 sf	1,538	72	69	141	53	49	102
TOTAL		5,332	146	115	261	226	220	446

sf =square feet

Based on the analyses included in the TIS, the study intersection of Blackstone and Clinton Avenue is currently operating at an acceptable level of service (LOS) standard and will continue to operate at an acceptable LOS with the addition of both the proposed project and any pending area projects.

The Long-Term (Year 2035) with Project analysis also shows the study intersection is projected to continue to operate at an acceptable LOS.

GENERAL COMMENTS and CONDITIONS

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per ADT, per the Master Fee Schedule, at the time of building permit. Based on the weekday total ADT of 5,332 for the proposed project, the fee would be \$251,243.84 payable at the time of the building permit. The project proposes to demolish the existing buildings on the site. The project may be eligible for trip reductions for the traffic associated with the existing buildings proposed to be demolished that can be used in the calculation of the TSMI fee. In order to apply any trip reductions to the calculation of the TSMI fee the applicant will need to submit information on the size and uses of the existing buildings to Traffic and Engineering Services staff.

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2035 General Plan circulation element and are included in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the 2035 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new 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.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.

3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
4. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
5. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section. It should be noted this project will be located along the proposed BRT corridor. Any new or proposed driveways shall not interfere with the design and/or operation of the BRT.

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

Sincerely,



Jill Gormley, TE
City Traffic Engineer / Traffic Engineering Manager
Public Works Department, Traffic & Engineering Services

C: Copy filed with Traffic Impact Study
Louise Gilio, Traffic Planning Supervisor
Mike Sanchez, Asst. Director, DARM
Christopher Preciado, Planner II, DARM

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
REZONE APPLICATION NO. R-14-012 AND
CONDITIONAL USE PERMIT APPLICATION NO. C-14-150-ABCUP

Building & Safety Services – Yeghia Oulashian

Return Completed Form to:

Joann Zuniga, Development Services/Planning
Email Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Rezone Application No. R-14-012 and **Conditional Use Permit Application No. C-14-150-ABCUP** were filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the Official Zone Map to reclassify the property (APNs 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (*Medium Density Multiple Family Residential*) to the C-6 (*Heavy Commercial*) zone district. The applicant proposes the construction of a ±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (*Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold*) for the Smart & Final store.

ZONING: Rezone 444-092-04, 05, 13, 16 (portion) and 17 (portion) from R-3 to C-6

ADDRESS: 2321 North Blackstone Avenue (site address)

DATE ROUTED: December 9, 2014

COMMENT DEADLINE: December 29, 2014

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

REQUIRED CONDITIONS OF APPROVAL:

Plans/permits
req'd

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY:



Name and Title

8756

Telephone Number

12-10-14

Date



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

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

February 25, 2015

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

SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) DATED JANUARY 12, 2015 FOR THE PROPOSED RETAIL CENTER, CONDITIONAL USE PERMIT C-14-150 AND REZONE APPLICATION R-14-012, LOCATED AT THE SOUTHWEST CORNER OF BLACKSTONE AND CLINTON AVENUES
 TIS 15-001, C-14-150, R-14-012

PROJECT OVERVIEW

We have reviewed the Traffic Impact Study (TIS) prepared by Peters Engineering for the proposed retail center, "project", that plans to construct approximately 35,770 square feet of retail uses on the southwest corner of Blackstone and Clinton Avenue. The proposed project will consist of supermarket, fast-food restaurant with drive through and retail uses.

The TIS evaluated the impacts of the project by analyzing five (5) intersections in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 9th Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the project as shown in the TIS:

Land Use	Size	ADT	Weekday					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Supermarket (ITE Code 850)	27,870 sf	2,850	59	36	95	135	130	265
Shopping Center (ITE Code 820)	4,800 sf	944	15	10	25	38	41	79
Fast Food Restaurant with Drive Through (ITE Code 934)	3,100 sf	1,538	72	69	141	53	49	102
TOTAL		5,332	146	115	261	226	220	446

sf =square feet

Based on the analyses included in the TIS, the study intersection of Blackstone and Clinton Avenue is currently operating at an acceptable level of service (LOS) standard and will continue to operate at an acceptable LOS with the addition of both the proposed project and any pending area projects.

The Long-Term (Year 2035) with Project analysis also shows the study intersection is projected to continue to operate at an acceptable LOS.

GENERAL COMMENTS and CONDITIONS

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per ADT, per the Master Fee Schedule, at the time of building permit. Based on the weekday total ADT of 5,332 for the proposed project, the fee would be \$251,243.84 payable at the time of the building permit. The project proposes to demolish the existing buildings on the site. The project may be eligible for trip reductions for the traffic associated with the existing buildings proposed to be demolished that can be used in the calculation of the TSMI fee. In order to apply any trip reductions to the calculation of the TSMI fee the applicant will need to submit information on the size and uses of the existing buildings to Traffic and Engineering Services staff.

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2035 General Plan circulation element and are included in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the 2035 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new 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.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.

3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
4. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
5. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section. It should be noted this project will be located along the proposed BRT corridor. Any new or proposed driveways shall not interfere with the design and/or operation of the BRT.

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

Sincerely,



Jill Gormley, TE
City Traffic Engineer / Traffic Engineering Manager
Public Works Department, Traffic & Engineering Services

C: Copy filed with Traffic Impact Study
Louise Gilio, Traffic Planning Supervisor
Mike Sanchez, Asst. Director, DARM
Christopher Preciado, Planner II, DARM

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
REZONE APPLICATION NO. R-14-012 AND
CONDITIONAL USE PERMIT APPLICATION NO. C-14-150-ABCUP

Fire Department

Return Completed Form to:

Joann Zuniga, Development Services/Planning
Email Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Rezone Application No. R-14-012 and Conditional Use Permit Application No. C-14-150-ABCUP were filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the Official Zone Map to reclassify the property (APNs 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (*Medium Density Multiple Family Residential*) to the C-6 (*Heavy Commercial*) zone district. The applicant proposes the construction of a ±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (*Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold*) for the Smart & Final store.

ZONING: Rezone 444-092-04, 05, 13, 16 (portion) and 17 (portion) from R-3 to C-6
ADDRESS: 2321 North Blackstone Avenue (site address)

DATE ROUTED: December 9, 2014

COMMENT DEADLINE: December 29, 2014

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

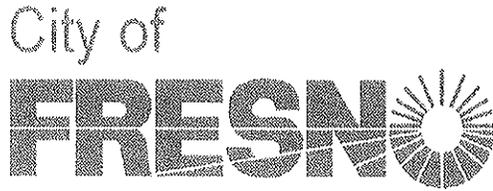
REQUIRED CONDITIONS OF APPROVAL:

A SEE ATTACHED DOCUMENT FOR COMMENTS.

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY: DAVID POJANA, FIRE INSPECTOR II 621-4150 12-29-14

Name and Title	Telephone Number	Date
DAVID POJANA, FIRE INSPECTOR II	621-4150	12-29-14



FIRE DEPARTMENT

Date: December 29, 2014

To: JOANN ZUNIGA, Development Services/Planning
Development and Resource Management Department

From: DAVID POLANCO, Fire Prevention Inspector II
Fire Department, Community Risk Reduction Unit

Subject: **Rezone Application No. R-14-012** and **Conditional Use Permit Application No. C-14-150-ABCUP (2321 N Blackstone Ave)** were filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues, 2321 North Blackstone Avenue. The applicant requests to amend the Official Zone Map to reclassify the property (APNs 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (Medium Density Multiple Family Residential) to the C-6 (Heavy Commercial) zone district. The applicant proposes the construction of a plus or minus 27,870 square-foot Smart & Final grocery store, a plus an minus 3,100 square-foot restaurant with drive-thru service window, and plus or minus 4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicoant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (*Package Store -- sale of beer, wine, and distilled spirits for consumption off the premises where sold*) for the Smart & Final store.

General

This project was reviewed by the fire department only for requirements related to water supply, fire hydrants, and fire apparatus access to the buildings on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of DARM when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.

Provide a copy of the approved stamped site plan from the Planning Division including all fire department notes to verify compliance with requirements. Site plans included with this plan submittal are subject to the conditions on the Planning Division approved set.

Provide note on plan: 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.

Turns in private drives for fire apparatus access shall have minimum 44 foot centerline turn radius. See location on plans where turning radii needs to be adjusted to accommodate exiting/entering of emergency apparatus.

Streets listed shall be identified as fire lanes as provided in the California Vehicle Code, Section 22500.1. Designate curbs as fire lanes (red curb with "Fire Lane" in 3 inch white letters every 50 feet or approved signs every 50 feet). See plans for additional curbing (highlighted) to be designated as fire lane.

Provide note on site plan: Provide sign(s) (17 "x22" minimum) at all public entrance drives to the property which state "Warning – Vehicles stopped, parked or left standing in fire lanes will be immediately removed at owner's expense – 22658(a) California Vehicle Code – Fresno Police Department 621-2300."



DEPARTMENT OF PUBLIC UTILITIES

Date: December 22, 2014

To: CHRISTOPHER PRECIADO, Planner II
Development and Resource Management Department , Current Planning

From: MIKEAL CHICO, Management Analyst II
Solid Waste Management Division

A handwritten signature in blue ink, appearing to read "mchico".

Subject: R-14-012 and C-14-150-ABCUP were filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues, 2321 North Blackstone Avenue. The applicant requests to amend the Official Zone Map to reclassify the property (APNs 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (Medium Density Multiple Family Residential) to the C-6 (Heavy Commercial) zone district. The applicant proposes the construction of a plus or minus 27,870 square-foot Smart & Final grocery store, a plus an minus 3,100 square-foot restaurant with drive-thru service window, and plus or minus 4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 ((Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold) for the Smart & Final store.

General

This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Mid Valley Disposal at 559-237-9425 .

Does Project Affect Your Agency/Jurisdiction

Yes - Project has or will be required to provide a trash enclosure.

Suggestions to Reduce Impacts/Address Concerns

3-cell trash enclosure required for restaurants.

Trash enclosures are for storage of refuse and recycling bins only; no other equipment, piping, faucets or structures are to be constructed or placed within the enclosure.

Recommended Conditions of Approval

Enclosure shall be built in accordance with current City of Fresno Standards P-33 and P-34.

2-cell trash enclosure required.

3-cell trash enclosure required.

Additional Information

Location of enclosure is acceptable.

**DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM**



Date: March 16, 2015

To: CHRISTOPHER PRECIADO
Planning and Development

From: KEVIN GRAY, Supervising Engineering Technician
Department of Public Utilities, Planning and Engineering Division

Subject: SEWER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-14-150 (ABCUP)
AND R-14-012

General

R-14-012 and C-14-150-ABCUP were filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues, 2321 North Blackstone Avenue. The applicant requests to amend the Official Zone Map to reclassify the property (APNs 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (Medium Density Multiple Family Residential) to the C-6 (Heavy Commercial) zone district. The applicant proposes the construction of a plus or minus 27,870 square-foot Smart & Final grocery store, a plus or minus 3,100 square-foot restaurant with drive-thru service window, and plus or minus 4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 ((Package Store sale of beer, wine, and distilled spirits for consumption off the premises where sold) for the Smart & Final store.

Sewer Requirements

The nearest sanitary sewer mains to serve the proposed project are (2) 8-inch sewer mains in East Clinton Avenue, an 8-inch sewer main in East Vassar Avenue and a 6-inch sewer main in North Blackstone. Sewer facilities are available to provide service to the site subject to the following requirements:

1. Installation of a sewer house branch(s) shall be required.
2. Separate sewer house branches are required for each building.
3. On-site sanitary sewer facilities shall be private.
4. Abandon any existing on-site private septic systems.
5. The Project Developer shall contact Wastewater Management Division/Environmental Services at (559) 621-5100 prior to pulling building permits regarding conditions of service for special users.

Sewer Fees

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

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



DATE: December 19, 2014

TO: CHRISTOPHER PRECIADO, Planner II
Development Department/Current Planning

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

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

**SUBJECT: WATER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-14-150
ABCUP AND REZONE R-14-012.**

General

R-14-012 and C-14-150-ABCUP were filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues, 2321 North Blackstone Avenue. The applicant requests to amend the Official Zone Map to reclassify the property (APNs 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (Medium Density Multiple Family Residential) to the C-6 (Heavy Commercial) zone district. The applicant proposes the construction of a plus or minus 27,870 square-foot Smart & Final grocery store, a plus an minus 3,100 square-foot restaurant with drive-thru service window, and plus or minus 4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold) for the Smart & Final store.

Water Requirements

The nearest water mains to serve the proposed project are a 10-inch main located in East Clinton Avenue, a 12-inch main located in North Blackstone Avenue and a 6-inch main located in East Vassar Avenue.

1. Developer shall pay for the abandonment of existing water services and meters not to be used for the proposed project. Contact the City of Fresno – Water Division for estimates.
2. The developer shall provide a detailed water usage analysis identifying water fixture, landscape, and laundry efficiencies to document water conservation design characteristics, subject to approval by the Director of Public Utilities.

Christopher Preciado

From: John Downs
Sent: Monday, December 08, 2014 1:07 PM
To: Christopher Preciado
Subject: Smart and Final 2321 N. Blackstone

Good afternoon Chris,

I know we have talked about the BRT station located at this location, so I'm not worried so much about that, but can you tell me why it is necessary to locate so much parking in front of the main building, it seems that it would be a much more attractive intersection to have the Smart and Final located closer to Blackstone?

Thanks,

John Downs
Planning Division Manager
Department of Transportation/FAX
2223 G Street, Fresno CA 93706

Phone: 559.621.1502
Email: john.downs@fresno.gov

Christopher Preciado

From: John Downs
Sent: Wednesday, January 07, 2015 8:49 AM
To: Christopher Preciado
Cc: Mike Sanchez; john.pulliam@kimley-horn.com
Subject: RE: BRT stop at Clinton and Blackstone

Good morning Chris,

Construction for the overall project is expected to begin in July this year, as for the that particular station we don't know yet. I think it would be wise to have Smart and Final developer coordinate with my design team just so we don't create a lot of do overs. My understanding is that that coordination is underway, at least I know that KHA Project Manager, John Pulliam, has reviewed the site plans. I think before Smart and Final breaks ground they should sit down with John Pulliam and his team to make sure the efforts are coordinated. This should not add any cost to Smart and Final as we have the funding for the work, but could save the need to redo any possible overlap of work.

I have copied John with this email to see if may have missed something.

Thanks,

john

From: Christopher Preciado
Sent: Wednesday, January 07, 2015 7:21 AM
To: John Downs
Cc: Mike Sanchez
Subject: BRT stop at Clinton and Blackstone

Good Morning John,

The Smart and Final is being processed and a question from Traffic came up.

When will construction begin on the BRT stop at that corner?

Since this has already been designed, I would expect the developer to include the design as part of the project and would have to construct the BRT, at least the concrete work. What are your thoughts? Please feel free to include in your comments for this project.

If you have any questions, please feel free to call.

Thank you,
Christopher Preciado
Planner II
City of Fresno
Development and Resource Management Dept.
2600 Fresno Street, Fresno, CA 93721
Phone: (559) 621-8068
Christopher.Preciado@Fresno.gov

Christopher Preciado

From: Kevin Gray
Sent: Friday, December 26, 2014 3:18 PM
To: Christopher Preciado
Subject: C-14-150-ABCUP

Hi Chris,

Please have the client submit a site plan which depicts the location where they plan to tie into the City sewer. The site plan should also show the utilities in North Blackstone, East Vassar, and East Clinton. In order to complete my review these revisions will have to be completed. If you have any questions or concerns please give me a call.

Thanks,

Kevin Gray
Supervising Engineering Technician
City of Fresno
Department of Public Utilities
559-621-8553
Kevin.Gray@fresno.gov

Christopher Preciado

From: Mario Rocha
Sent: Tuesday, December 30, 2014 1:34 PM
To: Andrew Benelli; Louise Gilio
Cc: Christopher Preciado; Jill Gormley; Mike Sanchez
Subject: C-14-150 Smart & Final

FYI

I spoke to John Paul of Kimley & Horn (BART design) regarding the project at the southwest corner of Blackstone and Clinton.

He mentioned to me that their office have been working with the developer on the design layout of the BART platform and adjacent improvements that is being modified.

John will be sending us an updated drawing. He would like to know how the phasing of off-site improvements will be handled around the propose BART platform area.

I will ask John that the persons I have copied on this email be sent of any updates / changes that may take place so that we may properly review and comment on the BART portion of the project.

MARIO V. ROCHA
City of Fresno
Public Works Department
Traffic and Engineering Services
2600 Fresno Street
Fresno, Ca. 93721
Ph. (559) 621-8695

550.10 "RR"

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
REZONE APPLICATION NO. R-14-012 AND
CONDITIONAL USE PERMIT APPLICATION NO. C-14-150-ABCUP

Return Completed Form to:

Joann Zuniga, Development Services/Planning
Email Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Rezoning Application No. R-14-012 and Conditional Use Permit Application No. C-14-150-ABCUP were filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the Official Zone Map to reclassify the property (APNs 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (*Medium Density Multiple Family Residential*) to the C-6 (*Heavy Commercial*) zone district. The applicant proposes the construction of a ±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (*Package Store - sale of beer, wine, and distilled spirits for consumption off the premises where sold*) for the Smart & Final store.

ZONING: Rezoning 444-092-04, 05, 13, 16 (portion) and 17 (portion) from R-3 to C-6
ADDRESS: 2321 North Blackstone Avenue (site address)

DATE ROUTED: December 5, 2014

COMMENT DEADLINE: December 22, 2014

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

REFER TO ATTACHED LETTER DATED DECEMBER 24, 2014 FOR REZONE R-14-012.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

SAME AS ABOVE

REQUIRED CONDITIONS OF APPROVAL:

SAME AS ABOVE

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

NO

REVIEWED BY:

GARY CHAPMAN ENG. TECH III

456-3292

12/24/14

Name and Title

Telephone Number

Date



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 210.414 "RR"
550.10 "RR"

December 24, 2014

Joann Zuniga,
City of Fresno, Development Services/Planning
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Dear Mrs. Zuniga,

**Rezone 2014-012
Drainage Area "RR"**

The proposed rezone and plan amendment lies within the District's Drainage Area "RR". The District's Master Plan drainage system for this project within Drainage Area "RR" was designed to serve High density residential (R-3) uses. Per Rezone Application 2014-012, run-off generated from this project will be equivalent to Commercial type density (C-6). The District's existing Master Plan storm drainage facilities will not have adequate capacity to accommodate the increased run off generated from this development. The developer will be required to mitigate the increased run off for the proposed commercial type development, to eliminate adverse impacts to the existing system.

Please contact us if you need further information at (559) 456-3292.

Very truly yours,

Gary Chapman
Engineering Technician III

GC/lrl

k:\letters\rezone letters\fresno\2014\2014-012(rr)(gc).docx

550.10
"RR"

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
REZONE APPLICATION NO. R-14-012 AND
CONDITIONAL USE PERMIT APPLICATION NO. C-14-150-ABCUP

FMFCD

Return Completed Form to:
Joann Zuniga, Development Services/Planning
Email Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Rezone Application No. R-14-012 and Conditional Use Permit Application No. C-14-150-ABCUP were filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the Official Zone Map to reclassify the property (APNs 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (*Medium Density Multiple Family Residential*) to the C-6 (*Heavy Commercial*) zone district. The applicant proposes the construction of a ±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (*Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold*) for the Smart & Final store.

ZONING: Rezone 444-092-04, 05, 13, 16 (portion) and 17 (portion) from R-3 to C-6
ADDRESS: 2321 North Blackstone Avenue (site address)

DATE ROUTED: December 5, 2014

COMMENT DEADLINE: December 22, 2014

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

REFER TO FMFCD NOTICE OF REQUIREMENTS FOR CUP
2014-150.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

SAME AS ABOVE

REQUIRED CONDITIONS OF APPROVAL:

SAME AS ABOVE

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

NO

REVIEWED BY: GARY CHAPMAN ENG. TECH. III 456-3292 12/31/14
Name and Title Telephone Number Date

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

File No. 210.413

Page 1 of 5

FR CUP No. 2014-150

PUBLIC AGENCY

CHRIS PRECIADO
DEVELOPMENT AND RESOURCE MANAGEMENT
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOR
FRESNO, CA 93721-3604

DEVELOPER

TAB JOHNSON, RICH DEVELOPMENT, LLC
600 N. TUSTIN AVE., SUITE 150
SANTA ANA, CA 92705

PROJECT NO: **2014-150**

ADDRESS: **2321 N. BLACKSTONE AVE.**

APN: **444-092-04, 05, 13, 16, 17**

SENT: 12/31/14

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
RR	\$16,354.00	NOR Review	\$163.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$829.00	Amount to be submitted with first grading plan submittal.
		Storm Drain Plan Review		For amount of fee, refer to www.fresnofloodcontrol.org for form to fill out and submit with first storm drainplan submittal (blank copy attached).
Total Drainage Fee: \$16,354.00		Total Service Charge: \$992.00		

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/15 based on the site plan submitted to the District on 12/08/14 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) 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.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 5

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

1. a. Drainage from the site shall BE DIRECTED TO
 b. Grading and drainage patterns shall be as identified on Exhibit No. 1
 c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Non Non Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
 Developer shall construct facilities as shown on Exhibit No. 1 as "NON MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".
 None required.

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

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

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

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

FR
CUP
No. 2014-150

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 5

FR
CUP No. 2014-150

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.
- State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - 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.
 - The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. See Exhibit No. 2 for additional comments, recommendations and requirements.


Peter Sanchez
District Engineer


Gary W. Chapman
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 5

CC:

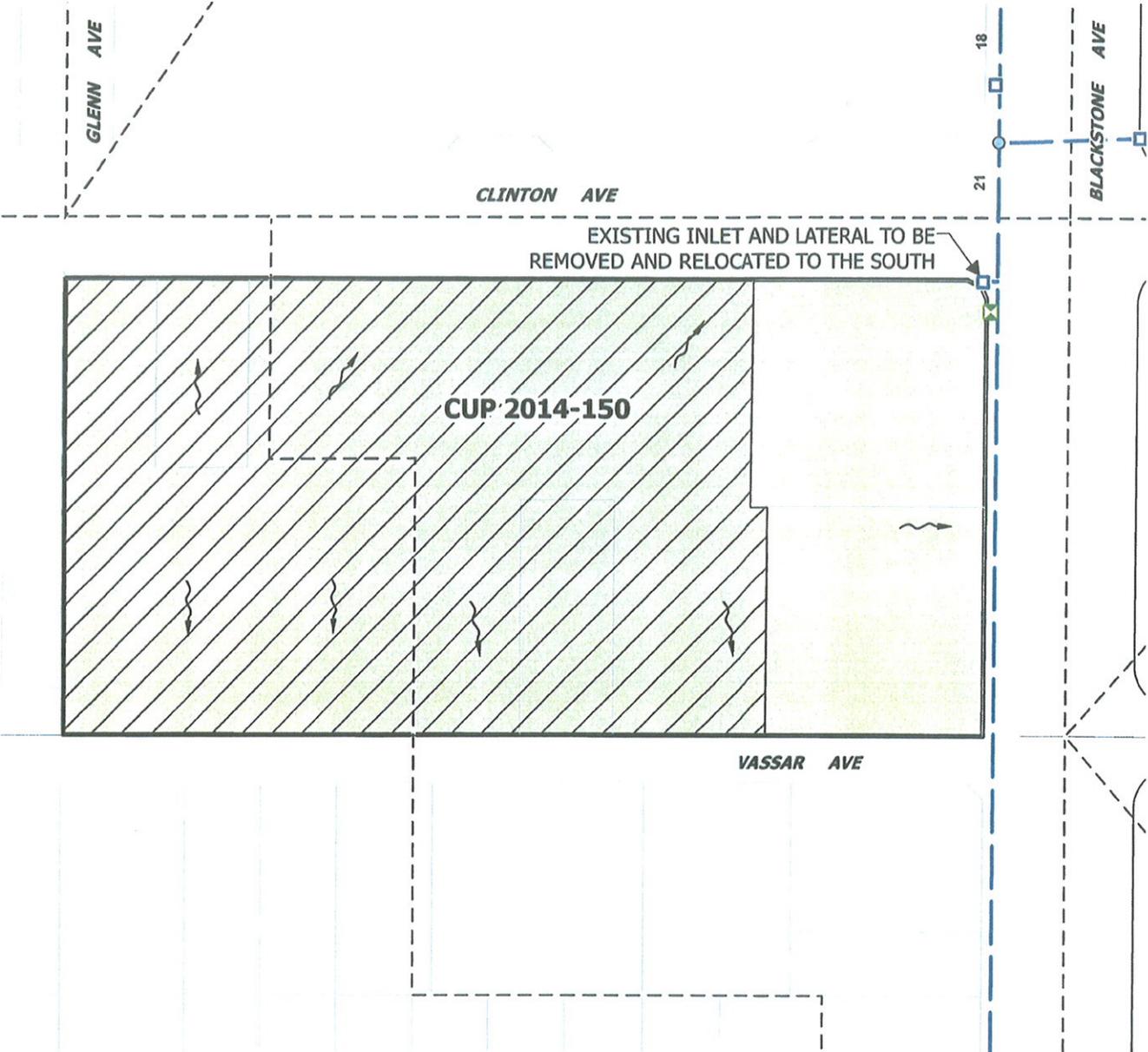
DARLENE ENNEN

248 W. VERMONT AVE.

CLOVIS, CA 93619

FR CUP No. 2014-150

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



LEGEND

-  Existing Master Plan Facilities
-  Non-Master Plan Facilities To Be Constructed By Developer (Not Eligible For Fee Credit)
-  Inlet Boundary
-  Direction of Drainage
-  Area Of Required Mitigation



1" = 100'

**CUP 2014-150
DRAINAGE AREA "RR"**

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



OTHER REQUIREMENTS
EXHIBIT NO. 2

The drainage fee identified on this notice reflects a reduction credit of fifty-five percent (55%) of the drainage fee amount otherwise payable by the proposed development of CUP 2014-150. This credit is applied to development entitlements within Drainage Areas "RR" and "II₁" which are obligated under ordinance to pay a "full cost" drainage fee, but which are also subject to an increased Benefit Assessment on their annual property tax bill for completion of the Drainage Area "RR" and "II₁" systems. As this increased levy will fund a portion of a project which will complete the storm drain facilities in Drainage Areas "RR" and "II₁", the "full cost" drainage fee rates for these drainage areas can be, and are by this fifty-five percent (55%) reduction, proportionately reduced.

The District's existing Master Plan drainage system for the area of required mitigation, as shown on Exhibit No. 1, is designed to serve high density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed commercial land use. The developer shall be required to mitigate the impacts of the increased runoff from the proposed commercial land use to a rate that would be expected if developed to high density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by a commercial density development, to a two-year discharge, which would be produced by the area if developed to high density residential. Implementation of the mitigation measures may be deferred until the time of development.

There is an existing storm drainage inlet in the southwest corner of Clinton and Blackstone Avenues (see attached Exhibit No. 1) that may be affected by City of Fresno's requirement to reconstruct street improvements. Any proposed redesign, relocation, or reconstruction of existing storm drainage facilities will need to be reviewed and approved by the District prior to implementation and is not eligible for fee credit.

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

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

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

Development No. CUP 2014-150

enr\permits\exhibit2\city-cup\2014\2014-150(gc)

Christopher Preciado

From: Ann Lillie
Sent: Tuesday, December 23, 2014 2:06 PM
To: Joann Zuniga; Christopher Preciado
Cc: Jairo Mata; Mario Rocha
Subject: RE: Request for Comment - R-14-012 and C-14-150, Smart and Final Retail Center at the southwest corner of Blackstone and Clinton

No CFD Comments!

Best Regards

Ann Lillie
Senior Engineering Technician
Traffic and Engineering Services Division
(559) 621-8690
Ann.lillie@fresno.gov

From: Joann Zuniga
Sent: Friday, December 05, 2014 5:07 PM
To: Louise Gilio; Ann Lillie; Hilary Kimber; Mikeal Chico; Michael Carbajal; Robert Diaz; Doug Hecker; Kevin Gray; Dawnielle Serrano; Padilla, Dave@DOT; Bryan-Sanchez, Jennifer@DOT; skahl@co.fresno.ca.us; glallen@co.fresno.ca.us; jgardner@co.fresno.ca.us; Tsuda, Kevin; developmentreview@fresnofloodcontrol.org; Engineering Review (Engr-Review@fresnoirrigation.com); ceqa@valleyair.org; John Downs; Jill Gormley; vivian.Bourbonnais@fresnounified.org; heidi.Heltne@fresnounified.org; ajs4@pge.com; D3P4@pge.com; Clinton Olivier; Gilles, Cathy S - Fresno, CA; Arnoldo Rodriguez; Lauren Filice
Cc: Mario Rocha; Jairo Mata; Christopher Preciado
Subject: Request for Comment - R-14-012 and C-14-150, Smart and Final Retail Center at the southwest corner of Blackstone and Clinton

Commenting Partners:

You have been identified as the best contact to provide your department/agency's review and comments for the subject project. Please click the following link and download an electronic copy of the project package for review.

Project Address: 2321 North Blackstone Avenue
APN: 444-092-04, 05, 13, 16 (portion), and 17 (portion)

<http://m3.fresno.gov/upload/files/81969919/C-14-150electronicrouting.pdf> (click on bookmarks to navigate).

We look forward to receiving your responses electronically and any comments you may have by the December 22, 2014, comment deadline. If you do not have any comments, please communicate a "No Comment" response. Please email your comments directly to the Development Services Division

attention Joann.Zuniga@fresno.gov. The planner assigned to this project is Christopher.Preciado@fresno.gov.

Thank you.

If you experience difficulty opening the document, please call or email Joann (Joann.Zuniga@fresno.gov) and a copy of the request for comments will be sent to your mailing address.



County of Fresno

DEPARTMENT OF PUBLIC HEALTH
DAVID POMAVILLE, DIRECTOR

December 12, 2014

Joann Zuniga
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721

LU0017895
2602

Dear Ms. Zuniga:

PROJECT NUMBER: R-14-012 & C-14-150

Rezone Application No. R-14-012 and Conditional Use Permit Application No. C-14-150-ABCUP were filed by Tab Johnson, Rich Development LLC, and pertains to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the Official Zone Map to reclassify the property (APNs 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (*Medium Density Multiple Family Residential*) to the C-6 (*Heavy Commercial*) zone district. The applicant proposes the construction of a $\pm 27,870$ square-foot Smart & Final grocery store, a $\pm 3,100$ square-foot restaurant with drive-through service window, and $\pm 4,800$ square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (*Package Store- sale of beer, wine, and distilled spirits for consumption off the premises where sold*) for the Smart & Final store.

ZONING: Rezone 444-092-04, 05, 13, 16 (portion) and 17 (portion) from R-3 to C-6

ADDRESS: 2321 North Blackstone Avenue (site address)

Recommended Conditions of Approval for the proposed Smart & Final Grocery Store and drive through restaurant:

- Prior to issuance of building permits, the applicant/tenant(s) shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-4058 for more information.
- Prior to operation, the applicant/tenant(s) shall apply for and obtain permits to operate food facilities from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-4058 for more information.
- Prior to alcohol sales at the Smart & Final Grocery Store, the applicant shall obtain their license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.
- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.

Promotion, preservation and protection of the community's health

1221 Fulton Mall / P.O. Box 11867 / Fresno, California 93775 / Phone (559) 600-3271 / FAX (559) 455-4646

Email: EnvironmentalHealth@co.fresno.ca.us ❖ www.co.fresno.ca.us ❖ www.fcdph.org

Equal Employment Opportunity ❖ Affirmative Action ❖ Disabled Employer

Since all of the tenants of in-line retail shops have not been identified for this application, the full range of C-6 uses must be considered. The potential adverse impacts could include (but are not limited to) storage of hazardous materials and/or wastes, medical waste, solid waste, water quality degradation, excessive noise, and odors.

Recommended Conditions of Approval for Retail Construction:

- Should other retail food establishment(s) be proposed, prior to issuance of building permits, the tenant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-4058 for more information.
- Prior to operation, future tenants may be required to apply for and obtain a license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.
- The applicant, or any tenant leasing space, should be advised that construction and operating permits may be required by the State of California, Department of Health Services for wholesale food manufacturing. Contact the staff at the Division of Food and Drug at (559) 445-5323 for more information.
- Prior to operations, the applicant may be required to complete the online Hazardous Materials Business Plan (<https://www.fresnocupa.com/> or <http://cers.calepa.ca.gov/>). Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.
- Future tenants may be required to obtain a Medical Waste Permit from the California Department of Health Services, Medical Waste Management Program. Call (916) 449-5671 for more information.
- The applicant should be advised of the State of California Public Resources Code, Division 30; Waste Management, Chapter 16; Waste Tire Facilities and Chapter 19; Waste Tire Haulers, which may require the Owner/Operator to obtain a permit from the California Department of Resources Recycling and Recovery (CalRecycle). Contact CalRecycle, Tire Unit Permit Branch at (866) 896-0600 for additional information.
- Should a body art facility (i.e. tattoo, piercing, branding or permanent cosmetics facility) be proposed, prior to issuance of building permits, the tenant shall submit complete body art facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Body Art Program at (559) 600-3357 for more information.

The following comments pertain to the demolition of the existing structures:

- Should any of these structures have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structures in order to prevent the spread of vectors to adjacent properties.
- In the process of demolishing the existing structures, the contractor may encounter asbestos containing construction materials and materials coated with lead based paints.

- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition and/or remodel work the contractor should contact the following agencies for current regulations and requirements:
 - California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.
 - United States Environmental Protection Agency, Region 9, at (415) 947-8000.
 - State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.
- Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.
- Should any underground storage tank(s) be found on the premises, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

REVIEWED BY:

Kevin Tsuda

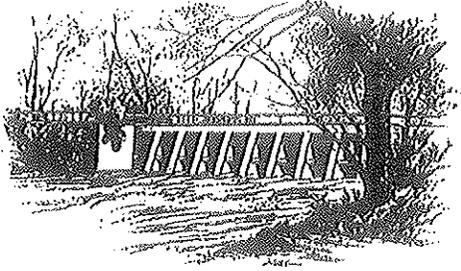
Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, o=Fresno County
Department of Public Health,
ou=Environmental Health Division,
email=ksuda@co.fresno.ca.us, c=US
Date: 2014.12.12 10:34:55 -0800

Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II

(559) 600-3271

kt

cc: Casagrande, Tolzmann, Armstrong -Environmental Health Division (CT. 35.00)
Tab Johnson, Applicant (tab@richdevelopment.com) (tjohnson@richdevelopment.com)
Darlene Ennen, Owner (dennen@comcast.net)



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

December 15, 2014

Ms. Joann Zuniga
City of Fresno
Development and Resource Management Department
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Rezone Application No. R-14-012 and Conditional Use Permit Application No. C-14-150-ABCUP, S/W Corner of Blackstone and Clinton Avenues

Dear Ms. Zuniga:

The Fresno Irrigation District (FID) has reviewed the Rezone Application No. R-14-012 and Conditional Use Permit Application No. C-14-150-ABCUP pertaining to the ± 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the official zone map to reclassify the property (APN 444-092-04, 05, 13, 16-portion, and 17-portion) from the R-3 (medium density multiple family residential) to the C-6 (heavy commercial) zone district. The applicant proposes the construction of a $\pm 27,870$ square-foot Smart & Final grocery store, a $\pm 3,100$ square-foot restaurant with drive-through service window, and $\pm 4,800$ square feet of in-line retail shops. The existing buildings on the site are to be demolished. FID has the following comment:

1. FID does not operate or maintain any facilities located on the subject property as shown on the attached FID exhibit map.

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 Sen Saetern at (559) 233-7161 extension 7406 or ssaetern@fresnoirrigation.com.

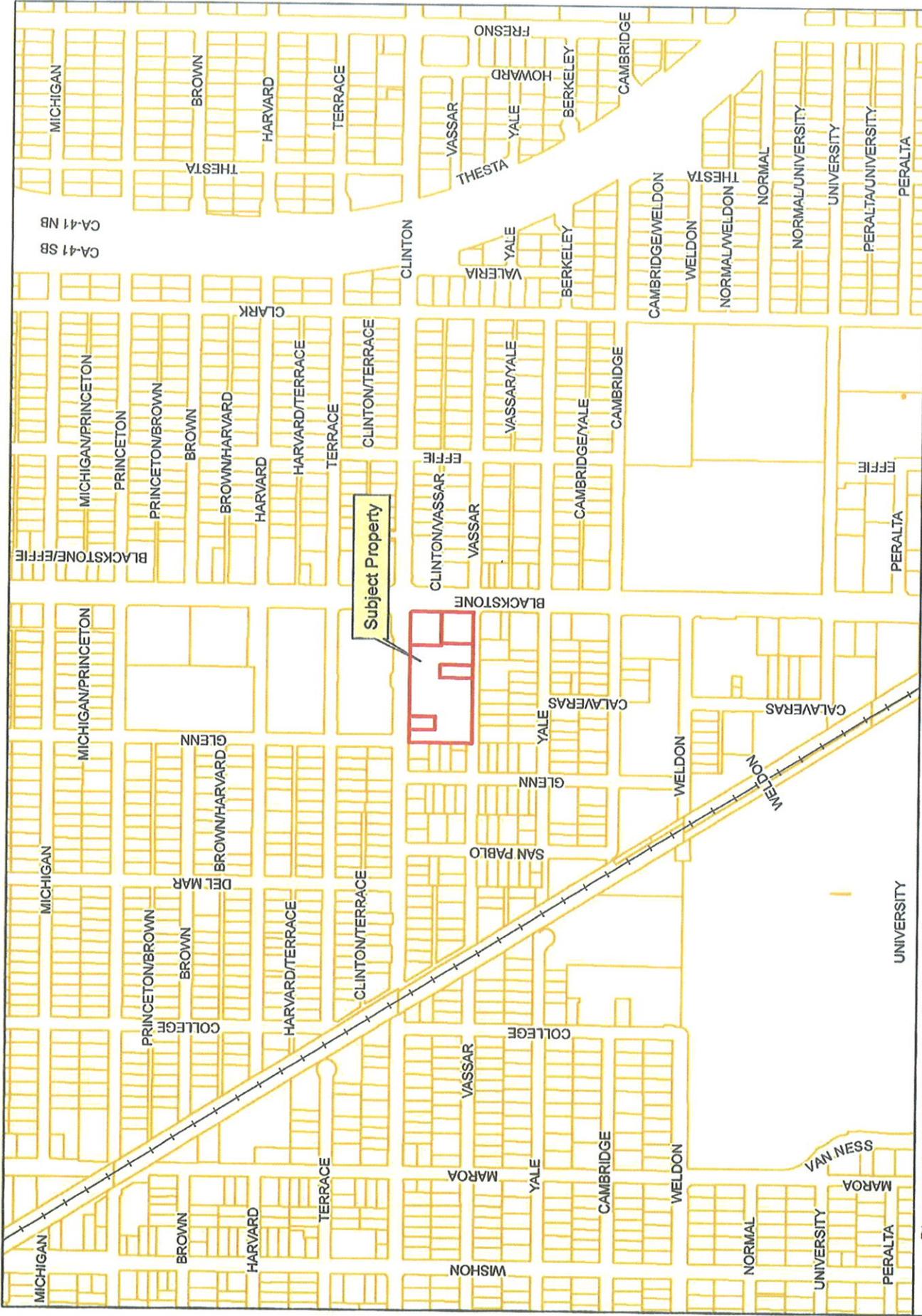
Sincerely,

Laurence Kimura, P.E.
Chief Engineer – Special Projects

Attachment

G:\Agencies\Fresno City\Rezone\R-14-012.doc

BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President STEVEN BALLS
GEORGE PORTER, GREGORY BEBERIAN, JERRY PRIETO JR, General Manager GARY R. SERRATO



Subject Property

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

1525/2014
C:\FID\p\m\mstr_AC10.mxd

0 275 550 Feet
1 inch = 566.35 feet

Legend

- Parcel
- FIMFOD Acquired Basins
- FIMFOD Proposed Basins
- Stream Group
- Other-Crook/River
- Other-Pipeline
- FID Canal
- Private Canal
- Abandoned Canal
- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- FID Boundary
- Railroad
- Streets & Phys



Preparing Career Ready Graduates



Facilities Management & Planning

BOARD OF EDUCATION

Valerie F. Davis, President
Lindsay Cal Johnson, Clerk
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Luis A. Chavez
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Carol Mills, J.D.
Janet Ryan

SUPERINTENDENT

Michael E. Hanson

December 8, 2014

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

SUBJECT: **REZONE APPLICATION NO. R-14-012**
CONDITIONAL USE PERMIT NO. C-14-150-ABCUP
2321 N. BLACKSTONE AVE.

Dear Ms. Zuniga,

In response to the City's request for comments on the pending Rezone Application and Conditional Use Permit (C.U.P.) referenced above, Fresno Unified School District (FUSD) has the following comments and concerns.

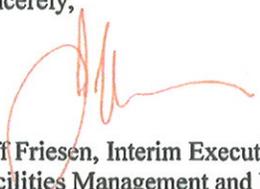
The applicant proposes the construction of a $\pm 27,870$ square-foot Smart & Final grocery store, a $\pm 3,100$ square-foot restaurant with drive-through service window, and $\pm 4,800$ square feet of in-line retail shops on the subject property, with existing buildings on site to be demolished. The proposed 'Smart & Final' grocery store to be located at 2321 North Blackstone Avenue is requesting authorization to establish a State of California Alcoholic Beverage Control Type 21 (*Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold*) alcohol license. It is located within approximately 1,420 feet from Clark St. High School.

As per the State of California's Alcoholic Beverage Control Act, an alcohol license can be refused by the State if the location is "within at least 600 feet from schools." The District has concerns regarding potentially dangerous interaction between our students and the proposed operation. FUSD's response on this project is subject to the Alcoholic Beverage Control Act and the Fresno Police Department's review and support of the project with regard to the concentration and use of alcohol-related business in close proximity to school sites.

The Fresno Unified School District levies a commercial/industrial development fee of \$0.54 per square foot. Any new development on the property will be subject to the development fee prior to issuance of a building permit. Also, per Government Code section 65995, "a 'credit' is to be given per square foot toward new construction for any structures (commercial, industrial, or residential) that were demolished on the site after the beginning of a project," and will be applied at time of payment.

If you have any questions or require additional information regarding our comments and concerns, please contact our office at (559) 457-3066.

Sincerely,


Jeff Friesen, Interim Executive Officer
Facilities Management and Planning

JF:hh
c: Brett Taylor, Principal, Clark St. High School

General Notes and Requirements for Entitlement Applications

GENERAL

(Notice: Not all conditions will be applicable to all projects)

1. Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. *This special permit is granted, and the conditions imposed, based upon the Operation Statement provided by the applicant. The Operation Statement is material to the issuance of this special permit. Unless the conditions of approval specifically require operation inconsistent with the Operation Statement, a new or revised special permit is required if the operation of this establishment changes or becomes inconsistent with the Operation Statement.* Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the special permit or any other enforcement remedy available under the law. The 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 plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.
2. No uses of land, buildings, or structures other than those specifically approved pursuant to this site plan shall be permitted.
3. Development shall take place in accordance with the Standards, Specifications, and Standard Drawings of the City of Fresno Public Works Department; <http://www.fresno.gov/Government/DepartmentDirectory/PublicWorks/DeveloperDoorway/Technical+Library/StandardSpecificationsandDrawings.htm>
4. Development shall take place in accordance with all city, county, state and federal laws and regulations.
5. All proposed building(s) or structure(s) constructed on the property must comply with the prevailing California Building Code Standards.
6. Any building modifications and/or additions not included with this application are not approved with this special permit and would be subject to a new special permit.
7. For projects initiated in response to code enforcement action, the exercise of rights granted by this special permit must be commenced by six months. Completion of the project, including improvements, shall occur by 12 months.

FENCES/WALLS, LANDSCAPING, PARKING

8. 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. Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation.
10. No structures of any kind (*including signs and/or fences*) may be installed or maintained within the required-landscaped areas. No exposed utility boxes, transformers, meters, piping (excepting the

backflow prevention device), etc., are allowed to be located in the landscape areas or setbacks or on the street 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.

11. Provide shade calculations on the landscape plan for parking lot shading in accordance with the attached *Development Department, Performance Standards for Parking Lot Shading*, including tree species and tree counts.
12. Disperse trees over the parking lot area to provide 50 percent shading of the parking area surface within 15 years. (This requirement may be reduced to 40 percent for existing development if it is demonstrated that the constraints of an existing site would make it impossible to meet the normal standards.) Trees shall also be planted in the required landscaped area along the periphery of the development in order to shade and enhance adjacent property and public rights-of-way. Refer to the attached "Performance Standards for Parking Lot Shading," for the tree list and further details.
13. Trees shall be maintained in good health. However, trees may not be trimmed or pruned to reduce the natural height or overall crown of the tree, except as necessary for the health of the tree and public safety; or as may otherwise be approved by the Development and Resource Management 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 Development Services Division. **(Include this note on the site and landscape plans.)**
15. Prior to final inspection, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division, Development Department.
16. Future tenant improvements shall be reviewed and approved by the Development and Resource Management Department to ensure that adequate off-street parking is provided.
17. The parking lot design must accommodate the provision of trees in accordance with the attached Parking Lot Shading Policy.
18. A minimum number of accessible parking stalls are required for the proposed project per State of California Building Code, "Development Requirements for Handicapped Accessibility."
19. All accessible stalls shall be marked with the international symbol of spaces and a warning that vehicles in violation of Section 10-1017 of the Municipal Code shall be towed away. The international symbol and tow-away warning shall be posted conspicuously on seven-foot poles. **(Include this note on the site plan.)**
20. All accessible parking stalls shall be placed adjacent to facility access ramps or in strategic areas where the handicapped shall not have to wheel or walk behind parked vehicles while traveling to or from accessible parking stalls and ramps. **(Include this note on the site plan.)**
21. Lighting where provided to illuminate parking, sales or display areas shall be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works. **Depict all proposed lights on the site plan.**

22. Bicycle parking spaces shall be supplied at a rate of 10% of the automobile spaces provided pursuant to Section 12-306-I-2.1c of the Fresno Municipal Code (FMC). Bicycle parking spaces shall each consist of one slot in a bike rack. They shall be grouped in racks which allow four feet of clearance on all sides. There shall be adequate space between rack slots to park, lock, and remove bicycles. Bicycle parking spaces and the required four-foot clearance shall be protected from motor vehicle encroachment by means of fixed barriers not less than six inches or more than three in height. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open spaces, and shall be located proximal to structures.
23. All general provisions of Section 12-306-I of the FMC shall apply to all parking areas. http://library.municode.com/HTML/14478/level3/MUCOFR_CH12LAUSPLZO_ART3GECOAPZO.htm#MUCOFR_CH12LAUSPLZO_ART3GECOAPZO_S12-306PRDEST

SIGNAGE

24. All future signs shall be architecturally compatible with the proposed building(s). Provide a set of drawings, with descriptive information, including, materials, design and colors to allow for a preliminary assessment of the future signage. It is recommended that you provide a copy of the signage early in the project process to allow for staff comment.
25. Signs, *other than directional signs, if applicable*, are not approved for installation as part of this special permit. **(Include this note on the site plan.)**
26. All proposed signs shall conform to the current sign ordinance. Applications for a sign permit and requirements for submittal are available at the Development and Resource Management Department's Public Front Counter or online at <http://www.fresno.gov/Government/DepartmentDirectory/PlanningandDevelopment/Planning/SignsandBanners.htm>
27. Window signs are limited to four square feet in area, providing information about hours of operation and emergency, sale or rental information only. Exterior signage such as banners, flags and pennants are prohibited. However, special event banner signs are permitted for 30 days if approved by the Development and Resource Management Department, attached to the building, and not exceeding 32 square feet in area.
28. Permanent window signs over six square feet in area can be submitted for approval under a sign review application.

MISCELLANEOUS

29. Noise levels shall not exceed the decibel levels described in Section 10-102.b of the FMC at anytime, measured at the nearest subject property line. http://library.municode.com/HTML/14478/level3/MUCOFR_CH10REREPUNUREPRCOUS_ART1NORE.html#MUCOFR_CH10REREPUNUREPRCOUS_ART1NORE_S10-102DE
30. There shall be adequate vehicular access from a dedicated and improved street or alley to off-street parking and loading facilities on the property requiring off-street parking and loading. Vehicular and/or pedestrian access shall be provided and shall remain clear at all times.
31. The address listed in the conditions of approval is the 'Official Address' given to the building. If you would like separate suite or unit numbers for a building, provide a floor plan and contact the City of Fresno Development and Resource Management Department for 'Official Addresses'. **Only those**

addresses assigned by the City of Fresno will be recognized as 'Official Addresses'. The United States Post Office will only recognize addresses assigned by the City of Fresno. If a non-official address is given to a building and or/separate suites, the City of Fresno has the authority to charge a fee and have those addresses corrected. In addition, the United States Post Office will cease mail delivery to those addresses that are not 'Official Addresses'.

32. All projects, including projects that involve less than one acre of property, are required to comply with the City of Fresno's Urban Storm Water Quality Management and Discharge Control Ordinance, FMC Chapter 6, Article 7 (FMC Sections 6-701 *et seq.*)

When a project involves one acre or more of construction activity (including, but not limited to, grading) the developer is required to obtain a stormwater discharge permit for construction, with a Notice of Intent (NOI) filed **prior to** commencement of any grading construction activity. Contact the Fresno office of the California Regional Water Quality Control Board at 559-445-6281 regarding the required NOI and stormwater discharge permit. Additional information on California's construction stormwater regulation may be obtained from the Water Board via the internet: www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. Helpful information for preparing and implementing stormwater pollution prevention plans may also be obtained from the California Stormwater Quality Association via its website, www.casqa.org

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

www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml, and the California Stormwater Quality Association has additional information on preparing stormwater pollution prevention plans for these activities (www.casqa.org).

33. Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
34. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately. **(Include this note on the site plan.)**
35. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (Phone: (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (Phone: (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists. An archeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation. **(Include this note on the site plan.)**
36. If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist and, if the paleontologist determines the material to be significant, it shall be preserved. **(Include this note on the site plan.)**
37. Connection to a municipal water system is required.
38. Connection to a municipal City of Fresno sewer system is required.

39. City of Fresno water and sewer connection charge obligations applicable to this project will be computed during the building construction plan check process and shall be payable at time of issuance of building permit unless other arrangements have been approved to defer such payments to a later date. For information relating to water and sewer service requirements and connection charges, contact Frank Saburit at (559) 621-8277.
40. Open street cuts are not permitted; all utility connections must be bored.
41. CROSS-CONNECTION CONTROL. A backflow prevention device may be required on the water service. Contact the Department of Public Utilities, Water Division (559) 621-5300 for requirements relating to approved devices, locations, testing and acceptance. This requirement must be satisfied prior to final occupancy.
42. This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of the Development and Resource Management when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.
43. Outdoor storage of materials, including ISO containers, is prohibited. All materials shall be stored within a completely enclosed building, unless approved by the Development and Resource Management Department. **(Include this note on the site plan)**
44. If video surveillance cameras are required or installed, provide signs under the surveillance cameras which notify the public that the subject property is monitored by video surveillance.
45. Owners and persons having ownership interest in businesses operating in the City of Fresno (including leasing out any commercial or industrial property, or renting out four or more dwelling units) are required by the Fresno Municipal Code to obtain a Business Tax Certificate. Contact the City of Fresno Finance Department's Business Tax Division at (559) 621-6880 for more information.

FEES

(Not all fees will be applicable to all projects)

46. NOTICE TO PROJECT APPLICANT: In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.
47. CITYWIDE DEVELOPMENT IMPACT FEES
 - a) Traffic Signal Charge (FMC Section 12-4.1101 to 12-4.1103) This project shall pay its Traffic Signal Mitigation Impact Fee at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual. Refer to the adopted Master Fee Schedule for fee rate. This fee shall be paid at time of building permit.

- b) Fire Facilities Fee (FMC Section 12-4.901 to 12-4.906) (based on building square footage, or residential units)
- c) Police Facilities Fee (FMC Section 12-4.801 to 12-4.806) (based on building square footage, or residential units)
- d) Parks Facilities Fee (FMC Section 12-4.701 to 12-4.706) (based on the number of residential units)

48. CITYWIDE REGIONAL AND NEW GROWTH MAJOR STREET IMPACT FEES (FMC Section 12-4.1006)

- a) Street Impact Fees shall be due and payable at the time of building permit issuance unless otherwise required by State law.
- b) Street Impact Fees will be a condition on all development entitlements granted.
- c) New construction on vacant parcels shall be calculated on a net acreage (adjusted acre basis) of the entire property subject to the development entitlement based upon planned land use. Notwithstanding, fees shall be based upon actual land use for developments in the C-M zone district and for development projects developed inconsistent with the plan land use.
- d) New construction on property that is partially developed, Street Impact Fees will be applied to the incremental increase proportionate to the respective floor to area ratios (25% for commercial and 40% for industrial). In no case shall anyone pay more than the amount of the total net acreage of the parcel multiplied by the applicable fee rate.
- e) Reuse being more intensive than the original use, the developer shall be required to pay the difference between the current amount of the Street Impact Fee obligation for the old use and the current amount of the Street impact Fee obligation for the new use.

49. FRESNO COUNTY FACILITY IMPACT FEE

- a) Satisfy the Fresno County Facilities Impact Fee obligation. The requirement to pay this fee is currently suspended by Fresno County. However, payment of this fee will be required if the fee has been reinstated at the time of issuance of building permits for this project.

50. REGIONAL TRANSPORTATION MITIGATION FEE (RTMF)

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

51. SCHOOL FEES

- a) School fees must be paid, if required, prior to the issuance of building permits. Contact Central Unified School District. Provide proof of payment (or no fee required) prior to the issuance of building permits.

52. FLOOD CONTROL FEES

a) Flood Control fees are due, if required, prior to issuance of building permits.

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

a) Lateral Sewer Charge (based on property frontage to a depth of '100')

b) Oversize Sewer Charge (based on property frontage to a depth of 100')

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

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

a) Frontage Charge (based on property frontage)

b) Transmission Grid Main Charge (based on acreage)

c) Transmission Grid Main Bond Debt Services Charge (based on acreage)

d) UGM Water Supply Fee (based on living units, living unit equivalents or acreage)

e) Wellhead Treatment Fee (based on living units or living unit equivalents)

f) Recharge Fee (based on living units or living unit equivalents)

g) 1994 Bond Debt Service Charge (based on living units or living unit equivalents)

h) Service Charges (based on service size required by applicant)

i) Meter Charges (based on service need)

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

PERFORMANCE STANDARDS FOR PARKING LOT SHADING

Updated February 13, 2006

POLICY

Fifty percent of paved parking lots surface shall be shaded by tree canopies within fifteen years of planting (adopted by City Council policy resolution on July 12, 1988).

GENERAL

1. A "paved parking lot" shall include parking stalls, driveways, and maneuvering areas.
2. Trees planted to satisfy the requirements of these guidelines are landscaping as defined by Municipal Code and are subject to established landscaping requirements.

SITE PLAN REQUIRED

3. A landscape plan which details the degree of compliance with the Parking Lot Shade Tree Ordinance is required. The plan shall show:
 - a. All landscaped areas.
 - b. Tree canopies drawn to scale representing the estimated canopy at a fifteen year growth period.
 - c. The total area in square feet of the paved parking lot, driveways, and maneuver areas; and the area shaded by tree canopies. A schedule listing total parking area, shaded area, and the percentage of parking area shaded should be included.
 - d. A schedule of the specific names of proposed trees and their sizes.
4. Such plan shall be approved by the Planning and Development Department prior to issuance of building permits. However, the plan is encouraged to be submitted at the time of site plan review.

METHODOLOGY

5. To simplify the process of determining compliance, the true angle of deflection of natural sunlight shall not be considered. Shaded areas shall be assumed to be only those portions of a paved parking lot directly beneath the shading canopy or drip line.
6. Shading shall be provided by tree canopies except that any portion of a paved parking lot directly beneath and shaded by a man made structure (overhangs and covered parking, for instance) shall be deleted from the requirements of these performance standards and shall be subtracted from the area of the parking lot to be shaded.
7. Credit shall be given only for surface area shaded. Multiple canopies shading the same surface area will not be counted as multiple credit.
8. Landscape planters beneath the canopy may be considered as shaded parking areas for the purpose of determining compliance.
9. Where more than five trees are to be planted, mix tree species.
10. Trees planted along the perimeter of a lot may be counted as providing shade for the full area of their canopy.

11. If the degree of overlap between trees is less than 15 percent, all trees may be counted as shading 100 percent of their canopy. If the degree of overlap is 15 percent or greater, then it will be necessary to perform individual calculation to determine the area of shading.
12. A ten percent minor deviation of the shading standard may be approved by the Director in accordance with established procedures in the Municipal Code if it is found that the normal standards would impose an undue hardship.

ALLOWABLE SPECIES/CANOPY (Provided by Parks Department)

MINIMUM TREE REQUIREMENT

Provide one medium size tree for every two required parking spaces. (This requirement may be modified by the Director if the standards for shading and perimeter planting have been met.)

Disperse trees over the parking lot area to provide 50 percent shading of the parking area surface within 15 years (This requirement may be reduced to 40 percent for existing development if it is demonstrated that the constraints of an existing site would make it impossible to meet the normal standard). Trees shall also be planted in the required landscaped areas along the periphery of the development in order to shade and enhance adjacent property and public rights-of-ways.

Trees shall be maintained in good health. However, trees may not be trimmed or pruned to reduce the natural height or overall crown of the tree, except as necessary for health of the tree and public safety; or as may otherwise be approved by the Planning and Development Department.

MINIMUM PLANTER SIZE (between tiers of parking)

Continuous Planter

	<u>New Development</u>	<u>Existing Development</u>
Standard Parking Stall	<u>8 feet</u>	<u>6 feet</u>
Compact Parking Stall	<u>6 feet</u>	<u>4 feet</u>

Along Periphery 10 feet except as may be approved pursuant to Municipal Code.

MINIMUM SIGHT TRIANGLE

10 feet in traffic areas

30 – 35 feet at street intersections

100 feet at major street intersections

Trees within the triangle shall be trimmed up to eight-feet minimum above the surface of the parking lot.

Other landscaping (ground cover and shrubs) shall not exceed two and one-half feet above the parking lot surface.

CITY OF FRESNO PARKS AND RECREATION DEPARTMENT

30 feet to 35 feet diameter trees 100% = 962 square ft; 50% = 481 square ft; 25% = 240 square ft

Botanical Name	Planter Size (Sq. Ft.)	Height (Feet)	Growth Rate	Roots	Soil	Remarks
<i>Alnus rhombifolia</i> WHITE ALDER	6	50	Rapid	Shallow	Moist	Deciduous
<i>Celtis sinensis</i> CHINESE HACKBERRY	6	50	Moderate	Medium to Deep	Most Soils	Deciduous
<i>Cinnamomum camphora</i> CAMPBOR TREE	8	50	Slow	Shallow	Most Soils	Evergreen, attractive, shiny, yellow-green foliage
<i>Fraxinus o. 'Raywood'</i> RAYWOOD ASH	6	40	Fast	Medium	Most Soils	Deciduous, dark green foliage
<i>Ginkgo biloba</i> MAIDENHAIR TREE	6	50	Slow	Deep	Most Soils	Deciduous, very open tree
<i>Liriodendron tulipifera</i> TULIP TREE	8	60	Moderate	Medium	Deep Moist	Deciduous, susceptible to aphids, causes dripping
<i>Magnolia grandiflora</i> SOUTHERN MAGNOLIA	8	50	Slow	Medium	Most Soils	Evergreen, constant litter problem
<i>Pistacia chinensis</i> CHINESE PISTACHE	6	40	Moderate	Deep	Most Soils	Deciduous, provides filtered shade, excellent fall color
<i>Platanus acerifolia</i> LONDON PLANE TREE	8	50	Fast	Medium to Deep	Most Soils	Deciduous, anthracnose, red spider, plant bloodgood variety
<i>Quercus agrifolia</i> COAST LIVE OAK	8	50	Moderate	Deep	Most Soils	Evergreen, biannual acorn drop
<i>Quercus ilex</i> HOLLY OAK	6	50	Moderate	Deep	Deep	Evergreen, biannual heavy acorn drop
<i>Quercus lobata</i> VALLEY OAK	8	50	Moderate	Deep	Deep	Deciduous
<i>Quercus suber</i> CORK OAK	8	60	Moderate	Deep	Moist Drained	Evergreen
<i>Quercus virginiana</i> SOUTHERN LIVE OAK	8	60	Moderate	Deep	Most Soils	Evergreen, attractive, bright green foliage
<i>Ulmus sempervirens</i> CHINESE EVERGREEN ELM	6	50	Rapid	Medium	Most Soils	Semi-evergreen, should be annually trimmed
<i>Zelkova serrata</i> SAWLEAF ZELKOVA	8		Fast	Medium	Most Soils	Deciduous, attractive vase shape

20 feet to 30 feet diameter trees 100% = 707 square ft; 50% = 354 square ft; 25% = 177 square ft

Botanical Name	Planter Size (Sq. Ft.)	Height (Feet)	Growth Rate	Roots	Soil	Remarks
Ceratonia siliqua CAROB TREE	8	40	Moderate	Shallow	Most Soils	Evergreen, use male trees only
Koelreuteria Paniculata GOLDENRAIN TREE	6	35	Moderate	Deep	Most Soils	Deciduous, drought resistant, yellow flowers
Liquidambar styraciflua AMERICAN SWEET GUM	8	60	Moderate	Shallow	Most Soils	Deciduous, seed pods a litter problem, fall color
Pinus canariensis CANARY ISLAND PINE	6	60	Fast	Deep	Most Soils	Evergreen, conifer, bluegreen needles, shed constantly
Pinus eldarica MONDELL PINE	6	60	Fast	Deep	Most Soils	Evergreen, conifer, good color
Pyrus c. 'Bradford' BRADFORD PEAR	6	30	Fast	Deep	Most Soils	Evergreen, white flowers, good fall color
Quercus palustris PIN OAK	6	50	Fast	Shallow	Best in Clay Soil	Deciduous, brown leaves hang on during winter
Prunus c. pissardi PURPLE-LEAF PLUM	6	20	Fast	Medium	Most Soils	Deciduous, purple leaves, messy fruit
Sapium sebiferum CHINESE TALLOW TREE	6	35	Fast	Medium	Most Soils	Deciduous, surface roots, good fall color
Sequoia sempervirens COAST REDWOOD	8	70	Fast	Deep	Most Soils	Evergreen, conifer

15 feet to 20 feet diameter trees 100% = 314 square ft; 50% = 157 square ft; 25% = 79 square ft

Botanical Name	Planter Size (Sq. Ft.)	Height (Feet)	Growth Rate	Roots	Soil	Remarks
Acer palmatum JAPANESE MAPLE	4	20	Slow	Shallow	Moist Drained	Deciduous, best in afternoon shade
Cercis canadensis EASTERN REDBUD	4	20	Moderate	Medium	Most Soils	Deciduous, drought resistant, spring flowers
Malus purpurea 'Eleyi' ELEY CRABAPPLE	4	20	Moderate	Medium	Most Soils	Deciduous, wine red flowers in spring
Podocarpus gracillior FERN PINE	6	40	Moderate	Deep	Most Soils	Evergreen, clean and pest free
Pyrus Kawakami EVERGREEN PEAR	4	25	Moderate	Medium	Most Soils	Deciduous, subject to fireblight
Rhus lancea AFRICAN SUMAC	4	25	Medium	Oedius	Most Soils	Evergreen, shiny green foliage, drought, suckers

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CITY-WIDE DESIGN GUIDELINES ADOPTED FOR THE 2025 FRESNO GENERAL PLAN:

I. SITE DESIGN

PURPOSE OF SITE DESIGN:

Promote the improvement of the visual and built environment

GENERAL CONSIDERATIONS

1. Site Design combines the three elements of development: 1) buildings; 2) parking and circulation; and 3) landscape and amenities. These aspects must be in proper balance.
2. Buildings shall be designed and sited so as to provide a strong functional relationship to the site and the neighborhood. Required side and rear yards should be utilized and should be integrated into the overall purposeful arrangement. Inaccessible yards and similar outdoor spaces which tend to encourage storage, gathering of trash, and weeds shall be avoided, unless approved by the Director.
3. Natural site amenities shall be recognized. Views, trees, creeks and similar features unique to the site should be preserved and incorporated into development proposals. Such features shall be considered as strong site design determinants. Disruption of existing natural features, particularly older trees, shall be minimized.
4. Building setbacks must relate to the character of the existing streetscape. Where existing streets have been widened, thereby changing setbacks, field analysis of setback needs should be required for new buildings.
5. Site designs shall not negatively impact the immediate environment of the site.
6. Separate vehicular and pedestrian circulation systems shall be provided for larger projects. Pedestrian access to residential developments generally shall not utilize driveways and pick-up areas. Pedestrian linkages between uses in commercial developments shall be emphasized, including distinct pedestrian access from parking areas in large commercial developments such as shopping centers.
7. Provision must be made for bicycles. Bicycle parking in residential developments should be on an all-weather surface and be located close to dwelling unit or residential development entrances. Bicycle parking shall be lockable.
8. On larger commercial sites such as shopping centers, a portion of the total building area shall be located at the street perimeter. Such siting, together with substantial landscape treatment, reinforces and strengthens the streetscape, and helps to screen off-street parking areas.
9. Common driveways, which provide vehicular access to more than one site, are encouraged.

10. Site development shall give consideration to solar access and/or energy efficiency.
11. The siting and orientation of buildings shall respond to the pedestrian and vehicular nature of the street. Buildings on streets of high pedestrian use (such as downtown) should face on, and be directly accessible from, the sidewalk, with minimal interruption by driveways or parking areas. Buildings on streets with heavy vehicular traffic, particularly those with no on-street parking, should provide a major entry for the off-street parking area.
12. Off-street parking facilities need to be located to the rear of sites. Street frontages should be devoted to building architecture and landscaping. Parking should be screened from the street with mounds, vegetative screening, low wall, fencing, or lowered parking grade. (Refer to III. LANDSCAPING, No. 15).
13. Screening and buffering, as well as good design, needs to be used to mitigate the effects of trash areas, storage areas, service yards, loading docks and ramps, electrical and other utility boxes, mechanical equipment, and other necessary but unsightly aspects.

II. BUILDING DESIGN

PURPOSE OF BUILDING DESIGN

Development shall improve the visual and built environment of the neighborhood and the City as a whole.

GENERAL CONSIDERATIONS

1. No single theme is required in Fresno. Themes may be established for selected parts of the community. They are directed more toward standards of quality and compatibility than toward achieving a uniform appearance.
2. Architectural consistency should exist between all building elevations of a particular structure or complex of structures, including consistent use of materials. Façade treatments shall consistently encompass all building sides. "False" or "decorative" façade treatments shall be avoided. All elevations need not look alike; however, an overall architectural sense must occur.
3. Visible rooftops should be treated as building elevations. Such rooftops should be free of mechanical equipment "clutter" in situations where it may be visible from surrounding buildings or structures. Rooftop mechanical equipment is not prohibited, but its design and screening should be incorporated into building design. For example, HVAC non-transitional ducts shall be below the roof structure.

4. Mechanical equipment, including wall air conditioners, should be screened from public view. The design of mechanical equipment screening should be compatible with, and an integral element of, the building structure. Rooftop screening and other mechanical equipment screening should be a minimum of 12 inches higher than the equipment itself.
5. Add-on components such as utility meters, ladders, vent pipes and similar features need to be identified in site plans and not placed as an afterthought in full public view unless screened in an acceptable manner.
6. All proposed buildings or structures should be compatible with the neighborhood character. Building design, however, need not be unduly constrained or limited by structures on adjacent sites.
7. All buildings on the same site should have strong spatial and architectural relationships. When the first portion of a site area is to be developed, a concept plan shall be submitted for the entire site.
8. All building design should achieve a sense of human scale. Wall insets, balconies, window projections, etc. are examples of building elements which may help reduce the scale of larger buildings.
9. Materials should be relatively permanent, requiring minimum maintenance in order to avoid deterioration.
10. Building entries should be protected from the elements and should afford a "sense of entry" for the structure.
11. All designs should be responsive to energy consideration. When energy-conserving devices such as solar heat collector panels are utilized, such devices should be designed as visually integral parts of the structure.
12. Modified standards may be considered for temporary buildings or structures, which are guaranteed to be removed from the site within six (6) months.
13. Each phase of a phased development should be visually complete. Temporary barriers/walls should be painted and trimmed to compliment the permanent construction.
14. Where buildings are on the border between different uses, there needs to be an appropriate transition.
15. Standardized and corporate design elements must be modified to be consistent and integrated with the surrounding environment.
16. The design of fencing, trash enclosures, and similar accessory site elements should be compatible with the architecture of main buildings and should use a similar palette of materials.

17. Masonry walls and allowable chain link fences shall be designed to accept vegetation, to reduce monotony, and to prevent irregular or unsightly lines.

III. LANDSCAPING

PURPOSE OF LANDSCAPE:

Landscaping shall be used to improve aesthetics, to soften the harshness of the urban setting, and to create a pleasant human environment.

GENERAL CONSIDERATIONS:

1. All site development shall include landscaping, except where determined to be impossible by the Director.
2. Landscaping shall be designed to provide a strong relationship between the site, street frontage, and neighborhood.
3. There should be a consistency of landscape design through a development. All areas within a development need not be identical. Among other things, different landscape themes may be utilized in larger developments to delineate spaces, strengthen a sense of place, and to add movement. Such themes should be consistent within a site.
4. Landscape plans shall indicate all proposed site elements, such as outdoor lighting, signage, fencing, site furnishings, and other site elements.
5. Where possible, existing landscape elements should be incorporated and preserved. Healthy mature trees and tree groupings shall be preserved as design determinants. In sites with mature trees, the development plan, elevations, and landscape shall be required to protect existing trees. Mature trees on project sites shall be protected and preserved as per City of Fresno tree preservation standards.
6. Landscaping shall be incorporated into building and site design. Trellises, arbors, and multilevel type landscaping should be considered.
7. All projects, including exterior modifications, are subject to street tree requirements. Street trees shall meet City requirements.
8. Live plant material shall be used in all landscaped areas. Imitation vegetation is not acceptable.
9. Gravel, colored rock, bark, and similar materials may be used in conjunction with, but not instead of, living ground cover and vegetation. Brick, cobblestone, and wood can be integrated into pathways and edges where appropriate.

10. Public and employee parking areas shall be landscaped. Such landscaping shall include perimeter screening and interior shading as per City standards.
11. Automatic irrigation is required for all landscape areas; surface piping and tubing are not allowed.
12. Irrigation heads shall not overspray walks, buildings, fences, streets, etc.
13. All property owners shall maintain landscaping consistent with these guidelines.
14. Required setbacks for buildings and landscaping may be averaged, but not less than one-half of the required setback. Proposals for less than one-half of the required setbacks may be considered through a reduced-fee Variance application process.
15. Major street landscaping shall include all of the following:
 - Double-row, large-scale 20'-on-center tree canopies within public and private landscape areas (curb to end of landscape setback)
 - Screening of parking through eye-level (as seen from an automobile) design elements, including but not limited to landscaping, fences, artwork, water features, etc.
 - One hundred percent screening/blocking is not mandatory.
 - Green shall be emphasized: plant material, size, type, and location.
 - Project entry/gateways defining sense of place shall be emphasized.

IV. SIGNAGE

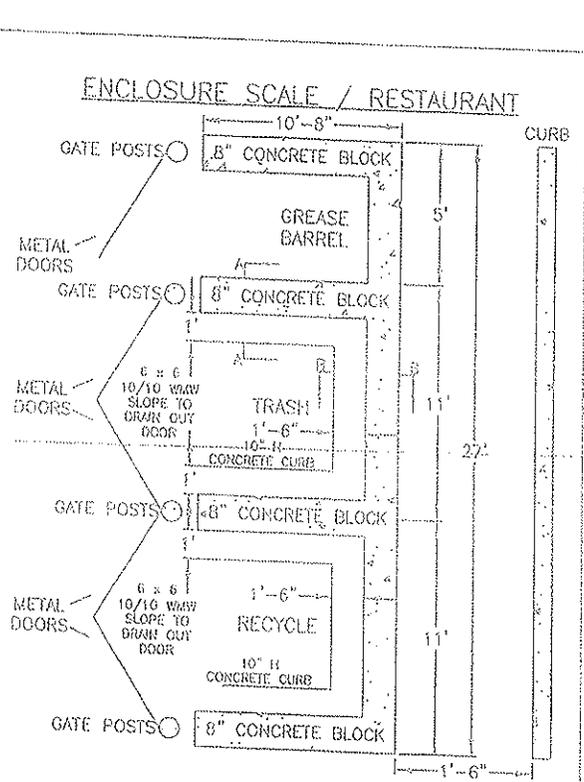
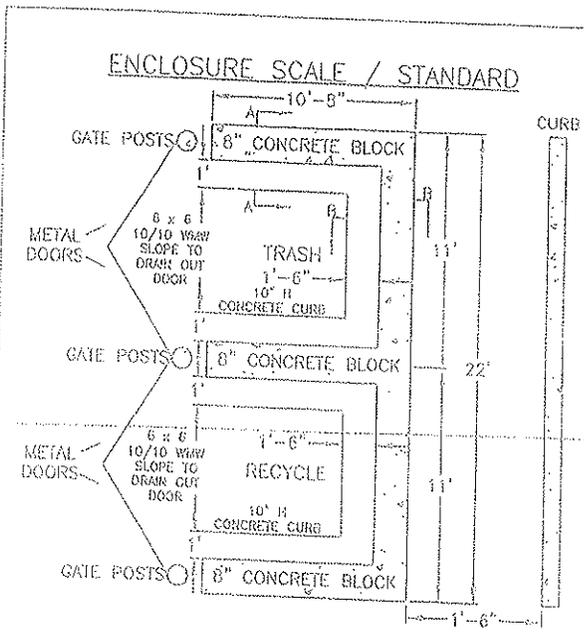
PURPOSE OF SIGNAGE:

Signs are intended to identify the location of a place or business or residential development.

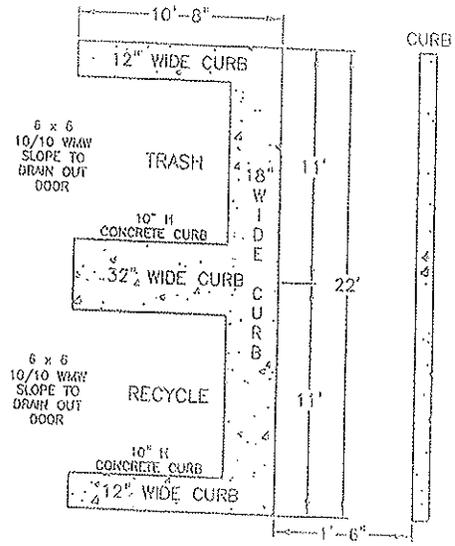
GENERAL CONSIDERATIONS

1. Sign information is to be limited to the identification of the business name and, when necessary, the business function and business logo. Product advertising shall not be permitted.
2. Signs should be simple and easy to read.

3. Signs are to be limited to the minimum necessary for the proper use of the site.
4. Signing and related graphics must relate to the overall building and site design. Signing considerations should be made during the building design stages so that signage and graphics are architecturally incorporated into those buildings.
5. Unusual architectural features (such as the “golden arches”) used as a logo shall be considered and reviewed as part of the sign proposal.
6. Use of individual letters for all signing is preferred and encouraged over cabinet signs. Where cabinet signs are utilized, such cabinets must be an integral design element of the building or structure.
7. Master sign programs shall be prepared for multiple-occupancy buildings.
8. Complete sign programs for entire buildings or building complexes should be included with the architectural review of a signing request for any portion of a multiple-occupancy building. This also applies to existing buildings without any sign program. A long-term sign program must be established.
9. The light source of externally illuminated signs should not be visible.
10. Murals shall be subject to sign review.

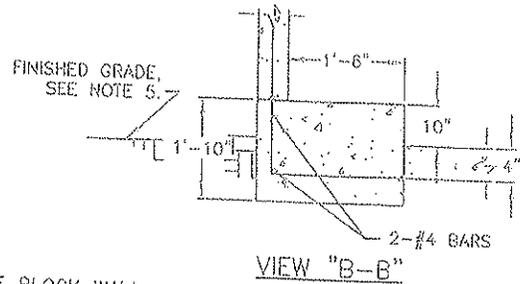
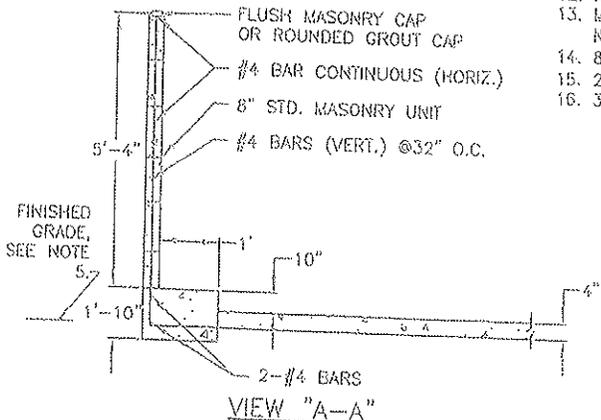


ENCLOSURE SCALE / CURB ONLY
ZONES-M1, M2, M3, & CM ONLY



NOTES:

1. ALL CONSTRUCTION SHALL COMPLY WITH THE FRESNO MUNICIPAL CODE.
2. GROUT ALL CELLS.
3. ALL MASONRY UNITS SHALL COMPLY WITH THE LATEST ADOPTED CALIFORNIA BUILDING CODE AND U.B.C. STANDARD 24-4 GRADE N.
4. ALL MASONRY WALLS SHALL BE INSPECTED BY THE CITY OF FRESNO DEVELOPMENT DEPARTMENT.
5. DEPTH OF FOOTINGS ARE INTO NATURAL UNDISTURBED SOIL OR TESTED AND APPROVED COMPACTED FILL.
6. ALL MASONRY UNITS SHALL BE MINIMUM F'M=1500 PSI.
7. REINFORCING STEEL SHALL BE DEFORMED BAR, MIN. GRADE 40.
8. FOOTING CONCRETE SHALL BE A MINIMUM 2000 PSI AT 28 DAYS.
9. MORTAR SHALL BE TYPE-S (MINIMUM 1800 PSI AT 28 DAYS).
ONE (1) PART CEMENT, TYPE-1
ONE-HALF (1/2) PART LIME PUTTY OR HYDRATED LIME.
FOUR AND ONE-HALF (4 1/2) PARTS SAND (MAXIMUM).
10. GROUT SHALL BE A MINIMUM 2000 PSI AT 28 DAYS.
ONE (1) PART CEMENT.
THREE (3) PARTS SAND.
TWO (2) PARTS PEA GRAVEL.
11. FINISH PAD ELEVATION TO BE FLUSH WITH GRADE AT ACCESS PAVEMENT.
12. ANY GATE HINGES SHOULD BE LOCATED ON THE OUTSIDE.
13. METAL DOORS ARE REQUIRED ON ALL ENCLOSURES, CHAIN LINK IS NOT ACCEPTABLE.
14. 8" CONCRETE BLOCK TO BE USED FOR WALLS.
15. 2 CELLS ARE REQUIRED FOR COMMERCIAL/INDUSTRIAL BUILDINGS.
16. 3 CELLS ARE REQUIRED FOR RESTAURANTS.



TYPICAL REFUSE CONTAINER
ENCLOSURE DETAILS

REF. & REV.
AUG., 2010

CITY OF FRESNO
P-33

GENERAL NOTES:

1. ALL SITE PLANS SHALL HAVE THE SIGNATURE APPROVAL OF A SOLID WASTE MANAGEMENT DIVISION REPRESENTATIVE.
2. CONTAINERS USED AT ALL PLACES SHALL BE PLACED FOR COLLECTION AT SERVICE LOCATIONS APPROVED BY THE PUBLIC UTILITIES DIRECTOR, OR HIS/HER DESIGNEE, BUT SHALL NOT BE STORED IN THE PUBLIC RIGHT-OF-WAY.
3. THE DESIGN OF ANY NEW, SUBSTANTIALLY REMODELED, OR EXPANDED BUILDING OR OTHER FACILITY SHALL PROVIDE FOR PROPER STORAGE OR HANDLING WHICH WILL ACCOMMODATE THE SOLID WASTE LOADING ANTICIPATED AND WHICH WILL ALLOW FOR SAFE AND EFFICIENT WASTE REMOVAL.
4. THE PUBLIC UTILITIES DIRECTOR, OR HIS/HER DESIGNEE, SHALL PLAN WITH THE PROPERTY OWNER AND/OR THEIR REPRESENTATIVE AS TO PLACEMENT OF STORAGE CONTAINERS TO MINIMIZE TRAFFIC, AESTHETIC AND OTHER PROBLEMS BOTH ON THE PROPERTY, AND FOR THE GENERAL PUBLIC.
5. BELOW IS A CHECKLIST OF REQUIREMENTS REVIEWED FOR A SITE PLAN:
 - a. REFUSE, RECYCLABLES, AND GREASE BARRELS SHALL BE STORED FOR LATER REMOVAL FROM THE PREMISES IN AN AREA THAT IS SCREENED FROM VIEW OF THE PUBLIC STREETS BY A CITY OF FRESNO, PUBLIC UTILITIES APPROVED STANDARD ENCLOSURE (REFER TO P-33, P-34, AND P-95 FOR DETAILS) APPROVED STANDARD ENCLOSURES ARE TO BE BUILT USING EIGHT INCH (8") CONCRETE BLOCK AT A HEIGHT OF SIX FEET (6').
 - b. ENCLOSURES BUILT IN (INDUSTRIAL ZONES) M-1, M-2, M-3, AND CM ZONES REQUIRING DIRECTOR APPROVAL, OR HIS/HER DESIGNEE, MAY ELIMINATE WALLS AS LONG AS IT IS NOT VISIBLE FROM A MAIN STREET. FOR THIS DESIGN, THE CURBING WILL BE TWELVE INCHES (12") WIDE ON BOTH SIDES, EIGHTEEN INCHES (18") DEEP ALONG THE REAR WITH A THIRTY-TWO INCH (32") WIDE CURB SEPARATING THE TWO CELLS. CURBING MUST BE REINFORCED WITH REBAR AT A HEIGHT OF TEN INCHES (10"). ALL ENCLOSURES SHALL BE A MINIMUM OF EIGHTEEN INCHES (18") FROM THE NEAREST CURB. ALL OTHER PUBLIC WORKS DESIGN REQUIREMENTS SHALL BE MET DURING REVIEW.
 - c. THE APPROVED STANDARD ENCLOSURE HAS BEEN DESIGNED TO ACCOMMODATE ALL SIZES OF CONTAINERS TO HANDLE THE ACCUMULATION OF WASTE AND RECYCLABLES GENERATE BETWEEN COLLECTIONS. A STORAGE AREA WITH INNER DIMENSIONS TEN FEET (10') BY TEN FEET (10') IS THE MINIMUM. THERE SHALL BE CURBING TWELVE INCHES (12") FROM SIDE WALLS AND EIGHTEEN INCHES (18") FROM REAR WALL AND AT A HEIGHT OF TEN INCHES (10"). THESE FEATURES ARE INCLUDED IN ORDER TO REDUCE THE POSSIBILITY OF DAMAGE TO THE ENCLOSURE ITSELF.
 - d. SERVICE ACCESS TO ENCLOSURE SHALL BE A MINIMUM UNENCUMBERED OPENING OF EIGHT FEET (8'). THE GATE TO BE USED SHALL BE BUILT OF METAL, CHAIN LINK IS NOT ACCEPTABLE, SO THAT BINS CANNOT BE SEEN WHEN GATES ARE CLOSED AND SHALL BE MOUNTED ON THE OUTER SURFACE OF ENCLOSURE AS TO NOT PROTRUDE INTO SERVICE ACCESS OPENING. HARDWARE LATCHES SHOULD BE A HEAVY GAUGE LOCKING GATE LATCH. TWO GATES ARE REQUIRED ON EACH CELL WITH THE EXCEPTION OF THE GREASE BARREL CELL.
 - e. THE FLOOR OR BOTTOM SURFACE OF THE COLLECTION AREA SHALL BE MADE OF CONCRETE, (SLOPED) ONE PERCENT (1%) TO THE FRONT, AND THERE SHALL NOT BE ANY DRAINAGE GUTTER IN FRONT OF ENTRANCE. THE UNENCUMBERED OPENING OF EIGHT FEET (8') REFERENCED IN D. ABOVE SHALL BE A LEVEL SURFACE. THE FLOOR SHALL NOT SLOPE TO THE BACK OR SIDES OF THE ENCLOSURE TO ALLOW DRAINAGE TO THE REAR OF THE AREA OR CAUSE ANY STANDING WATER WITHIN THE ENCLOSURE. IT SHALL BE CONSTRUCTED SO THE COLLECTION VEHICLE CAN DRIVE DIRECTLY INTO THE POCKETS OF THE CONTAINERS WITHOUT ANY OBSTRUCTIONS.
 - f. INGRESS AND EGRESS SHALL HAVE AN UNOBSTRUCTED OVERHEAD CLEARANCE OF SIXTEEN FEET (16') AND SHALL NOT BE LESS THAN EIGHTEEN FEET (18') WIDE AND CAPABLE OF ACCOMMODATING A TRUCK WITH A TWO HUNDRED FIFTY INCH (250") WHEELBASE, A FORTY-FOUR FOOT (44') (CENTER LINE) TURNING RADIUS AND A SUPPORT WEIGHT OF THIRTY-FIVE (35) TONS. AREA SHALL BE UNOBSTRUCTED AND SO CONFIGURED THAT A TRUCK WILL BE ABLE TO MAKE A ROUND TRIP FROM THE PUBLIC RIGHT-OF-WAY TO THE COLLECTION AREA AND RETURN WITHOUT EXCESSIVE BACKING INTO A TRAFFIC LANE OR A PUBLIC THOROUGHFARE. BACKING AROUND A BUILDING IS NOT ALLOWED. AT NO TIME SHALL A TRUCK BE REQUIRED TO BACK IN EXCESS OF FORTY-FIVE FEET (45').
 - g. BIN ENCLOSURE GATES AND SERVICE AREA SHALL NOT OPEN INTO OR BE A PART OF A PARKING STALL OR LOADING ZONE.
 - h. GATED ENTRANCE/EXIT SERVICE SITES SHALL BE AT LEAST FORTY FEET (40') AWAY FROM ENTRANCES AND EXITS TO PREVENT TRUCKS FROM STICKING OUT INTO THE ROADWAY WHILE WAITING TO ACCESS ENCLOSURE AND ALLOW TRUCKS ENOUGH SPACE TO CLEAR GATE ON EXITING WHILE WAITING TO MERGE WITH TRAFFIC.
 - i. THE ENCLOSURE(S) SHALL ACCOMMODATE REFUSE BINS, RECYCLE BINS, AND GREASE BARRELS WHEN APPLICABLE. NEITHER THE WASTE NOR RECYCLING CONTAINER SHALL BE REQUIRED TO BE MOVED IN ORDER TO SERVICE THE OTHER. GREASE BARRELS SHALL NOT BE PLACED IN THE SAME AREA OF THE ENCLOSURE WITH REFUSE OR RECYCLABLES.
 - j. OWNER/OCCUPANTS SHALL NOT USE ENCLOSURES FOR STORAGE OR PLACE ANY MATERIALS AROUND THE TRASH, RECYCLE, OR GREASE CONTAINERS.
 - k. SIGNAGE IS REQUIRED TO CLEARLY IDENTIFY ALL RECYCLING, SOLID WASTE COLLECTION, AND LOADING AREAS AND THE MATERIALS ACCEPTED THEREIN. THIS SIGNAGE SHALL BE PLACED AT ALL POINTS OF DIRECT ACCESS TO RECYCLING, SOLID WASTE, AND LOADING AREAS ON, OR ADJACENT TO, THE RECYCLABLE AND SOLID WASTE MATERIAL CONTAINERS.
 - l. SITES UTILIZING COMPACTORS AND/OR ROLL-OFFS REQUIRE SIXTY FEET (60') OF CLEARANCE IN FRONT OF THE UNIT, AND A MINIMUM OF THREE FEET (3') ON EACH SIDE, FOR LOADING AND UNLOADING.

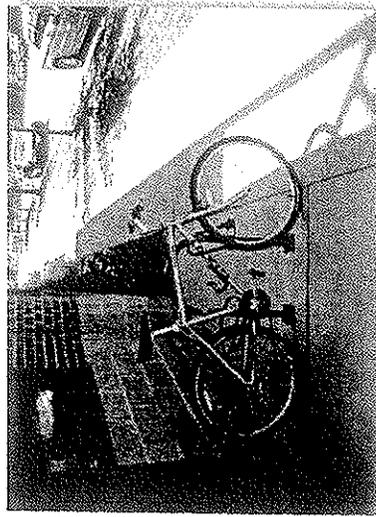
TYPICAL REFUSE ENCLOSURE
DETAILS

REF. & REV.
NOV., 2007

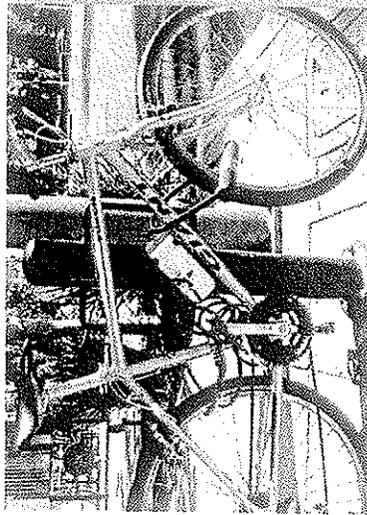
CITY OF FRESNO

P-34

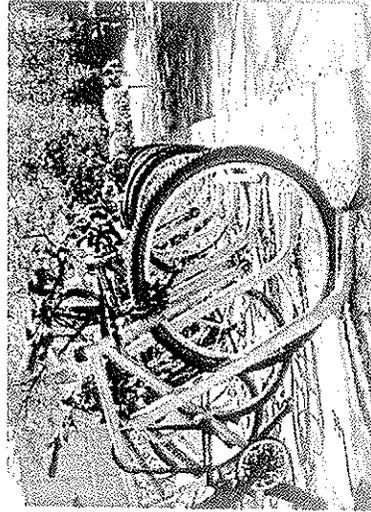
Several bike racks meet Fresno's design requirements, including those shown here.



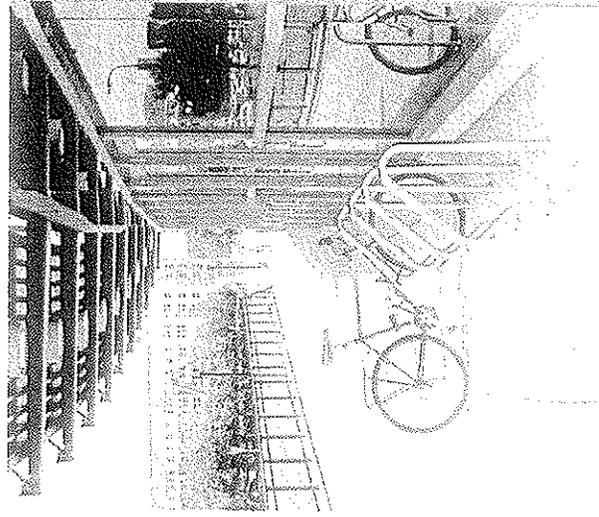
Inverted "U"



Bike Hitch



Lightning Bolt



Sawyer Rack



Where racks are not possible on sidewalks (because of narrow sidewalk width, sidewalk obstructions, or other issues), bicycle parking can be created in place of on-street parking spaces. Cities like Berkeley, California and Portland, Oregon have implemented these types of short-term bike parking facilities in central business districts. Racks can be clustered in a car parking space protected by bollards or curbs, which incurs only the cost of the racks, bollards, and road striping. While on-street bicycle parking may take space away from automobile parking, the auto parking loss can be mitigated. Additional auto parking spaces can be created by consolidating driveways or otherwise finding places to potentially allow auto parking where it is currently prohibited. Options for combining bicycle and motorcycle parking also exist.

Alternatively, racks can be installed on sidewalk curb extensions where adequate sight distance can be provided. A curb extension is more expensive to install and can be prohibitively expensive if substantial drainage and/or utility work is necessary. Costs may be less if the curb extension is installed as part of a larger street or pedestrian improvement project.

Note that on-street bicycle parking is an atypical design for short-term bicycle parking and no nationally accepted design guidelines currently exist.

Appropriately placed bike racks can encourage use. Table 5.7 provides recommended placement guidelines.

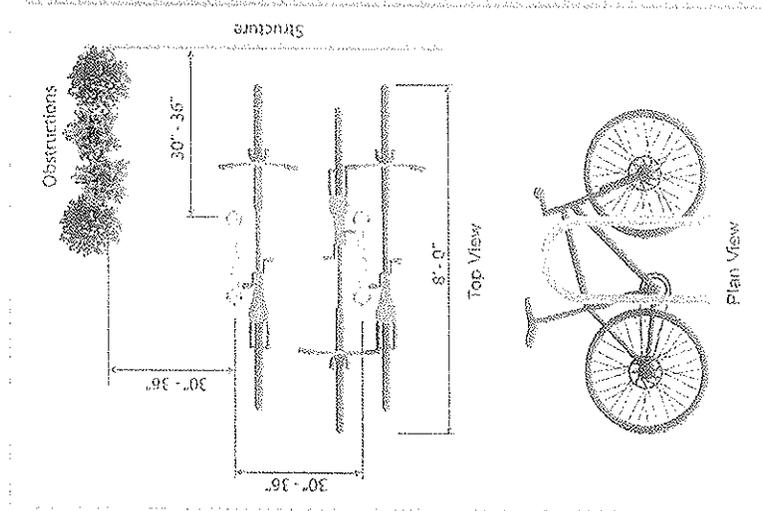


Figure 5.12 – Inverted “U” Rack



City of Fresno Bicycle Parking Space Requirements

Number of stalls (per the Fresno Municipal Code; Section 12-306-2.1¹)

Except as otherwise provided in this Code, the number of bicycle parking spaces to be provided shall be equal to 10% of the automobile parking spaces provided, but not to exceed a total of 10 bicycle stalls, which may be located indoors.

Fresno Municipal Code Section 12-306-4-5 (d)

Bicycle parking spaces shall each consist of one slot in a bike rack. Bicycle parking spaces shall be grouped in bicycle racks which allow four feet of clearance on all sides. There shall be adequate space between rack slots to park, lock, and remove bicycles. Bicycle parking spaces and the required four-foot clearance shall be protected from motor vehicle encroachment by means of fixed barriers not less than six inches nor more than three feet in height. Bicycle parking spaces shall not encroach into pedestrian ways, landscaped areas, or other required open space, and shall be located proximal to structures.

¹ Note that the California Building Code may result in a different number of stalls. The greater number shall be used.



INTERIM DESIGN GUIDELINES FOR DRIVE-THROUGHS

Planning & Development Department, Development Services
2600 Fresno Street, 3rd Floor, Rm 3076
Call (559) 621-8277 for an appointment or visit www.fresno.gov for
information

Policy and Procedure No.

C-001

Date: June 4, 2010

Target Audience: Planning staff and developers, architects, etc. who wish to construct a drive-through facility

Purpose:

Drive-throughs, by their nature, promote auto-dominated street frontages which impede the pedestrian environment. Creating auto-dominated streets discourages individuals from walking and biking to destinations which leads people to drive more. One of the ways to mitigate the impact of drive-throughs from impeding the pedestrian environment is to limit the number of drive-throughs in an area. This is one of the main reasons that the City of Fresno continues to implement the administrative procedure of limiting drive-throughs to one per street frontage within a shopping center.

This procedure, however, is perceived by some as unfair because it doesn't take into consideration the variable size of shopping centers, and gives smaller shopping centers an advantage over large shopping center. An example of a more effective policy to limit drive-throughs in the City of Fresno would be as follows:

A restaurant with a drive-through lane shall be located with a minimum separation of 400-feet from any structure containing a drive-through facility when both restaurants are located on the same street frontage. Two drive-throughs may be located closer than 400-feet to one another if they each front a different street frontage.

Until the City of Fresno adopts a more formal policy related to the siting of restaurant drive-through facilities, **the City will consider allowing more than one drive-through on a street frontage if the following Guidelines are incorporated into the site design of the facility.**

Policy:

The following design guidelines are **required** for a drive-through restaurant proposed within a shopping center that already has a drive-through on the same street frontage. These guidelines are **recommended** for all other proposed drive-through facilities.

Drive-Through Design Guidelines

The following guidelines establish site design standards and criteria to mitigate the potential impact of drive-through facilities impeding the pedestrian environment.

Pedestrian Accessibility

- No pedestrian pathway from the public sidewalk to the entrance of the building or from the immediate parking area to the entrance of the building shall cross the drive-through lane.
- A pedestrian pathway crossing the drive-through lane will be allowed when it is the pedestrian pathway that links the site to the rest of the shopping center. This pathway must be located at the end of the drive-through lane and must be clearly delineated with striping or contrasting paving. There shall be a stop sign and other signage notifying drivers in the drive-through lane of the pedestrian crossing.
- Provide parking adjacent to the entrance doors to the facility such that it is not necessary for pedestrians who arrive by car to cross driveways or stacking lanes to enter the interior of the building.
- The design of the site and building (including the building's internal organization) should take into consideration the safety of site users, employees, and passersby on the street and adjacent sites, to maintain appropriate sight lines, surveillance and lighting during the day and at night.

- Provide and clearly demarcate separate, safe pedestrian circulation routes in conjunction with vehicular circulation for the drive-through facility and larger site using techniques such as striped/painted pedestrian crossings, a change in paving, bollards and landscaping to separate them from stacking lanes and driveways.
- Provide rain, wind and shade weather protection (i.e. canopy) at the main building entrance and in proximity to public transit stops, for exterior seating areas, along the street and for specific pedestrian amenities associated with the building.
- Provide an outdoor patio between the building and the street where a setback is required. For this outdoor seating area, the incorporation of high quality hardscape areas (such as brick, cobblestone, and decorative pavers) and high quality outdoor furniture is encouraged.
- Provide pedestrian amenities appropriate for the site including bicycle racks and exterior furniture.
- Locate lighting, trees, soft landscaping, exterior furniture along pedestrian walkways through the site.
- Windows provided for aesthetics in dining and entry areas should be used abundantly to provide visibility to the street and pedestrian view into the building.

Organization of the Building to Support the Street

- Locate the main entrance door directly off the public sidewalk or provide clear and direct access from the public sidewalk to the main entrance or secondary entrance.
- Make walls along the street face and visible from the street, transparent with windows, doors and other forms of transparent building materials to maximize views in and out of the building and the relationship between interior and exterior to support and animate the public street and sidewalk.
- Drive-through elements shall be placed to the side or rear of the building. Orient the drive-through window away from the street frontage.
- Drive-through lanes shall be designed in such a way as to be screened from view from the street through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations.

Stacking Lanes and Driveways

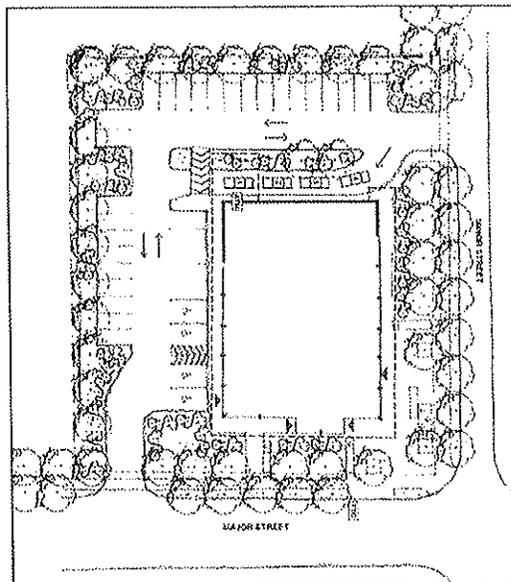
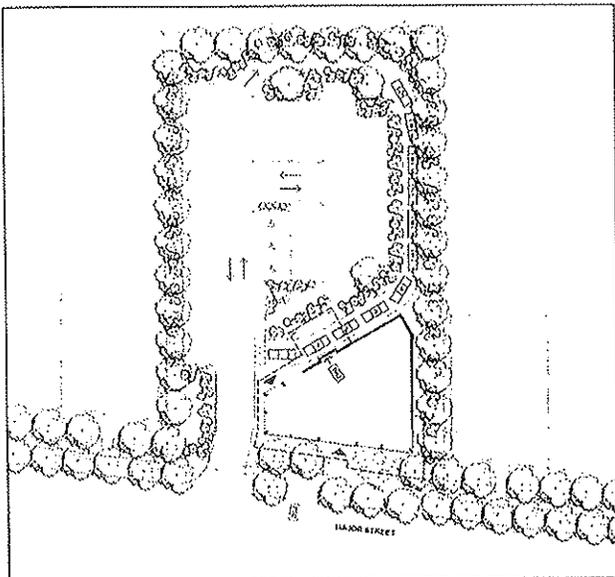
- Do not locate stacking lanes or driveways between the building and the street.
- Drive-through lanes shall not be located adjacent to patios and other pedestrian use areas, other than walkways.
- Locate stacking lanes and driveways out of view of the public street and/or sidewalk, at the rear and/or flank of the building.
- Integrate stacking lanes and driveways into the larger landscape and streetscape concept.
- Multiple windows servicing a single stacking lane (e.g. order window, payment window, pickup window) should be considered.
- Multiple stacking lanes for a single user are discouraged.

- Contact the Traffic Engineering Planning Section of the Public Works Department for minimum car stacking requirements.
- Provide landscaping sufficient to soften the visual impact of vehicle stacking areas for drive-through windows (typically a 3-4-foot wall, hedge, or berm).
- Provide sufficient signage where necessary to indicate direction of vehicular travel, stop signs or no entrance areas.

Other Requirements

- Public address speakers, on-site lighting and drive-through lanes shall be designed and located such that noise, exhaust fumes and stray light will not create a nuisance for adjacent properties.
- Drive-through facilities shall be architecturally compatible with the best examples of nearby structures and compliment existing or planned streetscape elements.
- The architecture of drive-through uses shall be compatible and harmonize with that of the shopping center motif or immediate neighborhood in terms of building color, materials, mass, scale, and form.
- Standardized, "corporate" building designs shall be discouraged.

General Examples

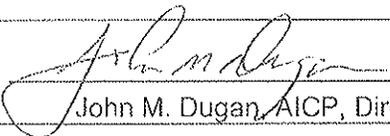


▲ = Building Entrance

Definitions: N/A

Procedures: These guidelines will be implemented during the conditional use permit process.

Documents Referenced: N/A

Review and Responsibility: Current Planning Staff will ensure that these policies are enforced during the conditional use permit process.	
Forms (attached): N/A	
Signature: 	Dated: <u>6/9/2010</u>
John M. Dugan, AICP, Director	

CITY OF FRESNO
FINDING OF CONFORMITY

Notice of Intent was filed with:

FRESNO COUNTY CLERK
2221 Kern Street
Fresno, California 93721

The full Initial Study and the Master Environmental Impact Report SCH No. 2012111015 are on file in the Development and Resource Management Department,
Fresno City Hall, 3rd Floor
2600 Fresno Street
Fresno, California 93721
(559) 621-8277

ENVIRONMENTAL ASSESSMENT NUMBER:

EA No. R-14-012/C-14-150

on

February 27, 2015

APPLICANT:

Tab Johnson
Rich Development LLC
600 N. Tustin Way #150
Santa Ana, California 92705

PROJECT LOCATION:

2321 North Blackstone Avenue, Fresno, Fresno County
Located on the west side of North Blackstone Avenue between East Clinton Avenue and East Vassar Avenue in Fresno. (APNS: 444-092-04, 444-092-05, 444-092-13, 444-092-16, and 444-092-17)

Site Latitude: 36°46'18.37"N Longitude and - 119°47'32.07"W

Mount Diablo Base & Meridian, Township 13S Range 20E, Section 28, M.D.B. & M

PROJECT DESCRIPTION:

PROJECT DESCRIPTION: Rezone Application No. R-14-012 and Conditional Use Permit Application No. C-14-150-ABCUP were filed by Tab Johnson, Rich Development LLC, and pertain to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the Official Zone Map to reclassify the subject properties from the C-6 (Heavy Commercial) and R-3 (Medium Density Multiple Family Residential) zone districts to the C-1 (Neighborhood Shopping Center) zone district. The applicant proposes the construction of a ±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold) for the Smart & Final store. The project and the proposed C-1 zoning are consistent with the planned land use of Neighborhood Mixed Use as designated by the new Fresno General Plan Update adopted by the Fresno City Council on December 18, 2014; the Fresno High-Roeding Community Plan; and the Tower District Specific Plan.

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 may not be fully within the scope of the Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the new Fresno General Plan Update adopted by the Fresno City Council on December 18, 2014. Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.

With 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. 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 that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the proposed environmental Finding of Conformity, initial study and all documents and technical studies referenced in the initial study, as well as electronic copies of documents, may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, Third Floor-North, Room 3076, Fresno, California 93721 3604. Please contact Christopher Preciado at (559) 621-8068 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. Comments may be submitted at any time between the publication date of this notice and close of business on April 2, 2015. Please direct all comments to Christopher Preciado, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Third Floor-North, Room 3076, Fresno, California, 93721-3604; or by email, Christopher.Preciado@fresno.gov ; or by facsimile, (559) 498 1026. Para información en español, comuníquese con Sophia Pagoulatos al teléfono (559) 621-8062.

PREPARED BY: Christopher Preciado Planner II	SUBMITTED BY:
DATE: February 27, 2015	Bonique Emerson, Planning Manager DEVELOPMENT & RESOURCE MANAGEMENT DEPARTMENT
Attachments:	Exhibit A: Initial Study Impact Checklist and Initial Study (Appendix G) Exhibit B: Master Environmental Impact Report No. SCH No. 2012111015 General Plan Mitigation Monitoring Checklist Exhibit C: Project-Specific Mitigation Monitoring Checklist dated January 31, 2015

MODIFIED APPENDIX G TO ANALYZE
SUBSEQUENT PROJECT IDENTIFIED IN MEIR SCH No. 2012111015

Environmental Checklist Form
For EA No. R-14-012/C-14-150

1. **Project title:**
Rezone Application R-14-012
Conditional Use Permit Application No. C-14-150:
±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops.
2. **Lead agency name and address:**
City of Fresno
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721
3. **Contact person and phone number:**
Christopher Preciado, Planner II
City of Fresno
Development & Resource Management Department
(559) 621-8068
4. **Project location:**

2321 North Blackstone Avenue, Fresno, Fresno County
Located on the west side of North Blackstone Avenue between East Clinton Avenue and East Vassar Avenue in Fresno. (APNS: 444-092-04, 444-092-05, 444-092-13, 444-092-16, and 444-092-17)

Site Latitude:36°46'18.37"N Longitude and -119°47'32.07"W Mount Diablo Base & Meridian, Township 13S Range 20E, Section 28, M.D.B. & M.
5. **Project sponsor's name and address:**
Tab Johnson
Rich Development LLC
600 N. Tustin Way #150
Santa Ana, California 92705
6. **General plan designation:**
Existing: Neighborhood Mixed Use
7. **Existing Zoning:** R-3 (*Medium Density Multiple Family Residential*) and C-6 (*Heavy Commercial*) zone districts.
Proposed Zoning: C-1 (*Neighborhood Shopping Center*) zone district.

8. Description of project:

Rezone Application No. R-14-012 and Conditional Use Permit Application No. C-14-150-ABCUP were filed by Tab Johnson, Rich Development LLC, and pertain to 4.14 acres of property located on the southwest corner of North Blackstone and East Clinton Avenues. The applicant requests to amend the Official Zone Map to reclassify the subject properties from the C-6 (Heavy Commercial) and R-3 (Medium Density Multiple Family Residential) zone districts to the C-1 (Neighborhood Shopping Center) zone district. The applicant proposes the construction of a ±27,870 square-foot Smart & Final grocery store, a ±3,100 square-foot restaurant with drive-through service window, and ±4,800 square feet of in-line retail shops. The existing buildings on the site are to be demolished. The applicant requests authorization to establish a State of California Alcoholic Beverage Control license Type 21 (Package Store – sale of beer, wine, and distilled spirits for consumption off the premises where sold) for the Smart & Final store. The project and the proposed C-1 zoning are consistent with the planned land use of Neighborhood Mixed Use as designated by the new Fresno General Plan Update adopted by the Fresno City Council on December 18, 2014; the Fresno High-Roeding Community Plan; and the Tower District Specific Plan.

9. Surrounding land uses and :

	Planned Land Use	Existing Zoning	Existing Land Use
North	Neighborhood Mixed Use	C-6 Heavy commercial	General Commercial
South	Neighborhood Mixed Use Residential Medium High Density	R-3 Medium Density Multi Family Residential	Medium Density Multiple Family Residential
East	Neighborhood Mixed Use	C-5 General Commercial	General Commercial
West	Neighborhood Mixed Use Residential Medium High Density	R-3 Medium Density Multi Family Residential	Medium Density Multiple Family Residential

10. Other public agencies whose approval is required:

Development and Resource Management Department, Building & Safety Services Division; Department of Public Works; Department of Public Utilities; County of Fresno, Department of Community Health; City of Fresno Fire Department; City of Fresno Police Department; Fresno Metropolitan Flood Control District; San Joaquin Valley Air Pollution Control District; Fresno Irrigation District, Fresno Unified School District

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report SCH No. 2012111015 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in (MEIR) SCH No. 2012111015 ("MEIR") adopted for the updated Fresno General Plan.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities / Service	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- X I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.

Signature _____

February 27, 2015

Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR :

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
 - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR .
 - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR , but that impact is less than significant;
 - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR , however, with the mitigation incorporated into the project, the impact is less than significant.
 - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR .
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND.
6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant

Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
11. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

The site is located within an area which has been substantially developed. Any development on the subject site would be consistent with surrounding development and required to comply with the development standards (including height) of the subject property zone district, therefore no scenic vista will be obstructed by the development. The project is not performing any work within a state scenic highway, therefore, the project will not substantially damage scenic resources, including, trees, rock outcroppings, and historic buildings within a state scenic highway. The project is proposing commercial retail development consistent with the development in the area, therefore it will not substantially degrade the existing visual character or quality of the site and its surroundings. Furthermore, development of the site will not create a new source of substantial light or glare which would affect day or night time views in the project area, given that the project will only have lights consistent with other locations in the area

a. Scenic Vista

The General Plan Update identifies six locations along the San Joaquin River bluffs as scenic vistas. Distant views of highly valued features such as the San Joaquin River, the foothills of the Sierra Nevada, and the Downtown Fresno buildings are provided in within the Planning Area and could be considered scenic vistas.

Since the project is located in a developed urban area, to the north of the Downtown Planning Area, it does not have access to scenic vistas along the San Joaquin River or the Sierra Nevada. Although it is near the downtown area, it does not have a few of the downtown skyline due to buildings and trees in the viewshed.

b. State Scenic Highways

According to the California Department of Transportation mapping of State Scenic Highways (http://www.caltrans.ca.gov/hq/LandArch/scenic_highways/fresno.htm), the County of Fresno does not have any officially designated State Scenic Highways, but has three eligible State Scenic Highways. The nearest eligible highways are east of the Planning Area along State Route 41 and

along State Route 180 south of the subject site. Since there are no eligible or officially designated State scenic highways within the Planning Area, future development in accordance with the General Plan and Development Code Update would not impact a designated state scenic highway. The eligibility of the three State Scenic Highways near the Planning Area, scenic resources located within the highway segments or its viewshed would not be impacted by future development either. Therefore, future development within the Planning Area would not impact scenic resources within a state scenic highway located well outside of the Planning Area.

Since there are no officially designated State Scenic Highways within the City or County of Fresno, no impacts to these resources will occur as a result of the project.

c. Visual Character

To reduce potential visual character impacts within the Planning Area, the General Plan Update includes several urban design-related objectives and policies within the Urban Form, Land Use and Design Element and the Mobility and Transportation Element.

d. Light or Glare

Light or glare in an urban area is typically generated by street lights, exterior lighting systems on private and public property, exterior lighting from buildings, and vehicular headlights, new illuminated signs, and lighting systems to illuminate active play areas.

The primary impacts from light and glare are spillover onto adjacent light sensitive uses such as residences. The GP MEIR includes mitigation measures that require that lighting be shielded and directed away from light sensitive uses.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:</p>				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

The subject property is deemed Vacant or Disturbed Land, therefore it will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use. The project site is not zoned for agricultural uses and does not have a Williamson Act contract. The site is not zoned for timberland production uses, therefore it will not conflict with existing zoning for, or cause rezoning of, forest land or timberland. The project does not have the potential to facilitate the conversion of farmland because there is no farmland within the immediate vicinity of the subject site.

The California Department of Conservation established the Farmland Mapping and Monitoring Program (FMMP) in 1982. The FMMP produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland with additional categories, including Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. Based on the FMMP, there are approximately 9,550 acres of Prime Farmland,

approximately 2,911 acres of Unique Farmland, and approximately 2,355 acres of Farmland of Statewide Importance for a total of approximately 14,816 acres within the Planning Area. Based on existing farmland data received from the Fresno County Assessor's Office Land Use Codes that was provided by City staff, there is a total of approximately 11,714 acres that have agricultural operations.

a/e Conversion of Farmland to Non-Agricultural Use

The subject site is designated as "Urban and Built-Up Land" and "Farmland of Local Importance" by the 2010 Rural Mapping Edition: Fresno County Important Farmland Map, and thus has no farmland considered to be prime farmland, farmland of statewide importance, or unique farmland. The subject site is currently vacant, and does not contain active agricultural land. Fresno County records show that the project site was subdivided via Long Brothers Addition into 130 x 50 foot single family lots. Aerial photos dating back to 1992 show up to seven single family homes on the properties all of which, appear to be vacant. Therefore no impacts would occur.

b. Conflict with Zoning for Ag Use or Williamson Act Contract.

The project site is not under Williamson Act contract. Therefore no impacts would occur.

c/d Result in the Loss of Forest Land

The project site and surrounding area does not contain active agricultural land, does not contain forest or timberland zoning and is currently vacant, having previously contained a single family subdivision. Therefore, land use and development activities contemplated by the proposed project would not impact forest resources. No impacts will occur.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) -- Would the project:</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?</p>				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

The subject site is located in Fresno County and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is hemmed in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter.

Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB.

Air pollutant emissions overall are fairly constant throughout the year, yet the concentrations of pollutants in the air vary from day to day and even hour to hour. This variability is due to complex interactions of weather, climate, and topography. These factors affect the ability of the atmosphere to disperse pollutants. Conditions that move and mix the atmosphere help disperse pollutants, while conditions that cause the atmosphere to stagnate allow pollutants to concentrate. Local climatological effects, including topography, wind speed and direction, temperature, inversion layers, precipitation, and fog can exacerbate the air quality problem in the SJVAB.

The SJVAB is approximately 250 miles long and averages 35 miles wide, and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea

at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a "bowl" open only to the north.

During the summer, wind speed and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi Pass, into the Southeast Desert Air Basin. In addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an "Inland Mediterranean" climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95°F. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45°F.

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth's surface, which in turn radiates heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground, and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local regional jurisdictional entity charged with attainment planning, rulemaking, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

a.b.c: Conflict with Air Quality Plan and Standards or Cumulative Net Increase of Pollutants

The SJVAPCD has reviewed the proposed project and determined that the project will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations, impacts, or increases of criteria pollutants for which the San Joaquin Valley region is under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors). The proposed project will comply with all applicable air quality plans.

The proposed project must fully comply with Rule 9510 from the San Joaquin Valley Air Pollution Control District (SJVAPCD). This Rule (also called Indirect Source Review or ISR) provides for incorporation of a wide range of mitigation measures into projects, and levies fees for pollutants generated by development projects, transportation and development projects. The fees are used to provide for regional air quality improvements and mitigations. Specifically, Rule 9510 requires that operational (traffic-associated) NOX and PM10 emissions be reduced by at least 33.3% and 45%, respectively, and construction equipment NOX and PM10 emissions of projects be reduced by at least 20% and 45%, respectively. Indirect Source Review requires an Air Impact Assessment (AIA) application to be submitted to the Air District in accordance with SJVAPCD requirements. The AIA evaluates a project's total

contribution to construction and/or area source and operational emissions and ozone precursors from potential land uses and compares potential unmitigated emissions against mitigated emissions in order to determine whether the required reduction in emissions is sufficient to satisfy the rule. If reductions are determined to not be sufficient, then the AIA (utilizing off-site emission reduction equations) calculates the total dollar amount of off-site fees that must be paid to the District in order to cover the District's cost of obtaining the required off-site emission reductions, and therefore fulfill the rule requirement. Any such fees shall be paid prior to issuance of a building permit. Compliance with this rule is a project-specific mitigation measure.

The proposed project will also be required to comply with other District Rules and Regulations, which may include but not be limited to, Regulation VIII (Fugitive PM 10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

The proposed project will comply with the Air Quality Element of the Fresno General Plan and the Goals, Policies and Objectives of the Regional Transportation Plan adopted by the Fresno Council of Fresno County Governments; therefore the project will not conflict with or obstruct an applicable air quality plan.

Therefore, compliance with all of the above SJVAPCD Rules results in a less than significant impact on air quality with respect to air quality plans and standards, and cumulative increases in criteria pollutants.

d. Sensitive Receptors

Development of the subject property, pursuant to Conditional Use Permit Application No. C-14-150 will not expose sensitive receptors to substantial pollutant concentrations. The subject site is not located within 300 feet of a high traffic freeways, roads or rail yard uses called out by the California Environmental Protection Agency California Air Resources Board as having significant negative air quality impacts.

e. Odors

Subject to compliance with the construction and development requirements of the San Joaquin Valley Air Pollution Control District (SJVAPCD) and the Air Quality Element of the Fresno General Plan, no violations of air quality standards will occur. The project will not occur at a scale or scope with potential to contribute substantially to an existing or projected air quality violation. The project will not occur at a scale or scope which will result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment.

Therefore, subject to implementation of the SJVAPCD rules noted above, no violations of air quality standards will occur, no net increase of pollutants will occur and no significant air quality or global climate change impacts are perceived to occur as a result of the proposed project. No sensitive receptors will be impacted, and no odors will be generated. The proposed project is not expected to create objectionable odors affecting a substantial number of people

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

a-f: The proposed project would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project by the California Department of Fish and Game or the US Fish and Wildlife Service. No federally protected wetlands are located on the subject site. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. There are also no bodies of water on the subject site or in the immediate vicinity of the subject site. The proposed project would have no impact on the movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites. No local policies regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

No habitat conservation plans or natural community conservation plans in the region pertain to the natural resources that exist on the subject site or in its immediate vicinity.

Finally, no actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat with MEIR mitigation measures imposed. Therefore, impacts to biological resources are less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Cultural resources include prehistoric-era archaeological sites, historic-era archaeological sites, Native American traditional cultural properties, sites of religious and cultural significance, and historical buildings, structures, objects, and sites. The importance of any single cultural resource is defined by the context in which it was first created, current public opinion and modern yet evolving analysis. From the analytical perspective, temporal and geographic considerations help to define the historical context of the Planning Area. The importance or significance of a cultural resource is in part described by the context in which it originated or developed. National Park Service Bulletin 16a (1997: <http://www.nps.gov/nr/publications/bulletins/nrb16a.pdf>), describes a historic context as "information about historic trends and properties grouped by an important theme in prehistory or history of a community, state, or the nation during a particular period of time." A context links an existing property to important historic trends and this allows a framework for determining the significance of a property. Given this, a major goal of the historian is to determine accurate themes of analysis, a task that can only be undertaken by a thorough review of previous researchers' thoughts and ideas, as well as reviewing the literature of the resources.

In California, historians have divided the past into broad categories based on climate models, archaeological dating and written histories. Paleontologists divide time into much larger segments, with defined and named periods of time shortening in timespan as the modern era is reached.

The site does not contain any cultural resources on the local, state or national registers of historic places. However some of the site may contain previously undisturbed land, and would be subject to the mitigation measures in the MEIR related to late discovery of cultural resources.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Fresno has no known active earthquake faults, and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San

Andreas Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

Fresno is classified by the State as being in a moderate seismic risk zone, Category "C" or "D," depending on the soils underlying the specific location being categorized and that location's proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code.

The highly erodible face of the San Joaquin River bluff, and small areas of expansive clay in the northeastern portion of the city's Sphere of Influence, are the only unstable soil conditions known to exist in the City. Despite long-term overdrafting of groundwater that has lowered the static groundwater level under Fresno by as much as 100 feet over the past century, surface subsidence has not been noted in the vicinity of the city (this is probably due to the geologic strata underlying the city, which features layers of clay and hardpan interleaved with alluvial sand and gravel layers).

No adverse environmental effects related to topography, soils or geology are expected as a result of this project. Therefore, impacts are less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

When sunlight strikes the Earth's surface, some of it is reflected back into space as infrared radiation. When the net amount of solar infrared energy reaching Earth's surface is about the same as the amount of energy radiated back into space, the average ambient temperature of the Earth's surface should remain more or less constant.

Global climate change (colloquially referred to as "global warming") is the term coined to describe very widespread climate change characterized by a rise in the Earth's ambient average temperatures with concomitant disturbances in weather patterns and resulting alteration of oceanic and terrestrial environs and biota. The predominant opinion within the scientific community is that global climate change is occurring, and that it is being caused and/or accelerated by human activities, primarily the generation of "greenhouse gases" (GHG).

GHGs are gases having properties that absorb and emit radiation within the thermal infrared range, and that would cause thermal energy (heat) to be trapped the earth's atmosphere. It is believed that increased levels of GHGs in the atmosphere can disturb the thermal equilibrium of the earth when natural carbon cycle processes (such as photosynthesis) are unable to absorb sufficient quantities of carbon dioxide and other GHGs in comparison with the amount of GHGs being emitted. It is believed that a combination of factors related to human activities, such as deforestation, emissions of GHG into the atmosphere from carbon fuel combustion, etc. are causing climate change.

Some GHGs occur naturally and are emitted to the atmosphere through both natural processes and human activities. Other GHGs are created and emitted solely through human activities. Water vapor is the most predominant GHG, and is primarily a natural occurrence: approximately 85% of the water vapor in the atmosphere is created by evaporation from the oceans. The major anthropogenic GHGs (those that enter the atmosphere because of human activities) are carbon dioxide, methane, nitrous oxide and fluorinated gases.

GHGs were not generally thought of as traditional air pollutants because their impacts are global and diffuse in nature, while the criteria air pollutants and air toxics directly affect the health of people and other living things at ground level in the general region of their release to the atmosphere. However, it has been realized that GHGs and associated climate change could also drastically affect the health of populations not only in the U.S., but around the world through ocean rise that displaces populations, causes economic and infrastructure damage, disrupts agriculture, increases heat-related illnesses, exacerbates effects of criteria air pollutants, spreads of infectious diseases through proliferation of mosquitoes and other vectors carrying "tropical" diseases into temperate climate zones, and alters/endangers natural flora and fauna in terrestrial and aquatic environments. One off-cited example of a predicted change in global climate is that the Sierra snowpack could be reduced to as little as 20% of its historic levels, a dire consequence since it is estimated that over 70% of California's population relies on this "frozen reservoir" for its water supply.

Regulation

There are a host of federal, state and local regulations which create the regulatory framework for greenhouse gases. See MEIR Greenhouse Gas Reduction Chapter for a full discussion of these regulations.

a. Generation of Greenhouse Gases

The General Plan Update and MEIR relies upon a Greenhouse Gas Reduction Plan the provides a comprehensive assessment of the benefits of city policies and proposed code changes, existing plans, programs, and initiatives that reduce greenhouse gas emissions. That plan includes strategies to reduce per capita greenhouse gas emissions to 1990 levels by 2020. The plan demonstrates that even though there is increased growth, the City would still be reducing greenhouse gas emissions through 2020 and per capita emission rates drop substantially. The benefits of adopted regulations become flat in later years and growth starts to exceed the reductions from all regulations and measures. Although it is highly likely that regulations will be updated to provide additional reductions, none are reflected in the analysis since only the effect of adopted regulations is included.

Compliance with General Plan policies related to urban design, infill development, higher density in select areas within the city, complete neighborhoods, and water conservation is expected to result in less than significant impacts to GHG emissions through the year 2020. However, after that year, it could not be shown with certainty that these emissions would continue to be reduced, so the overall citywide impact of the implementation of the General Plan with respect to GHGs was considered to be significant and unavoidable.

The project itself, however, will be subject to all of the above policies of the general plan, and will not, by itself, create any significant GHG impacts.

b. Conflicts with GHG Plan, Policy or Regulation

Currently, the only applicable plan, policy or regulation for the City of Fresno is the Air Resources Board's Scoping Plan implementing AB 32. The Greenhouse Gas Reduction Plan will serve as the applicable plan once adopted. The Greenhouse Gas Reduction Plan is designed to provide a comprehensive strategy that demonstrates consistency with AB 32 and the Scoping Plan.

Therefore, as long as the proposed project complies with the GHG Reduction Plan, GHG impacts are less than significant.

ENVIRONMENTAL ISSUES	Potentially Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public environment through the routine transport, handling, or disposal of hazardous materials?				X
b) Create a significant hazard to the public environment through reasonably foreseeable accident conditions involving the release of materials into the environment?				X
c) Emit hazardous emissions or handle, store, or transport acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X

ENVIRONMENTAL ISSUES	Potentially Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous materials are grouped into the following four categories, based on their properties:

- Toxic - causes human health effects
- Ignitable - has the ability to burn
- Corrosive - causes severe burns or damage to materials
- Reactive - causes explosions or generates toxic gases

A hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. The criteria that define a material as hazardous also define a waste as hazardous. If improperly handled, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Code of Regulations, Title 22, Sections 66261.20-24 contains technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

a. Create hazard through routine transport, use or disposal of a hazardous material?

The Fresno County Department of Environmental Health reviews and conditions projects to avoid or mitigate any environmental health concerns related to hazardous materials. Specifically, project conditions will require the following:

1. That any water wells and/or septic systems currently existing on the site have been properly abandoned and destroyed by an appropriately licensed contractor; and
2. Should any underground petroleum storage tank(s) be found during construction, the applicant shall apply for and secure an Underground Storage tank Removal Permit from the Fresno County Department of Public Health.

b. Create hazard through creation of accident or upset?

No impacts are expected to occur with the construction of a commercial development.

c. Emit hazardous emissions within one quarter mile of an existing or planned school?

the project is not expected to generate any hazardous emissions.

d. Create public or environmental hazard due to being located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5?

No impacts are expected as the project is not located on such a site.

e. Creation of safety hazard for people living within the vicinity of an airport plan?

The project site is located over one-quarter mile from any of the safety zones that pertain to the Chandler Airport.

f. Creation of a safety hazard at a private airstrip?

There are no private airstrips in the project vicinity, therefore no impacts would result from the project.

g. Interfere with an emergency response or evacuation plan?

No impacts are expected.

h. Expose people or property to wildland fire risk?

As detailed in the City of Fresno Map Atlas Existing Conditions Report, dated August 2011, although the City of Fresno is proximate to high and very high fire hazard designated areas, the city is largely categorized as little or no threat or moderate fire hazard, which is largely attributed to paved areas. Some small areas along the San Joaquin River Bluff area in northern Fresno are prone to wildfires due to relatively steep terrain/vegetation, and these areas are classified as high fire hazard areas.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- project:				
a) Violate any water quality standards discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, but the city is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300 feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and an historic trend of high consumptive use of water on a per capita basis (some 250 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

The adverse groundwater conditions of limited supply and compromised quality have been well- documented by planning, environmental impact report and technical studies over the past 20 years including the Master Environmental Impact Report (MEIR) No. SCH No. 2012111015 for the General Plan Update, the MEIR 10130 for the Fresno General Plan, Final EIR No.10100, Final EIR No.10117, and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan), et al. These conditions include water quality degradation due to DBCP, arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring upgradient from the Fresno Metropolitan Area.

In response to the need for a comprehensive long-range water supply and distribution strategy, the General Plan recognizes the Kings Basin's Integrated Regional Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno 2010 Urban Water Management Plan. The purpose of these management plans is to provide safe, adequate, and dependable water supplies to meet the future needs of the Kings Basin regions and the Fresno-Clovis metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities.

The 2010 Urban Water Management Plan, Figure 4-3 (incorporated by reference) illustrates the City of Fresno's goals to achieve a 'water balance' between supply and demand while decreasing reliance upon and use of groundwater. To achieve these goals the City is implementing a host of strategies, including:

- Intentional groundwater recharge through reclamation at the City's groundwater recharge facility at Leaky Acres (located northwest of Fresno-Yosemite international Airport), refurbish existing streams and canals to increase percolation, and recharge at Fresno Municipal Flood Control District's (FMFCD) storm water basins;
- Increase use of existing surface water entitlements from the Kings River, United States Bureau of Reclamation and Fresno Irrigation District for treatment at the Northeast Storm Water Treatment Facility (NESWTF) and construct a new Southeast Storm Water Treatment Facility (SESWTF); and
- Recycle wastewater at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) for treatment and re-use for irrigation, and to percolation ponds for groundwater recharge. Further actions include the General Plan, Policy RC-6-d to prepare, adopt and implement a City of Fresno Recycled Water Master Plan.

The City of Fresno has adopted a key objective of balancing its groundwater operations by 2025. Groundwater is replenished mainly by natural recharge and subsurface flows, however the major component of this objective is the use of treated surface water from existing entitlements. The City is entitled to 60,000 acre feet from the Bureau of Reclamation and 85,000 acre feet from the Kings River annually. Figure 4-3 illustrates the effective use of treated surface water to replace and replenish groundwater supplies. Use of treated surface water from the NESWTF has increased from 100 percent dependence on groundwater in 2004 to 30,800 acre feet per year (af/yr) in 2014, and expected to increase to 120,800 in 2015 with production from the new NESWTF. Increases in surface water use effectively reduced groundwater use from 156,487 af/yr in 2000 to 144,850 af/yr in 2014, with an expected reduction of 76,100 af/yr in 2015. By 2025, with the addition of recycled water from the RWRF, groundwater use will drop to 53,500 af/yr, with 25,000 af/yr from recycled water and 123,000 af/yr from treated surface water. At build-out, in 2035, groundwater is expected to be reduced to 36 percent of total water supply.

In addition, the General Plan policies require the City to maintain a comprehensive conservation program to help reduce per capita water usage, and includes conservation programs such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementing US Bureau of Reclamation Best Management Practices for water conservation to maintain surface water entitlements.

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable mitigation measures of approved environmental review documents will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

a. Violate Water Quality Standards

No water quality standards would be violated as a result of the project. Potential sources could be run-off from the project into the storm drain system, however compliance with current development conditions would reduce this impact to less than significant.

Any development project disturbing one or more acres of soil must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). Construction activities subject to the Construction General Permit includes clearing, grading, and other ground-disturbing activities such as stockpiling or excavation. The Construction General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Among other mandated items that are included in a SWPPP, are features designed to eliminate contact of rainfall and stormwater runoff with sources of pollution that occur on construction sites, of which a primary source is soil erosion as a result of unstabilized soils coming in contact with water and wind. These features are known as Best Management Practices (BMPs). Common BMPs to limit pollution in stormwater runoff from construction sites include maintaining or creating drainages to convey and direct surface runoff away from bare areas and installing physical barriers such as berms, silt fencing, waddles, straw bales, and gabions.

The required preparation, implementation, and participation with the Construction General Permit, including the SWPPP and BMPs, would reduce project construction impacts on water quality to less than significant levels.

b. Deplete Groundwater Supplies

As noted in the section, the City is currently undertaking several measures on a citywide basis to reduce the reliance on groundwater and augment it with surface water and recycled water, in addition to implementation of water conservation programs. MEIR mitigation measure HYD-1 requires the city to develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day (which is about a 25% reduction of current water use). Conditions of development require water conserving interior fixtures and water efficient landscaping. With these conditions incorporated as mitigation measures, impacts are less than significant.

c. Substantially Alter Existing Drainage Pattern of the site resulting in erosion or siltation offsite.

Regulatory mechanisms currently exist to prevent off-site erosion or siltation, namely the requirement, as part of the plancheck process to obtain a NPDES construction general permit and comply with the requirements of the

permit, including development of an erosion control site plan. With this requirement applied to the project as a mitigation measure, impacts are less than significant.

d. Substantially Alter Existing Drainage Pattern of the site resulting in flooding offsite

Regulatory mechanisms currently exist to prevent off-site flooding, namely, compliance with the Fresno Metropolitan Flood Control Districts Storm Drainage Master Plan. The Storm Drainage Master Plan contains proposed elevations for tops of curbs in undeveloped area, delineation of storm drain inlet watershed areas, collection system pipeline alignments and sizes, and retention basin or urban detention (water quality) basin locations and geometry. The development of land in conformance with the Storm Drainage Master Plan ensures that development within the Planning Area is graded to drain to storm drainage facilities that are designed to collect and dispose of stormwater from the planned development. Stormwater retention and urban detention (water quality) basins intercept and remove silt from stormwater before it can be discharged to surface water features.

Compliance with the FMFCD requirements is a condition of project approval. With this mitigation measure incorporated, impacts are less than significant.

e. Exceed storm drain system capacity.

Storm drain system capacity will not be exceeded through compliance with FMFCD Storm Drainage Master Plan. The proposed project will be conditioned to comply with all FMFCD project-specific requirements, which include grading the property to the surrounding streets where it will be directed to storm drain inlets, and eventually flow through pipelines to the appropriate flood control basin. The project site is located in Drainage area TT. The project will be conditioned to construct any master plan facilities needed to serve the project. With this requirement incorporated as a mitigation measure, impacts are less than significant.

f. Otherwise substantially degrade water quality

Occupancy of this site will generate wastewater containing human waste, which is required to be conveyed and treated by the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility. There will not be any onsite wastewater treatment system. The proposed project will be required to install sewer branches, and to pay connection and sewer facility fees to provide for reimbursement of preceding investments in sewer trunks to connect this site to a publicly owned treatment works

No additional degradation to water quality will occur as a result of this project, with the above-mentioned requirements in place. Impacts are less than significant.

g. Place housing within a 100-year flood hazard area

The project is located in Flood Zone X, which is not a flood prone area, according to the FEMA Flood Insurance Rate Map dated February 18, 2009. Therefore, no flooding impacts would result from the project.

h. Place within a 100-year flood hazard area structures which would impeded or redirect flood flows

The project is located in Flood Zone X, which is not a flood prone area, according to the FEMA Flood Insurance Rate Map dated February 18, 2009. Therefore, no flooding impacts would result from the project.

i. Expose People or Structures to significant risk of loss, injury or death involving flooding.

Development could occur within flood inundation areas where a dam or levee failure could place structures and people at risk of damage, injury and death due to the sudden nature of the release of floodwater during a failure and the resulting depths and velocities of the floodwater. Sources of flooding due to the failure of a dam or levee within the Planning Area include the San Joaquin River floodplain as a result of the failure of Friant Dam, the Redbank Creek floodplain as a result of the failure of Redbank Creek Detention Basin Dam and levee, and the Fancher Creek floodplain as a result of the failure of Fancher Creek Detention Basin Dam and levee.

However, responsible agencies such as the FMFCD and the US Army Corps of Engineers regularly inspect and repair these facilities. In addition, the City of Fresno has participated in the Federal Emergency Management Agency (FEMA) Flood Insurance Program (FIP) since its inception in the early 1970's. FEMA has identified flood prone areas within the plan area as follows: The SFHA Zone A areas within the Planning Area are located below the bluff line of the San Joaquin River; along Redbank Creek between the Planning Area boundary and Redbank Detention Basin (North DeWolf Avenue and East Clinton Avenue alignment); northeast of State Route 99 between Ventura Avenue on the north, East Jensen Avenue on the south and South Orange Avenue on the east; and north of West Central Avenue between South Walnut Avenue and South East Avenue. Development within these areas would be required to be flood proof in accordance with City of Fresno floodplain ordinance and 40 CFR60.

Since the project is not located in any of these areas, no loss, injury or death involving flooding will occur as a result of the project and impacts are less than significant.

j. Inundation by seiche, tsunami or mudflow

Official Statewide Tsunami Inundation Maps, coordinated by California Emergency Management Agency (CalEMA), are developed for all populated areas at risk to tsunamis in California. According to CalEMA's MY HAZARD website and Official Statewide Tsunami Inundation Maps, the Planning Area is located outside a tsunami hazard zone.

A seiche is a "standing" wave oscillating in a body of water. This phenomenon occurs in large bodies of water such as bays and lakes. A seiche may occur in any semi- or fully-enclosed body of water. They can be caused by strong winds and earthquakes. The nearest body of water capable of producing a seiche is Big Creek Dry Dam and Reservoir located northeast of the Planning Area. The General Plan Update would not introduce new land uses near the reservoir that could be inundated. Additionally, this is a relatively small reservoir and would not be subject to strong oscillations during an earthquake event.

Fresno is not susceptible to soil erosion with the exception of the San Joaquin River Bluffs. Since the property upon which the project is proposed is located in southwest portion of the Downtown Planning Area and not the San Joaquin River Bluffs, no impacts related to inundation by seiche, tsunami or mudflow are expected to occur at the project site. Impacts are less than significant.

Based upon the analyses contained herein and within Section XVII: Utilities and Service Systems contained herein below, implementation of the mitigation measures identified within the MEIR as well as the project specific mitigation measures, as specified below, will reduce the project's hydrology and water quality impacts to less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The City of Fresno recently updated its General Plan in December 2014. The general plan anticipates a population of 780,600 by the year 2035 and is the vision for the city in accommodating that growth in a way that enhances quality of life for all Fresnoans. The general plan redefined geographical areas of the city and emphasizes infill over greenfield development. At the time of the writing of this document, the City is still operating with its existing zoning code. Therefore new development must comply with the new General Plan and is also still subject to the existing zoning code.

a. Physically Divide an Established Community

The subject property does not contain any roadways, bridges, or passable corridors that could be considered as used for access to surrounding areas. The development will not physically divide an established community; therefore, there will be no impact.

b. Conflict with any land use plan, policy or regulation

Objectives of the General Plan Urban Form Element call for a new emphasis on infill development, complete neighborhoods, and connectivity and walkability.

LAND USE PLANS AND POLICIES:

The specific policy that this project does not comply with is found in the Tower District Specific Plan, Policy 3, Objective 3, Goal III, which states the following, "*Policy 3: Eliminate and prevent on-site parking which fronts on major streets, and develop urban, in contrast to suburban, standards for provision of onsite parking.*" This would require the applicant to bring pedestrian oriented building fronts closer to Blackstone Avenue.

Compliance to the specific plan policy is mandatory.

In addition, there are other policies within the Tower District Specific Plan that the project does not comply with, including the following:

Goal III; Respect and further enhance the historic character of the Tower District as a place not dominated by the automobile.

Objective 1: Support existing or propose new neighborhood serving pedestrian oriented retail service businesses with the Tower District following historic patterns of Development.

Policy 1: Restrict opportunities for development of suburban style, strip commercial businesses. Restrict development that bears no relationship to the distinctive character of the Tower district.

Policy 2: Strongly encourage and support pedestrian oriented storefronts through appropriate use, design guidelines, and development. Frequent entries, display windows, and continuous, active retail places where people want to walk, shop, and just browse.

Objective 2: Make commercial areas convenient, safe focal point for neighborhood activities and public life.

Policy 3: Provide streetscape elements, public plazas and open space to engender public activities and functions.

The project does propose architectural enhancements to some elevations, in particular the front (east) and southern elevation, but it falls out of compliance with the above policies as the north and west elevation are proposed to be aesthetically featureless by use of blank CMU walls with elevations reaching twenty-six (26) feet in height.

Further, there are policies within the newly adopted General Plan that the project, as proposed, would not comply with. These policies are as follows:

UF-12-a: BRT Corridors. Design land uses and integrate development site plans along BRT corridors, with transit-oriented development that supports transit ridership and convenient pedestrian access to bus stops and BRT station stops.

UF-12-c: Local-Serving Neighborhood Centers. Design Neighborhood Centers for local services and amenities that build upon the character and identity of surrounding neighborhoods and communities.

Comment [BE1]: I am not sure if this policy really helps our case. We are not asking them to modify the types of uses they are proposing.

UF-12-e: Access to Activity Centers. Promote adoption and implementation of standards supporting pedestrian activities and bicycle linkages from surrounding land uses and neighborhoods into Activity Centers and to transit stops. Provide for

priority transit routes and facilities to serve the Activity Centers.

LU-5-g: Scale and Character of New Development. Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

LU-6-a: Design of Commercial Development. Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, regulations and design review procedures.

D-1-h: Screening of Parking. Consider requiring all new development with parking in Activity Centers and along corridors to be screened or concealed. Locate principal pedestrian entrances to new non-residential buildings on the sidewalk; any entrances from parking areas should be incidental or emergency use only.

D-4: Preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

D-4-f: Design Compatibility with Residential Uses. Strive to ensure that all new non-residential land uses are developed and maintained in a manner complementary to and compatible with adjacent residential land uses, to minimize interface problems with the surrounding environment and to be compatible with public facilities and services.

D-6: Encourage design that celebrates and supports the cultural and ethnic diversity of Fresno.

D-7: Continue applying local urban form, land use, and design policies to specific neighborhoods and locations.

The proposed project is being developed as a commercial component that would make the neighborhood more complete, enabling its residents to access excellent community resources and eventual Bus Rapid Transit service along Blackstone Avenue, at the northwest corner of Blackstone and Vassar Avenues..

c. Conflict with any Habitat Conservation Plan

The subject property is not located within the boundaries of a habitat or natural community conservation plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

The subject site is not located in an area designated for mineral resource preservation or recovery. Therefore no impacts would occur.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Generally, the three primary sources of substantial noise that affect the City of Fresno and its residents are all transportation-related and consist of local streets and regional highways; airport operations at the Fresno Yosemite International, the Fresno-Chandler Downtown, and the Sierra Sky Park Airports; and railroad operations along the BNSF Railway and the Union Pacific Railroad lines.

The existing noise conditions in the General Plan Update Planning Area were measured at nine locations from May 30 to June 1, 2012. Noise monitoring sites were selected to be representative of typical residential, commercial, and industrial sites within the Planning Area, as

well as arterial roadways, elevated and below-grade freeways, and railroad crossings with and without train horn soundings. At each of the nine long-term 24-hour noise monitoring sites, day-night statistical noise level trends were recorded to develop DNL values. Descriptions of each location and the measured noise levels are provided in the MEIR.

a. Exposure to noise in excess of standards.

Short Term Noise Impacts

The construction of a project involves both short-term, construction related noise, and long term noise potentially generated by increases in area traffic, nearby stationary sources, or other transportation sources. The Fresno Municipal Code allows for construction noise in excess of standards if it complies with the section below (Chapter 10, Article 1, Section 10-109 – Exemptions). It states that the provisions of Article 1 – Noise Regulations of the Fresno Municipal Code shall not apply to:

Construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.

Thus, construction activity would be exempt from City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies would be less than significant.

Long Term Noise Impacts

Three potential noise sources at the project site would be roadway noise.

Roadway Noise

Most roadways in the City of Fresno were modeled under the MEIR and found to be in excess of the new standard of 65 CNEL at the roadway edge. However, compliance with GP Policy NS-1-a (Noise & Safety Element) would reduce the impacts to less than significant.

Implementation of proposed General Plan Policy NS-1-a would increase the City's noise standard for sensitive land uses to 65 dB L_{dn} or CNEL from transportation sources and through implementation of proposed General Plan Policy NS-1-g, which requires the implementation of noise reduction performance standards for new noise sensitive uses that requires consideration of the following noise reduction measures:

- Construct façades with substantial weight and insulation;
- Use sound-rated windows for primary sleeping and activity areas;
- Use sound-rated doors for all exterior entries at primary sleeping and activity areas;
- Use minimum setbacks and exterior barriers;
- Use acoustic baffling of vents for chimneys, attic and gable ends;
- Install a mechanical ventilation system that provides fresh air under closed window conditions.

Therefore, compliance with the above GP Policy NS-1-a results in less than significant impacts.

b. Groundborn Vibration

The project should not cause exposure to groundborn vibration for surrounding residents as the project is a commercial development. Truck traffic is expected to be generated and no large machinery operation would be a part of the ongoing operations of the project, except for the construction phase. Impacts are less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING - - Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

The newly adopted Fresno General Plan projects a population 780,600 by the year 2035. In addition, the General Plan Update is anticipated to accommodate up to approximately 425,000 additional persons for a total of 970,000 persons within the Planning Area by the buildout year of 2056. In addition, the General Plan area is projected to accommodate approximately 145,000 additional housing units for a total of approximately 332,000 units by the buildout year of 2056.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Drainage and flood control?				X
Parks?				X
Schools?				X
Other public services?				X

The purpose of this section is to determine if there are any significant impacts to public services such as Fire and Police protection, drainage and flood control, parks, schools, hospitals, libraries and other public services as a result of the project. The MEIR discusses each service provider and level of service in detail.

a. Substantial adverse impacts due to provision of new public services required to serve the project.

Both fire and police protection services are available to serve the project.

Compliance with FMFCD flood control requirements will insure adequate storm drain facilities, the construction of which would not cause additional adverse impacts.

Under Government Code 65996, new commercial development requires payment of impact fees to mitigate the impact of additional students on school facilities. These fees are required to be paid prior to issuance of building permits.

As part of project approval, applicants are required to pay impact fees to accommodate the additional increment of police, fire, parks, open space and transportation services and facilities needed to serve the project . Therefore with payment of impact fees as a mitigation measure, impacts are less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

The proposed project will not result in the physical deterioration of existing parks or recreational facilities; and, will not require expansion of existing recreational facilities or affect recreational services beyond what was analyzed in the Master Environmental Impact Report No. SCH No. 2012111015 for the Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?				X
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

a. Conflict with a plan, ordinance or policy establishing performance measures for the transportation system?

The Public Works Department/Traffic Engineering Division staff has reviewed the proposed traffic yield from the proposed development project and the expected traffic generation will not adversely impact the existing and projected circulation system as analyzed in MEIR SCH No. 2012111015.

Per the Traffic Impact Study submitted for the subject project, the proposed retail center development project, it is projected that the Average Daily Trips (ADT) generated by the proposed development is estimated to be a maximum of 5,332 ADT with 261 vehicle trips projected to occur during the morning peak hour travel period (7 to 9 a.m.) and 382 vehicle trips projected to occur during the evening peak hour travel period (4 to 6 p.m.).

Traffic Impact Studies are required only for those projects that are projected to produce more than 200 or more peak hour trips.

b. Conflict with a Congestion Management Program

The passage of California Assembly Bill 2419 in 1996 allowed counties to "opt out" of the California Congestion Management Program, reference above, if a majority of local governments elected to exempt themselves from California's congestion management plans. On September 25, 1997, the Fresno COG Policy Board rescinded the Fresno County Congestion Management Program at the request of the local member agencies. Therefore, this impact criteria is not applicable and this impact is less than significant.

c. Change in air traffic patterns

No impact will result.

d. Substantially increase hazards due to design feature?

e. Result in inadequate emergency access?

Conditions of approval will ensure proper emergency access through compliance with Fire Department requirements. As currently designed, the project has three points of access from three of the perimeter streets. Therefore impacts are less than significant.

f. Conflict with adopted plans, policies or programs related to transit, bicycle and pedestrian access?

The project site is also located in an area that is well served by the Fresno Area Express (FAX) (Route 39). According to data provided by the U.S. Census 2005-2009 American Community Survey for the City of Fresno, approximately 12 percent of the population use public transportation to commute to work. Many more riders could be expected as transit services improve in Fresno.

The proposed project would not include features that would affect existing bicycle routes.

The proposed project would include the installation of new sidewalks along all public street frontages and would therefore improve and encourage pedestrian transit in the project vicinity.

The streets adjacent to and near the subject site will therefore be able to accommodate the quantity and kind of traffic which may be potentially generated by the proposed development. In summary the proposed project would not conflict with established policies or the effectiveness of the existing vehicular, mass transit, bicycle, or pedestrian transit systems.

The project does not propose to make changes to roadways that would create road hazards or alter design features developed to mitigate such hazards. Furthermore, alterations to adjacent roadways will be required to adhere to City Standards for roadway construction, including geometrics (land curvature and turning radii), number and width of travel and turn lanes, signalization and signage, bikeways, sidewalks, trails, and bus turnouts, as applicable.

Public Improvement requirements will be imposed as conditions of approval for the proposed project in order to complete the transportation network as identified by the Fresno General Plan. These requirements will generally include, as applicable: (1) Adjacent public street improvements, right-of-way dedications and vacations (including, but not limited to, construction of concrete curbs, gutters, sidewalks, bus bays, transition paving, permanent pavement, and underground street lighting systems; (2) Installation of bike lanes; (3) Installation of Bus bays; and, (4) 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.

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; no substantial increase in transportation or traffic is expected to result.

As discussed above, the proposed project would not cause unacceptable congestion on adjacent roadways, and would not conflict with transit, bicycle, or pedestrian facilities. As such, and with the project-specific mitigation measure of payment of transportation impact fees, impacts would be less than significant.

Therefore, no substantial increase in transportation or traffic is expected to result with incorporation and implementation of the mitigation measures included herein below.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

See Hydrology and Water Quality Section above for discussion about water utilities.

The General Plan includes several policies that ensure that utilities systems keep pace with urban growth and promote health and safety. These are summarized below:

Public Utilities and Services Element

Policy PU-7-a. Treatment Capacity and Cost Recovery. Provide increased wastewater treatment plant capacity in a timely manner to facilitate planned urban development within the facility's planned service area, and accommodate experienced increase in flows and loadings from the existing community with the capital costs and benefits allocated equitably and fairly between existing users and new users while facilitating economic diversification.

As under Policy PU-5-b, new users must, to the extent not inconsistent with economic diversification strategies, pay for the cost of being attached to the treatment facility through

connection fees, including the cost of any incremental burden that they may place on the entire system; and, pay for the full operational costs of extraordinary facilities such as satellite or "package" treatment plants.

Policy PU-7-b. Consider Capacity in Plan Amendments. Monitor wastewater treatment plant flows and loadings to the extent feasible and consider the wastewater treatment impacts of land use changes when evaluating general plan amendment proposals.

Policy PU-8. Promote reduction in wastewater flows and develop facilities for beneficial reuse of reclaimed water and biosolids for management and distribution of treated wastewater.

Policy PU-8-a. Reduce Wastewater. Implement conservation and other programs and policies to reduce wastewater flows.

Policy PU-8-b. Reduce Stormwater Leakage. Reduce storm water infiltration to the sewer collection system, where feasible, by elimination of storm sewer cut-ins to the sanitary sewer system.

Policy PU-8-c. Ban on Storm Drainage Connection. Prohibit new sanitary sewer cut-ins for disposal of storm runoff, except for health and safety reasons.

Policy PU-8-d. Biosolid Disposal. Investigate and implement economically effective and environmentally beneficial methods of biosolids handling and disposal.

Policy PU-8-e. Wastewater Recycling. Aggressively pursue expansion of beneficial wastewater recycling opportunities, including a timely technical, practicable and institutional evaluation of treatment, facility siting and water exchange elements.

Policy PU-8-f. Infiltration Basins. Rehabilitate existing infiltration basins and acquire additional sites for infiltration basins as needed.

Policy PU-8-g. Food and Drink Industry. Ensure adequate provision of facilities for the appropriate management of wastewater from wineries, food processing and beverage facilities, including conformance with Waste Discharge Requirements issued by the Regional Water Quality Control Board.

Policy PU-8-h. Satellite Facilities. Work with the Regional Water Quality Control Board to ensure any satellite treatment and reclamation facility proposal is consistent with governing statutes and regulations.

With the implementation of the above policies, the implementation of the General Plan Update would still result in potential significant effects associated with wastewater treatment requirements and waste discharge requirements.

Therefore, several MEIR mitigation measures are in place to mitigate citywide impacts to less than significant. These include:

- Updating the City of Fresno Wastewater Master Plan
- Construction of new wastewater treatment facilities
- Improving trunk sewer lines
- Adding and improving surface water treatment facilities
- Construction of new water wells
- Construction of water storage reservoirs
- Additional drainage facilities to be constructed by FMFCD

On a project-specific level, extensions of sewer and water lines are required to provide these services to the site, but water, sewer, and landfill capacities are adequate to serve the site. With mitigation measures incorporated, impacts are less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

In summary, given the mitigation measures required of the proposed project and the analysis detailed in the preceding Initial Study, the proposed project:

- Does not have environmental impacts which will cause substantial adverse effects on human beings, either directly nor indirectly.
- Does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.
- Does not eliminate important examples of elements of California history or prehistory.
- Does not have impacts which would be cumulatively considerable even though individually limited.

Therefore, there are no mandatory findings of significance and preparation of an Environmental Impact Report is not warranted for this project.

EXHIBIT B
MEIR Mitigation Measure Monitoring Checklist for EA No. R-14-012/C-14-150
 Conducted for Edison Plaza Apartment Project
 February 27, 2015

INCORPORATING MEASURES FROM THE MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) CERTIFIED FOR THE CITY OF FRESNO GENERAL PLAN UPDATE (SCH No. 2012111015)

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC). It was certified as part of the Fresno City Council's approval of the MEIR for the Fresno General Plan update (Fresno City Council Resolution 2014-225, adopted December 18, 2014).

Letter designations to the right of each MEIR mitigation measure listed in this Exhibit note how the mitigation measure relates to the environmental assessment of the above-listed project, according to the key found at right and at the bottoms of the following pages:

- A - Incorporated into Project
- B - Mitigated
- C - Mitigation in Progress
- D - Responsible Agency Contacted
- E - Part of City-wide Program
- F - Not Applicable

The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Fresno is responsible for verifying that mitigation is performed/completed.

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Aesthetics:</p> <p>AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.</p> <p>Verification comments:</p>	Prior to issuance of building permits	Public Works Department (PW) and Development & Resource Management Dept. (DARM)	X					

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F	
Aesthetics (continued):									
AES-2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties. Verification comments:	Prior to issuance of building permits	DARM.							X
AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur. Verification comments:	Prior to issuance of building permits	DARM							X
AES-4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater Verification comments:	Prior to issuance of building permits	DARM							X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-012/C-14-150

February 27, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY					
		A	B	C	D	E	F

Aesthetics (continued):

<p>AES-5: Materials used on building facades shall be non-reflective. Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>						
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Air Quality:

<p>AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to:</p> <ul style="list-style-type: none"> • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less. <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>							<p>X</p>
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A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Air Quality (continued):</p> <p>AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to:</p> <ul style="list-style-type: none"> • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>						X

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality (continued):								
AIR-2 (continued from previous page) <ul style="list-style-type: none"> • For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel • Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved. Verification comments:	[see previous page]	[see previous page]						
AIR-3: Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook. Verification comments:	Prior to development project approval	DARM						X

A - Incorporated into Project
B - Mitigated
C - Mitigation in Process
D - Responsible Agency Contacted
E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
			A	B	C	D	E	F
Air Quality (continued):								
<p>AIR-4: Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer criteria that may be developed by the San Joaquin Valley Air Pollution Control District (SJVAPCD).</p> <p>Verification comments:</p>	Prior to development project approval	DARM						
<p>AIR-5: Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant.</p> <p>Verification comments:</p>	Prior to development project approval	DARM						

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
			A	B	C	D	E	F

Biological Resources:

<p>BIO-1: Construction of a proposed project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>						
<p>BIO-2: Direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>						

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
			A	B	C	D	E	F
Biological Resources (continued):								
<p>BIO-2 (continued from previous page) may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined on a case-by-case basis through agency consultation. Verification comments:</p>	[see previous page]	[see previous page]						
<p>BIO-3: Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and the California Endangered Species Act (CESA). Mitigation will consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant (continued on next page)</p>	Prior to development project approval	DARM	X					

A - Incorporated into Project
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 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Biological Resources (continued):</p> <p>BIO-3 (continued from previous page): level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project level impacts will be determined on a case-by-case basis.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p>BIO-4: Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities (continued on next page)</p>	<p>Prior to development project approval and during construction activities</p>	<p>DARM</p>	<p>X</p>					

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-012/C-14-150

February 27, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Biological Resources (continued):</p> <p>BIO-4 (continued from previous page): may continue in the vicinity of the nest only at the discretion of the biological monitor. Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p>BIO-5: If a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis. Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>					

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 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F
Biological Resources (continued):								
<p>BIO-6: Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway, shall be implemented.</p> <p>Verification comments:</p>	Prior to development project approval	DARM	X					
<p>BIO-7: Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.</p> <p>Verification comments:</p>	Prior to development project approval	DARM	X					

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources <i>(continued)</i> :								
<p>BIO-8: If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to U.S. Army Corps of Engineers (USACE) accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland. .</p> <p>Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>						X
<p>BIO-9: In addition to regulatory agency permitting, Best Management Practices (BMPs) identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and <i>(continued on next page)</i></p>	<p>Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy</p>	<p>DARM</p>	X					

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS					
			A	B	C	D	E	F

Biological Resources (continued):

<p>BIO-9 (continued from previous page): incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Cultural Resources:

<p>CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and (continued on next page)</p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>					
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY					
			A	B	C	D	E	F

Cultural Resources (continued):

<p>CUL-1 (continued from previous page)</p> <p>recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</p> <p>No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>							
<p>CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.</p> <p>If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric resources are found, the following procedures shall be followed:</p> <p>(continued on next page)</p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>						

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C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Cultural Resources (continued):

<p>CUL-2 (continued from previous page)</p> <p>archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5.</p> <p>If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided</p> <p style="text-align: right;">(continued on next page)</p>	<p>[see previous page]</p>	<p>[see previous page]</p>	
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A - Incorporated into Project
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E - Part of City-Wide Program
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Cultural Resources (continued):

<p>CUL-2 (further continued from previous two pages)</p> <p>to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <p>If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</p> <p>In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during</p> <p style="text-align: right;">(continued on next page)</p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>						
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A - Incorporated into Project
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C - Mitigation in Process
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 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Cultural Resources (continued):</p> <p>CUL-2 (further continued from previous three pages) excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.</p> <p>Verification comments:</p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>						
<p>CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered</p> <p style="text-align: right;">(continued on next page)</p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>					

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>CUL-3 <i>(continued from previous page)</i></p> <p>resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <p>If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Cultural Resources (<i>continued</i>):</p> <p>CUL-3 (<i>further continued from previous two pages</i>) resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.</p> <p>Verification comments:</p>	<p>[see Page 16]</p>	<p>[see Page 16]</p>						
<p>CUL-4: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most <i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	X					

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Cultural Resources (*continued*):

<p>CUL-4 (<i>continued from previous page</i>) likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hazards and Hazardous Materials								
<p>HAZ-1: Re-designate the existing vacant land proposed for low density residential located northwest of the intersection of East Garland Avenue and North Dearing Avenue and located within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space. Verification comments:</p>	Prior to development approvals	DARM						X
<p>HAZ-2: Limit the proposed low density residential at (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less. Verification comments:</p>	Prior to development approvals	DARM						X
<p>HAZ-3: Re-designate the current area within Fresno Yosemite International Airport Zone 5-Sideline located northeast of the airport to Public Facilities-Airport or Open Space. Verification comments:</p>	Prior to development approvals	DARM						X

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
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 F - Not Applicable

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. R-14-012/C-14-150

February 27, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY					
			A	B	C	D	E	F
Hazards and Hazardous Materials (continued):								
<p>HAZ-4: Re-designate the current vacant lots at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space.</p> <p>Verification comments:</p>	Prior to development approvals	DARM						X
<p>HAZ-5: Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection.</p> <p>Verification comments:</p>	Prior to development approvals	DARM						X
<p>HAZ-6: Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked.</p> <p>Verification comments:</p>	Prior to redevelopment of the current Emergency Operations Center	Fresno Fire Department and Mayor/City Manager's Office						X

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY					
			A	B	C	D	E	F
Hydrology and Water Quality								
<p>HYD-1: The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day.</p> <p>Verification comments:</p>		Prior to water demand exceeding water supply	X					
<p>HYD-2: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP.</p> <p>Verification comments:</p>		Ongoing					X	
<p>HYD-5.1: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant.</p> <ul style="list-style-type: none"> Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. <p><i>(continued on next page)</i></p>		Prior to exceedance of capacity of existing stormwater drainage facilities					X	

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E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Hydrology and Water Quality (continued):

<p>HYD-5.1 (continued from previous page)</p> <ul style="list-style-type: none"> Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness. Implementation of the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. <p>Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>					
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C - Mitigation in Process
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F	
Hydrology and Water Quality (continued):									
<p>HYD-5.2: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant:</p> <p>Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing retention basin facilities</p>	<p>FMFCD, DARM, and PW</p>					X		

A - Incorporated into Project
 B - Mitigated

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 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY					
		A	B	C	D	E	F

Hydrology and Water Quality (continued):

<p>HYD-5.3: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant.</p> <p>Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> • Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. • Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing urban detention basin (stormwater quality) facilities</p>	<p>FMFCD, DARM, and PW</p>					<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY				
		A	B	C	D	E

Hydrology and Water Quality (continued):

<p>HYD-5.4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant.</p> <ul style="list-style-type: none"> • Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded. • Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates. • Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP-update. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing pump disposal systems</p>	<p>FMFCD, DARM, and PW</p>					<p>X</p>	
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY					
			A	B	C	D	E	F

Hydrology and Water Quality (continued):

<ul style="list-style-type: none"> • HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that is would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. <p>Verification comments:</p>	<p>Prior to development approvals in the Southeast Development Area</p>	<p>FMFCD, DARM, and PW</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>							<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>							<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>						

Public Services:

<p>PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes:</p> <ul style="list-style-type: none"> • Noise: Barriers and setbacks on the fire department sites. • Traffic: Traffic devices for circulation and a “keep clear zone” during emergency responses. • Lighting: Provision of hoods and deflectors on lighting fixtures on the fire department sites. <p>Verification comments:</p>	<p>During the planning process for future fire department facilities</p>	<p>DARM</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>							<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>							<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>						

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY					
			A	B	C	D	E	F
Public Services (continued):								
<p>PS-2: As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes:</p> <ul style="list-style-type: none"> Noise: Barriers and setbacks on the police department sites. Traffic: Traffic devices for circulation. Lighting: Provision of hoods and deflectors on lighting fixtures on the fire department sites. <p>Verification comments:</p>	<p>During the planning process for future Police Department facilities</p>	<p>DARM</p>						X
<p>PS-3: As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and DARM shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes:</p> <p><i>(continued on next page)</i></p>	<p>During the planning process for future school facilities</p>	<p>DARM, local school districts, and the Division of the State Architect</p>						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services (continued):								
<p>PS-3 (continued from previous page)</p> <ul style="list-style-type: none"> • Noise: Barriers and setbacks placed on school sites. • Traffic: Traffic devices for circulation. • Lighting: Provision of hoods and deflectors on lighting fixtures for stadium lights. <p>Verification comments:</p>	[see previous page]	[see previous page]						
<p>PS-4: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from park and recreational facilities includes:</p> <ul style="list-style-type: none"> • Noise: Barriers and setbacks placed on school sites. • Traffic: Traffic devices for circulation. • Lighting: Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights. <p>Verification comments:</p>	During the planning process for future park and recreation facilities	DARM					X	

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 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F

Public Services (continued):

<p>PS-5: As future detention, court, library, and hospital facilities are planned, the appropriate agencies shall evaluate if specific environmental effects would occur. Typical impacts from court, library, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:</p> <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks placed on school sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on outdoor lighting fixtures <p>Verification comments:</p>	<p>During the planning process for future detention, court, library, and hospital facilities</p>	<p>DARM, to the extent that agencies constructing these facilities are subject to City of Fresno regulation</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>								X
							X				

Utilities and Service Systems

<p>USS-1: The City shall develop and implement a wastewater master plan update.</p> <p>Verification comments:</p>	<p>Prior to wastewater conveyance and treatment demand exceeding capacity</p>	<p>DPU</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>								X
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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
<p>USS-2: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased. <p>Verification comments:</p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>					X	
<p>USS-3: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After <i>(continued on next page)</i></p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems (continued):</p>								
<p>USS-3 (continued from previous page) approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> Construct an approximately 24 MGD wastewater treatment facility within the Southeast Development Area and obtain revised waste discharge requirements as the generation of wastewater is increased. Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p>USS-4: A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented, subject to approval by the City (and Fresno County, when work is being done in unincorporated area roadways). The plan shall identify access and parking restrictions, pavement markings and signage, and hours of construction and for deliveries. It shall include haul routes, the notification plan, and coordination with emergency service providers and schools.</p> <p>Verification comments:</p>	<p>Prior to construction of water and sewer facilities</p>	<p>PW for work in the City; PW and Fresno County Public Works and Planning when unincorporated area roadways are involved</p>					<p>X</p>	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY					
		A	B	C	D	E	F

Utilities and Service Systems (continued):

<p>USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.</p> <ul style="list-style-type: none"> Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing wastewater collection system facilities</p>	<p>DPU</p>	<p></p>	<p></p>	<p></p>	<p></p>	<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems (continued):</p> <p>USS-5 (continued from previous page)</p> <ul style="list-style-type: none"> North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems <i>(continued)</i> :								
<p>USS-6: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided.</p> <p>Verification comments:</p>	<p>Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR</p>	<p>DPU</p>					X	
<p>USS-7: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.</p> <ul style="list-style-type: none"> Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012. <p><i>(continued on next page)</i></p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems (continued):</p> <p>USS-7 (continued from previous page)</p> <ul style="list-style-type: none"> Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p>USS-8: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025.</p> <ul style="list-style-type: none"> Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p>(continued on next page)</p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems (continued):</p> <p>USS-8 (continued from previous page)</p> <ul style="list-style-type: none"> Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
<p>USS-8 (continued from previous two pages)</p> <ul style="list-style-type: none"> • Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p>Verification comments:</p>	[see Page 37]	[see Page 37]						
<p>USS-9: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	Prior to exceeding capacity within the existing water conveyance facilities	DPU					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
			A	B	C	D	E	F

Utilities and Service Systems (continued):

<p>USS-9 (continued from previous page)</p> <ul style="list-style-type: none"> Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area. <p>Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems - Hydrology and Water Quality

<p>USS-10: In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge.</p> <p>Verification comments:</p>	<p>During the dry season</p>	<p>Fresno Irrigation District (FID)</p>				<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems - Biological Resources:</p> <p>USS-11: When FMFCD proposes to provide drainage service outside of urbanized areas:</p> <p>(a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required.</p> <p>(b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. As part of FMFCD's Memorandum of Understanding with CDFG, Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and from the <i>(continued on next page)</i></p>	<p>Prior to development approvals outside of highly urbanized areas</p>	<p>California Regional Water Quality Control Board (RWQCB), and USACE</p>						X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

<p>USS-11 (continued from previous page)</p> <p>Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet "no net loss policy," the permits shall require replacement of wetland habitat at a 1:1 ratio.</p> <p>(c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements:</p> <ul style="list-style-type: none"> i. Specific location, size, and existing hydrology and soils within the wetland creation area. ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper <p style="text-align: right;">(continued on next page)</p>	<p>[see previous page]</p>	<p>[see previous page]</p>	
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - Biological Resources (continued):

<p>USS-11 (continued from previous two pages)</p> <p>hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan.</p> <p>iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation.</p> <p>(d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary.</p> <p style="text-align: right;">(continued on next page)</p>	<p>[see Page 41]</p>	<p>[see Page 41]</p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
<p>USS-11 (continued from previous three pages)</p> <p>If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.</p> <p>Or</p> <p>(e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank.</p> <p>Verification comments:</p>	[see Page 41]	[see Page 41]						
<p>MM USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further (continued on next page)</p>	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
<p>USS-12 (continued from previous page)</p> <p>action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.</p> <p>(b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:</p> <ul style="list-style-type: none"> • The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts). • The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question. <p style="text-align: right;"><i>(continued on next page)</i></p>	[see previous page]	[see previous page]						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
<p>USS-12 (continued from previous two pages)</p> <ul style="list-style-type: none"> • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. (c) Prior to design approval, and in consultation with the CDFG and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. <p>Verification comments:</p>	[see Page 44]	[see Page 44]						
<p>USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans.</p> <p>(continued on next page)</p>	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	CDFW and USFWS						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems - Biological Resources (continued):</p> <p>USS-13 (continued from previous page)</p> <p>(b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp.</p> <p>(c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Or mitigation shall be the purchase of mitigation credit through an accredited mitigation bank.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

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 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems - Biological Resources (continued):</p> <p>USS-14: When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur:</p> <p>(a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat.</p> <p>(b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible.</p> <p>(c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.</p> <p>Verification comments:</p>	<p>During facility design and prior to initiation of construction activities</p>	<p>CDFW and USFWS</p>						X

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

<p>USS-15: Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.</p> <p>Verification comments:</p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>						X
<p>USS-16: When FMFCD proposes to construct drainage facilities in an area that supports bird nesting habitat:</p> <p>(a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY					
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Utilities and Service Systems - Biological Resources (continued):

<p>USS-16 (continued from previous page)</p> <p>(b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing.</p> <p>Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction.</p> <p>(continued on next page)</p>	<p>[see previous page]</p>	<p>[see previous page]</p>	
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Utilities and Service Systems / Biological Resources (continued):

<p>USS-17 (continued from previous page) FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board. Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>
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Utilities and Service Systems – Recreation / Trails:

<p>USS-18: When FMFCD updates its District Service Plan: Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following: (continued on next page)</p>	<p>Prior to final design approval of all elements of the District Services Plan</p>	<p>DARM, PW, City of Clovis, and County of Fresno</p>	<p></p>	<p></p>	<p></p>	<p></p>	<p>X</p>
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Utilities and Service Systems – Recreation / Trails (continued):

<p>USS-18 (continued from previous page)</p> <p>(a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities.</p> <p>(b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Air Quality:

<p>USS-19: When District drainage facilities are constructed, FMFCD shall:</p> <p>(a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use.</p> <p>(continued on next page)</p>	<p>During storm water drainage facility construction activities</p>	<p>Fresno Metropolitan Flood Control District and SJVAPCD</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>													X
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Utilities and Service Systems – Air Quality (continued):

<p>USS-19 (continued from previous page)</p> <p>(b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site.</p> <p>(c) Off-road trucks should be equipped with on-road engines if possible.</p> <p>(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Adequacy of Storm Water Drainage Facilities:

<p>USS-20: Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with FMFCD to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the necessary additional capacity is provided.</p> <p>Verification comments:</p>	<p>Prior to exceeding capacity within the existing storm water drainage facilities</p>	<p>FMFCD, PW, and DARM</p>							<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
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Utilities and Service Systems – Adequacy of Water Supply Capacity:

<p>USS-21: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the 2013 Recycled Water Master Plan and the 2014 City of Fresno Metropolitan Water Resources Management Plan update.</p> <p>Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025.</p> <p>Verification comments:</p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU and DARM</p>						X				
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Utilities and Service Systems – Adequacy of Landfill Capacity:

<p>USS-22: Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.</p> <p>Verification comments:</p>	<p>Prior to exceeding landfill capacity</p>	<p>DPU and DARM</p>					X					
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EXHIBIT C

PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST
For Environmental Assessment Application No. R-14-012/C-14-150
February 27, 2015

This monitoring checklist for the above noted environmental assessment is being prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), as required under Assembly Bill 3180, and is intended to establish a project-specific reporting/monitoring program for Environmental Assessment No. R-14-012/C-14-150. Verification of implementation of these mitigation measures, in addition to the applicable measures specified for this project per the Mitigation Monitoring Checklist prepared for this project pursuant to Master Environmental Impact Report No. SCH No. 2012111015 Fresno General Plan, will be required upon the application for subdivision of the project site, special permits, or grading on the project site. The captions below refer to corresponding sections of the Initial Study checklist for this project, using the Appendix G format from the CEQA Guidelines.

MITIGATION MEASURES FOR ENVIRONMENTAL ASSESSMENT NO. C-14-150

MITIGATION MEASURE	IMPLEMENTED BY	WHEN IMPLEMENTED	VERIFIED BY
1. Project shall implement and incorporate, as appropriate all mitigation measures as identified in the attached Master Environmental Impact Report No. SCH No. 2012111015Fresno General Plan Mitigation Monitoring Checklist dated February 27, 2015.	Applicant	Processing and review of project proposal prior to approval of special permit.	City of Fresno Development & Resource Management Department; City of Fresno, Departments of Public Works and Utilities

EXHIBIT D: PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST FOR EA NO. R-14-012/C-14-150
 February 27, 2015
 Page 2

<p>I-c: Aesthetics: The buildings along N. Blackstone Avenues shall have urban frontage design that includes the following elements:</p> <ul style="list-style-type: none"> a. Building frontages shall be no more than 10 feet of the back of the sidewalk b. Front doors shall be facing the streets. c. Frontage type shall be a stoop or porch (see Downtown Development Code standards) d. No exterior stairways shall be visible from the streets e. No fencing shall be installed between the building frontages and the sidewalk 	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development & Resource Management Department.</p>
<p>III. Air Quality: Comply with Rule 9510 (Indirect Source Review – ISR)</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development & Resource Management Department San Joaquin Valley Air Pollution Control District.</p>

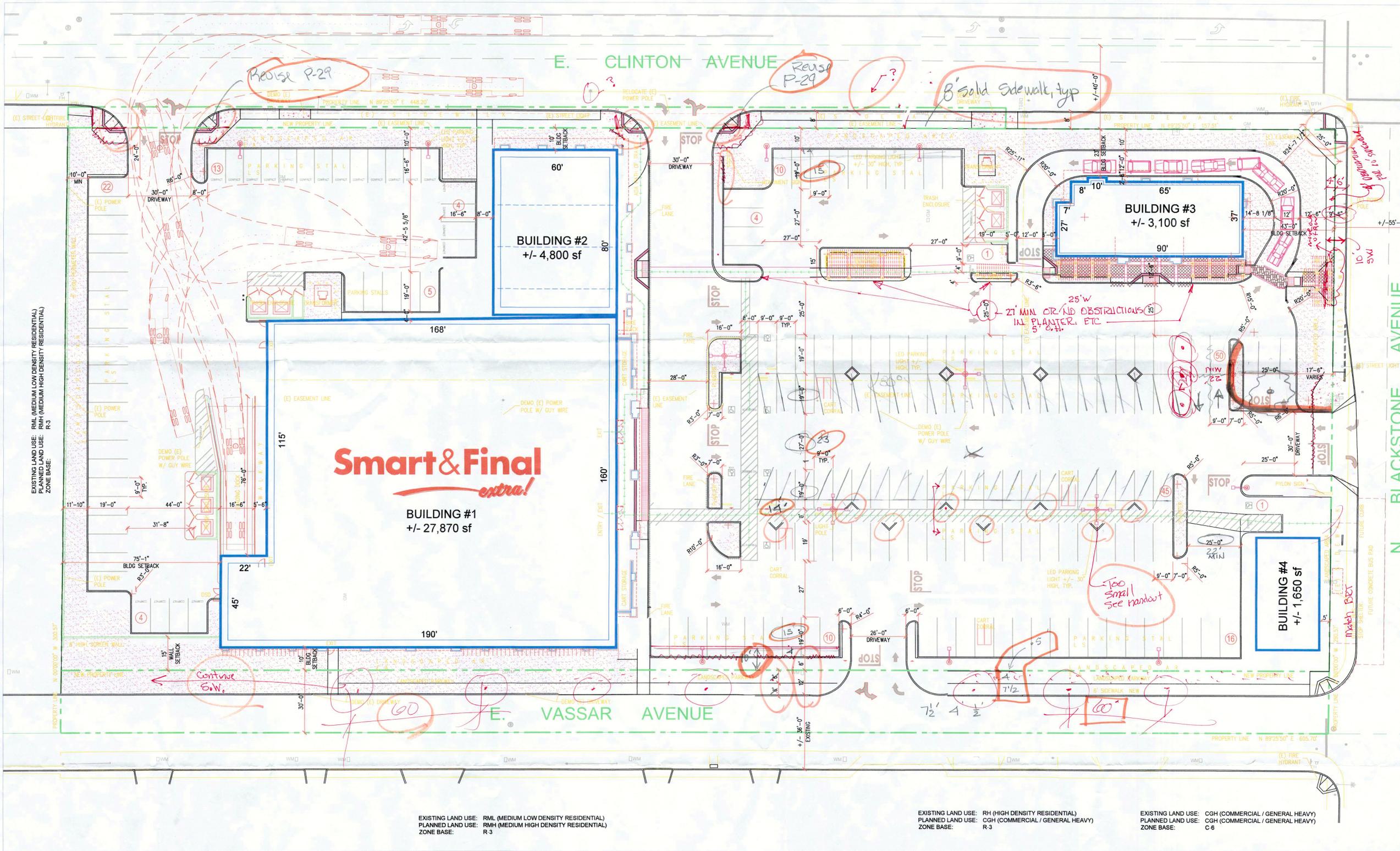
<p>VIII-9: Hazards & Hazardous Materials</p> <ul style="list-style-type: none"> a. All water wells and/or septic systems that have been abandoned within the project area shall be properly destroyed by an appropriately licensed contractor. b. Should any underground storage tank(s) be found during construction, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. 	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development & Resource Management Department; Fresno County Public Health Department</p>
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<p>IX: Hydrology and Water Quality</p> <p>a/c. Prior to the issuance of building permits, the project applicant shall submit a stormwater management plan to the City of Fresno for review and approval. The stormwater management plan shall identify pollution prevention measures and practices to prevent polluted runoff from leaving the project site. Examples of stormwater pollution prevention measures and practices to be contained in the plan include but are not limited to:</p> <ul style="list-style-type: none"> • Bioswales and landscaped areas that promote percolation of runoff • Pervious pavement • Roof drains that discharge to landscaped areas • Trash enclosures with screen walls and roofs • Stenciling on storm drains • Curb cuts in parking areas to allow runoff to enter landscaped areas • Rock-lined areas along landscaped areas in parking lots • Catch basins • Regular sweeping of parking areas and cleaning of storm drainage facilities • Employee training to inform store personnel of stormwater pollution prevention measures 	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development & Resource Management Department Fresno Metropolitan Flood Control District</p>
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<p>IX-b: Hydrology and Water Quality All landscaping shall be drought tolerant. For purposes of compliance with this mitigation measure, drought tolerant shall mean 80% of landscape area planted with plant materials with "low" WULCOL value, and 20% area planted with plant material of "medium" WULCOL value.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development & Resource Management Department</p>
<p>IX-d: Hydrology and Water Quality Comply with the Fresno Metropolitan Flood Control District's requirements related to flood control. Temporary retention is required until master plan facilities can be completed.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Department of Public Works Fresno Metropolitan Flood Control District</p>
<p>IX-e: Hydrology and Water Quality Comply with the Fresno Irrigation District requirements for treatment of the underground pipe that carries the waters of Braly Canal No. 14 under the southern portion of the site.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>Fresno Irrigation District</p>

<p>XII-a: Noise All buildings in the project shall include noise-attenuating design features such as:</p> <ol style="list-style-type: none">1. Construction of façades with substantial weight and insulation;2. Use of sound-rated windows for primary sleeping and activity areas;3. Use of sound-rated doors for all exterior entries at primary sleeping and activity areas;4. Use of minimum setbacks and exterior barriers;5. Use of acoustic baffling of vents for chimneys, attic and gable ends;6. Installation of a mechanical ventilation system that provides fresh air under closed window conditions.			
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<p>XIV-2-a: Public Services XVI. Transportation Pay the following Impact Fees prior to issuance of building permits:</p> <ol style="list-style-type: none"> 1. Police 2. Schools (Fresno Unified School District) 3. Parks 4. Transportation 	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development & Resource Management Department</p>
<p>XVII-1: Utilities and Service Systems Comply with Department of Public Utilities Water Division memoranda regarding sewer, water and solid waste requirements.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development & Resource Management Department City of Fresno Department of Public Utilities</p>



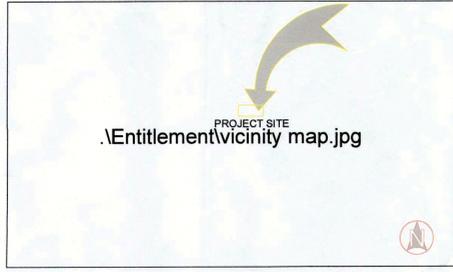
EXISTING LAND USE: RML (MEDIUM LOW DENSITY RESIDENTIAL)
 PLANNED LAND USE: RMH (MEDIUM HIGH DENSITY RESIDENTIAL)
 ZONE BASE: R-3

EXISTING LAND USE: RH (HIGH DENSITY RESIDENTIAL)
 PLANNED LAND USE: C-3 (COMMERCIAL / GENERAL HEAVY)
 ZONE BASE: R-3

EXISTING LAND USE: C-6 (COMMERCIAL / GENERAL HEAVY)
 PLANNED LAND USE: C-6 (COMMERCIAL / GENERAL HEAVY)
 ZONE BASE: C-6

1 PROPOSED SITE PLAN 1"=20'-0"

VICINITY MAP



SITE DATA

ACCESSOR'S PARCEL NUMBER:
 444-092-04, 444-092-05, 444-092-13,
 444-092-16, 444-092-17

GROSS SITE AREA: 4.14 AC OR 180,333.32 SF
 NET SITE AREA: +/- 3.62 AC OR +/- 157,820 SF

EXISTING LAND USE: GENERAL HEAVY COMMERCIAL & MEDIUM LOW DENSITY RESIDENTIAL

PLANNED LAND USE: COMMERCIAL / GENERAL HEAVY

ZONE BASE: SPLIT C-6 and R-3 (MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICT)

ZONING: C-6 (HEAVY COMMERCIAL DISTRICT)

SPECIFIC PLAN: TOWER DISTRICT

LAND USE REGULATION:

FLOOR AREA:	BUILDING #1	BUILDING #2	BUILDING #3
	+/- 27,870 SF (GROCERY)	+/- 4,800 SF (RETAIL)	+/- 3,100 SF (DRIVE-THRU RESTAURANT)
TOTAL FLOOR AREA	+/- 35,770 SF		
BUILDING COVERAGE:	22.67 %		
HEIGHT LIMITATION:	35'-0" (C-6 ZONE)		
BUILDING SETBACKS:	REQUIRED	PROVIDED	
REAR (WEST)	10'-0"	75'-0"	
FRONT (EAST)	10'-0"	43'-0"	
LEFT (SOUTH)	10'-0"	10'-6"	
RIGHT (NORTH)	10'-0"	10'-0"	
PARKING:	STANDARD STALLS 9'-0" X 19'-0" @ 90°		
	9'-0" X 18'-0" @ 90° W/ CONTINUOUS		
CURB:	COMPACT STALL 8'-6" X 16'-6" @ 90° (25% MAXIMUM)		
	8'-6" X 15'-6" @ 90° W/ CONTINUOUS		
LOADING SPACE:	12'-0" X 40'-0"		

DRIVE AISLE: 27'-0" (TWO WAY @ 90°)
 22'-0" (TWO WAY - PARALLEL PARKING)

PARKING REQUIRED:

BUILDING #1 (GROCERY)	BUILDING #2 (RETAIL)	BUILDING #3 (DRIVE THRU RESTAURANT)
151 STALLS @ 370/1000 X 2	13 STALLS @ 370/1000	24 STALLS @ 125/1000
TOTAL PARKING REQUIRED: 188 STALLS (75)		
CODE ALLOWED 40% REDUCTION: 113 STALLS REQUIRED		
PARKING PROVIDED:		
STANDARD STALL	153 STALLS	
COMPACT STALL	21 STALLS	
PARALLEL STALL	4 STALLS	
ACCESSIBLE STALL	6 STALLS	
VAN ACCESSIBLE	1 STALLS	
TOTAL PARKING PROVIDED:	185 STALLS	
PARKING RATIO PROVIDED:	5.37 / 1000 SF	

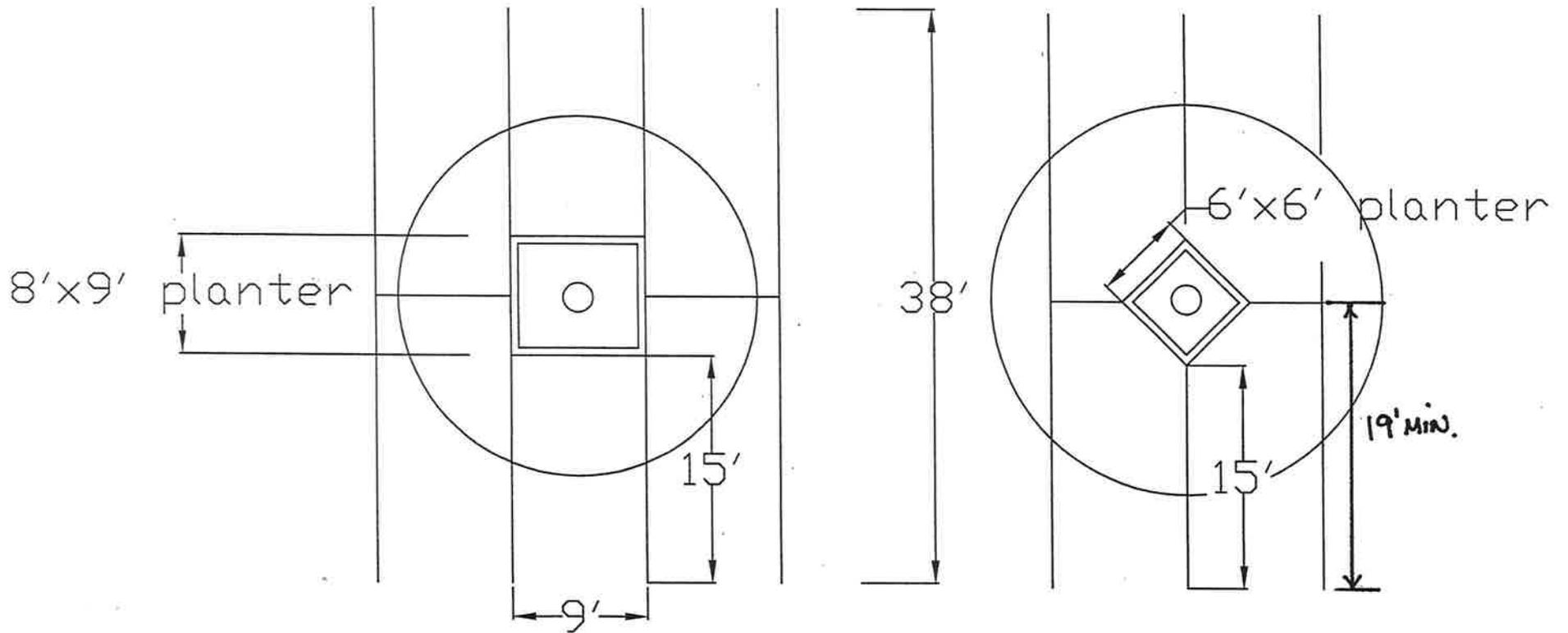
BICYCLE PARKING:
 REQUIRED: 10% OF AUTOMOBILE PARKING, NOT TO EXCEED 10 BICYCLE PARKING
 PROVIDED: 10 BICYCLE PARKING

LANDSCAPED AREA: +/- 22,829 SF OR 23.01% OF PAVED AREA
 PAVED AREA: +/- 99,221 SF
 NORMAL PROJECTIONS ALLOWED TO BE 5" FOR EACH 1'-0" OF REQUIRED YARD SETBACK

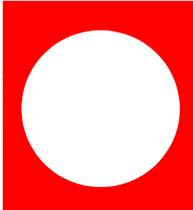
GRAPHIC SCALE



CONCEPTUAL PLANNING ONLY. ALL DIMENSIONS AND SPACING SHALL BE VERIFIED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.



PARKING LOT PLANTERS



REVISIONS:

DATE: 07/11/2014 BY: ED
DATE: 07/14/2014 BY: ED
DATE: 07/15/2014 BY: ED
DATE: 07/21/2014 BY: ED
DATE: 07/22/2014 BY: ED
DATE: 07/23/2014 BY: ED
DATE: 08/06/2014 BY: ED
DATE: 09/22/2014 BY: ED
DATE: 10/07/2014 BY: ED
DATE: 10/09/2014 BY: ED
DATE: 11/24/2014 BY: ED
DATE: 11/26/2014 BY: ED

OWNER:
RICH
DEVELOPMENT ENTERPRISES, LLC

600 N. Tustin Avenue,
Santa Ana, CA 92705
Tel: (714) 835-3311
Fax: (714) 835-3323

PROJECT:
**Retail Center
FRESNO**

LOCATION:
SWC E. CLINTON AVENUE
&
N. BLACKSTONE AVENUE,
FRESNO, CA 93724

CONSULTANT:

SHEET TITLE:
SITE PLAN

PROJECT ARCHITECT:	TC
PROJECT MANAGER:	AL
DRAWN BY:	ED
CHECKED BY:	AL
DRAWING SCALE:	AS SHOWN

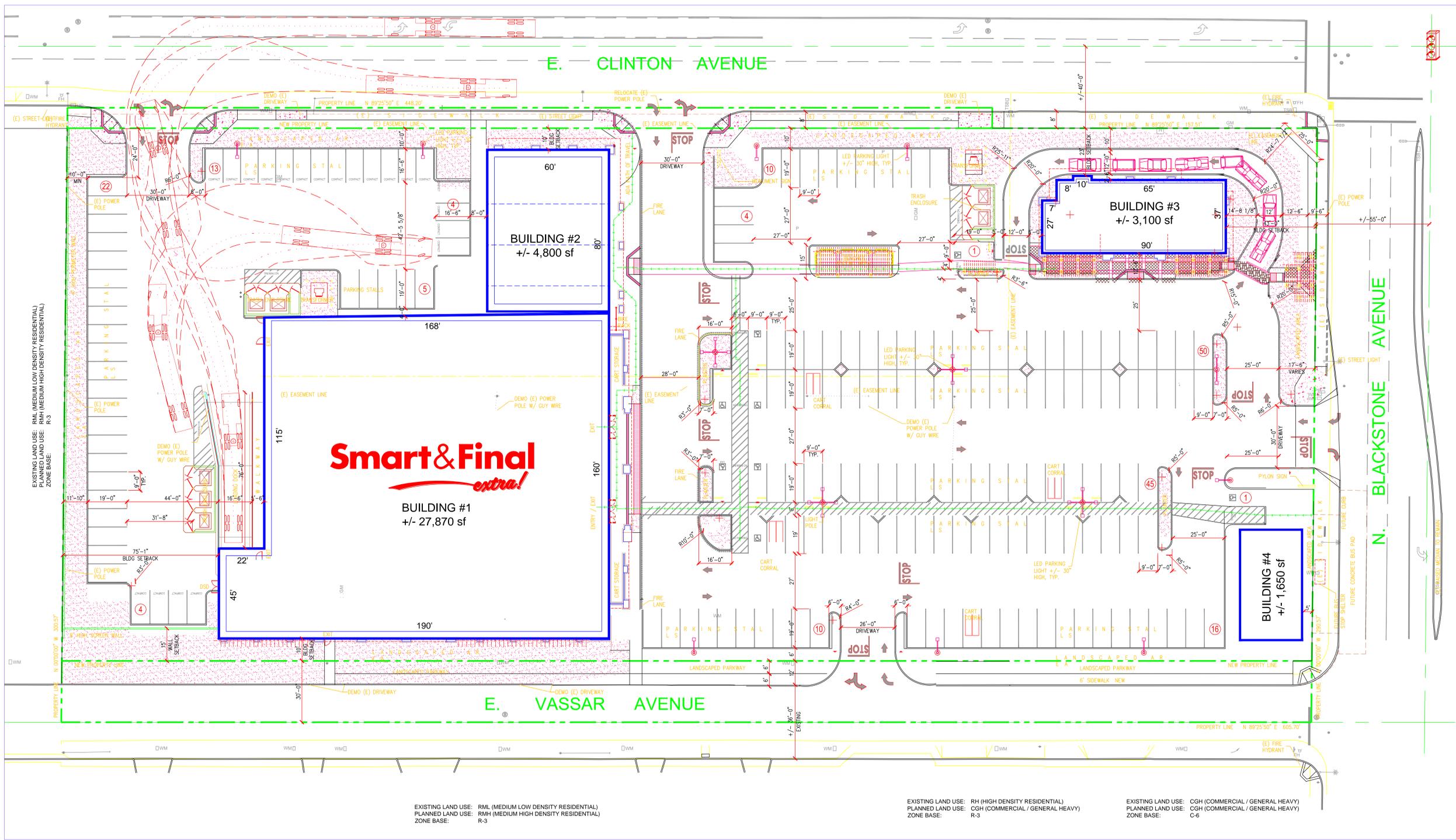
**COURTNEY+LE
ARCHITECTS**

901 South Myrtle Avenue
Morroville, California 91016
(626) 275-6800 (626) 275-6801 FAX
mail @ courtney-le-architects.com

PROJECT NO.: 14033.02
OWNER/AGENCY: 12/01/2014
BID ISSUE:
CONSTRUCTION ISSUE:

SD.1

C.U.P., REZONE, SITE PLAN
REVIEW AND LOT LINE
ADJUSTMENT



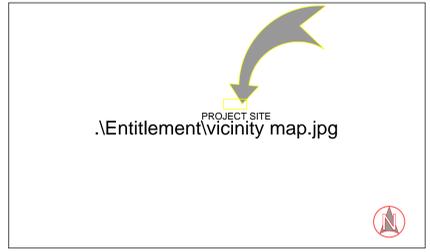
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PAVED AREA: +/- 99,221 SF

NORMAL PROJECTIONS ALLOWED TO BE 5" FOR EACH 1'-0" OF REQUIRED YARD SETBACK



CONSULTANT'S RESPONSIBILITY: THIS PLAN AND THE PROPOSED SITES FOR INFORMATIONAL PURPOSES. EACH DRAWING INCLUDING LANDSCAPE AND ARCHITECTURAL EXTERIOR ELEVATIONS WHICH ARE AN ARTISTIC REPRESENTATION OF THE DESIGN CHARACTER OF THE PROPOSED PROJECT IS THE PROPERTY OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN SERVICES PROVIDED. THE ARCHITECT'S LIABILITY DOES NOT EXTEND TO THE DESIGN OF ANY OTHER WORK NOT SHOWN HEREON. THE ARCHITECT'S LIABILITY DOES NOT EXTEND TO THE DESIGN OF ANY OTHER WORK NOT SHOWN HEREON. THE ARCHITECT'S LIABILITY DOES NOT EXTEND TO THE DESIGN OF ANY OTHER WORK NOT SHOWN HEREON.