



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VII-A  
COMMISSION MEETING 6-3-15

June 3, 2015

FROM: MICHAEL SANCHEZ, Assistant Director  
Development and Resource Management Department

APPROVED BY  
  
DEPARTMENT DIRECTOR

THROUGH: BONIQUE EMERSON, Planning Manager  
Development Services Division

BY: STAFF  
Development Services Division

SUBJECT: CONSIDERATION OF AN APPEAL OF THE DIRECTOR'S ACTION REGARDING CONDITIONAL USE PERMIT (CUP) APPLICATION NO. C-14-072 AND ENVIRONMENTAL DETERMINATION UNDER ENVIRONMENTAL ASSESSMENT NO. C-14-072

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

- ADOPT the environmental finding of a Mitigated Negative Declaration dated May 15, 2015 in accordance with the California Environmental Quality Act (CEQA).
- DENY the appeal and UPHOLD the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-14-072 subject to the following:
  - a. Development shall take place in accordance with Exhibits AA-1, AA-2, AA-3 and AA-4 all dated February 20, 2015 and A-1, A-2, A-3, A-4, A-5, A-6, A-7 and Exhibits E, E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10 all dated August 14, 2014.
  - b. Development shall take place in accordance with the project Conditions of Approval dated February 27, 2015 for Conditional Use Permit Application No. C-14-072.

EXECUTIVE SUMMARY

Conditional Use Permit Application No. C-14-072, was filed by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to 2.93± acres of property located on the northeast corner of West Herndon and North Brawley Avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM (Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management). The Bullard Community Plan and the Fresno General Plan designate the planned land use of the site as office. Originally, applicant proposed to restrict the office facility to medical offices only.

Since then, the applicant now simply refers to the use as “office use” (*not medical office*). See Vicinity Map, Aerial Photo of Site, Site Plan and Elevation (Exhibits A-D) which more fully describe the project.

## PROJECT INFORMATION

PROJECT	Conditional Use Permit Application No. C-14-072, was filed by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to 2.93± acres of property located on the northeast corner of West Herndon and North Brawley Avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM ( <i>Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management</i> ). The Bullard Community Plan and the 2025 Fresno General Plan designate the planned land use of the site as <i>office</i> .
APPLICANT	Randy Alonzo Vice President PB Companies, LLC 3480 Higuera St. San Luis Obispo, CA 93401
LOCATION	3771 West Beechwood Avenue (APNs: 501-152-01s and 501-142-07s)  Located on the northeast corner of West Herndon and North Brawley Avenues.
SITE SIZE	2.93-acres
LAND USE	Existing - Commercial Office Land Use (Vacant) Proposed - An office building and assisted care living/memory care facility
ZONING	C-P/BA-30/EA/UGM ( <i>Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management</i> )

**PLAN DESIGNATION  
 AND CONSISTENCY**

Conditional Use Permit Application No. C-14-072 is proposed in accordance with the commercial office planned land use identified in the Bullard Community Plan and the Fresno General Plan.

**PLAN COMMITTEE  
 RECOMMENDATION**

Council District 2 Plan Implementation Committee has reviewed this project and voted (5-0) to approve it.

**STAFF  
 RECOMMENDATION**

Staff recommends approval of Conditional Use Permit Application No. C-14-072 subject to compliance with Exhibits AA-1, AA-2, AA-3 and AA-4 all dated February 20, 2015 and A-1, A-2, A-3, A-4, A-5, A-6, A-7 and Exhibits E, E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10 all dated August 14, 2014 and the conditions found on the Director's Conditional Letter of Approval, dated February 27, 2015.

**BORDERING PROPERTY INFORMATION**

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Medium Density Residential	<b>R-2-A</b> <i>Low Density Multiple Family District, Single Story</i>	Residential
<b>East</b>	Office	<b>C-P</b> Administrative and Professional Offices	Offices
<b>South</b>	Community Commercial	<b>C-2</b> <i>Commercial Shopping Center District</i>	Vacant
<b>West</b>	Neighborhood Commercial	<b>C-1</b> <i>Neighborhood Shopping Center District</i>	Vacant

**ENVIRONMENTAL FINDING**

An environmental assessment initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations (see Exhibit M).

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the Bullard Community Plan area, including the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015). These environmental and technical studies have examined projected sewage generation rates of planned urban uses, the capacity of existing sanitary sewer collection and treatment facilities, and optimum alternatives for increasing capacities; groundwater aquifer resource conditions; water supply production and distribution system capacities; traffic carrying capacity of the planned major street system; and, student generation projections and school facility site location identification.

The proposed conditional use permit has been determined to not be fully within the scope of the recently adopted MEIR SCH No. 2012111015 as provided by the CEQA, as codified in the Public Resources Code (PRC) Section 21157.1(d) and the CEQA Guidelines Section 15177(c). It has been further determined that all applicable mitigation measures of MEIR SCH No. 2012111015 have been applied to the project, together with project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by SCH No. 2012111015 as provided by CEQA Section 15178(a). In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), staff has determined 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. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

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 mitigated negative declaration for this project. A public notice of the attached mitigated negative declaration finding for Environmental Assessment Application C-14-072 was published on May 15, 2015 with no comments or appeals received to date.

Project specific mitigation measures include:

- Incorporation of landscape water efficiency measures noted in MEIR;
- Incorporation of landscaping along Beechwood Avenue to screen adjacent homes from the parking lot and the buildings;
- Compliance with Noise Study;
- Compliance with Fresno Airport Land Use Commission's conditions;
- Compliance with Fresno Metropolitan Flood Control District requirements;
- Compliance with Department of Public Works Traffic Engineering requirements; and
- Payment of public service-related impact fees.

## **BACKGROUND / ANALYSIS**

### Neighborhood Meeting

A neighborhood meeting was held at Forkner Elementary School on November 18, 2014 at 6:00 p.m. to present the project to the neighborhood. Many neighbors attended and some were against the project for variety of reasons. Some vowed to fight the project and expressed a concern that their property values would be harmed. Thirteen appeal letters were filed prior to 15-day appeal period and are addressed later in this report.

### CUP for Assisted Living/ Memory Care is Subject of this Appeal

Office use is permitted "by right" in in the C-P zone district and does not require a Conditional Use Permit. However, in the C-P zone district an assisted living/memory care facility is only permitted with a Conditional Use Permit Application. The City's zoning ordinance considers an assisted living/memory care facility to be assisted living for seniors. This use is permitted in any zone district with a CUP pursuant to Section 12-304-B-13.

## **LAND USE GOALS, OBJECTIVES AND POLICIES**

The Fresno General Plan designates the subject site for commercial office planned land uses and provides objectives to guide in the development of these projects. Conditional Use Permit Application No. C-14-072 meets many of the goals, policies and objectives of the Fresno General Plan. The following are excerpts of such goals, objectives and policies.

Goal 7 of the General Plan update calls for the provision of a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the city.

Goal 10 of the General Plan update calls for an emphasis on increased land use intensity and mixed-use development at densities supportive of greater use of transit in Fresno. Greater densities can be achieved through encouragement, infrastructure and incentives for infill and revitalization along major corridors and in Activity Centers.

Policy 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.

Policy 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.

The proposed infill Project is generally consistent with existing adjacent commercial office use, style, and site development. Existing pedestrian paths of travel, which include sidewalks and a trail on Herndon Avenue, are maintained. The two proposed buildings have an architectural articulation achieved by sloping roofs with overhangs, window trim, color, and exterior materials which are consistent with the building types of existing adjacent buildings. Furthermore, the type and density of the proposed landscaping also integrates with the patterns of existing adjacent development.

While one of the proposed buildings, the Care Facility, will be taller than existing buildings by nine feet, it remains within the height allowance of the applicable and existing C-P zone. The second proposed building height is twenty-six feet, which is equal to the height of the existing adjacent building. The siting of the taller proposed building between the two lower buildings creates a desirable pattern of progressive heights and massing, which is diffused by the existing mature trees of eighty feet and more.

The siting of the proposed buildings is consistent with that of the existing commercial buildings, which are located adjacent to south property lines. This creates the maximum separation possible between the commercial buildings and nearby homes.

North of the site is an existing residential development. The homes are single story with ridge heights generally of seventeen to nineteen feet, on building pads approximately three feet above street grade. The residences are separated from the existing commercial developments by Beechwood Avenue, which has a median with mature trees reaching the heights stated above. The existing median screening, along with existing commercial parking lot hedge screening, form an effective visual separation between the existing land uses which will be maintained.

Policy LU 6.c Appropriate Office Development. Promote the establishment of development standards for new offices, addressing location, size, and intensity necessary to meet the City's needs. Integrate and support employment in adjacent and proximate neighborhoods.

## **DIRECTOR'S ACTION ON CONDITIONAL USE PERMIT**

The Development and Resource Management Department Director took action on February 27, 2015 to approve Conditional Use Permit Application No. C-14-072. In accordance with Government Code Section 65091 (Planning and Zoning Law) and the Special Permit Procedure of the Fresno Municipal Code, a notice of granting of the conditional use permit application was mailed to surrounding property owners within 350 feet of the subject property (Noticing Map attached as Exhibit E). The special permit does not become effective until 15 days from the date the special permit is granted in order to allow time for any interested parties to file an appeal. Thirteen appeals letters were received during the 15-day appeal period from 13 property owners, all within the 350 foot radius noticing area. These appeal letters are attached as Exhibit F. Exhibit G shows the site in relationship to appellant's property. Exhibit H is the Director's Conditional Letter of Approval dated February 27, 2015.

## **APPEAL AND ANALYSIS OF THE APPEAL**

Although there are 11 letters dated March 12, 2015, each of the 11 letters are identical and will be considered a single letter. The letters asserted the following reasons for the appeal:

- (1) There is a "special privilege" and a variance given in direct conflict with the Sierra Sky Park Land Use Plan.

**RESPONSE:**

- a. Office uses are permitted "by right" in the C-P zone district. The assisted living/memory care use is permitted in C-P zone district only with a Conditional Use Permit. The applicant has applied for a Conditional Use Permit and staff has analyzed the Conditional Use Permit. No special privilege or variance is proposed to be given. The applicant's representative and city staff met with the Sierra Sky Park neighborhood on October 7, 2014 and encouraged them to make their views known to the Fresno County Airport Land Use Commission at the upcoming public hearing. This project, which includes both the two-story and three-story buildings, were reviewed and approved at a public hearing conducted by the Fresno County Airport Land Use Commission on December 7, 2014. Since the proposed land use and the proposed height of the buildings is in compliance with the Sierra Sky Park Airport Environs Plan, the Airport Land Use Commission unanimously approved the project as presented, with a condition that the applicant have the tenant (or their guardian) and the office leasees acknowledge in writing that the Sierra Sky Park is located in the vicinity and that they will not object to normal airport operations. The applicant has drafted this acknowledgement and city staff has conditioned the approval of this project that said acknowledgement be included in the documents for leasing or renting space at either of the two buildings.

- (2) There are no two or three story buildings allowed in this area due to the flight path.

**RESPONSE:**

- a. The C-P zone district allows for the construction of buildings as long as they do not exceed 35 feet in height. Buildings outside the Clear Zone and the Traffic Pattern zone allowed to 35 feet in height. The proposed project site is within the Primary Review Zone of the Sierra Sky Park and was reviewed and approved by the Fresno Airport Land Use Commission at the applicant's request.

- (3) The appellants are concerned with the added traffic, possible security issues, parking in front of their homes, lighting and ambulances coming and going all hours of the night.

**RESPONSE:**

- a. A traffic impact study was done for this project. It indicates that the project will generate 1,123 trips over a weekday 24-hour period. The bulk of the trips will be created by the office use (849 trips versus 274 trips for the assisted living/memory care facility). The office use will generate more than three-fourths of the trips. The morning peak hour will generate 75 trips and afternoon peak hour will generate 113 trips. Site access driveways connect to Beechwood Avenue, with no connections

directly to Brawley Avenue. This is a favorable configuration since driveways on Brawley Avenue could potentially result in blockage related to intersection of Herndon and Brawley Avenues. The exit closest to Brawley Avenue will have a "Right Turn Only" sign posted at the exit. However the other exit will allow a left turn on Beechwood Avenue as the applicant proposed to modify the median island to allow exiting vehicles to make a left turn maneuver. The City has future plans to widen Herndon to 6 lanes in both directions between Blythe and Valentine. In addition, when warranted the project shall restripe/widen eastbound Herndon left-turn lane to dual left-turn lane. The applicant shall also restripe/widen northbound Beechwood right-turn lane to dual right-turn lane. Finally, the applicant shall pay a Traffic Mitigation fee.

- b. A full-time, trained security force will be in place on a 24-7 basis to prevent memory impaired guests at the facility from leaving the facility. In addition certain floors of the building will be designed so that access is controlled by locked security doors which will be monitored 24-7.
- c. On-site parking calls for 116 stalls to serve both facilities. This level of parking should be adequate to serve the needs of the project thereby eliminating the need to park on Beechwood Avenue.
- d. The city requires that all on-site lighting be hooded and directed downward so the local homes on Beechwood will not be affected. The median island on Beechwood Avenue already provides some degree of screening the site from the homes on Beechwood Avenue. In addition, the developer intends to install additional trees and hedges along north side of Beechwood Avenue to further screen the parking lot and buildings from the neighborhood.
- e. Ambulances typically turn off their sirens once get into a residential type neighborhood. While they may use them on Herndon Avenue especially at intersections, they typically only use their lights in residential areas.

In a letter received March 11, 2015, the appellant (Mr. and Mrs. Linderman) claims 1) there was a zoning change without public notice; 2) there is a poor design of the streets; 3) the business nature of proposed property related to long established residential neighborhood; 4) multiple safety liabilities would be produced for the area and 5) project would put a drain and strain on current support resources

#### **RESPONSE:**

- a. There was no zoning change. The zoning is C-P/BA-30/EA/UGM (*Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management*) and has been in that zone district since 1979.. The Bullard Community Plan and the Fresno General Plan update designate the planned land use of the site as

*office.* With a Conditional Use Permit, the assisted living/memory care facility is permitted. The proposed office building is permitted "by right" in the C-P zone district.

- b. This project will have two entry and exit points along Beechwood Avenue. One exit/entrance point will be in the middle of the project site and this exit point will be posted with right turn only signs. The second entry/entrance point will be at the east end of project site and will allow for exiting traffic to turn left or right once the median island is modified.
- c. The Beechwood neighborhood to the north has a long established pattern of having an interface with the office uses to the south. This pattern would continue under the current proposal.
- d. The security force at the building will ensure no Alzheimer patients will be able to simply walk away from the facility thereby endangering themselves or others. This project, including the land use and height of the buildings has been approved by the Fresno County Airport Land Use Commission at a public hearing in December 7, 2014.
- e. Appellant claims the flood control system and the water and sewer system will be strained. However, both the Fresno Metropolitan Flood Control District and the City's Public Utilities Department have indicated that there is adequate flood control system and water and sewer systems to handle the project.

In a letter received on March 11, 2015, the appellant (Mr. and Mrs. Hirth) claims there was 1) a lack of public notice and a call for comments from the public prior to granting of the CUP; 2) Failure of Mitigated Negative Declaration (MND) to address the impact of increased traffic on Valentine Avenue; 3) No mention of the impact on Forkner School traffic during peak hours; 4) Failure to address effect of paved areas on runoff in an area already subject to flooding during heavy rain events; 5) Failure to address the economic and lifestyle impact on neighbors of multi-story building as well as the health care facility.

a. There is no public noticing requirement which invites public input prior to the approval of a Conditional Use Permit. City staff followed normal procedures for preparing the environmental document and the Conditional Use Permit. On the advice of city staff, the Applicant held a public meeting to go over the project and answer questions giving the affected neighbors a chance to comment on the project on November 18, 2014. A Notice of Intent to adopt a Mitigated Negative Declaration was published in the Fresno Bee on January 16, 2015 which relied on the 2025 General Plan. However, a subsequent Notice of Intent to adopt a Mitigated Negative Declaration was published in the Fresno Bee on May 15, 2015 which relied on the new General Plan adopted by the City Council on December 18, 2014 and went into effect on January 18, 2015. A notice of granting was sent to all property owners within 350 feet of the project site on February 27, 2015 which provides them a chance to appeal the approval of the project. Since

there are thirteen letters appealing the project the approval of the approval of the CUP was set aside and referred to the Planning Commission for a hearing on June 3, 2015.

b. A full Traffic Impact Study was prepared for the project. The scope of each traffic study is determined by the City's Traffic Engineer. The Hirth letter suggests traffic will be forced to turn east because of the median on Beechwood Avenue. However, project applicant will be required to modify the median island to allow vehicles exiting the site to turn left and proceed westbound to Beechwood Avenue and then travel southbound on Brawley Avenue to Herndon Avenue. It is anticipated that drivers will favor this route over the already impacted intersection of Herndon and Valentine Avenues. Finally, the project does not exacerbate the existing congestion at Forkner Elementary School because this project is not required to mitigate a pre-existing condition (see Exhibit I).

c. The Flood Control infrastructure is fully developed at the proposed site. City staff asked the Flood Control District to respond to Mr. Hirth's concern about flooding. They noted that during intense storm events the storm drainage system can become "overwhelmed"---but this is expected and not an indication that there is problem with the system. Flood Control staff also noted that they have had very few flood complaints in this area and, if any, they were limited to debris temporarily clogging storm drainage inlets. Finally, they note that the drainage system was designed to accommodate the C-P zoned property (see Exhibit J).

d. On the south side of Beechwood Avenue there are currently five commercial office complexes and the Beechwood Avenue residents have had an interface with the commercial-office properties for decades. The same interface will occur should this project be approved. Therefore, in the context of two more commercial building being added to the five commercial building already in existence, the economic and lifestyle impact on the neighborhood of two new multi-story buildings should be nominal.

## **LETTERS IN SUPPORT OF AND IN OPPOSITION TO THE PROJECT**

Several letters were received in support of and in opposition to the project after the appeal date and are attached to this report (see Exhibit K).

## **CONCLUSION / RECOMMENDATION**

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Fresno General Plan, the Bullard Community Plan, its compatibility with surrounding uses or proposed uses, and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. The location of this proposed project is consistent with the General Plan update and the Fresno Municipal Code. It is staff's position that there is not substantial evidence to deny the subject application as the City of Fresno

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Municipal Code and related policies do not prohibit office building or a group housing facility from being located at this particular site.

- Attachments:
- Exhibit A: Vicinity Map
  - Exhibit B: Aerial Photo of Site
  - Exhibit C: Site Plan
  - Exhibit D: Elevation
  - Exhibit E: Noticing Map (350-foot radius)
  - Exhibit F: Appeal Letters
  - Exhibit G: Site in Relationship to Appellant's Property
  - Exhibit H: Director's Conditional Letter of Approval dated February 27, 2015
  - Exhibit I: Letter from Traffic Engineer
  - Exhibit J: E-mail from Fresno Metropolitan Flood Control District
  - Exhibit K: Letters of Support/Opposition received after the appeal period
  - Exhibit L: Conditional Use Permit
  - Exhibit M: Project Comments from City Departments and Outside Agencies
  - Exhibit M: Environmental Assessment No. C-14-072 dated May 15, 2015

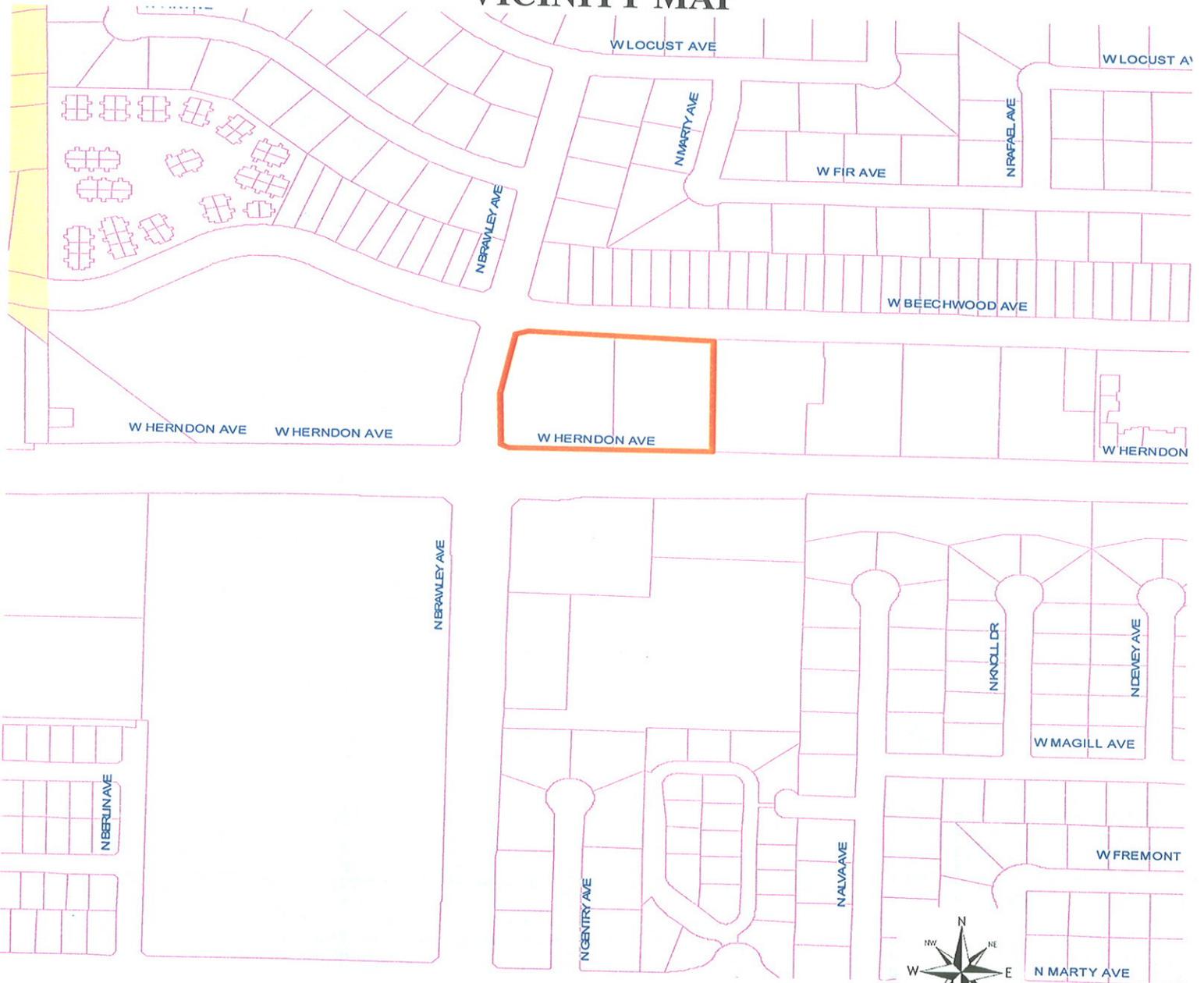
Exhibit A  
Vicinity Map

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT  
2600 FRESNO ST  
FRESNO CA 93721-3604

**THIS IS A LEGAL NOTICE**

Conditional Use Permit C-14-072  
3771 West Beechwood Avenue  
Fresno, CA 93711

**VICINITY MAP**



**Subject Property**

Exhibit B  
Aerial Photograph



Exhibit C  
Site Plan

# LIBERTY HEALTH FRESH

## GENERAL OFFICE ASSISTED LIVING & CARE

W. BEECHWOOD AVE.

N. BRAWLEY AVE.

W. HERNDON AVE.

**AREA PLAN**

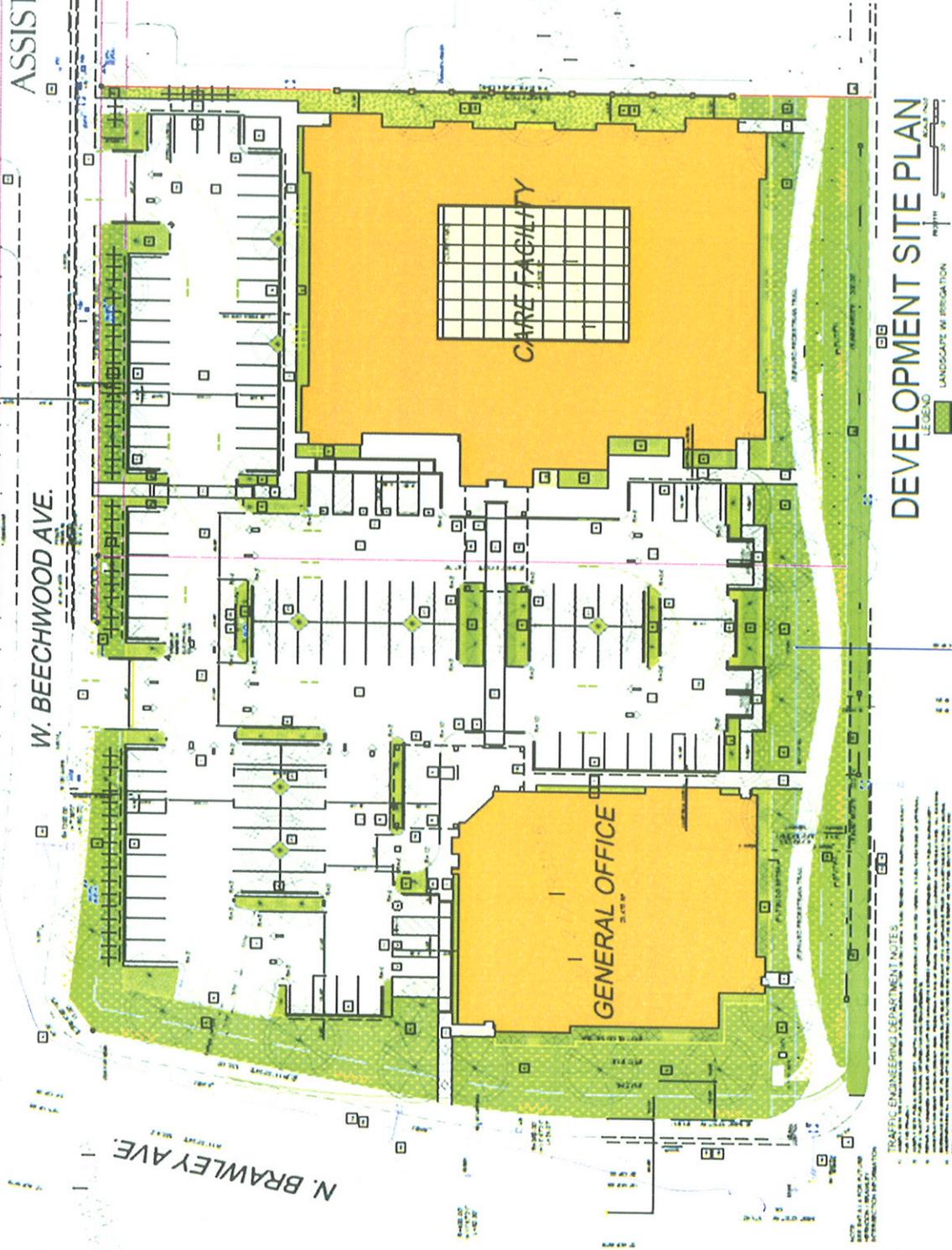
**KEYNOTES**

**LEGAL DESIGN**

**CITY SITE NOTES:**

**FIRE DEPARTMENT NOTES:**

**KEYNOTES:**



### DEVELOPMENT SITE PLAN

- LEGEND**
- LANDSCAPE W/ IRRIGATION
  - PAVING
  - REMOVAL OF ACCESS RIGHTS
  - IMPROVEMENT AS DESCRIBED
  - IMPROVEMENT AS DESCRIBED

**TRAFFIC ENGINEERING DEPARTMENT NOTES:**

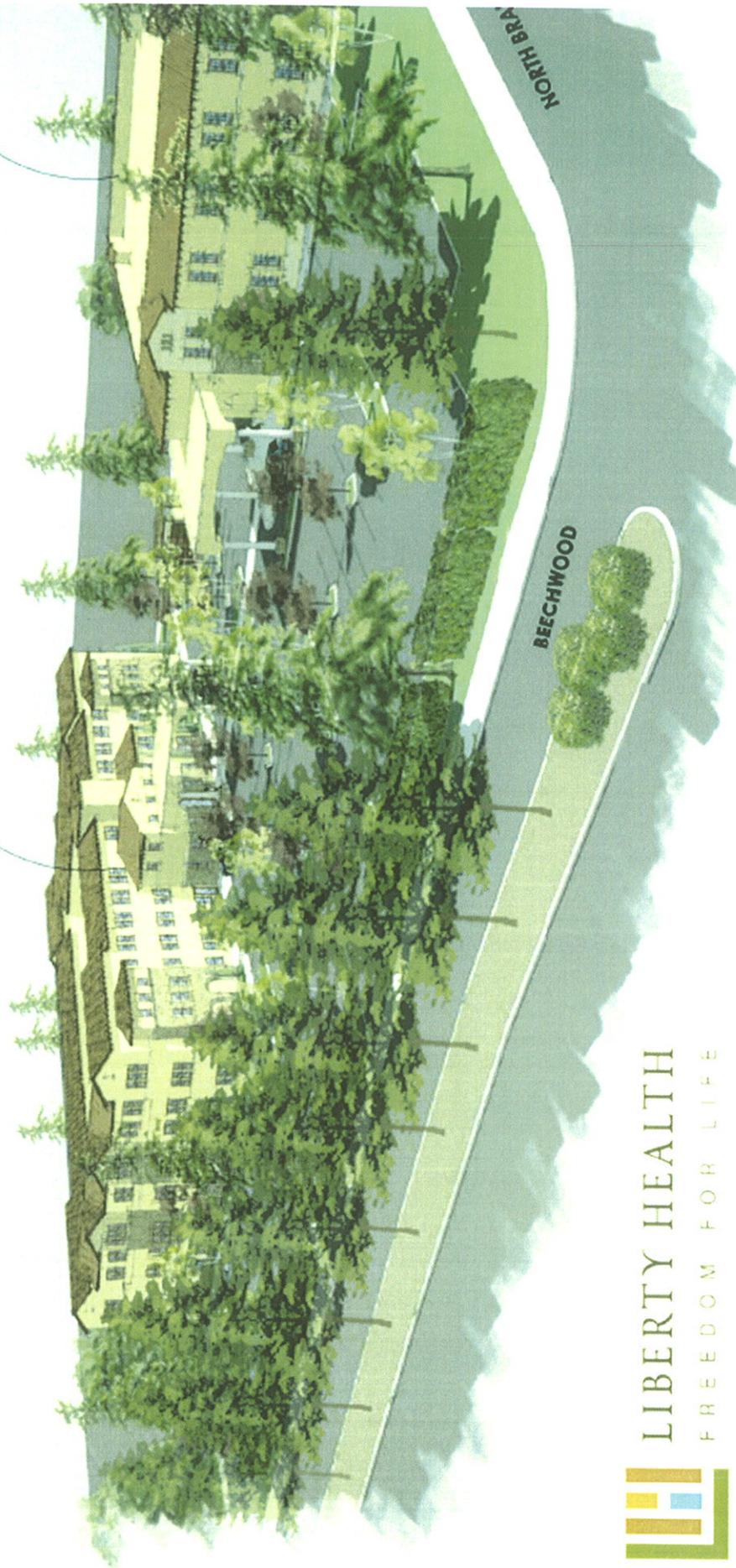
1. THIS PLAN IS BASED ON THE ASSUMPTION THAT THE TRAFFIC VOLUMES AND PEAK HOUR TRAFFIC PATTERNS WILL BE AS SHOWN ON THE ATTACHED TRAFFIC STUDY REPORT.
2. THE TRAFFIC SIGNALS AT THE INTERSECTION OF W. BEECHWOOD AVE AND W. HERNDON AVE WILL BE SET TO OPERATE IN A SEMI-SATURATED MODE.
3. THE TRAFFIC SIGNALS AT THE INTERSECTION OF N. BRAWLEY AVE AND W. HERNDON AVE WILL BE SET TO OPERATE IN A SEMI-SATURATED MODE.
4. THE TRAFFIC SIGNALS AT THE INTERSECTION OF W. BEECHWOOD AVE AND N. BRAWLEY AVE WILL BE SET TO OPERATE IN A SEMI-SATURATED MODE.
5. THE TRAFFIC SIGNALS AT THE INTERSECTION OF W. BEECHWOOD AVE AND W. HERNDON AVE WILL BE SET TO OPERATE IN A SEMI-SATURATED MODE.
6. THE TRAFFIC SIGNALS AT THE INTERSECTION OF N. BRAWLEY AVE AND W. HERNDON AVE WILL BE SET TO OPERATE IN A SEMI-SATURATED MODE.
7. THE TRAFFIC SIGNALS AT THE INTERSECTION OF W. BEECHWOOD AVE AND N. BRAWLEY AVE WILL BE SET TO OPERATE IN A SEMI-SATURATED MODE.
8. THE TRAFFIC SIGNALS AT THE INTERSECTION OF W. BEECHWOOD AVE AND W. HERNDON AVE WILL BE SET TO OPERATE IN A SEMI-SATURATED MODE.
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10. THE TRAFFIC SIGNALS AT THE INTERSECTION OF W. BEECHWOOD AVE AND N. BRAWLEY AVE WILL BE SET TO OPERATE IN A SEMI-SATURATED MODE.

NO.	DESCRIPTION	DATE
1	PRELIMINARY	10/15/11
2	REVISED	11/15/11
3	REVISED	12/15/11
4	REVISED	01/15/12
5	REVISED	02/15/12
6	REVISED	03/15/12
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77	REVISED	02/15/18
78	REVISED	03/15/18
79	REVISED	04/15/18
80	REVISED	05/15/18
81	REVISED	06/15/18
82	REVISED	07/15/18
83	REVISED	08/15/18
84	REVISED	09/15/18
85	REVISED	10/15/18
86	REVISED	11/15/18
87	REVISED	12/15/18
88	REVISED	01/15/19
89	REVISED	02/15/19
90	REVISED	03/15/19
91	REVISED	04/15/19
92	REVISED	05/15/19
93	REVISED	06/15/19
94	REVISED	07/15/19
95	REVISED	08/15/19
96	REVISED	09/15/19
97	REVISED	10/15/19
98	REVISED	11/15/19
99	REVISED	12/15/19
100	REVISED	01/15/20

Exhibit D  
Elevation

ASSISTED LIVING FACILITY

OFFICE B



 LIBERTY HEALTH  
FREEDOM FOR LIFE



Planning Commission Meeting  
April 15, 2015

Exhibit E:  
Noticing Map



Address List Map, c:\gisd\m5\automapladrlist.mxd, Wed Mar 18 10:19:08 2015

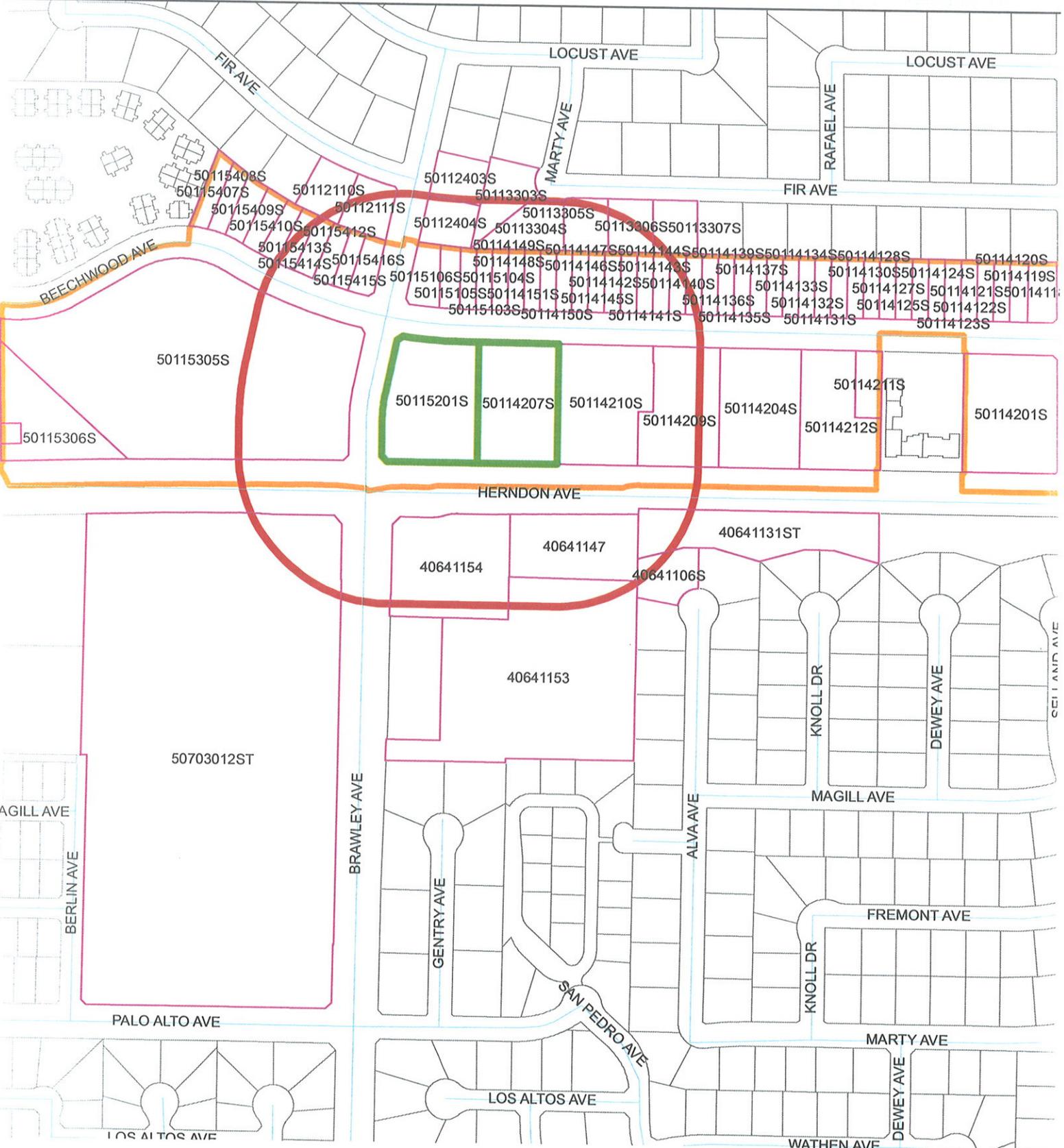


Exhibit F  
Appeal Letters

March 12, 2015

To: Bruce Barnes  
Development and Resource Management  
2600 Fresno St., Fresno CA 93721

We, the residents of Beechwood Ave, Fresno Ca who are directly impacted by your granting of a special use permit application # C-14-072 are writing this letter to notify you of our protest of the permit, and the development of the property on the N/E corner of West Herndon and North Brawley Avenues.

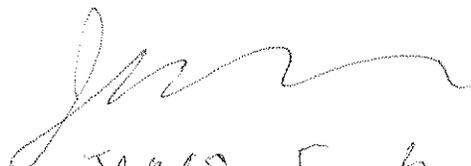
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Thank You.

  
JAMES F. McBEAKAY  
3550 W. BEECHWOOD  
FRESNO, CA 93721

March 12, 2015

To: Bruce Barnes  
Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.

Barbara Cox  
Barbara Cox  
3574 W Beechwood Av  
Fresno Ca 93711

March 12, 2015

To: Bruce Barnes  
Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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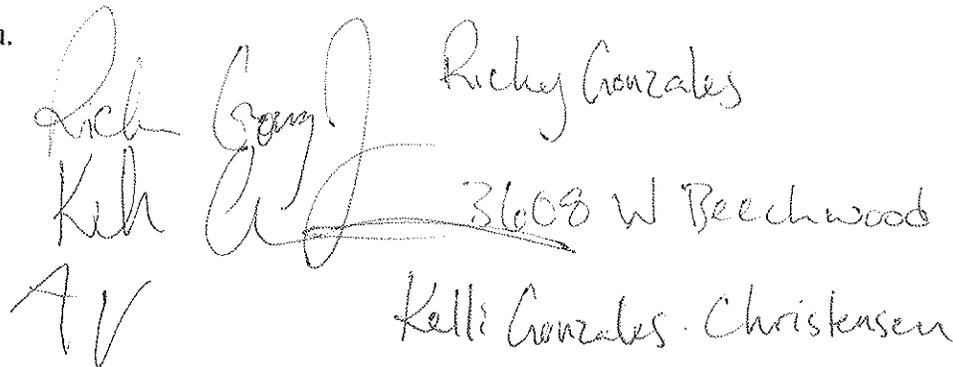
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Thank You.

  
Rich Gonzales  
Kelli Gonzales  
AV  
Ricky Gonzales  
3608 W Beechwood  
Kelli Gonzales Christensen

March 12, 2015

To: Bruce Barnes  
Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.

*Marie Lane*  
3730 W. Beechwood Ave.  
Fresno, CA 93711

March 12, 2015

To: Bruce Barnes  
Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.



Greg Lawe

3730 W. BEECHWOOD AVE-

FRESNO, CA 93711

March 12, 2015

To: Bruce Barnes  
Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.

*Carmen D. Cable*  
*Fred W Cable*  
*3758 West Beechwood Ave.*  
*Fresno, Ca 93711*

March 12, 2015

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Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.



3736 W. Beechwood Ave

Fresno 93711

348-6171

March 12, 2015

To: Bruce Barnes  
Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.



3670 W. BEECHWOOD

March 12, 2015

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Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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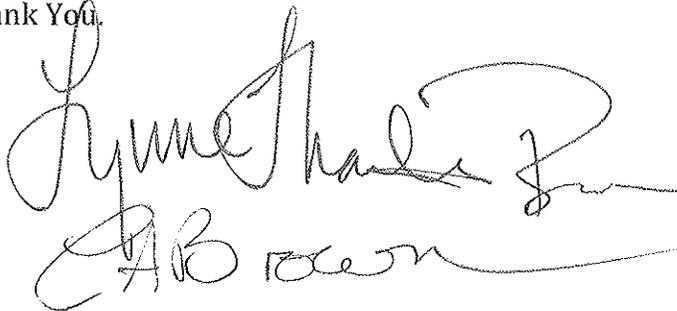
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Thank You.

  
Lynn Thaler  
CAB rown

3764 W. BEECHWOOD  
FRESNO CA 93711

March 12, 2015

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Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.

*Rebecca Perkins*

*Douglas W Perkins*

*3744 St. Beechwood,  
Fresno, CA 93711*

*412-7099*

March 12, 2015

To: Bruce Barnes  
Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.



Scott Kennedy  
3772 W Beechwood Ave  
Fresno, CA 93711

March 12, 2015

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Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.

MATTHEW SAHATDJIAN  
3752 W. BEECHWOOD



March 12, 2015

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Development and Resource Management  
2600 Fresno St., Fresno CA 93721

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Thank You.

WILLIAM L HILL



3688 W. BEECHWOOD

3-13-15

March 12, 2015

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Development and Resource Management  
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Thank You.

*Joyce Henley*  
3712 W. Beechwood  
Fresno CA 93711

3/13/15

I am in receipt of letters of protest re: permit application # C-14-072  
Regarding the development of the property on the N/E corner of West Herndon and  
North Brawley Avenues.

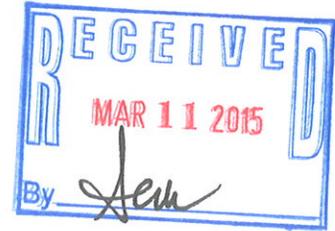
From: 3758 W. Beechwood  
· 3736 W. Beechwood  
· 3670 W. Beechwood  
· 3764 W. Beechwood  
· 3744 W. Beechwood  
· 3772 W. Beechwood  
· 3752 W. Beechwood  
· 3688 W. Beechwood  
· 3712 W. Beechwood  
(2) · 3730 W. Beechwood  
· 3608 W. Beechwood  
· 3574 W. Beechwood  
· 3550 W. Beechwood

*S. Cox for J.B.*

3/13/15

VERIFIED

7106 North Brawley Avenue  
Fresno, Ca 93711  
March 8, 2015



Jennifer K. Clark, Director  
Development and Resource Management Department  
City of Fresno  
2600 Fresno Street, Room 3076  
Fresno, CA 93721

Director Clark:

We are writing to request an appeal to Conditional Use Permit, #C-14-072. My wife and I feel an appeal is strongly supported by the below issues and explanation for each item that follows:

1. Zoning change, especially without any public notice.
2. Poor design of streets and environmental intra-structure that would feed and support the proposed facility.
3. Business nature of the proposed property related to the long established residential neighborhood.
4. Multiple safety liabilities this facility would produce for the area.
5. Drain and strain on current support resources.

Surprise Zoning Changes – Residents that purchased homes in the area north of Herndon, dating back 35 plus years, did so knowing that the property just north of Herndon was zoned commercial and was already partly occupied with various professional offices that complement the neighborhood. Late last year shortly before the holidays a make shift meeting at the local elementary school was called with notices going to only a handful of residents that will be impacted by the proposed facility. Those that did attend were over 95% against the building of an Alzheimer patient 100 plus resident structure towering over current businesses and homes in the area. The developers were more concern having their architect describe the design and seeking input on what building colors neighbors thought would look good, rather than being prepared to answer firm but fair questions on what their proposal would do to enhance and add value to the area.

Please stop stating the planned facility is proposed at Brawley and Herndon. There is no direct access from Brawley or Herndon to this site. It should be stated as on Beechwood, since both access and mail delivery will be served from this residential street.

Lack of Street and Environmental Intra-Structure – Anyone who lives in the area will be quick to point out the problems resulting from the last minute street design change to support Forkner School and the new homes surrounding Orchard Park. This change resulted in dozens of teachers, 100's of parents, numerous school buses, etc. flooding the quiet residential neighborhoods during rush hours in the morning and afternoon. They use Brawley Avenue and Beechwood to do this and avoid the "traffic circle" someone thought would be the way to handle the problem when a land owner failed to sell land for a more direct street to the Forkner from Herndon (via Valentine exit).

The other major traffic hurdle is the design of Beechwood, a two-lane street separated by a landscaped island – think of q mini Huntington Blvd like near down town Fresno, if you haven't visited the proposed site. It causes vehicles including large 18-wheel delivery trucks to exit the proposed property right and “oh no” head for the dreaded small “traffic circle” – which a large truck can't go around without running off the road or over the middle of the island. Any traffic that turns left out of the proposed facility parking lot would be going the wrong way on a one way street! This topic could continue for paragraphs when we bring in the additional problems that will result when the extra traffic evidently makes it to the nearby intersections.

Three-story, 100 resident Alzheimer Housing – This remains the key reason for all the strong negative local resident support. If you were going to approve the two-story medical office, as long as it met all building specs great! The time spent by local residents, many Fresno City employees and yes even the developer would be much more productive and result in additional tax dollars for the City quickly. Legal issues will work themselves out over time, but what business in their right mind would spend millions of dollars moving into a neighborhood where they are clearly not welcome by nearly every resident!

Added Safety Issues – The traffic issue has already been discussed. For over four decades the flight zone for planes taking off or landing at Sierra Sky Park has been a major issue in allowing new building in the area of the Brawley – Herndon intersection. The City is quick to dismiss this will not be an issue since the direct line to landing and take-off for planes will line up with the runways. What a foolish conclusion. The majority of plane accidents occur short, long or either side of the runway. This would be bad enough around single family homes, but adjacent to a less than three-acre complex with 100 to 150 or more people living and working is too high of risk. We had a wake-up call at this airport recently with thank goodness no serious problems, but you will remember the plane crashed well short of the runway! How would you feel knowing that practicing good common sense for decades maintained a “safe zone” at this airport and under your watch a decision was made to not only build in this area but pass special zoning to allow 100 plus elderly folks to be concentrated in to a high-rise nearby?

Thought should also be given to Alzheimer patients getting out of the build unsupervised. You say that can't happen because there will be cameras, alarms, special doors, etc. Well unfortunately I have years of experience visiting a family member in an excellent Alzheimer facility on the East Coast. Alzheimer patients will leave the building and the traffic at Herndon and Brawley will offer a problem far greater than they will be able to handle. Patients leaving unknown from an Alzheimer home is a common occurrence in Fresno, but rarely ever gets reported in the news because of negative PR. If someone is seriously injured or killed the reporting will be made public.

Drain Local Resources – An aging Fresno is in the midst of a stressed water supply and sewage system as well as buried decaying phone lines, cable wires and electrical connections. My yard and my neighbors as well their driveways and our local streets were dug up at least a dozen times this last year to repair old connections (the streets are an artwork of various color marker paint and yards filled with a rainbow of indicator flags), sometimes redoing the work three times in the same area. I can no longer maintain adequate water pressure to obtain sprinkler coverage of my yard. With the new planned facility there will be a huge drain on the already low water supply (100 plus more showers a day, 1500 plus additional toilet flushes, water for cleaning, cooking, landscaping and countless other required task to support new residents).

We already have a senior day care facility in the same block where the new facility is planned. They are only operating during the day and have far fewer clients then the Alzheimer Project, but it serves to illustrate on a small scale the extra burden this type business lays on a community. I regularly witness

emergency fire and medical vehicles with sirens and lights in full operation rushing to this property. When you multiple the number of additional and "sicker" people, living in the Alzheimer Building 24-7, the disturbance to the neighborhood would be magnified. You may relate to it easier if you think of the tremendous burden the Fresno City Fire Department and Emergence Medical Staffs will experience needing to provide service for this facility.

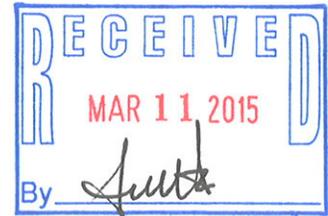
The current property in question is approximately a three-acre field located off Beechwood, which provides 100% absorption of precipitation on it. If the project is allowed to be completed with two large buildings, and parking spaces occupying most of the rest of the property all heavy rainfall will contribute to an already flooding problem in the Brawley and Beechwood area.

In summary, we feel a decision to not approve granting the Conditional Use Permit offers the most common sense for both local tax paying residents and for the City of Fresno.

  
Pamela Lindemann

  
Robert Lindemann

FROM: Ellen and Robert Hirth  
7124 N. Brawley  
Fresno, CA 93711-0658



TO: Jennifer K. Clark  
Director, Development and Resource Management Department  
City of Fresno  
2600 Fresno Street, Room 3076  
Fresno, CA 93721

SUBJECT: Appeal of Grant of Conditional Use Permit, #C-14-072

Director Clark:

We own property in the block North of the subject project and hereby object to the granting of the Conditional Use Permit, C-14-3076 ( Hereinafter CUP.) This appeal is based on the following issues:

- 1.) Lack of any public notice or call for comments prior to the granting of the CUP.
- 2.) Failure of the Environmental Assessment, Mitigated Negative Declaration (hereinafter MND,) to address impact of increased traffic on Valentine Ave.
- 3.) No mention of the impact on Forkner School traffic during Peak Hours (MND §XVI.)
- 4.) Failure to address effect of paved areas on runoff in area already subject to flooding during heavy rain events (MND §IX.)
- 5.) Failure to address the economic and lifestyle impact on neighbors of multi-story buildings as well as a health care facility (MND §XVII.)

We will address each concern in further detail:

1.) No notice of the planned project was given to the neighbors . The only notice was the neighborhood meeting by the developer of the project during the 2014 holiday season. This was not a notice by the planning department and there was no invitation for public comment to the department. When we contacted the Planning Department ( Bruce Barnes,) we were informed

that we would be notified prior to any decision by the Department, and comments would be accepted. No notice was given and our only notification was the February letter laying out the appellate process.

2.&3.) §XVI of the MND addresses traffic issues shown in the Traffic Survey by Elliot Engineering. The MND clearly states that the Level of Service (LOS) on Brawley is already at an unacceptable level. The Mitigation suggested deals with added turn lanes on both Herndon Ave. and Brawley. No mention is made of the traffic pattern which exist on Beechwood, which will be where both ingress and egress from the planned facility will occur. Beechwood is a two lane road, divided by a landscaped median. Traffic exiting the project will have to turn east and proceed approximately ½ a block, make a u-turn and proceed west to Brawley, or continue eastbound to Valentine, and turn south and proceed approximately a 1/4 mile to the intersection with Herndon. This pattern of traffic is not addressed in §XVI. During Peak Hours Valentine is already gridlocked with parents and busses dropping off or picking up children at Forkner School. This omission is a glaring one when it comes to any mitigation of the increased traffic from the project.

4.) §IX and XVII of the MND deals with the effect of the project on the hydrology runoff from the project. The fact that the project will pave the area which is now open ground fails to address the runoff situation already present in the area. In times of heavy rainfall (which will hopefully return,) the storm drain system is overwhelmed. We have had Brawley flooded, from above the curbs, completely flooding both lanes. Our front lawn and driveway have had water approximately 1/4 of the way to the garage, a depth of approximately 2 feet. How the additional runoff from the paved parking lots and the buildings roofs has not been addressed at all in the MND.

5.) Finally, §XVII of the MND states that there will insignificant direct or indirect impact on the neighbors. We beg to differ. If the Department had spoken to, or invited comments from the neighbors, we all would have pointed to the addition of multi-story buildings in an area of single story, residential and office buildings is an affront to the esthetics of the neighborhood, and a drag on property values. We would have pointed to the increased traffic on already overcrowded streets in the area. We would have pointed to absurdity of placing a facility for the housing of Alzheimer patients on a lot directly adjacent to an expressway, with only a minimum staff. All of these issues were present in the Environmental Assessment, but were glossed over in the MND.

For all of the above reasons, we ask that the Director NOT uphold the decision to grant the Condition Use Permit.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ellen and Robert Hirth".

Ellen and Robert Hirth

Exhibit G  
Site in Relationship to Appellant's Property

# City of Fresno

 User Drawn Redlines

 Parcels

 City Limits

 Fresno County



SCALE 1 : 3,195

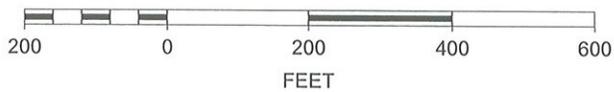


Exhibit H  
Director's Letter of Approval dated February 27, 2015

CITY OF FRESNO  
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

NOTICE OF GRANTING OF SPECIAL PERMIT  
CONDITIONAL USE PERMIT APPLICATION NO. C-14-072

NOTICE IS HEREBY GIVEN that the Director of the Development and Resource Management Department, in accordance with Special Permit Procedures of the Fresno Municipal Code, Section 12-406, approved **Conditional Use Permit Application No. C-14-072** on February 27, 2015 which was filed by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to 2.93± acres of property located on the northeast corner of West Herndon and North Brawley Avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story general office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM (*Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth*).

The special permit has been granted subject to the following conditions:

1. Development shall take place in accordance with the Conditions of Approval contained in the approval letter dated February 23, 2015.\*
2. Comply with Environmental Assessment (EA) No. C-14-072, a Mitigated Negative Declaration which was adopted for the above referenced project.\*

\*This document is available for public review at the Development and Resource Management Department, 2600 Fresno Street, 3<sup>rd</sup> Floor, Fresno, California 93721 or by contacting the Department at the number listed below. The Special Permit will not become effective until 15 days from the date the permit is granted in order to allow time for any interested parties to file an appeal.

In the event you wish to protest the Director's decision, you may do so by filing a written appeal with the Director. The appeal must include the appellant's interest in, or relationship to, the subject property; the decision or action appealed, and specific reason(s) why the appellant believes the decision or action should not be upheld.

ANY WRITTEN appeal must be submitted to this office prior to close of business on:

March 13, 2015

For additional information regarding this project, contact Bruce Barnes, Development and Resource Management Department, 2600 Fresno Street, Fresno, California 93721-3604, by phone at **(559) 621-8047** or via e-mail at [Bruce.Barnes@Fresno.gov](mailto:Bruce.Barnes@Fresno.gov).

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT  
Jennifer K. Clark, Director

Dated: February 27, 2015

Assessor's Parcel No. 501-152-01s and 501-142-07s

SEE MAP ON REVERSE SIDE

Development and Resource Management Department  
2600 Fresno Street, Room 3076 · Fresno, CA. 93721  
Phone (559) 621-8277 · Fax (559) 498-1026



Exhibit I  
Letter from Traffic Engineer



---

PETERS ENGINEERING GROUP  
A CALIFORNIA CORPORATION

---

Ms. Jill Gormley  
Traffic Engineering Manager  
City of Fresno  
2600 Fresno Street, 4<sup>th</sup> Floor  
Fresno, California 93721

March 20, 2015

Subject: Response to Public Comments  
Proposed Assisted Living & Memory Care Facility and Medical Office  
City of Fresno CUP 14-072  
Northeast of the Intersection of Herndon and Brawley Avenues  
Fresno, California

Dear Ms. Gormley:

This report presents the responses to public comments related to the subject project, specifically traffic-related comments included in a letter you provided to Peters Engineering Group by email. The letter, which was written by Ellen and Robert Hirth and received by the City of Fresno on March 11, 2015 (Hirth letter), is attached. Peters Engineering Group previously performed a traffic impact study for the project and presented the results in a report dated October 28, 2014 (TIS).

The traffic-related comments presented in the Hirth letter are summarized below in italic type, followed by our response. The complete comments can be referred to in the attached Hirth letter.

- 2.) *Failure of the Environmental Assessment, Mitigated Negative Declaration to address impact of increased traffic on Valentine Avenue.*
- 3.) *No mention of the impact on Forkner School traffic during peak hours.*

The traffic impact study was performed in accordance with the *City of Fresno Traffic Impact Study Report Guidelines* dated February 2, 2009. The scope of the traffic impact study was established by the City Traffic Engineer after a scoping letter was prepared and submitted by Peters Engineering Group. The study locations were selected based on the volume of project traffic expected to occur at each location. Locations not included in the study do not meet the City's criteria for analysis and are not significantly impacted by the Project.

The Hirth letter suggests that traffic exiting the project will be forced to turn east because a median exists at the site exit on Beechwood Avenue. However, the project is required to modify the existing median to allow vehicles exiting the site to turn left and proceed westbound on Beechwood Avenue. It should be noted that only 18 trips are projected to exit the site during the a.m. peak hour. Drivers exiting the site are expected to favor Brawley Avenue as they return to the regional street system because of the ease of access to Brawley

Avenue. Drivers are expected to be averse to the circuitous route between the site and the intersection of Herndon and Valentine Avenues, particularly if they typically encounter the levels of congestion suggested in the Hirth letter. Therefore, the project is not expected to increase traffic volumes on Valentine Avenue, analysis of Valentine Avenue is not required, and the project does not cause a significant impact on Valentine Avenue.

The traffic modeling provided by the Fresno Council of Governments and presented in the TIS indicates that there will be a negligible demand for project trips to utilize Valentine Avenue north of Beechwood Avenue. Therefore, the Project does not exacerbate existing traffic congestion generated by Forkner Elementary School on Valentine Avenue, and the project is not required to mitigate existing conditions.

Peters Engineering Group is requesting that City staff confirm the assessments presented herein and that City traffic engineering staff coordinate with Mr. Bruce Barnes (City planning) to provide the commenter with an appropriate City response.

Thank you for the opportunity to continue to work with you on this project. Please feel free to contact our office if you have any questions.

## PETERS ENGINEERING GROUP



John Rowland, PE, TE



cc: Mr. Bruce Barnes, City of Fresno Planning Department  
Mr. Randy Alonzo, PB Companies

Attachments: Hirth letter

Exhibit J  
E-mail from Flood Control District

## Bruce Barnes

---

**Subject:** FW: Hi Alan

**From:** Jason Clarke [mailto:jasonc@fresnofloodcontrol.org]  
**Sent:** Thursday, March 19, 2015 4:39 PM  
**To:** Bruce Barnes  
**Cc:** Alan Hofmann; Gary W. Chapman; Mark Will  
**Subject:** RE: Hi Alan

Bruce,

Just wanted to get back to you on the drainage comments you received for the Mitigated Negative Declaration for CUP 2014-072. After reviewing the area in question and the existing storm drain system there are no indications that any problems exist for this area. During intense storm events the storm drain system can become "overwhelmed" as mentioned in the MND comments, but this is expected and not an indication that there are problems with the system. Storm flows during intense events can and will flow in the street and may build up to or above the top of curb, but this should only be for a short duration. This particular area near the intersection of Brawley and Fir will continue to flow in the street and breaks towards the Sierra Sky Park area where street elevations are several feet lower. We have had very few flood complaints in this area over the years and they were limited to debris in inlets. CUP 2014-072 is zoned for C-P and the existing storm drain was designed for C-P use. Let me know if you need any additional information or a more formal response. Thanks.

**Jason Clarke, P.E.**  
**Development Services Manager**  
**Fresno Metropolitan Flood Control District**  
5469 East Olive Avenue  
Fresno, CA 93727  
Work (559) 456-3292 Fax (559) 456-1076  
<mailto:jasonc@fresnofloodcontrol.org>  
[www.fresnofloodcontrol.org](http://www.fresnofloodcontrol.org)



Fresno  
Metropolitan  
Flood Control District

**From:** Alan Hofmann  
**Sent:** Wednesday, March 18, 2015 10:55 AM  
**To:** Jason Clarke  
**Subject:** FW: Hi Alan  
**Importance:** High

Jason

Looks like Bruce has questions on a development project. Would you please give him a call and see how we can assist. He also sent two other emails, which I'll forward.

Alan  
**Alan Hofmann**

Exhibit K  
Letters in Support/Opposition received after appeal period

City of Fresno  
Planning Department  
Attn: Bruce Barnes

I'm glad to see growth in Fresno on existing vacant lots and support the care facility and office building project on 3771 Beechwood. The project is well thought out and designed in an attractive style. Assisted living is very much needed in every community, and this project looks to be one of the nicer ones. I think it will be a plus to the area, as long as zoning standards are met.

I'm in favor of this project at this location.

---

Merry Foster

5742 N Blythe Ave

FRESNO-CA 93722

City of Fresno  
Planning Department  
Attn: Bruce Barnes

I support the care facility and office building project at 3771 Beechwood. As our population ages, we need services like this. I live in Fresno and will likely need to look for this type facility in the future. Having choices to select from is very much needed, and this project looks much better than many I've seen. I'm glad to see this quality coming to Fresno, as long as it meets all conditions required by the City.

I recommend approval of the project.

Respectfully,

*Joanne Espinosa*

8110 S. Walnut Ave., Fresno, CA 93706

City of Fresno  
Planning Department  
Attn: Bruce Barnes

I think the project at 3771 Beechwood is a good idea. Fresno needs more choices for how we care for the elderly. The project being on a commercial property and major street is ideal, and the buildings are designed in an attractive way, not as an institution. Having the office building near the care building is a good idea as it allows for needed support services to be close by.

I support the project and recommend you approve it.

Respectfully,

A handwritten signature in blue ink, consisting of stylized initials and a long horizontal stroke.

---

474 E. Allwood #116  
FRESNO, CA. 93720

City of Fresno  
Planning Department  
Attn: Bruce Barnes

I recommend your approval of the assisted living and office building project at 3771 Beechwood.

We need projects like this one that respects the dignity and provides care options for families needing help in caring for aging family members. In addition, the project will create job opportunities and develop a lot that has been vacant for a long time.

The proposed project is attractive and seems to be using the site according to City standards. I'm hopeful the project will be approved.

 2/11/15  
6629 E. Pontiac Way  
Fresno, CA 93727

---

City of Fresno  
Planning Department  
Attn: Bruce Barnes

I had the opportunity to review the project being proposed at 3771 Beechwood Avenue. The project seems well thought out, is attractive, and very much needed in Fresno. I wish to indicate my support and am hopeful it gets approved.

Thank you,

 02/11/15

---

5654 S. Elm Ave  
Easton, CA 93706

1/28/15

City of Fresno  
Planning Department  
Attn: Bruce Barnes

I learned of the Assisted Living and Office project at 3771 Beechwood Avenue. I live in Fresno and support this project. We need more choices in ways to look after our senior family members, and this project helps meet that need. If the project meets City zoning standards, I recommend that it be approved.



Thank you,

~~KEN FELNER~~  
1455 SHAW AVE  
CLAVIS, CA

561-~~9087~~ 325-7017

---

MILAN   
Restaurants International

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CITY OF FRESNO

APR - 3 2015

DEVELOPING A HIGH-SCALE  
MANAGEMENT REPUTATION  
DEVELOPMENT SERVICES  
PLANNING DIVISION

To Whom It May Concern:

I am writing to voice my <sup>opposition</sup>~~support~~ for the proposed development of an assisted living facility and office building at the corner of Herndon and Brawley Avenues. Quality senior care should be a priority in our community and such a project would surely be a benefit to the area. The developer and their agents have been forthright in their communication and presentation of the project, and we look forward to its fulfillment.

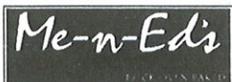
If it were a single story building I would be in support of it.

Sincerely,



JOHN KRİKORIAN  
4159 W ALLUVIAL AVE  
FRESNO CA 93722  
559-229-7000

Franchisors of



**MILAN**  
Restaurants International

APR - 9 2015

To Whom It May Concern,

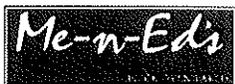
As a member of the Fresno community, it is my pleasure to write a letter in support of the proposed assisted living facility and office building on the corner of Herndon and Brawley Avenues. The current site is undeveloped and it would be nice to see a project that enhances the local community. Between job creation and additional support services to the elderly, I have yet to see a downside to the proposed Liberty Health Fresno. The developers of this project have been transparent and straightforward with communication starting with the initial presentation of the facility, making me confident this project will bring added value to the area.

Sincerely,

*Bob De Luca*

*Marcella K. De Luca*

Franchisors of



**MILAN**   
Restaurants International

REVEREND  
CITY OFFICIAL

APR - 9 2015

DEVELOPMENT & REAL ESTATE  
MANAGEMENT  
BY FLORES, GARCIA & ASSOCIATES  
P.C.

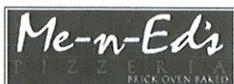
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Sincerely,

*Mike & Jan Jak*

Franchisors of



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Restaurants International

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CITY OF FRESNO

APR - 9 2015

DEVELOPMENT & PLANNING  
DEPARTMENT  
100 SOUTH F STREET  
FRESNO, CA 93702

To Whom It May Concern:

This letter is to express my support for the proposed assisted living facility on Herndon and Brawley Avenues. The benefits of bringing quality senior care to our community are readily apparent. This project will give our community the ability to provide for our elderly population, as well as create jobs that will benefit our local economy. I am enthusiastic that the developers have created this possibility for our community, and fully support this project.

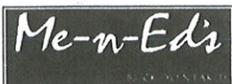


Tom Knowles

Sincerely,

3649 W. Fir AVE

Franchisors of



**MILAN**  
Restaurants International

APR - 8 2015

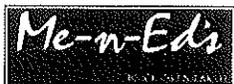
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Sincerely,

*Raymond J. Jimenez*  
*3694 W. Beechwood Ave*  
*Fresno, Ca. 93711*

Franchisors of



**MILAN**  
Restaurants International

APR - 2 2015

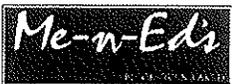
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Sincerely,

*Paula Fanolet*  
*Skip Sargenti*  
*Ken Crabtree*

Franchisors of



MILAN

Restaurants International

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CITY OF

APR - 3 2009

DEVELOPMENT  
MANAGEMENT  
DEVELOPMENT  
PLANNING

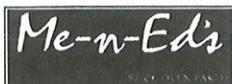
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Sincerely,



Franchisors of



**MILAN**   
R E S T A U R A N T S I N T E R N A T I O N A L

APR - 9 2015

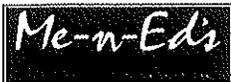
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Sincerely,



Franchisors of



MILAN   
RESTAURANTS INTERNATIONAL

To Whom It May Concern:

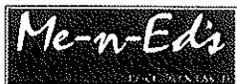
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Sincerely,

*Marty Bada*

---

Franchisors of



MILAN   
R e s t a u r a n t s I n t e r n a t i o n a l

To Whom It May Concern:

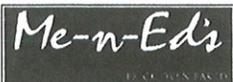
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Sincerely,



Michael Shirinwand  
3846 W. Alluvial  
Fresno, CA 93711

Franchisors of



**MILAN**  
RESTAURANTS INTERNATIONAL

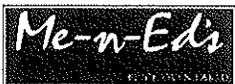
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Sincerely,

*San Diego  
and Dr. Kirshin (MBA)*

Franchisors of



MILAN   
RESTAURANTS INTERNATIONAL

To Whom It May Concern:

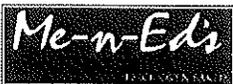
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Sincerely,

*Evan and Judy Orme*

---

Franchisors of



**MILAN**   
R e s t a u r a n t s I n t e r n a t i o n a l

RECEIVED  
CITY OF FRESNO

APR - 9 2015

To Whom It May Concern:

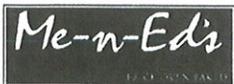
DEPARTMENT OF PUBLIC WORKS  
PLANNING DIVISION  
CITY OF FRESNO

I am writing to voice my support for the proposed development of an assisted living facility and office building at the corner of Herndon and Brawley Avenues. Quality senior care should be a priority in our community and such a project would surely be a benefit to the area. The developer and their agents have been forthright in their communication and presentation of the project, and we look forward to its fulfillment.

Sincerely,

DISAGREE - See Letter Attached

Franchisors of



Disagree with the proposed construction of 3 Story Assisted Living/Memory Care Facility and Medical Office complex at 3771 W, Beechwood; Fresno, CA

Dear Mr. Ferdinandi and Mr. Barnes,

Thank you for your letter of March 2015.

Dr. Roberta DeLuca and family respectfully disagree to the proposed construction of a 3 story Assisted Living/Memory Care and two story Medical Office complex at 3771 W. Beechwood; Fresno, CA 93711.

We disagree with the City's request to allow the City to construct a two story medical office complex and a three story 100 resident assisted living/memory care/Alzheimer's facility on the northeast corner of West Herndon and North Brawley for the following reasons:

**1. Damage to Our Pride of Ownership and Devaluation of our residential property:**

We have lived in the SJCCII subdivision since 1979. We bought in this subdivision because of the location and the fact the CC&Rs restrict the building of residential properties to one story. We also had the desire to build in a location where we felt we could "live in the 'country' while still residing in the city". We had no inkling that there could be any future consideration to the construction of multistory commercial complexes that would block our view and drastically increase the population/sq. ft. The building of such complexes would additionally devalue our existing homes and property.

**2. Increased Infrastructure demands: sewer, water, electricity and other power:**

An influx of hundreds to thousands of people will put excessive and crippling demands on neighborhood water and sewage systems. Water availability and water pressure is currently limited due to the drought. Such an increased demand on water and sewer systems would be ill-proposed and ill-fated. Likewise, such an increased demand for power, electricity and cable would result in further shortages, outages and overloads (which presently occur).

**3. Increased Traffic and Congestion:**

Currently, commuting traffic backs up from Blackstone to/from HWY 99 at prime times of the day. Any major increase would cause disabling congestion. Traffic lights are not adequate in number and are not effective in controlling the current flow of traffic. Lights are presently not in synch and an increase would further impact traffic flow. The recent addition of a Roundabout located by Orchid Park and the new Wilson PUC and homes now cause some motorists to defer to a direct (straight) line of approach, (e.g., avoiding the Roundabout altogether by cutting diagonally across Valentine) causing other motorists to avoid the intersection altogether and instead proceed to turn off at Brawley instead. Additional traffic from the proposed facilities and office complexes would further the congestion at Herndon and Brawley.

### **3. Forkner School:**

Forkner school is located around the corner and less than a block from Beechwood and Valentine (Herndon and Brawley). Buses wait on the corner of Beechwood and Brawley to pick up and drop off children. Children walk to and from school or to the bus stop. Currently, it is dangerous when children walk in front of homes and businesses when drivers backup or pullout not seeing them. An increase in the number of vehicles going to and from the medical offices or the Assisted Living facility will further the risk of injury or death.

### **5. Wandering or "escaped" memory care patients:**

Assisted Living/Memory Care patients could pose dangers or create new distractions and inconveniences for current homeowners and children. My mother in law resides at another Assisted Living/Memory Care facility. This facility is NOT located in a residential neighborhood or near a school. She has escaped as well as breaking a hip. In both cases, paramedics, firetrucks and ambulances were used in said situations. Imagine this situation 100 fold.

### **6. Emergency vehicles:**

**Emergency vehicles** increase the use of roads and infrastructure. The introduction of regular emergency vehicles will provide new hazards and increase the propensity to vehicular accidents causing injury or damage to current residents and/or their property. Emergency vehicles will introduce new nuisances and create hazardous scenarios. Ambulances, fire trucks and other vehicles serving geriatric facilities increase noise and hazardous driving conditions.

As stated above, my mother resides in an assisted living facility. Residents of assisted care/memory/Alzheimer's facility

have a tendency to fall, escape or die. Emergency vehicles with sirens blaring and lights flashing are inappropriate in a residential neighborhood, especially one with a school and school children within the same block. Government vehicles are often required in such incidents further increasing traffic.

**7. The intersection of Herndon and Brawley:**

The intersection is currently one the most dangerous in the city. In the past five years of escalating growth, we have personally observed several fatal accidents. One fatality was a motorcyclist run over by a Chevy truck turning from Brawley, another was the death of a woman on Herndon approaching Brawley, there was the death of the young Pardini son, and there was a recent massive accident resulting in the destruction of two light standards and causing debris to fly into the lot proposed for the Memory Care facility. Numerous other car and truck accidents have resulted in the totaling of one or both vehicles (including the totaling of our family's vehicle due to a car running a light at the intersection.

**8. We attended the neighborhood meeting** regarding the proposed commercial plans and vocalized that we were not in favor of nor do we support the building of a multistory Assisted Living/Memory Care facility and associated Medical office complex across from our home on Beechwood.

Sincerely,

The Dr. Roberta DeLuca family



Dear Darryl & Roberta De Luca,

I am the President of Milano Restaurants International / Me-N-Ed's Pizzeria. Our organization has been a strong supporter of our community for many years. Our development arm has recently teamed up with Liberty Health Fresno to develop a much needed Medical Office and Assisted Living and Care facility located at 3771 West Beachwood. The mission of Liberty Health Fresno is to offer an individual level of care services to seniors facing diminishing capabilities and an ability to maintain their desired quality of life. By providing a high quality facility and professional staff, Liberty Health is positioned to meet the physical, emotional, and spiritual needs of the growing demands for comprehensive senior health and living services in this area.

The proposed project will be developed and managed to meet the highest possible standards of professional, caring practice and service. This project will give our community the ability to provide for our elderly population, as well as create jobs that will benefit our local economy.

The benefits of this project are numerous. The first of the baby boomer population are starting to reach the age where assisted living will be needed. Having the Medical Office and Assisted Living and Care Facility at this location will allow our seniors to stay in a familiar area. It will also cut down on drive time emissions across town to another facility. It is important to note that the project mix use makes efficient use of the land and thus combats urban sprawl. Also of importance the project meets the zoning and master plan of the City of Fresno.

I have included the design and elevation of the building which I feel will be very attractive and complementary for the neighborhood, in contrast to other types of projects that could go on this property.

With your support on this project, I would like to ask for your signature on the supporting letter that is provided. I have also enclosed a self-addressed envelope for your convenience as well.

Sincerely,

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

John Ferdinandi  
President & CEO  
Milano Restaurants International

To Whom It May Concern:

I am writing to voice my support for the proposed development of an assisted living facility and office building at the corner of Herndon and Brawley Avenues. Quality senior care should be a priority in our community and such a project would surely be a benefit to the area. The developer and their agents have been forthright in their communication and presentation of the project, and we look forward to its fulfillment.

*We do NOT support!*

Sincerely,

*Dr. A. DeRosa*

- ① Pride of Ownership & Devaluation of Property
- ② Increase in infrastructure demands
- ③ Increased Traffic & Congestion
- ④ Former School & children risk
- ⑤ "Wandering" or "escaped" patients
- ⑥ Increased emergency, government & patients (+ family) vehicles, noise, use of infrastructure
- ⑦ Increased danger & risk @ already dangerous intersection

Franchisors of



*⑧ We did attend the initial meeting*



Dear Darryl & Roberta De Luca,

*We do not support  
D & R De Luca*

I am the President of Milano Restaurants International / Me-N-Ed's Pizzeria. Our organization has been a strong supporter of our community for many years. Our development arm has recently teamed up with Liberty Heath Fresno to develop a much needed Medical Office and Assisted Living and Care facility located at 3771 West Beachwood. The mission of Liberty Health Fresno is to offer an individual level of care services to seniors facing diminishing capabilities and an ability to maintain their desired quality of life. By providing a high quality facility and professional staff, Liberty Health is positioned to meet the physical, emotional, and spiritual needs of the growing demands for comprehensive senior health and living services in this area.

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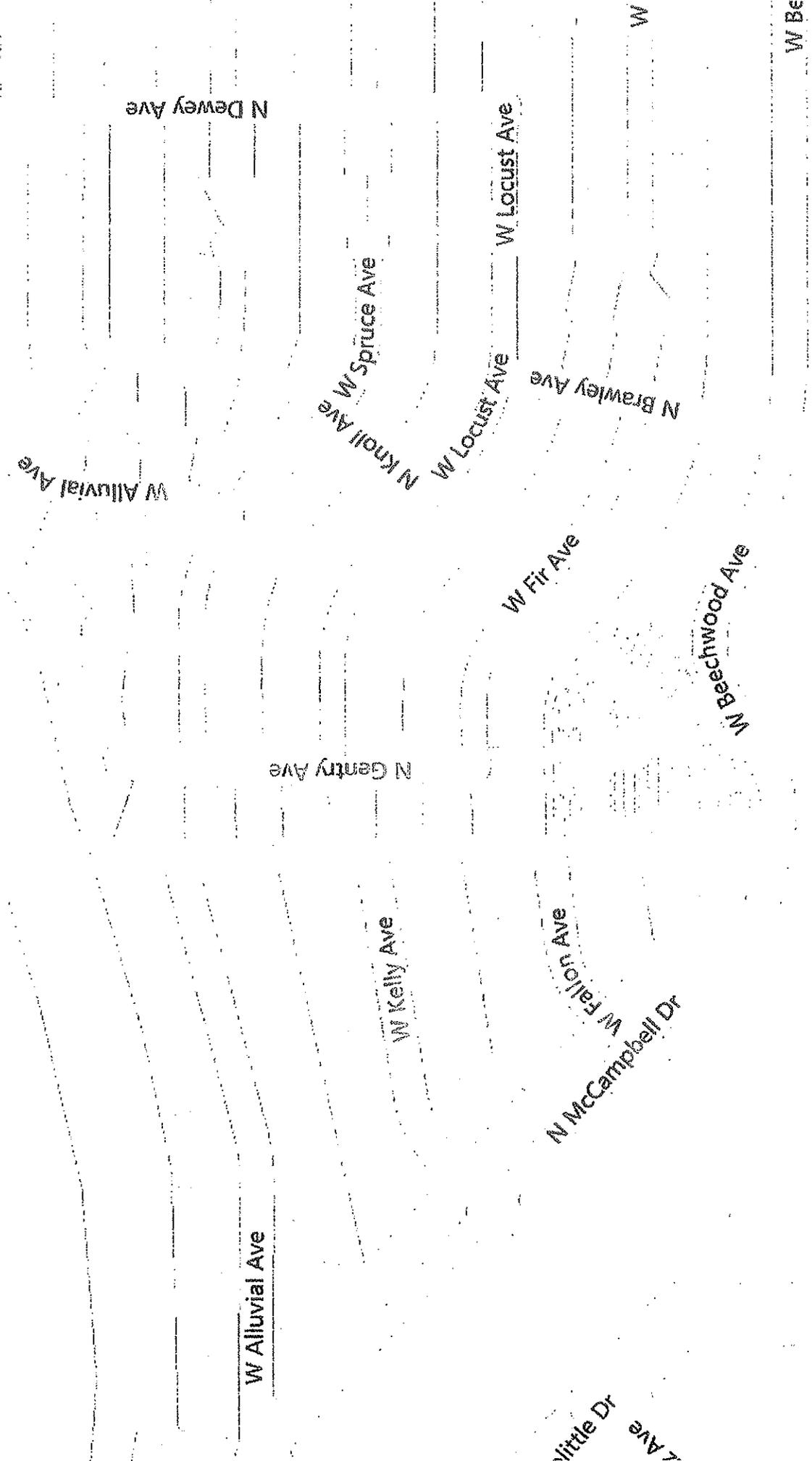
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Sincerely,

A handwritten signature in black ink, appearing to read "John Ferdinandi".

John Ferdinandi  
President & CEO  
Milano Restaurants International



Stearns Sibley Park  
Barnhart

W Herndon Ave

MEDICAL OFFICE

ASSISTED LIVING FACILITY

NORTH BARNLEY AVE

BEECHWOOD

LIBERTY HEALTH  
FREEDOM FOR LIFE

PERKINS, MANN & EVERETT

INCORPORATED

ATTORNEYS AND COUNSELORS AT LAW

JAN T. PERKINS  
JERRY H. MANN  
REID H. EVERETT  
CURTIS D. RINDLISBACHER  
JEFFREY G. BOSWELL  
LEE N. SMITH  
DANIEL C. STEIN  
CRAIG A. TRISTÃO

*Of Counsel*  
LORI J. GUALCO

FRESNO OFFICE  
TELEPHONE (559) 447-5700  
FACSIMILE (559) 447-5600

SACRAMENTO OFFICE  
1215 "K" STREET, SUITE 1700  
SACRAMENTO, CA 95814  
TELEPHONE: (916) 900-6528

*jboswell@pmelaw.com*

April 14, 2015

*Our File No.*  
2348.00

Bruce Barnes  
Development & Resource/City of Fresno  
2600 Fresno Street, 3<sup>rd</sup> floor  
Fresno, CA 93721-3604

Re: Milano senior citizen center/medical office complex proposed for N.E. Corner of Brawley and Herndon Avenues, Fresno.

Dear Mr. Barnes:

I received a nice letter and information from John Ferdinandi, of Milano Restaurants International regarding the proposed 3-story senior citizen facility and 2-story medical office proposed at the N. E. corner of Herndon and Brawley. I live on Fir Avenue, 3 houses west of Brawley. I bought my building lot in 1978 from the same group that developed the office complex between Valentine and Brawley Avenues on the south side of Beechwood (Deluca, et. al.). It is a great neighborhood.

I am concerned about the density and height of the proposal that includes a 3-story multi-family building and a 2-story medical office. When the development was planned initially, the uses on Beechwood were to be single story, consistent with what was built and recently remodeled in the last few months. Can you send me information about the height and density zoning and master plan for this particular parcel and what is permitted and what would require a variance or a deviation from normal permitted uses? I am seeking greater understanding of the proposal and what is allowed as a matter of "right" and what special requests are included in this proposal. Thank you.

Very truly yours,  
PERKINS, MANN & EVERETT



Jeffrey G. Boswell

Exhibit L  
Conditional Use Permit No. C-14-072



2600 Fresno Street, Third Floor  
Fresno, California 93721-3604  
(559) 621-8277 FAX (559) 498-1012

**Development and Resource Management Department**  
**Jennifer K Clark, Director**

February 27, 2015

*Please reply to:*  
Bruce Barnes  
(559) 621-8047

Randy Alonzo  
Vice President  
PB Companies, LLC  
3480 Higuera St.  
San Luis Obispo, CA 93401

**SUBJECT: SPECIAL PERMIT NO. C-14-072 AT 3771 WEST BEECHWOOD AVENUE  
(APN NOs. 501-152-01s AND 501-142-07s)**

Dear Mr. Alonzo:

The Development and Resource Management Director, on February 20, 2015, approved **Conditional Use Permit Application No. C-14-072**, which was filed by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to 2.93± acres of property located on the northeast corner of West Herndon and North Brawley Avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM (*Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management*).

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

**CONDITIONS OF APPROVAL**

**PART A – ITEMS TO BE COMPLETED**

**The following items are required prior to issuance of building permits:**

Planner  
to  
check  
when  
comple  
ed

1. Development shall take place in accordance with Exhibits AA-1, AA-2, AA-3 and AA-4 all dated February 20, 2015 and A-1, A-2, A-3, A-4, A-5, A-6, A-7 and Exhibits E, E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10 all dated August 14, 2014. 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.**

2. Submit three copies of detailed, final landscaping and irrigation plans prepared by a landscape professional, showing the number and types of trees, to the Development Services Division. **These plans must be reviewed and approved prior to issuance of building permits.**

3. **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).

4. Add applicable notes from the attached document titled "City of Fresno Notes and Requirements for Entitlement Applications".

## PART B – OTHER REQUIREMENTS

### 1) Planning/Zoning/Environmental Compliance Requirements

- a) Development and operation shall take place in accordance with the attached "City of Fresno Notes and Requirements for Entitlement Applications" as applicable.
- b) Development shall take place in accordance with the policies of the 2025 Fresno General Plan, Bullard Community Plan, and with the office planned land use designation.
- c) Development shall take place in accordance with the C-P/BA-30/EA/UGM UGM (*Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management*) zone district and all other applicable sections of the Fresno Municipal Code.
- d) Comply with the Operational Statement AND attached Appendices (A, A-1, A-2, A-3) submitted for the proposed project dated December 15, 2014.
- e) Comply with all applicable mitigation measures detailed in the attached Master Environmental Impact Report MEIR Mitigation Monitoring Checklist for the 2025 Fresno General Plan and any applicable project specific mitigation measures contained in the environmental assessment adopted for the project.

2) City and Other Services

Development shall take place in accordance with the attached memoranda and letters:

- a) Comply with Department of Public Utilities, Water Division memo dated June 6, 2014.
- b) Comply with Public Works, Traffic Division memo date November 20, 2014 (from Jill Gormley, Assistant City Traffic Engineer) AND comply with memo dated December 9, 2014 and pay Traffic mitigation fee as required.
- c) Contact Hilary Kimber with Public Works at 621-1345 for street tree requirements.
- d) Comply with Fresno Metropolitan Flood Control memos dated September 9, 2014 and pay fee as required.
- e) Comply with Fresno Irrigation District memo dated September 10, 2014.
- f) Comply with Fresno Fire Department memo dated September 5, 2014 and install new fire hydrant(s) and fire lanes as required.
- g) Comply with Public Works, Solid Waste Division memo dated September 11, 2014.
- h) Comply with Fresno County Department of Health memo dated September 11, 2014.
- i) Comply with Public Utilities, Sewer Division memo dated June 19, 2014.
- j) Comply with Fresno Police Department memo dated August 28, 2014.
- k) Comply with Operational Statement dated December 15, 2014.
- l) Comply with memo from Fresno Unified School District dated August 28, 2014.
- m) Comply with Aeronautical Study No. 2014- AWP 6562-OE (Building Office Bldg.) and Aeronautical Study No. 2014- AWP 6563-OE (Building Care Facility) dated October 8, 2014 and October 7, 2014, respectively.
- n) Comply with the recommendations in Noise Study dated December 30, 2014.
- o) Prepare a Disclosure Document to be signed by all Residents (or their legal representative) of the Care Facility or Tenants (Lessors) of the Office Building whereby the Residents and/or Lessors understand and acknowledge that due to the proximity to the Sierra Sky Park Airport, Residents and/or Lessors may be subject to noise,

vibrations, fumes, dust, fuel particles and other effects caused by standard and allowed airport operations.

- p) Install a total of 10 bike racks for the project near entry way doors of the two buildings. Applicant may determine the distribution between the two buildings that best fits the need of the project.
- q) Comply "Project Comments from Development Services Division" dated December 2, 2014.

### 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.
- c) Provide signs under the surveillance cameras which notify the public that the development is monitored by video surveillance.

### APPEALS

**A notice indicating the Development and Resource Management Department Director's approval of this project was mailed to nearby property owners on February 27, 2015, commencing a 15 day comment/appeal period. Should an appeal be received, it shall be scheduled to be heard before the Planning Commission.**

Please be advised that this project may be subject to a variety of discretionary conditions of approval. These conditions are, based on adopted City plans and policies, those determined through conditional use permit review 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.

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 writing to the Director within 15 days. In the event you wish to appeal the Director's decision, you may do so by filing a written appeal with the Director. The appeal shall include the appellant's interest in or relationship to the subject property, the decision or action appealed and specific reasons why the applicant believes the decision or action appealed should not be upheld.

If you wish to appeal the decision, a written request must be received at the Development and Resource Management Department by **March 13, 2015**. The written request should be addressed to Jennifer Clark, Director, and include the application number referenced above.

### **BACKCHECK PROCESS**

**Please Note: To complete the back-check process for building permits relative to planning and zoning issues, submit four copies of this corrected, final site plan, together with three copies of the elevations, landscape, and irrigation plans, any fees and title reports for required covenants, and any required studies or analyses to Bruce Barnes in the Development Services Division for final review and approval, at least 15 days before applying for building permits.**

**It may be necessary to resubmit these "corrected exhibits" a second time if not all the conditions have been complied with or are not shown on the exhibits. Once the "corrected exhibits" are approved by the Development Services Division, please place these exhibits in the plan check set and contact the Development Services Division, along with Traffic Planning, to set up an appointment to signoff and stamp these exhibits. Please bring one additional copy of the site plan exhibit(s) to this appointment so that the Development Services Division has a final signed-off copy of the site plan.**

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

The exercise of rights granted by this special permit must be commenced by February 27, 2019, (four years from the date of approval). There is no extension. All improvements must be installed prior to the operation of the proposed use.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce Barnes".

Bruce Barnes, Planner  
Development Services Division

Enclosures: Exhibits  
General Notes and Requirements for Entitlement Applications  
Landscape Certification Form

C: Property Owner  
JAF



**CONDITIONAL USE PERMIT APPLICATION  
NO. C-14-072**

<b>February 27, 2015</b>	<b>Bruce Barnes</b>	<b>14-8000072</b>	<b>\$12,692</b>
<i>Date</i>	<i>Staff Analyst</i>	<i>HTE PZ No.</i>	<i>Fee</i>

**PROJECT INFORMATION**

PROJECT      **Conditional Use Permit Application No. C-14-072**

APPLICANT

Randy Alonzo  
Vice President  
PB Companies LLC  
3480 S. Higuera St.  
San Luis Obispo, CA 93401

OWNER

Richard Bubenik, Trustee  
10575 E. Landmark Ave  
Clovis, CA 93619

LOCATION

3771 West Beechwood Avenue (APN: 501-152-01 and 501-142-07)

Located on the east side of North Brawley Avenue between West Herndon and West Beechwood Avenues

**(Council District 6, Councilmember Brandau)**

SITE SIZE

2.93-acres

LAND USE

Existing      - Commercial Office Land Use (Vacant)  
The applicant proposes the construction of a 23,475 square-foot, 2-story general office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained  
Proposed      - assistants. The property is zoned C-P/BA-30/EA/UGM (*Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management*).

ZONING

C-P/BA-30/EAUGM (*Administrative and Professional Office/Boulevard Area, 30 feet/Expressway Overlay/Urban Growth Management*) zone district

PLAN DESIGNATION AND CONSISTENCY	Conditional Use Permit Application No. C-14-072 is proposed in accordance with the commercial office planned land use identified in the Bullard Community Plan and 2025 Fresno General Plan.
ENVIRONMENTAL FINDING	A Mitigated Negative Declaration was adopted in accordance with the California CEQA Guidelines and Environmental Assessment No. C-14-072 was completed for this project and filed on January 16, 2015.
PLAN COMMITTEE RECOMMENDATION	Council District 6 Plan Implementation Committee has reviewed this project and voted (5-0) to approve it.
STAFF RECOMMENDATION	Staff recommends approval of Conditional Use Permit Application No. C-14-072 subject to compliance with Development shall take place in accordance with Exhibits AA-1, AA-2, AA-3, AA-4 all dated February 20, 2015 and A, A-1, A-2, A-3, A-4, A-5, A-6, A-7 and Exhibits E, E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10 all dated August 14, 2014 and the Director's Conditional Letter of Approval, dated February 27, 2015.
RELATED APPLICATIONS	None
COVENANTS ZONE CONDITIONS	N/A
SPECIAL POLICY AREA APPLICABLE POLICIES	N/A
HISTORIC INFORMATION HISTORIC SITE/DISTRICT	N/A

**BORDERING PROPERTY INFORMATION**

	Planned Land Use	Existing Zoning	Existing Land Use
<b>North</b>	Medium Density Residential	R-2-A ( <i>Multiple Family Residential/Single Story</i> )	Multiple Family Residential
<b>South</b>	Community Commercial	C-2	Vacant
<b>East</b>	Office	C-P ( <i>Administrative and Professional Office</i> )	Office
<b>West</b>	Community Commercial	C-1 (Neighborhood Shopping Center)	Vacant

**ENVIRONMENTAL DOCUMENT**

Environmental Assessment filed		January 16, 2015
Notice Published in Newspaper	N/A	January 16, 2015
Appeal/Comment Period Deadline	N/A	January 16, 2015 to February 18, 2015
Public Hearing:		
Planning Commission	N/A	Not required unless appealed
Council	N/A	
Notice of Determination Filed with County Clerk	N/A	

**ENVIRONMENTAL FINDING**

The initial study prepared for Environmental Assessment No. C-14-072 considered potential environmental impacts associated with the conditional use permit application request. The California Environmental Quality Act (Public Resource Code Section 21000 et seq.) permits a public agency to determine whether the environmental impacts of a particular project can be mitigated to a level of insignificance. A Mitigated Negative Declaration (MND) using the California CEQA Guidelines was made and Environmental Assessment No. C-14-072 (MND) was completed for this project and filed on January 16, 2015.

The conditional use permit application is consistent with the general, community, and specific plan

planned land use designation of commercial office planned land use and conforms to all applicable policies. The lease site area is less than five acres, is completely surrounded by urban uses, and does not contain any significant value as habitat for endangered, rare, or threatened species. The subject site is adequately served by all required utilities and public services.

## **BACKGROUND / ANALYSIS**

Pursuant to Section 12-304-B-11 of the Fresno Municipal Code (FMC), public utilities and public service structures, uses and buildings are permitted in any zone district, unless expressly prohibited. Section 12-216.4 of the FMC does not expressly prohibit General Office Building or a living/memory care facility in the C-P (*Administrative and Professional Office*) zone district.

## **LAND USE PLANS AND POLICIES**

### **2025 Fresno General Plan**

The 2025 Fresno General Plan designates the subject site for commercial office planned land uses and provides objectives to guide in the development of these projects. Conditional Use Permit Application No. C-14-072 meets all policies and objectives of the 2025 Fresno General Plan. The following are excerpts of such objectives.

Policy C-9-f of the 2025 Fresno General Plan is to facilitate the development of new elderly housing projects that are accessible to public transportation and services.

Policy C-12-c of the 2025 Fresno General Plan states the city will support the location of office projects which provide for a transition between more intensive commercial uses and sensitive residential areas.

Objective C-15 of the 2025 General Plan encourages the provision of infill opportunities that will revitalize the built-up urban core communities and neighborhoods of Fresno, provide residential development for diverse population, and improve the overall quality of urban environment.

The General Office land use is permitted in the C-P (*Administrative and Professional Office*) zone district. Also permitted in this zone district are Group Housing facilities for seven (7) or more persons. Group Housing facility shall mean any building, facility, apartment house, or portion thereof, at which persons reside in a group occupancy setting, but not including a hotel, motel, fraternity, sorority, rooming and /or boarding house, rest home or family. A group housing facility is generally characterized by the provision of a pre-arranged or organized household structure or program. Residents of a facility may also receive medical treatment in addition to any non-medical supportive services in a residential or congregate care setting, as opposed to a hospital.

Along with complying with the above noted policies, the proposed project shall follow City's Policy and Procedures which mandate several procedural guidelines. These include the following:

1. *Submittal of a special permit (conditional use permit) application may cause a review of planning and building permits activity for the subject property to ensure compliance with the Fresno Municipal Code (FMC). An identified planning/building or code violation may require the property owner to make necessary correction prior to the issuance of a special permit.*

There are no code violations present which the property owner or applicant shall be required to correct on the subject site.

2. *The Director of Development and Resource Management may condition additional architectural features (including the application of color) to facility structures to ensure compatibility with the surrounding physical environment and conformity to with these guidelines.*

The applicant has proposed a design which is compatible with the surrounding physical environment and is in conformity with these guidelines.

3. *There shall be no new living/memory care facility located within 100 yards of an existing memory care site.*

Staff has confirmed that there is no other living/memory care within 100 yards of the proposed facility.

*A landscaped buffer strip shall be constructed, contain and maintain deciduous and evergreen trees and shrubs, per City of Fresno landscaping requirements and standards along the exterior perimeter of the facility. Landscaping is required by the Fresno Municipal Code (FMC) or through the special permit issuance and appeals process.*

These landscaping requirements shall be made a condition of approval.

**CONDITIONAL USE PERMIT APPLICATION REVIEW FINDINGS**

**Findings per Fresno Municipal Code Section 12-405-A-2**

a. *All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,*

**Finding a:** Conditional Use Permit Application No. C-14-072 will comply with all applicable codes and policies including parking, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met prior to the proposed office and living/memory care facilities becoming operational. Furthermore, once the entire facility is operational there shall be an adequate number of parking spaces/open space/landscape setbacks, etc., which will be subject to compliance with the conditions of approval for this project.

b. *The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,*

**Finding b:** The proposed project is expected to generate a moderate volume of traffic. During its construction, the project will generate some vehicle trips. The developer was required to prepare a Traffic Study for the project. The City Public Works Department -Traffic Engineering has reviewed the traffic study and has determined that the developer shall pay a traffic mitigation fee of \$52, 915.76, and developer will be required to restripe and widen eastbound Herndon left turn lane into a dual left turn lane and that northbound Beechwood right turn lane will also be restriped and widened into a dual right turn lane. City Engineer also notes that the city has plans to widen Herndon into 6 lanes in both directions between Blythe and Valentine. Therefore, the Traffic Engineer concludes there will not be a significant impact on either major or local streets in the area due to the project.

c. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. This finding shall comply with the Group Housing provisions found in Section 12-306-N-43 of the FMC.*

**Finding c:** The proposed use, an office and living/memory care facility, will not have a negative impact on either the subject site, or neighboring properties given that it will generate minimal noise. A moderate amount of traffic will be generated but the impacts will be offset in light of the required traffic mitigation measures. In addition, landscaping will be required around the perimeter of the site which will lessen the impact on the "viewshed" for local residents and motorists. In addition, along the north side of Beechwood Avenue landscape material shall be installed which is consistent with landscape material used in other commercial properties along Beechwood.

### CONCLUSION / RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Bullard Community Plan and 2025 Fresno General Plan; its compatibility with surrounding existing or proposed uses; and, its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that the proposed Conditional Use Permit Application No. C-14-072 is appropriate for the project site.

### CONDITIONS OF APPROVAL

Conditional Use Permit Application No. C-14-072 is approved subject to the following conditions:

1. Development shall take place in accordance with Exhibits AA-1, AA-2, AA-3, AA-4 all dated February 20, 2015 and A, A-1, A-2, A-3, A-4, A-5, A-6, A-7 and Exhibits E, E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10 all dated August 14, 2014 and the conditions found on the Director's Conditional Letter of Approval, dated February 27, 2015.

Staff Analyst Signature: 

Planning Manager  
Recommendation:

Approval

Date: 2-27-15

Signature: 

Denial

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Exhibit M  
Project Comments from City Departments and Outside  
Agencies



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 2601 Meacham Boulevard  
 Fort Worth, TX 76193

Aeronautical Study No.  
 2014-AWP-6563-OE

Issued Date: 10/07/2014

Randy Alonzo  
 PB Companies LLC  
 3480 S. Higuera Street  
 San Luis Obispo, CA 93401

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building Care Facility  
 Location: Fresno, CA  
 Latitude: 36-50-15.21N NAD 83  
 Longitude: 119-51-41.40W  
 Heights: 323 feet site elevation (SE)  
           52 feet above ground level (AGL)  
           375 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 04/07/2016 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-AWP-6563-OE.

**Signature Control No: 228509215-231313564**  
Karen McDonald  
Specialist

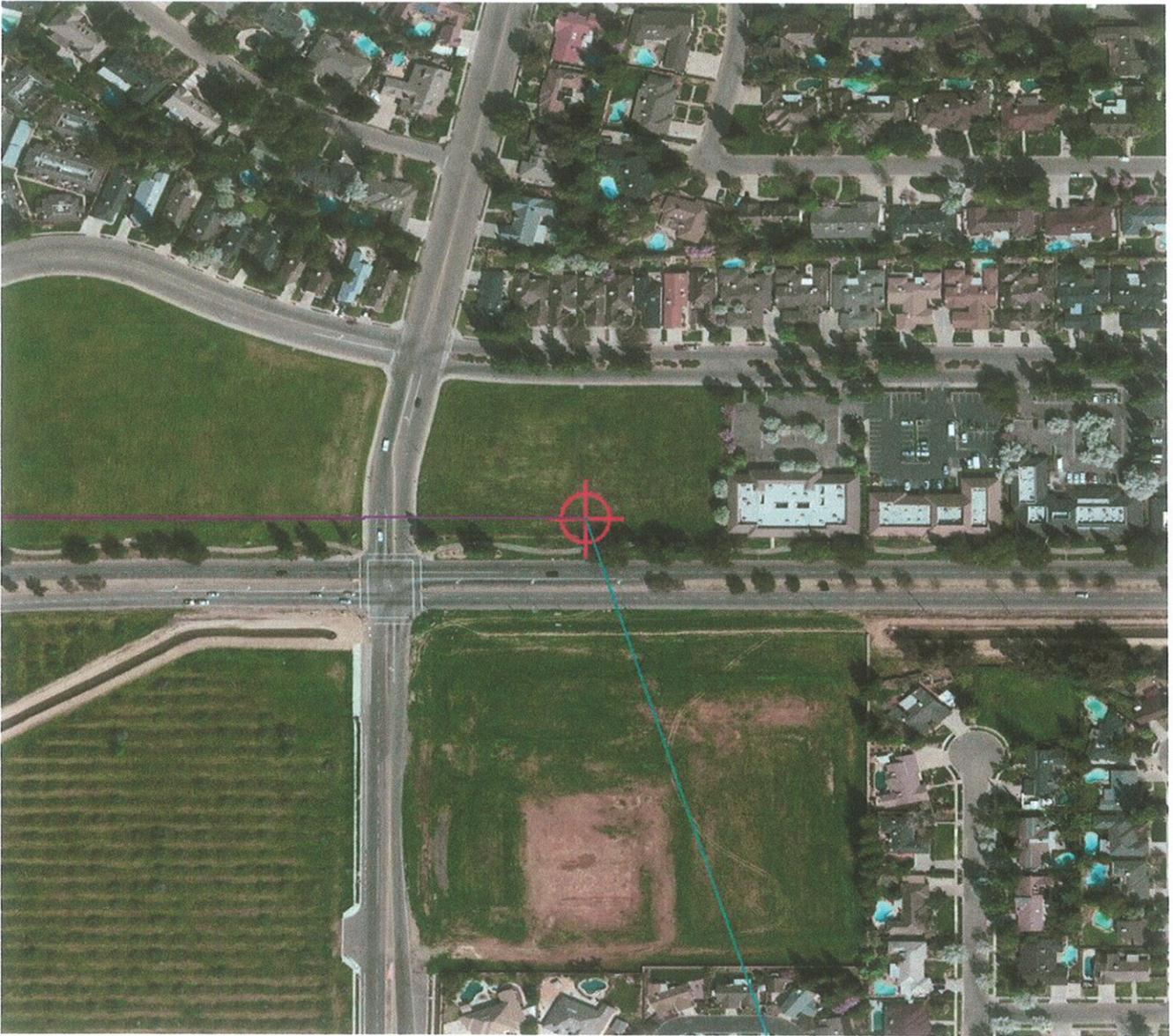
( DNE )

Attachment(s)  
Case Description  
Map(s)

**Case Description for ASN 2014-AWP-6563-OE**

Office Bldg per attached site plan

Verified Map for ASN 2014-AWP-6563-OE



Sectional Map for ASN 2014-AWP-6563-OE





Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 2601 Meacham Boulevard  
 Fort Worth, TX 76193

Aeronautical Study No.  
 2014-AWP-6562-OE

Issued Date: 10/08/2014

Randy Alonzo  
 PB Companies LLC  
 3480 S. Higuera Street  
 San Luis Obispo, CA 93401

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\* (REVISED)**

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building Office Bldg  
 Location: Fresno, CA  
 Latitude: 36-50-15.43N NAD 83  
 Longitude: 119-51-43.67W  
 Heights: 323 feet site elevation (SE)  
 38 feet above ground level (AGL)  
 361 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

**See attachment for additional condition(s) or information.**

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 04/08/2016 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-AWP-6562-OE.

**Signature Control No: 228509214-231384334**  
Karen McDonald  
Specialist

( DNE )

Attachment(s)  
Additional Information  
Case Description  
Map(s)

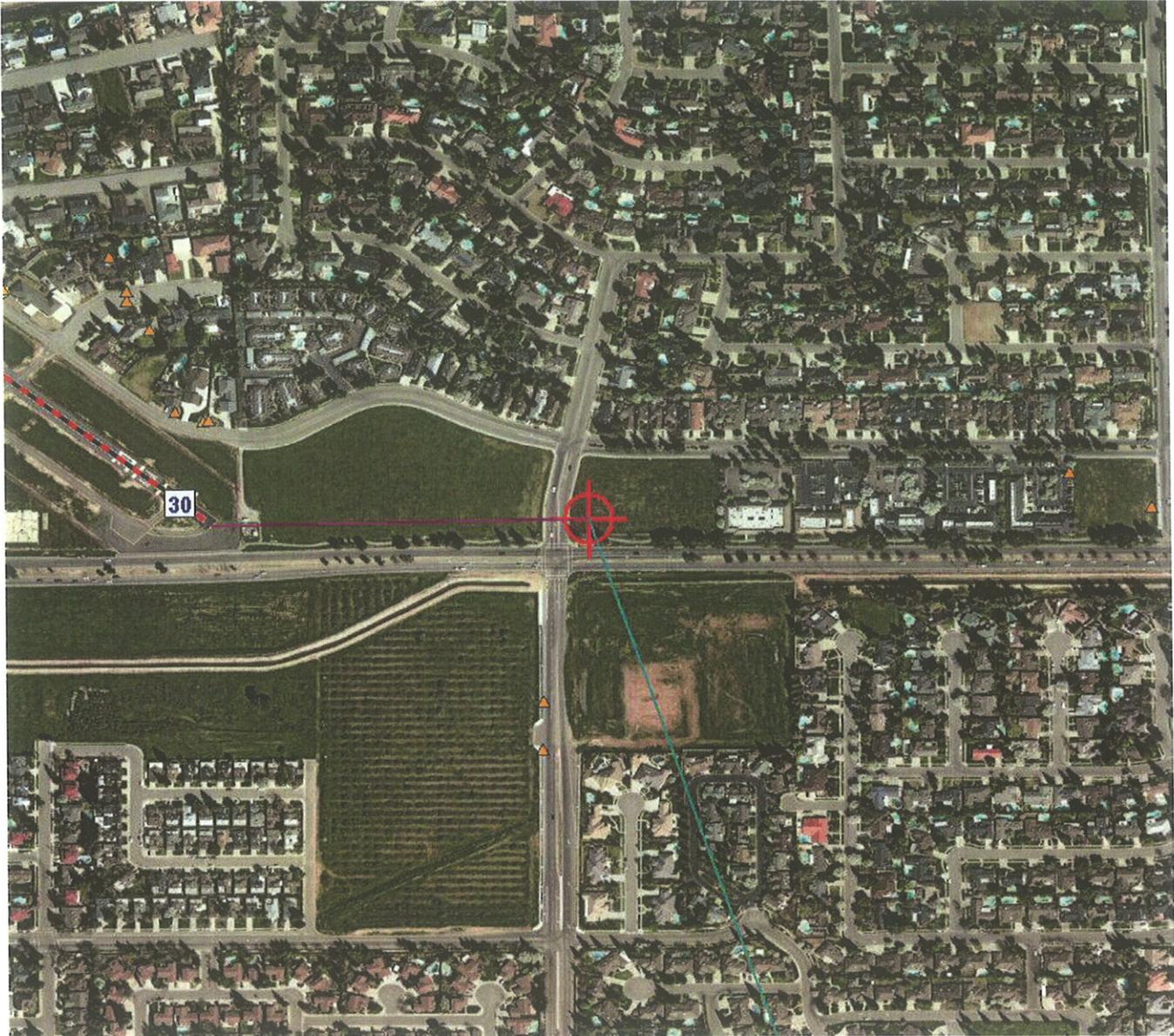
**Additional information for ASN 2014-AWP-6562-OE**

DETERMINATION REISSUED; ORIGINAL ISSUANCE HAD DAMAGED FILE AND COULD NOT BE OPENED.

**Case Description for ASN 2014-AWP-6562-OE**

Office Bldg per attached site plan

Verified Map for ASN 2014-AWP-6562-OE



Sectional Map for ASN 2014-AWP-6562-OE



CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT  
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,  
AND ENTITLEMENT APPLICATION REVIEW OF  
CONDITIONAL USE PERMIT APPLICATION NO. C-14-072

Fire Department/Fire Prevention/Tech Services

Return Completed Form to:  
Development Review Committee  
ATTN: [Joann.Zuniga@fresno.gov](mailto:Joann.Zuniga@fresno.gov)  
Development and Resource Management  
2600 Fresno Street, Third Floor  
Fresno CA 93721-3604

**PROJECT DESCRIPTION AND LOCATION:**

Conditional Use Permit Application No. C-14-072 was filed by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to 2.93± acres of property located on the northeast corner of West Herndon and North Brawley Avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story medical office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM (*Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management*).

APN: 501-152-01s, 07s      ZONING: C-P/BA-30/EA/UGM      ADDRESS: 3771 W Beechwood Ave

DATE ROUTED: August 26, 2014

COMMENT DEADLINE: September 12, 2014

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

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

REQUIRED CONDITIONS OF APPROVAL:

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

SEE ATTACHED DOCUMENT

REVIEWED BY: Matt Maresquez Fire Inspector II 621-4161      9/5/14  
Name and Title      Telephone Number      Date

City of



FIRE DEPARTMENT

**Date:** September 5, 2014

**To:** JOANN ZUNIGA, Planner  
Development and Resource Management Department

**From:** MATT MARQUEZ, Fire Prevention Inspector II  
Fire Department, Fire Prevention Division

**Subject:** C-14-072 was filled by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to approximately 2.93 acres of property located on the northwest corner of West Herndon and North Brawley Avenues, 3771 West Beechwood Avenue, APN 501-152-01S, 07S. The applicant process the construction of a 23,475 square-foot, 2-story medical office building and a 62,800 square-foot, 3-story, 100 resident assisted living -memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P-BA-30-EA-UGM, Administrative and Professional Office - Boulevard Area, 30 feet-Expressway Area Overlay-Urban Growth Management.

This application is located at 3771 West Beachwood Avenue

The APN number for this location is: 501-152-01s,07s

**Other**

Fire Department back check items require a wet signature from Fire Department staff. Back check items signed by any person other than sworn Fire Department staff are invalid.

All revisions to plans shall be called out with a cloud or delta.

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.

All required fire access lanes shall be provided and maintained with an approved "all weather" surface capable of supporting 80,000 lb. vehicles (minimum 4" of base rock over compacted or undisturbed native soil or per approved engineered plans) year-around and with 24 feet minimum width or other approved method that would prevent shoulder degradation.

Access drives shall have their curbs painted red and stenciled FIRE LANE every 50' or approved FIRE LANE signs posted at 50 foot intervals. Driveways shall be in alignment to accommodate the use of Fire Department aerial apparatus. Vertical access driveway's (near edge or back of parking stalls) shall be located at least 15 feet, but not more than 30 feet from the building.

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

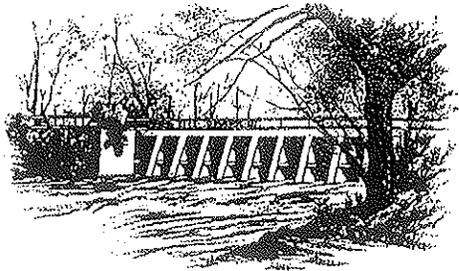
Note on plan: Fire hydrants and access roads shall be installed, tested and approved and shall be maintained serviceable prior to and during all phases of development. The 4 1/2" outlet shall face the access lane.

Show the proposed location of fire sprinkler riser and FDC. Note: Interior sprinkler risers not located within five feet of an exterior door require an exterior wall mounted indicating control valve.

Note on plans: On site hydrant must have a minimum 8 inch main and a fire flow of 1500 GPM. Public and private hydrants for single family homes are spaced a maximum of 600 feet apart. Private hydrants for commercial sites are spaced a maximum of 600 feet apart. Public hydrants in commercial areas are spaced a maximum of 450 feet apart.

Vertical access is required for aerial truck ladder set up where buildings or portions of buildings are more than 30 feet in height at the eaves, measured from natural grade. 26' (minimum) driveways shall be located adjacent to at least one (long) side of such building. The driveway shall be located a minimum of 15 feet from the building and a maximum of 30 feet from the building. The drive shall extend 45' beyond each end of the building to allow for access to the corners of the building and to accommodate a set up area out of the collapse zone.

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



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

September 10, 2014

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

RE: Conditional Use Permit Application No. C-14-072  
N/E Herndon and Brawley avenues

Dear Ms. Zuniga:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. C-14-072 pertaining to the 2.93± acres of property located on the northeast corner of Herndon and Brawley avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story medical office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM (Administrative and Professional Office/Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management), APN: 501-152-01s and 07s. FID has the following comments:

1. FID does not own, operate or maintain any facilities located on the subject property as shown on the attached FID exhibit map.
2. For informational purposes, FID's Bullard Canal No. 124 runs westerly along the south side of Herndon Avenue and crosses Brawley Avenue approximately 150 feet south of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Brawley and/or Herndon avenues and in the vicinity of the canal crossing, FID requires it review and approval of all plans.
3. For informational purposes, FID's Radin-Kamp Canal No. 130 runs northerly and crosses Herndon Avenue approximately 1,800 feet west of the subject property, as shown on the attached FID exhibit map. Should this project expand to include

Ms. Joann Zuniga  
Re: CUP C-14-072  
September 10, 2014  
Page 2 of 2

any street improvements, utility connections, etc. along Herndon Avenue and in the vicinity of the canal crossing, FID requires it review and approval of all plans.

4. For informational purposes, a privately owned canal known as the Forkner No. 121 runs northerly, crossing Herndon Avenue approximately 1,400 feet east of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this private canal. FID's records indicate that the canal is active and will need to be treated as such. FID can supply the City with a list of users for this private line upon request.

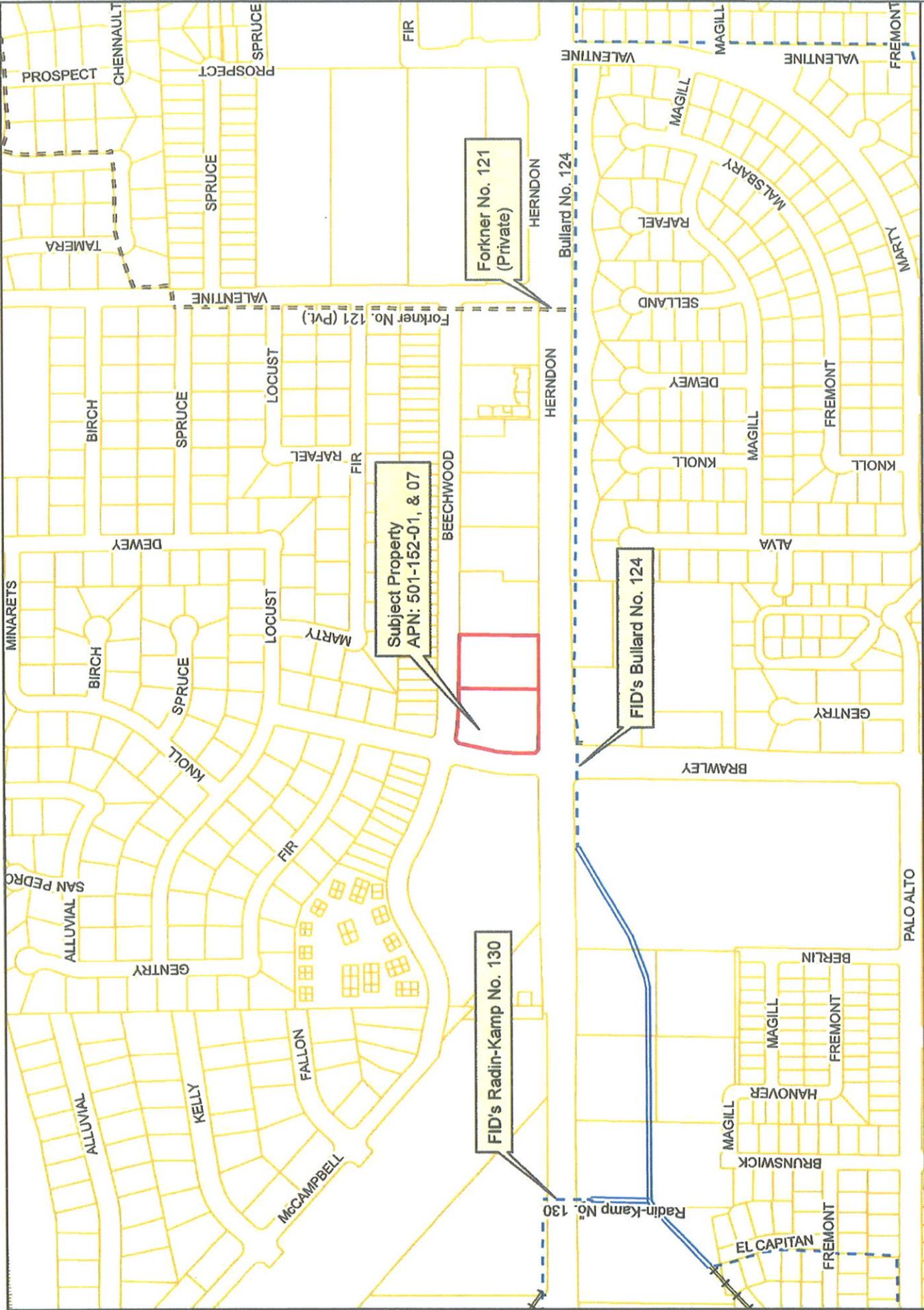
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Sen Saetern at 233-7161 extension 7406 or [ssaetern@fresnoirrigation.com](mailto:ssaetern@fresnoirrigation.com).

Sincerely,



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

Attachment



**Subject Property**  
 APN: 501-152-01, & 07

**Forkner No. 121**  
 (Private)

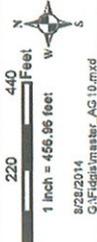
**FID's Bullard No. 124**

**FID's Radin-Kamp No. 130**

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.

**Legend**

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





550.10 "AC"

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT  
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,  
AND ENTITLEMENT APPLICATION REVIEW OF  
CONDITIONAL USE PERMIT APPLICATION NO. C-14-072

FMFCD

Return Completed Form to:  
Development Review Committee  
ATTN: [Joann.Zuniga@fresno.gov](mailto:Joann.Zuniga@fresno.gov)  
Development and Resource Management  
2600 Fresno Street, Third Floor  
Fresno CA 93721-3604

**PROJECT DESCRIPTION AND LOCATION:**

Conditional Use Permit Application No. C-14-072 was filed by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to 2.93± acres of property located on the northeast corner of West Herndon and North Brawley Avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story medical office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM (*Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management*).

APN: 501-152-01s, 07s      ZONING: C-P/BA-30/EA/UGM      ADDRESS: 3771 W Beechwood Ave

DATE ROUTED: August 26, 2014

COMMENT DEADLINE: September 12, 2014

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

REFER TO FMFCD NOTICE OF REQUIREMENTS FOR  
CUP 2014-072

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      9/10/14  
Name and Title      Telephone Number      Date

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

File No. 210.413

Page 1 of 4

**PUBLIC AGENCY**

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

**DEVELOPER**

RANDY ALONZO - PB COMPANIES LLC  
3480 S. HIGUERA ST.  
SAN LUIS OBISPO, CA 93401

PROJECT NO: **2014-072**  
ADDRESS: **3771 W. BEECHWOOD AVE.**  
APN: **501-142-07S, 501-152-01S**

SENT: **9/10/14**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)
AC	\$0.00	NOR Review	\$103.00 To be paid prior to release of District comments to Public Agency or Developer.
		Grading Plan Review	\$522.00 Amount to be submitted with first plan submittal.
		Storm Drain Plan Review	For amount of fee, refer to <a href="http://www.fresnofloodcontrol.org">www.fresnofloodcontrol.org</a> for form to fill out and submit with first plan submittal (blank copy attached).
<b>Total Drainage Fee: \$0.00</b>		<b>Total Service Charge: \$625.00</b>	

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 8/28/14 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.

**FR CUP No. 2014-072**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 2 of 4

FR  
CUP No. 2014-072

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

1.  a. Drainage from the site shall
- b. Grading and drainage patterns shall be as identified on Exhibit No. 1
- c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
  
2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:  
 Developer shall construct facilities as shown on Exhibit No. 1 as "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.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 3 of 4

FR  
CUP No. 2014-072

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
  - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
  - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10.   X   See Exhibit No. 2 for additional comments, recommendations and requirements.

  
\_\_\_\_\_  
Debbie Campbell  
Design Engineer

  
\_\_\_\_\_  
Gary Chapman  
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 4 of 4

CC:

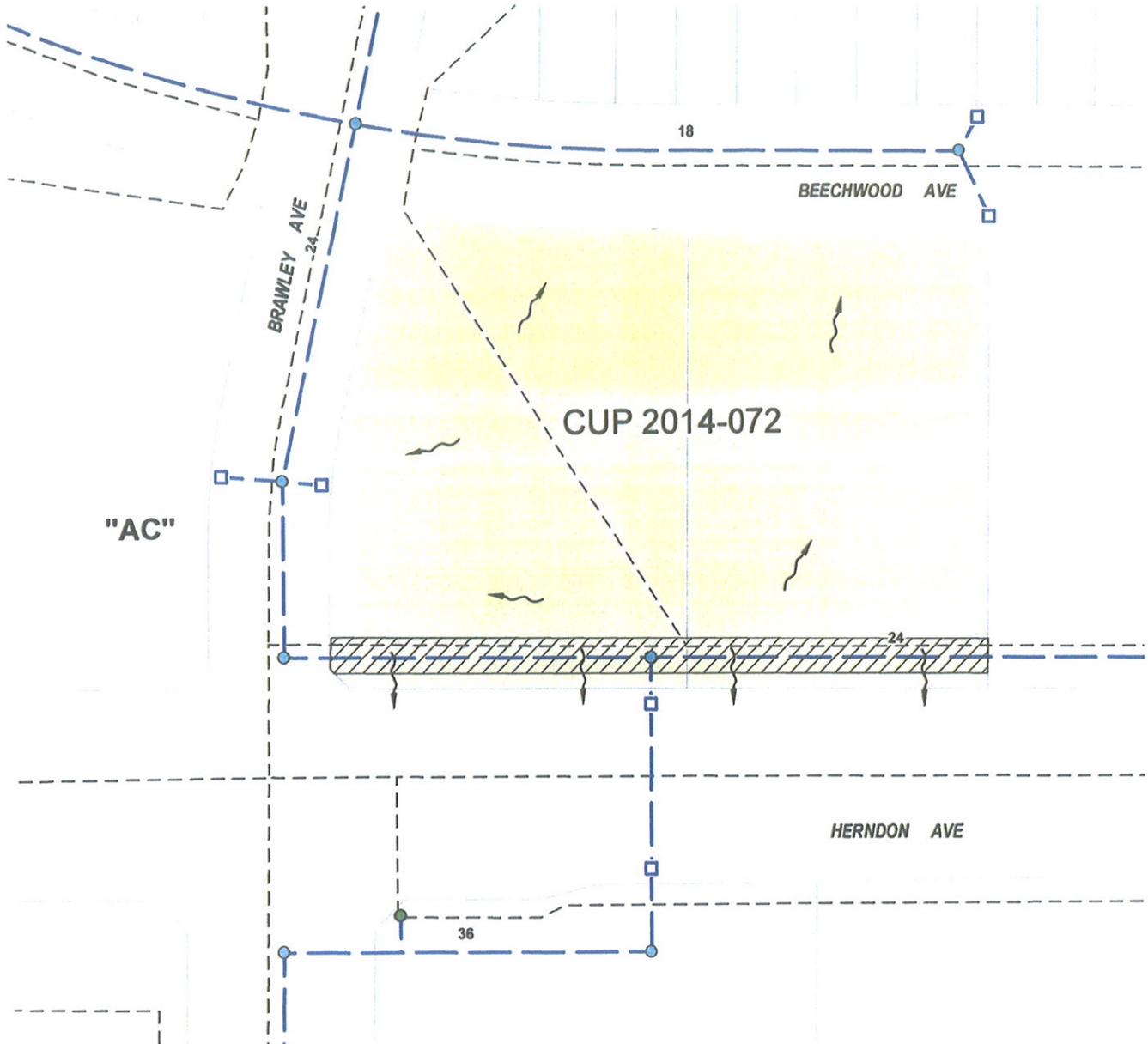
FRANK J. MUNGIA

1065 N. COLLEGE AVE.

FRESNO, CA 93728

**FR CUP No. 2014-072**

NOTE:  
THIS MAP IS SCHEMATIC  
DISTANCES ARE APPROXIMATE.



### LEGEND

-  Existing Master Plan Facilities
-  Inlet Boundary
-  Direction of Drainage
-  Existing 20' FMFCD Easement



1" = 100'

**CUP 2014-072**  
**DRAINAGE AREA "AC"**

EXHIBIT NO. 1



**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**

**OTHER REQUIREMENTS**  
**EXHIBIT NO. 2**

There is an existing twenty-foot (20') wide storm drain easement near the south property line as shown on the Exhibit No. 1. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

In an effort to improve storm water runoff quality, outdoor storage areas shall be constructed and maintained such that material which generates contaminants will not be conveyed by 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 directed through landscaped areas or otherwise 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 that directly connect to the District's system will not be permitted. 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 are attached.

Development No. CUP 2014-072



August 28, 2014

City of Fresno, Development Department  
Director of Planning & Development  
Special Permit, Conditional Use Permit  
2600 Fresno Street  
Fresno, California, 93721-3604

**Attn: Joann Zuniga, Development and Resource Management**

**Re: Conditional Use Permit (CUP) Application No. C-14-072**  
**Applicant: PB Companies LLC**  
**3771 W. Beechwood Avenue**  
**Fresno, CA 93711**  
**A.P.N. 501-152-01s, 07s**

Dear Ms. Zuniga,

The City of Fresno has requested that the Fresno Police Department review an application for a Conditional Use Permit for the construction of a 23,475 square-foot, 2-story medical office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants at **3771 W. Beechwood Avenue**. The property has been zoned C-P/BA-30/EA/UGM (Administrative and Professional Office/Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management) conditions of zoning. The Fresno Police Department's primary concern with the application is the propensity of the premises to generate calls for police service which indicates potential activities on the premises that are detrimental to the public welfare or injurious to property or improvements.

As you know, to approve any Conditional Use Permit, the City must make the following findings:

1. All applicable provisions of the Fresno Municipal Code are complied with and the site of the proposed use is adequate in size and shape to accommodate the use, including, all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,

2. 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,
3. 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. This third finding shall not apply to uses which are subject to the provisions of Section 12-306-N-39 of the Fresno Municipal Code (Regulating Adult Businesses).

The conditions are established to ensure public safety, and to minimize any impact for the surrounding area. We request the following conditions be included as Conditions of Approval for the updated Conditional Use Permit Application No. **C-14-072**. These conditions will maintain an environment that is least likely to generate public complaints and calls for service.

The Fresno Police Department is not in opposition of this Conditional Use Permit, provided the applicant agrees to the listed conditions. If the following conditions are not included as conditions of approval pertaining to CUP No. **C-14-072**, the Fresno Police Department shall oppose the approval of this Conditional Use Permit, as well as all other requested city permits, and shall appeal such approval to the Planning Commission. As such, we request that you provide Fresno Police Department **Detective Dawnielle Serrano #1051** with notice of the Director's decision regarding this updated Conditional Use Permit as well as a complete copy of the conditions of approval, should the Director approve the Conditional Use Permit.

**Requested Conditions of Approval:**

**1. Fresno Municipal Codes:**

The applicant shall comply with all applicable provisions of the Fresno Municipal Codes ("FMC"), including but not limited to:

- FMC 10-105 (Noise Ordinance)
- FMC 10-708 (Unlawful Nuisances - High Calls for Police Service)

**2. Contests or Promotions:**

At least two weeks prior to an event, the establishment shall notify the District Commander, or his/her designee, of any promotional or special events that may draw a larger than normal crowd. In addition, the establishment shall obtain written approval to address security issues that may arise from the event or promotion for the promotional and/or special event, prior to the event taking place.

The establishment shall correct any safety or security problem as soon as possible after receiving written notice of such problem from the Fresno Police Department. It is the responsibility of the owner or owner's representative to contact the Fresno Police Department to inquire about police calls for service or public safety problems at the

location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Fresno Police Department.

**If it is determined that police calls for service become “Frequent” (see definition below) the Fresno Police Department may initiate proceedings to amend these conditions to require state licensed uniformed security and/ or to recommend suspension or revocation proceedings.**

3. **Video Surveillance Camera System:**

Prior to exercising any privileges granted by this CUP (No. C-14-072), the applicant must install a fully functional, color digital video recording (DVR) camera system that meets or exceeds the following requirements:

- (1) The DVR system must continuously record, store, be capable of playing back images and be fully functional at all times, including during any hours the business office is closed. The system must be maintained in a secure location inside the on-site business office.
- (2) The DVR system shall have the correct date and time stamped onto the image at all times.
- (3) The camera storage capacity shall be for at least seven (7) calendar days. Such cameras must be capable of producing a retrievable and identifiable image that can be made a permanent record and that can be enlarged through projection or other means.
- (4) The DVR system shall be capable of producing a CD or other acceptable digital playback feature and shall be provided to an authorized representative of the Fresno Police Department within 24 hours of the initial request relating to a criminal investigation.
- (5) There should be at least one camera focused on each vehicular / pedestrian entrance / exit onto the complex property that are capable of capturing specific details, such as license plates and / or facial details of persons coming and going.
- (6) There shall be exterior cameras placed throughout the complex to sufficiently cover the property so as to record activities that are occurring there. These cameras should be of sufficient quality to be able to identify persons and / or vehicles.
- (7) All cameras shall record in color.
- (8) All exterior cameras shall have automatic low light switching capabilities to black and white. Exterior cameras should be in weatherproof enclosures and located in a manner that will prevent or reduce the possibility of vandalism.
- (9) The DVR system shall be checked on a daily basis to ensure it is operating as intended in accordance with this CUP.
- (10) There shall be an employee who has been trained in the use and down-loading capabilities of this DVR on duty at all times during open business hours. This is to ensure that if a member of Law Enforcement needs to view the images from this DVR, the images can be viewed without delay.

It is recommended, but not required, that the owner/operator provide the IP address to the Fresno Police Department Communications Center for any system that is browser based or viewable from a remote site. The Fresno Police Department may perform periodic inspections of the System to ensure compliance with these specifications. An inoperable System may be good cause for seeking revocation of this Conditional Use Permit.

4. **Property Responsibility:**

Frequent responses by the FPD arising out of or relating to the operation or management of the real property owned or controlled by the permittee causing any combination of the following: animal disturbances; violent criminal acts; illegal consumption of intoxicants in public view; gaming activities; and juvenile disturbances, or any of the other activities set forth in the Fresno Municipal Code section 10-708(g) may result the commencement of CUP revocation proceedings pursuant to FMC12-405-E. In addition to recommending the commencement of revocation proceedings, the FPD may pursue any of the other remedies set forth in FMC, section 10-710, including assessing fines against the proprietor for the violations of the Management of Real Property Ordinance.

“Frequent” is defined by FMC, section 12-405-E.

The establishment will control its total occupancy to comply with the Fresno Fire Department’s requirements, as the same may be adjusted for circumstances from time to time, and will keep an accurate count of patrons at all times.

The establishment shall not allow any loitering on building premises or any adjacent property under its ownership or control.

5. **Revocation of Conditional Use Permit:**

The City is permitted to revoke a Conditional Use Permit for “good cause” pursuant to the procedures set forth in FMC 12-405-E. Applicant is strongly encouraged to review these FMC sections to understand the circumstances that constitute “good cause.”

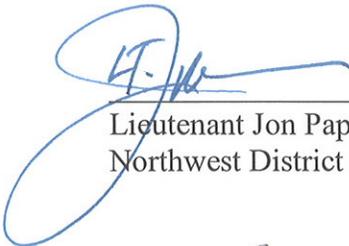
6. **Security Plan:**

Prior to the approval of this Conditional Use Permit, the establishment shall prepare and submit to the District Commander a security plan for approval. Approval of the security plan by the District Commander or his/her designee shall not be unreasonably denied. The contents of the Security Plan shall be incorporated as conditions of approval of CUP C-14-072. The establishment shall be responsible to have the District Commander or his/her designee re-approve the security plan annually running from the anniversary date of the final approval of the CUP. The establishment is responsible for providing both the District Commander and the Planning and Development Department a copy of the approved security plan.

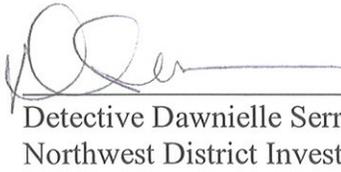
7. **Posting Property:**

The applicant shall post the property with the appropriate Fresno Municipal Code signs advising that consumption of alcoholic beverages, gambling, trespassing or loitering will be in violation of municipal ordinances. The applicant shall send a letter to the Fresno Police Department, signed and dated by the applicant, every 180 days that authorizes FPD peace officers to enter the applicant's real property and/or establishment to enforce against the aforementioned activities at the business. The owners and employees are responsible for abating those activities when they occur during business hours.

**FRESNO POLICE DEPARTMENT**

  
Date: 9/2/14  
Lieutenant Jon Papaleo  
Northwest District Commander

  
Date: 9/2/14  
Sergeant Carl McKnight #8165  
Northwest District Supervisor

  
Date: 9/2/14  
Detective Dawnielle Serrano #1051  
Northwest District Investigations/POP



**Facilities Management & Planning**

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Janet Ryan

**SUPERINTENDENT**

Michael E. Hanson

August 28, 2014

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

Re: **CONDITIONAL USE PERMIT NO. C-14-072**  
**3771 W. BEECHWOOD AVE.**

Dear Ms. Zuniga,

In response to your request for school district information regarding the above conditional use permit for the construction of a 23,475 square-foot, 2-story medical office and a 62,800 square-foot, 3-story assisted living/memory care facility located at 3771 West Beechwood Avenue, Fresno Unified School District submits the following.

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

The District levies a commercial/industrial development fee of \$0.54 per square foot for new development projects including medical offices and assisted living care facilities. Any new development on the property will be subject to the development fee prior to issuance of a building permit.

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

Sincerely,

Lisa LeBlanc, Executive Officer  
Facilities Management and Planning

LL:hh

c: Frank Mungia, Applicant/Agent



# County of Fresno

DEPARTMENT OF PUBLIC HEALTH  
DAVID POMAVILLE, DIRECTOR

September 11, 2014

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

LU0017776  
2602

Dear Ms. Zuniga:

PROJECT NUMBER: C-14-072

**Conditional Use Permit Application No. C-14-072** was filed by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to 2.93± acres of property located on the northeast corner of West Herndon and North Brawley Avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story medical office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM (*Administrative and Professional Office/Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management*).

**APN: 501-152-01s, 07s      ZONING: C-P/BA-30/EA/UGM      ADDRESS: 3771 W Beechwood Ave**

Recommended Conditions of Approval:

- Section 113789 of the California Health and Safety Code (California Retail Food Code) exempts child day care facilities, community care facilities, residential care facilities for the elderly, and residential care facilities for the chronically ill, which has the same meaning as a residential care facility, as defined in Health & Safety Code Section 1568.01. These facilities are not deemed to be FOOD FACILITIES, and, therefore, are exempt from this part. As such, this Division has no regulatory jurisdiction on the daycare facility. Section 114437 delegates the authority to the State Department of Social Services.

The project should be routed to the following agency for comment:

California State Department of Social Services  
Community Care Licensing  
770 E. Shaw Ave., Suite 330  
Fresno, CA 93710-7708  
(559) 243-8080

- Prior to occupancy, the applicant may be required to obtain a medical waste management permit issued by the California Department of Public Health. For more information on the Medical Waste Management Program contact:

***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](mailto:EnvironmentalHealth@co.fresno.ca.us) ❖ [www.co.fresno.ca.us](http://www.co.fresno.ca.us) ❖ [www.fcdph.org](http://www.fcdph.org)

Equal Employment Opportunity ❖ Affirmative Action ❖ Disabled Employer

Joann Zuniga  
C-14-072  
September 11, 2014  
Page 2 of 2

California Department of Public Health  
Medical Waste Management Program  
1616 Capitol Avenue, MS 7405  
P.O. Box 997377  
Sacramento, CA 95899-7377  
(916) 449-5671

- The applicant may be required to complete the online Hazardous Materials Business Plan submittal (<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.

---

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=ktsuda@co.fresno.ca.us, c=US  
Date: 2014.09.11 08:38:26 -0700'

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

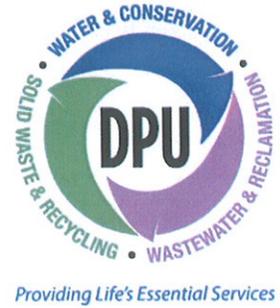
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(559) 600-3271

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kt

cc: Casagrande, Tolzmann & San Miguel- Environmental Health Division (CT 42.08)  
Randy Alonzo, Applicant ([randy@pbcompanies.com](mailto:randy@pbcompanies.com))



DEPARTMENT OF PUBLIC UTILITIES

Date: September 11, 2014

To: BRUCE BARNES, Project Manager
Development and Resource Management Department, Planning

From: CHRIS WEIBERT, Management Analyst II
Public Utilities Department, Administration

Subject: C-14-072 was filled by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to approximately 2.93 acres of property located on the northwest corner of West Herndon and North Brawley Avenues, 3771 West Beechwood Avenue, APN 501-152-01S, 07S. The applicant process the construction of a 23,475 square-foot, 2-story medical office building and a 62,800 square-foot, 3-story, 100 resident assisted living -memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P-BA-30-EA-UGM, Administrative and Professional Office, Boulevard Area, 30 feet, Expressway Area Overlay, Urban Growth Management.

General

This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Allied Waste at 559-275-1551 or 800-493-4285 .

Does Project Affect Your Agency/Jurisdiction

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

Suggestions to Reduce Impacts/Address Concerns

Enclosure shall be constructed on a level surface.

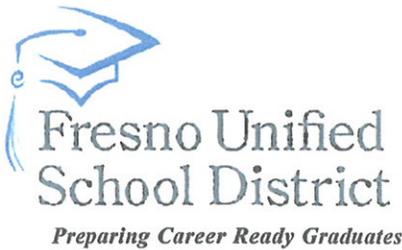
Recommended Conditions of Approval

Enclosure shall be built in accordance with current City of Fresno Standards P-33 and P-34.
2-cell trash enclosure required.
Two or more enclosures required for this project.

Additional Information



Location of enclosure is acceptable.



**Facilities Management & Planning**

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Christopher De La Cerda  
Carol Mills, J.D.  
Janet Ryan

**SUPERINTENDENT**

Michael E. Hanson

August 28, 2014

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

Re: **CONDITIONAL USE PERMIT NO. C-14-072**  
**3771 W. BEECHWOOD AVE.**

Dear Ms. Zuniga,

In response to your request for school district information regarding the above conditional use permit for the construction of a 23,475 square-foot, 2-story medical office and a 62,800 square-foot, 3-story assisted living/memory care facility located at 3771 West Beechwood Avenue, Fresno Unified School District submits the following.

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

The District levies a commercial/industrial development fee of \$0.54 per square foot for new development projects including medical offices and assisted living care facilities. Any new development on the property will be subject to the development fee prior to issuance of a building permit.

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

Sincerely,

Lisa LeBlanc, Executive Officer  
Facilities Management and Planning

LL:hh

c: Frank Mungia, Applicant/Agent





**DATE:** December 9, 2014  
**TO:** Bruce Barnes  
 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-14-072**  
**ADDRESS:** 3771 West Beechwood Avenue  
**APN:** 501-152-01S, 07S

<b>ATTENTION:</b>			
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	<b>Geometrically Approved Drawing (GAD)</b>	Steve Delsid	(559) 621-8725 Steve.Delsid@fresno.gov
X	<b>Irrevocable offer for street easement (up to 2 month processing time)</b> Documents for the required irrevocable offer 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 <b>prior</b> to the issuance of building permits.	Jeff Beck	(559) 621-8560 jeff.beck@fresno.gov
X	<b>Lot Merger /Cross Access: A <u>Lot Merger or Cross Access</u></b> is required to establish this configuration <b>prior</b> to building permits or submit a revised exhibit confining the proposed development within existing parcel lines.	Bruce Barnes	(559) 621-8047 Bruce Barnes@fresno.gov

**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.

#### Herndon Avenue: Expressway

1. Provide an Irrevocable Offer of Dedication for street easements
  - a. **2 additional feet for a total of 78'** of property, from section line, for public street purposes, within the limits of this application, per Public Works Standard **P-51**. Per Director's Determination 99-01, drawing 15-D-341. (2' additional feet)
  - b. Revised corner cut for public street purposes at the intersection of Herndon and Brawley.
  - c. Relinquish direct vehicular access rights to Herndon Avenue, at the future alignment, within the limits of this application.
2. Construction Requirements:
  - a. If not existing, construct an underground street lighting system to Public Works Standard **E-1** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-10** for Expressways.
  - b. If not existing, construct an expressway barrier fence, within the limits of the application, per Public Works Standards **P-74** and **P-75**.

#### Brawley Avenue: Collector

1. Irrevocable offer of Dedication for street easement
  - a. Use the signal plan that was provided to complete the geometrics for the entire frontage. Dedicate sufficient right of way to accommodate dual left turns. Identify and dimension the irrevocable offer on the site plan. Exact dedication to be determined once engineered geometrically approved drawings are submitted and approved.

#### Beechwood Avenue: Local

1. Dedication Requirements
  - a. Dedicate **2'** of property for pedestrian purposes to provide for a **4'** clear path of travel behind and around the proposed driveway approaches as shown on exhibit **A-1**.
2. Construction Requirements:
  - a. Modify or replace the existing ramp to meet current Public Works Standards, as determined by the Construction Management engineer PRIOR to occupancy. "Detectable Warning Devices" are required, if not existing. Reference Public Works Standards **P-28** and **P-32**.
  - b. Construct **(2) 30'** driveway approaches to Public Works Standard(s) **P-2** and **P-6**. 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.

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. Dedication(s) shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45 MPH** design speed for Collectors and **55 MPH** for Arterials.

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. 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.
3. **Property Lines, Easements and Vacations:** Identify.
4. **Scope of work:** All items shall be listed as existing or proposed.

#### **B. Offsite Information:**

1. **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 boxes, signs, etc.
2. **Median Islands:** Identify and specify if existing to remain, proposed or to be modified.
3. **Intersections:** If the proposed project is on street corner, provide the entire intersection on the site plan. If located on a major intersection also provide existing striping. Additional dedications and engineered plans may be required to resolve intersections that do not line up.

#### **C. Onsite Information:**

1. **Parking Lot:**
  - a. **Stalls:** Identify the **2'** vehicular overhang adjacent to continuous curbing. No obstructions shall be within the **2'** overhang. Provide the number that are required, provided, compact and designated for disability parking stalls.
  - b. **Directional flow of traffic:** Identify proposed directional arrows at beginning and end of aisles.
  - c. **Lighting / Disability signage:** not to be within the **2'** vehicular overhang)

2. **Walls or Fencing:** Identify existing and proposed walls and fences complete with location height and type of material.

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



**PUBLIC WORKS DEPARTMENT**

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

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

November 20, 2014

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

**SUBJECT:** REVIEW OF THE TRAFFIC IMPACT STUDY DATED OCTOBER 28, 2014 FOR THE PROPOSED ASSISTED LIVING & MEMORY CARE FACILITY AND MEDICAL OFFICE PROJECT LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF HERNDON AND BRAWLEY AVENUES  
 TIS 14-015, C-14-072

**PROJECT ANALYSIS OVERVIEW**

We have reviewed the Traffic Impact Study (TIS) prepared by Peters Engineering for the proposed "project" that plans to construct a 23,475 square foot medical office building and a 62,800 square foot assisted living and memory care facility with 100 resident units. The project site is an approximately 2.87 acre parcel located on the northeast corner of the intersection of Herndon and Brawley Avenues. The project site is currently vacant.

The TIS prepared by Peters Engineering evaluated the impacts of the project by analyzing two (2) 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, 9<sup>th</sup> Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the project:

Land Use	Size	ADT	Weekday					
			AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Medical-Dental Office Building (ITE Code 720)	23,475 sf	849	45	12	57	24	60	84
Assisted Living (ITE Code 254)	100 units	274	12	6	18	14	15	29
<b>TOTAL</b>		<b>1,123</b>	<b>57</b>	<b>18</b>	<b>75</b>	<b>38</b>	<b>75</b>	<b>113</b>

*sf = square feet*

Based on the analyses included in the TIS, the study intersection of Herndon Avenue at Brawley Avenue is currently operating at an unacceptable level of service (LOS) standard during the AM peak hour. This intersection is projected to continue to operate at an

unacceptable LOS with the addition of the project. The project is projected to add more than five (5) seconds of delay.

The City is currently in the design and construction phases of a capital improvement project that will widen Herndon Avenue to six (6) lanes in both directions between Blythe and Valentine Avenues. With the widening of Herndon Avenue, the Herndon Avenue at Brawley Avenue intersection is projected to operate at an acceptable LOS in all near term conditions analyses.

Future year 2035 analyses included in the TIS project the intersection of Herndon and Brawley Avenues to continue to operate at an unacceptable LOS in both the AM and PM peak hours. The following improvements are projected to result in an acceptable LOS at the intersection of Herndon and Brawley Avenues:

- Eastbound – restripe/widen the left-turn lane to dual left-turn lanes
- Northbound – restripe/widen the right-turn lane to dual right-turn lanes

## **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 1,123 for the proposed project, the fee would be \$52,915.76 payable at the time of the building permit.

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2025 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 2025 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](http://www.fresnocog.org). Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
4. The proposed project shall 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.

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

Sincerely,



Jill Gormley, TE  
Assistant Traffic Engineering Manager  
Public Works Department, Traffic & Engineering Services

C: Copy filed with Traffic Impact Study  
Louise Gilio, Traffic Planning Supervisor  
Mike Sanchez, Planning & Development Dept.  
Bruce Barnes, Planning & Development Dept.



**DEPARTMENT OF PUBLIC UTILITIES  
ADMINISTRATION DIVISION  
MEMORANDUM**



**Date:** September 2, 2014

**To:** BRUCE BARNES  
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-14-072

**General**

C-14-072 was filled by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to approximately 2.93 acres of property located on the northwest corner of West Herndon and North Brawley Avenues, 3771 West Beechwood Avenue, APN 501-152-01S, 07S. The applicant proposes the construction of a 23,475 square-foot, 2-story medical office building and a 62,800 square-foot, 3-story, 100 resident assisted living -memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P-BA-30-EA-UGM, Administrative and Professional Office - Boulevard Area, 30 feet-Expressway Area Overlay-Urban Growth Management.

**Sewer Requirements**

The nearest sanitary sewer main to serve the proposed project is an 8-inch sewer main in W. Beachwood Avenue. Sewer facilities are available to provide service to the site subject to the following requirements:

1. Sewer service connection to the existing 45-inch main located in West Herndon Avenue is prohibited.
2. On-site sanitary sewer facilities shall be private.
3. Abandon any existing on-site private septic systems.
4. 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. Wastewater Facilities Charge (Non-Residential).
4. Trunk Sewer Charge: Herndon
5. 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.
6. 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.



**Department of Public Utilities – Water Division**



*Providing Life's Essential Services*

**DATE:** August 29, 2014

**TO:** BRUCE BARNES, Project Planner  
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-14-072**

**General**

C-14-072 was filled by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to approximately 2.93 acres of property located on the northwest corner of West Herndon and North Brawley Avenues, 3771 West Beechwood Avenue, APN 501-152-01S, 07S. The applicant process the construction of a 23,475 square-foot, 2-story medical office building and a 62,800 square-foot, 3-story, 100 resident assisted living -memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P-BA-30-EA-UGM, Administrative and Professional Office - Boulevard Area, 30 feet-Expressway Area Overlay-Urban Growth Management.

**Water Requirements**

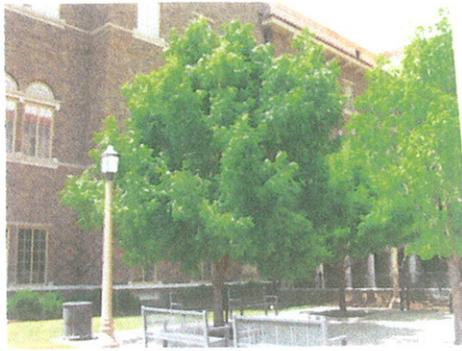
The nearest water main to serve the proposed project is an 8-inch main located in West Beechwood Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. On-site water utilities shall be private.
2. Water service connection to the existing 12-inch main located in North Brawley Avenue shall not be allowed.
3. Water service connection to the existing 12-inch main located in West Herndon Avenue shall not be allowed.





ginkgo autumn gold



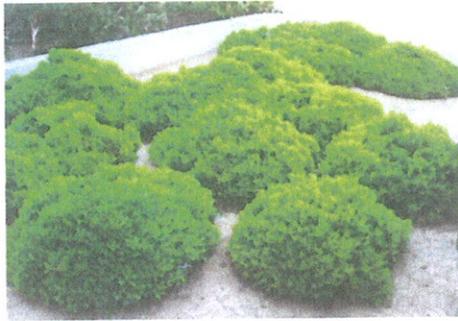
chinese pistache



purple leaf plum



magnolia grandiflora



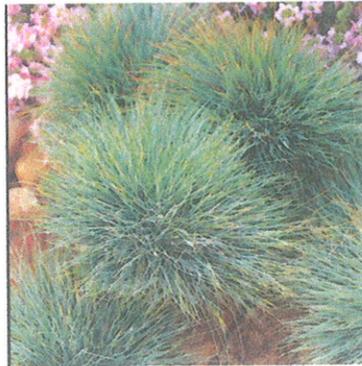
pittosporum tobria



fortnight lily



agapanthus habit



festuca elijah blue



bermuda grass

# LANDSCAPE SCHEDULE FRESNO LIBERTY HEALTH

December 15, 2014

# **OPERATIONAL STATEMENT**

## **With Appendices 'A,A1,A2,A3'**

*PB Companies LLC/Liberty Health Fresno*

*Application for Conditional Use Permit, City of Fresno*

### **MISSION STATEMENT**

The Mission of Liberty Health Fresno (LHF) is to offer an individualized level of care services to seniors facing diminishing capabilities and an ability to maintain their desired quality of life. By providing a high quality of facility and professional staff, LHF is positioned to meet the physical, emotional, and spiritual needs of the growing demands for comprehensive senior health and living services in the Central Valley.

### **BACKGROUND**

PB Companies LLC, the developer, in cooperation with an established care facility operator to be announced, will offer attentive care, superior service, and responsible management. In addition, the Developer will provide a general services office building to provide for the needs of the Care Facility and surrounding area. PB Companies LLC is currently in the planning and construction phases of other similar projects, in addition to commercial and residential projects.

### **PROJECT DESCRIPTION**

Located at 3771 W. Beechwood Avenue, Fresno (APNs 501-152-01s,-07S), the proposed project will provide services for seniors requiring assisted living and memory care support. Memory loss, Alzheimer's, or other dementia residents will benefit from a trained and caring staff committed to providing each resident a life of dignity, compassion, and respect. Care plans will be customized to each particular person, based on a comprehensive analysis of their needs, interests, and abilities. In support of these services, the facility is designed to provide numerous opportunities for care, activity, socialization, exercise, nutrition, and outdoor activities. Additionally, counseling and support to the families and loved ones of the residents will be available to comprehensively provide assistance in their coping with the emotions and demands of the stages of end of life progression.

Development of the 2.93-acre project site will occur in a manner consistent with City zoning development standards. The current General Plan designation is 'Commercial Office', and the zoning designation is 'C-P Administrative and Professional Office'. Two structures are proposed, one being a two story general services office building of 23,475 square feet, the other a three story, 100-resident care facility of 62,800 square feet. The development will provide 114 parking spaces, which exceeds City parking standards. The structures are within the height and density allowances of current zoning standards and other constraints.

Features and services of the care facility will include private rooms, private baths, grooming care, medication management, housekeeping, security, visitation areas, outdoor areas, exercise areas, group socialization areas, dining facilities, and an ability to determine and respond to the specialized individual needs and interests of each resident. The adjacent office building will provide lease space for professional services tenants offering support to the care facility and other needs in the surrounding areas.

Both structures will feature stucco exteriors with architectural features compatible to residential styles. The architectural theme will be shared between both structures in order to provide a continuity of style and features for the site. Landscaping will exceed minimum City standards and be designed to compliment the architecture, site layout, and offsite views.

The care facility will be staffed 24-hours per day with skilled professionals and trained assistants. Security will be maintained at all times. Approved family members may visit at any time by appointment, and shift staff will be comprised of dedicated teams to provide comprehensive care, supervision, and emergency response at all times. The office building will operate during normal business hours. Approximately 80 employees will be on the premises over a 24-hour period between both buildings, in addition to the 100 residents within the care facility.

It is recognized that interim mitigation methods will be required during construction. The Developer is well experienced in the demands and constraints associated with managing noise, dust, trash, traffic, work hours, and other effects of construction activities. City standards will be employed to the fullest possible extent, and an on-site manager will be available to respond to matters requiring immediate attention.

Particular attention has been given to accommodate zoning standards, existing conditions, site features, and environmental concerns. Mitigation of these and other impacts on and from the project are reflected in the proposed site plan, architecture, layout, landscaping, and development concept. In particular, the layout and concept reflect attention to surrounding properties, land uses, vehicular circulation, and operational needs. And enhancement features such as architecture and landscaping further seek to adapt the project into established, prescribed, and intended patterns of local development.

## **SUMMARY**

In summary, the proposed project will be developed and managed to meet the highest possible standards of professional, caring practice and service. It is the intent of the developer to conceive and construct a project that will reflect the high level of unique, quality attention to be provided to those from whom they have been given the trust, honor, and responsibility of providing care.

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## APPENDIX A -- INTRODUCTION

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The following supplemental information is provided in support of the Operational Statement. It provides further detail on services and staffing projections of the Care Facility derived from operational experience of the Facility Operator, who is to be announced at a later date, and the Office Building, which will be a multi-tenant professional services facility.

The Office Building, intended to offer opportunities for local businesses in support of the full Market area of the Project, has been characterized in projections to function in a generic manner, in accordance with City guidelines and definitions found in Zoning standards. Medical tenants will be encouraged, but businesses of all types will be allowed to benefit from the Project location, which is convenient to modal transportation options, other nearby services, and the attractive setting. Traffic rates for the Project Office Building are assumed as typical for a low-rise office occupancy.

The Care Facility will provide a full spectrum of resident support functions, to include provisions for visitors, maintenance and security, with associated traffic rates and periods considered in the Project impact analysis. Shifts are defined in the information that follows; but in general, Care Facility Traffic Peaks can be effectively managed to be slightly offset from the Existing Peak traffic rates.

The Brawley / Beechwood intersection under Existing conditions was found in the Project Traffic Analysis to be 557 total trips between 7:15 am and 8:15 am, and 320 trips between 4:45pm and 5:45 pm. The Project Traffic Impact Study estimates the Project to generate 75 trips Peak A.M. and 113 trips Peak P.M. These impact increases can be reduced by as much as 20%, however, by consideration of applying Project Peak offsets within the Existing Peak Hour periods, in addition to the ability of the Care Facility Operator to control the Shift change times to those of lesser impact.

As shown in the accompanying exhibits, the Project Peak loads, when occurring only an hour later than Existing Peak loads, will noticeably reduce the cumulative impacts of the Project on Existing traffic levels.

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## APPENDIX A1 - OPERATIONAL SERVICES FOR CARE FACILITY

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### 1.0 *EXTENT OF CARE FACILITY SERVICES*

The proposed facility will operate as a Residential Care Facility for the Elderly. The services defined for this level of care are not medically oriented. Typical services include assistance with activities of daily living (hygiene, dressing, etc), as well as assistance with meals and social activities.

### 2.0 *PROJECTED STAFFING LEVELS*

Projected Staffing Schedule for Typical Model Care Facility:

#### 2.1 Resident Services Department:

- A.M. Shift -- 4-Resident Assistants
- P.M. Shift -- 3.5-Resident Assistants
- Nurse On-Call -- As-Needed Basis

#### 2.2 Food Service & Nutrition Department

- A.M. Shift -- 2-Dietary Staff
- Mid-Day Shift -- 2-Dietary Staff
- P.M. Shift -- 1-Dietary Staff (2-Staff @4-hr Shifts)
- 

#### 2.3 Wellness & Activities Department

- A.M. Shift -- 3-Wellness Staff (2-Assistants + 1-Driver)

#### 2.4 Administration/Management & Janitorial

- A.M. Shift -- 1-Receptionist; 1-Director; 1-Manager; 1-Security; 2-Staff
- P.M. Shift -- 1-Manager; 1-Security; 2-Staff

### 3.0 *VISITORS*

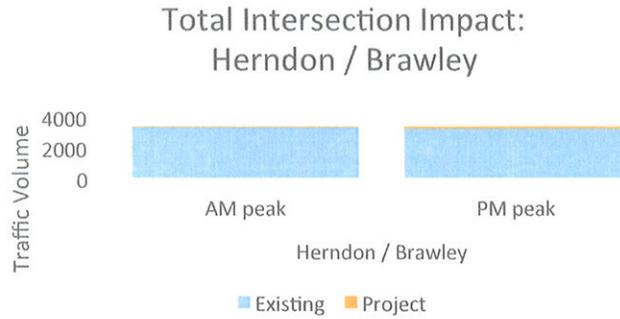
- Approximately 10-15 visitors per day, with not much variation between weekdays and weekends.
- Visiting hours are not limited; encouraged in off-Peak and off-Meal hours.

### 4.0 *DELIVERIES AND MAINTENANCE*

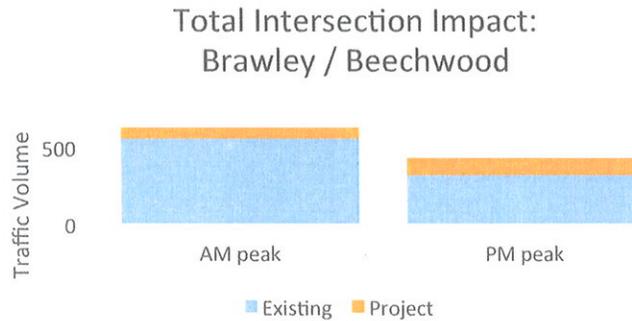
- UPS and FedEx, AM Shift, Daily
- Food Deliveries as Required, but likely three per week, A.M. Shift
- Maintenance addressed as needed in off-Peak hours.

## APPENDIX A2 - TRAFFIC EXHIBITS

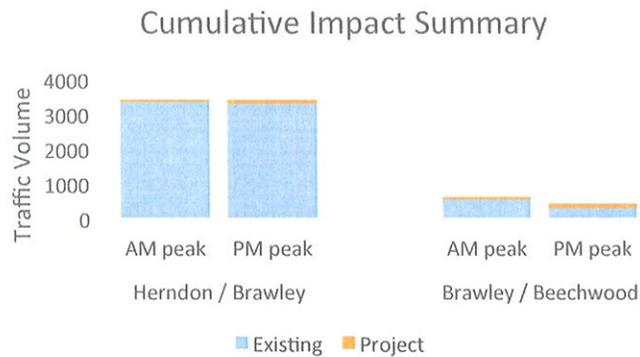
**Figure 1: HERNDON / BRAWLEY INTERSECTION DATA PROJECTIONS**



**Figure 2: BRAWLEY / BEECHWOOD INTERSECTION DATA PROJECTIONS:**



**Figure 3: CUMULATIVE INTERSECTION DATA PROJECTIONS:**



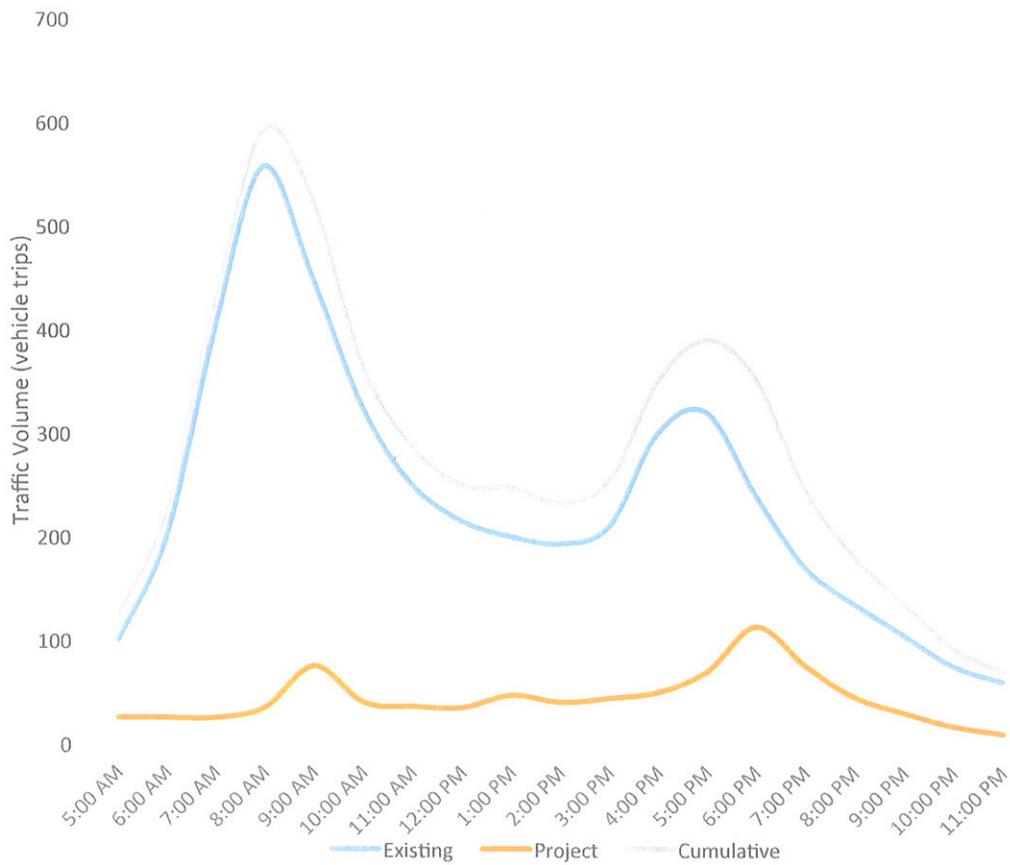
\*Sources: Traffic Impact Study, Peters Engineering Group, Oct. 28 2014; Facility Operator Proprietary Data

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## APPENDIX A3 - TRAFFIC GRAPH

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Expected Traffic Impact Overlay: Beechwood / Brawley



Source: 1. Traffic Impact Study, Peters Engineering Group, Oct. 28 2014

2. Facility Operator Proprietary Data

## City of Fresno Notes and Requirements for Entitlement Applications

(Note: Not all requirements will be applicable to all projects)

### GENERAL

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. Owners and persons having ownership interest in businesses operating in the City of Fresno (including leasing out any commercial or industrial property, or renting out four or more dwelling units) are required by the Fresno Municipal Code to obtain a Business Tax Certificate. Contact the City of Fresno Finance Department's Business Tax Division at (559) 621-6880 for more information. Information and an application form is available at the following website:  
<http://www.fresno.gov/Government/DepartmentDirectory/Finance/BusinessLicenseandTax/businessstaxapplicaiton.htm>
6. All proposed building(s) or structure(s) constructed on the property must comply with the prevailing California Building Code Standards.
7. 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.

## City of Fresno Notes and Requirements For Entitlement Applications

Page 2 of 9

8. 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

9. 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.
10. Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.)**

## City of Fresno Notes and Requirements For Entitlement Applications

Page 3 of 9

16. 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.
17. Future tenant improvements shall be reviewed and approved by the Development and Resource Management Department to ensure that adequate off-street parking is provided.
18. The parking lot design must accommodate the provision of trees in accordance with the attached Parking Lot Shading Policy.
19. A minimum number of accessible parking stalls are required for the proposed project per State of California Building Code, "Development Requirements for Handicapped Accessibility."
20. 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.)**
21. 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.)**
22. 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.**
23. 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.
24. 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.html#MUCOFR\\_CH12LAUSPLZO\\_ART3GECOAPZO\\_S12-306PRDEST](http://library.municode.com/HTML/14478/level3/MUCOFR_CH12LAUSPLZO_ART3GECOAPZO.html#MUCOFR_CH12LAUSPLZO_ART3GECOAPZO_S12-306PRDEST)

## City of Fresno Notes and Requirements For Entitlement Applications

Page 4 of 9

### SIGNAGE

25. 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.
26. 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.)**
27. 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>
28. 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.
29. Permanent window signs over six square feet in area can be submitted for approval under a sign review application.

### MISCELLANEOUS

30. 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](http://library.municode.com/HTML/14478/level3/MUCOFR_CH10REREPUNUREPRCOUS_ART1NORE.html#MUCOFR_CH10REREPUNUREPRCOUS_ART1NORE_S10-102DE)
31. 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.
32. 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

## City of Fresno Notes and Requirements For Entitlement Applications

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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'.

33. 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](http://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](http://www.casqa.org)

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

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

34. Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
35. 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.)**
36. 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.)**

## City of Fresno Notes and Requirements For Entitlement Applications

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37. 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.)**
38. Connection to a municipal water system is required unless approved measures are included in the project conditions of approval for an alternative water supply.
39. Connection to a municipal City of Fresno sewer system is required unless approved measures are included in the project conditions for alternative wastewater treatment facilities.
40. 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.
41. Open street cuts are not permitted; all utility connections must be bored.
42. **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.
43. 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.
44. 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)**
45. 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.

## City of Fresno Notes and Requirements For Entitlement Applications

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### 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.

## City of Fresno Notes and Requirements For Entitlement Applications

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- 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

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

### 50. REGIONAL TRANSPORTATION MITIGATION FEE (RTMF)

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

### 51. SCHOOL FEES

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. FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (FMFCD) FEES

- a) A FMFCD Development Fee is required for review of proposed development projects, including applications for plan amendments, rezones, special permits, subdivisions, and grading plans. This fee is based on project acreage and must be paid directly to FMFCD in order for that agency to review projects and provide a Notice of Requirements. For more information, contact Fresno Metropolitan Flood Control District at (559) 456-3292.
- b) FMFCD drainage fees are due, if required, prior to issuance of building permits and are payable at the rate in place at the time of building permit issuance. Unpaid drainage fee obligations that were unpaid for a prior project at the site of a new project must be satisfied by the developer of the new project. Drainage fees may be paid at the Development and Resource Management Department prior to, or at the time of building permit issuance. They may also be paid directly to FMFCD, and proof of payment provided to the City, in order to obtain construction permits.

### 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')

## City of Fresno Notes and Requirements For Entitlement Applications

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- 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 City of Fresno Resolutions Nos. 2009-265 and 2010-19.



**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: X \_\_\_\_\_  
[signature of landscape professional]

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

Telephone (with area code): ( \_\_\_\_\_ ) \_\_\_\_\_

Business Address: \_\_\_\_\_  
\_\_\_\_\_

Exhibit M  
Project Comments from the Development Services Division  
December 2, 2014



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**

**Project Comments from the Development Services Division**  
**December 2, 2015**

**PROJECT DESCRIPTION**

**Conditional Use Permit Application No. C-14-072** was filed by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to 2.93± acres of property located on the northeast corner of West Herndon and North Brawley Avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM (*Administrative and Professional Office/Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management*).

**APN: 501-152-01s, 07s      ZONING: ADDRESS: 3771 W Beechwood Ave**

**GENERAL INFORMATION**

<b>ZONING</b>	
Existing	<b>C-P/BA-30/EA/UGM</b> ( <i>Administrative and Professional Office/ Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management</i> )
<b>PLANNED LAND USE</b>	
Existing	Office
<b>PLANS</b>	
Community Plan	Bullard
Specific Plan	Sierra Sky Park Primary Review Area
Redevelopment	N/A
<b>PREVIOUS ACTIONS</b>	
Applications	<u>Subject Property:</u> R-5708, R-6523, T-3016
Covenants/ Easements	None
Development Agreements	N/A
<b>TRACT MAP or LOT SPLIT</b>	Tract Map No. 3016

**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>

<b>USE PERMITTED</b>				
Conditional Use Permit C-14-072 proposes to allow the construction of a 23,475 square-foot, 2-story office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants				
<b>LOT AREA</b>				
	Required	10,000 square foot minimum		
	Existing	± 2.93 acres		
<b>LOT DIMENSIONS</b>				
	Required	Minimum requirement: Width-65 feet, Depth-110 feet		
	Existing	<b>Exhibit A shall depict the existing property lines with dimensions.</b>		
<b>DWELLING UNIT DENSITY</b>				
	Permitted	The memory care project would permit up to 128 units (project proposes 100 units). There is no maximum lot coverage for the office, but the coverage is limited by setbacks and parking requirements.		
	Proposed	<b>Depict gross floor areas for all buildings within the development.</b>		
<b>BUILDING HEIGHT</b>				
	Permitted	Each building within the project shall have a maximum height of 35 feet.		
	Proposed	The memory care facility is proposed to be 35 feet in height while the office is proposed to be 26 feet in height.		
<b>YARDS (as depicted on Exhibits AA-1 &amp; AA-3 dated February 20, 2015)</b>				
	<b>Required Building Setback</b>		<b>Proposed Building Setback</b>	
	Front (Beechwood)	10 feet	Front	<b>Clearly depict on the site plan.</b>
	Side (Brawley)	10 foot	Side	<b>Clearly depict the minimum setback requirement on the site plan.</b>
	Side (east property line)	None	Side	<b>Clearly depict property lines on the site plan.</b>

	Rear (south property line)	None		Rear	Clearly depict property lines on the site plan
<b>Required Landscaping Setback</b>			<b>Proposed Landscaping Setback</b>		
	Front	10 foot yard		Front	Clearly depict on the landscape plan.
	Side (Brawley)	10 feet		Street Side	Clearly depict on the landscape plan.
<b>Miscellaneous:</b>					
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 subsections 12-105-L-4, Section 12-105-Y (yard) and the exceptions of Subsection 12-216.5-E-5 (C-P District) of the FMC.					
All required yards abutting a street shall be landscaped and maintained in accordance with Section 12-306-N-24. Other yards may be used for parking or loading.					
No main building shall be erected within fifty feet of the right-of-way of any railroad line or freeway.					
<b>SPACE BETWEEN BUILDINGS</b>					
	Main Buildings	N/A			
<b>LOT COVERAGE</b>					
	Permitted	N/A			
<b>FENCES, HEDGES, WALLS</b>					
	Permitted	Fences, hedges, and walls, not greater than six feet in height, shall be permitted on all rear and interior side property lines, and on or to the rear of all front and street side yard setback lines.  No fence, hedge or wall over three feet in height shall be permitted in any required front yard setback area or within the required side yard setback area on the street side of a corner lot.			
	Proposed	<b>Depict the height and material any existing or proposed fencing.</b>			
<b>OFF-STREET PARKING</b>					

Required	<p><u>Vehicle Parking:</u></p> <p>For Office and Memory Care Facilities automobile parking spaces shall be provided as required by the applicable zone district.</p> <p>For parking for nonresidential uses, there shall be at least one square foot of off-street parking area for each one square foot of floor area except that, for uses specifically mentioned therein, the parking requirements of Section 12-306-I shall apply. The parking area shall be provided: on the lot with the building or uses being served; on a contiguous lot in the "C-P" District; or when located within the boundaries of an adopted Redevelopment Plan on a site not more than 500 feet from the external boundaries of the lot upon which the building or uses being served is located. The improvement and maintenance standards of Section 12-306-I shall apply to all parking.</p> <p>For the Professional Office: <math>23,475/370 = 63</math> parking spaces required</p> <p>For Memory Care: For each 4 beds provide one space or <math>100/4 = 25</math> plus one space for visitors for each 5 residents or <math>100/5 = 20</math> plus one space for maximum shift or 17 (<math>25 + 20 + 17 = 62</math> parking spaces required</p> <p>Total Parking spaces required 125 (<math>63 + 62</math>)</p> <p>10% minor deviation less 12 parking spaces or <math>125 - 12 = 113</math></p> <p>Required 113 parking spaces</p> <p>Provided 116 parking spaces</p> <p><u>Bicycle Parking:</u></p> <p>For other commercial uses, the number of bicycle parking spaces to be provided shall be equal to 10% of the automobile parking spaces provided not to exceed 10.</p>
Proposed	Exhibit AA-1 dated February 20, 2015 depicts 116 parking spaces. This meets the required number of parking spaces.
<b>ACCESS</b>	
Required	There shall be adequate vehicular access to off-street parking facilities from W. Beechwood Avenue. The design of the access shall be approved by the Department of Public Works as able to withstand commercial usage.
Proposed	Access points are to be located off W. Beechwood Avenue as depicted on Exhibit AA-1 dated February 20, 2015.

<b>OUTDOOR ADVERTISING</b>		
Permitted	<p>For professional office developments, signs may be permitted in accordance with the provisions of the C-P District.</p> <p>All signs shall comply with the FMC. All signs shall obtain approval through a separate permit and shall be compatible with the proposed development.</p>	
Proposed	<p><b>Depict any existing or proposed signs on the site plan.</b></p>	
<b>LOADING SPACES</b>		
Required	<p>Loading spaces are required when buildings are 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. Should trucks exceeding two tons not be utilized in the operation of the proposed business, a letter must be submitted to the Development Services Division stating such.</p> <p>Loading spaces shall not be less than 12 feet in width and 40 feet in length, and shall have 14 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>For commercial buildings with 15,001 to 45,000 square feet there shall be two loading spaces.</p>	
Proposed	<p>The site plan exhibits show no loading areas so submit a letter to the Development Services Division stating no trucks exceeding two tons shall be utilized in the operation.</p>	
<b>TREES (On-Site)</b>		
Required	<p>Each commercial 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.</p> <p>116 parking spaces proposed = 58 medium-sized trees required on-site for the entire development (This number may change depending on the revised parking plan.)</p>	
Proposed	<p><b>The landscape plan shall depict the number of medium-sized trees on-site.</b></p>	
<b>PARKING LOT SHADING</b>		
Required	<p>A minimum of 50% parking lot shading is required in accordance with the <i>Development Department, Performance Standards for Parking Lot Shading</i>.</p>	
Proposed	<p><b>The landscape plan shall depict the parking lot shading calculation.</b></p>	

Exhibit N  
Environmental Assessment No. C-14-072

**EXHIBIT A**

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

**Environmental Checklist Form For  
EA No. C-14-072  
May 15, 2015**

1. **Project Title:**  
Conditional Use Permit Application No. C-14-072
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:**  
Bruce Barnes. Project Manager  
City of Fresno  
Development & Resource Management Department  
2600 Fresno Street, 3<sup>rd</sup> Floor  
(559) 621-8047
4. **Project location:**
  4. **Project location:**  
3771 W. Beechwood Avenue  
Located on the east side of North Brawley Ave between West Herndon and West Beechwood Avenues in the City and County of Fresno, California  
Assessor's Parcel Number(s): 501-152-01 and 501-142-07  
Site Latitude: 36°8377.82"N  
Longitude: 119°8618.71" W  
Mount Diablo Base & Meridian, Township13 S Range 20 E, Section19  
Mount Diablo Base & Meridian, Township 13S Range 20E, Section 19, Fresno South USGS Quadrangle
5. **Project sponsor's name and address:**  
Randy Alonzo  
PB Companies LLC  
3480 S. Higuera St.  
San Luis Obispo, CA 93401

6. **General & Specific plan designation:**

Office

7. **Zoning:**

Existing: C-P/BA-30/EA/UGM (*Administrative and Professional Office/Boulevard Area, 30 feet/Expressway Overlay/Urban Growth Management*)

Proposed: No change

8. **Description of project:**

**Conditional Use Permit Application No. C-14-072** was filed by Frank Mungia, on behalf of Randy Alonzo of PB Companies LLC, and pertains to 2.93± acres of property located on the northeast corner of West Herndon and North Brawley Avenues. The applicant proposes the construction of a 23,475 square-foot, 2-story general office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. The property is zoned C-P/BA-30/EA/UGM (*Administrative and Professional Office/Boulevard Area, 30 feet/Expressway Area Overlay/Urban Growth Management*).

9. **Surrounding land uses and setting:**

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Medium Density Residential	<b>R-2-A</b> <i>Low Density Multiple Family District, Single Story</i>	Residential
<b>East</b>	Office	<b>C-P</b> Administrative and Professional Offices	Offices
<b>South</b>	Community Commercial	<b>C-2</b> <i>Commercial Shopping Center District</i>	Vacant

<b>West</b>	Neighborhood Commercial	<b>C-1</b> <i>Neighborhood Shopping Center District</i>	Vacant
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10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): Development and Resource Management Division, Building and Safety; department of Public Utilities; City of Fresno Fire Department; San Joaquin Air Pollution Control District; Department of Public Works

**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 (MEIR) No. SCH 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 adopted for the updated General Plan.

The environmental factors checked below (if any) 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.

_____ Aesthetics	_____ Agriculture and Forestry Resources	_____ Air Quality
_____ Biological Resources	_____ Cultural Resources	_____ Geology /Soils
_____ Greenhouse Gas	_____ Hazards & Hazardous	_____ Hydrology/Water

_____ Emissions	_____ Materials	_____ Quality
_____ Land Use/Planning	_____ Mineral Resources	_____ Noise
_____ Population /Housing	_____ Public Services	_____ Recreation
_____ Transportation/Traffic	_____ Utilities/Service Systems	_____ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

\_\_\_\_\_ 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.

  X   I find that the proposed project is a subsequent project identified in the MEIR and Air Quality MND but that it is not fully within the scope of the MEIR and Air Quality MND because the proposed project could have a significant effect on the environment that was not examined in the MEIR or Air Quality MND. However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

\_\_\_\_\_ I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR or Air Quality MND, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR or Air Quality MND pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

X \_\_\_\_\_  
Bruce Barnes, Planner

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May 15, 2015

## 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. <b>AESTHETICS</b> -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
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

**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 not located in the above described scenic areas, it does not have access to scenic vistas along the San Joaquin River or the Sierra Nevada. Therefore scenic vista impacts are less than significant.

### **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](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 180 (approximately 15 miles east of the Planning Area) and along State Route 168 east of the City of Clovis (approximately 12 miles east of the Planning Area). 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.

#### **b. 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.

These policies have been applied to the project and where necessary, have resulted in design-related conditions of approval. With these conditions applied, impacts to visual character are less than significant. The policies are the following:

#### ***Urban Form, Land Use and Design Element***

**Objective UF-14.** Create an urban form that facilitates multi-modal connectivity.

**Policy UF-14-a.** Design Guidelines for Walkability. Develop and use design guidelines and standards for a walkable and pedestrian-scaled environment with a network of streets and connections for pedestrians and bicyclists, as well as transit and autos.

**Policy LU-1-a.** Promote Development within the Existing City Limits as of December 31, 2012. Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.

**Objective LU-2.** Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

**Policy 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. It is noted that the adjacent building, according to the city's building records, is 26 feet in height. The two story office building will be 26 feet in height comparable to the adjacent building. And while the memory care facility will be 9 feet higher than the adjacent building it is located away from Brawley Avenue and is located as close as possible to the adjacent building.

**Objective 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.

In addition, the General Plan identifies Scenic Corridors within the plan area that have special visual character that should be preserved. These corridors are the following:

- Van Ness Boulevard – Weldon to Shaw Avenues
- Van Ness Extension – Shaw Avenue to the San Joaquin River Bluff
- Kearney Boulevard – Fresno Street to Polk Avenue
- Van Ness-Fulton couplet – Weldon Avenue to Divisadero
- Butler Avenue – Peach to Fowler Avenues
- Minnewawa Avenue – Belmont Avenue to Central Canal
- Huntington Boulevard – First Street to Cedar Avenue
- Shepherd Avenue – Friant Road to Willow Avenue
- Audubon Drive – Blackstone to Herndon Avenues
- Friant Road – Audubon to Millerton Roads
- Tulare Avenue – Sunnyside to Armstrong Avenues
- Ashlan Avenue – Palm to Maroa Avenues

Since the project location is not on any of the above-mentioned corridors, no impacts to scenic corridors would result from the project.

**c. 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.

Mitigation Measures

1. The proposed project shall implement and incorporate the aesthetic related mitigation measures as identified in the attached Master Environmental Impact Report No. (MEIR) SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated May 15, 2015.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>II. AGRICULTURE AND FORESTRY RESOURCES:</b> 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 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.

With the implementation of the General Plan and Development Code Update, the approximately 15,903 acres of FMMP-designated farmland and approximately 11,714 acres of existing farmland are anticipated to be converted to uses other than agriculture. This conversion is a significant impact on agricultural resources.

**a/e Conversion of Farmland to Non-Agricultural Use**

The subject site is designated as "Urban and Built-Up Land" 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. Aerial photos dating back to 1992 show the land has not been cultivated since that time. Therefore no impacts would occur.

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

The project site is currently planned and zoned for office use. Agricultural uses are not allowed under existing conditions, nor would they be allowed under the proposed application. Therefore no conflict exists regarding zoning for agricultural uses. Regarding potential Williamson Act related impacts, there are approximately 1,615 acres of land under Williamson Act Contract in the planning area. 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. 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><b>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE</b> - (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.) -</p> <p>-</p> <p>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	
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>				X
<p>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)?</p>			X	
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>				X
<p>e) Create objectionable odors affecting a substantial number of people?</p>				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 must fully comply with applicable regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD). 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 Resource Conservation 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.Odors**

The project is not expected to generate any odors, as it will be subject to all of the use restrictions applicable to typical office and assisted living-type projects. No manufacturing activities would be allowed in the proposed C-P zone district, and none are proposed with the

project.

In summary, there are no significant air quality or global climate change impacts expected to occur as a result of the proposed project, no violations of air quality standards will occur and no net increase of pollutants will occur beyond those previously analyzed by the MEIR .

Subject to compliance with the construction and development requirements of the San Joaquin Valley Air Pollution Control District (SJVAPCD) and the Resource Conservation 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. Therefore impacts are less than significant.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. <b>BIOLOGICAL RESOURCES</b> -- 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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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.

There are no existing mature trees or other vegetation on the site and 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.

Mitigation Measures

1. The proposed project shall implement and incorporate the biological related mitigation measures as identified in the attached Master Environmental Impact Report No. (MEIR) SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated May 15, 2015.

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.

Mitigation Measures

1. The proposed project shall implement and incorporate the cultural resource related mitigation measures as identified in the attached Master Environmental Impact Report No. (MEIR) SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated May 15, 2015.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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).

This project is located in the north central portion of Fresno, within the Bullard Community Plan Area. There are no known geologic hazards or unstable soil conditions known to exist on the site. The existing topography demonstrates no apparent unique or significant land forms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards.

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. <b>GREENHOUSE GAS EMISSIONS</b> -- 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 in 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 and 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 Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIAL</b> -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?**

Proposed project consists of a conditional use permit to facilitate the development of a 23,475 square-foot, 2-story general office building and a 62,800 square-foot, 3-story, 100 resident assisted living/memory care facility with 24-hour skilled professionals and trained assistants. 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 securing of a permit to dispose of medical waste (if any) (pursuant to letter from the Fresno County Department of Public Health dated September 11, 2014).

**1. Create hazard through creation of accident or upset?**

No impacts are expected to occur with the construction of the project with implementation of project conditions noted above.

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

The proposed project is slightly further than a quarter of mile from the Forkner School campus, and as a result the project is not expected to generate any hazardous emissions with compliance with regulations noted above.

**c. 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.

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

The project site is located outside the approach zone of the Sierra Sky Park Airport.

**e. Creation of a safety hazard at a private airstrip?**

The project site is located outside the approach zone of the Sierra Sky Park Airport.

**Interfere with an emergency response or evacuation plan?**

The project will not cause the obstruction or elimination of any vehicular, bicycle, or pedestrian access routes, therefore it will not interfere with an emergency response or evaluation plan.

**f. 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.

The project site is located in the Bullard Community Plan area. This area is essentially urbanized in all directions and is therefore in a low fire hazard area. In addition, the proposed project is within the fire protection service area of Fire Station 2 located at West and Fir Avenues, approximately 2.8 miles from the project site. Finally, all construction must comply with the California Building Code, which incorporates design measures to reduce fire risk. Therefore, the site will be protected from fire risk to the extent possible due to construction regulations and fire protection services.

1. The proposed project shall implement the Hazards and Hazardous Material related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated May 15, 2015

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY -- Would the project:</b>				
a) Violate any water quality standards or waste 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	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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	
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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 introduction to this 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, 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.

The FMFCD has indicated that the proposed project would NOT exceed the capacity of the existing storm drain system. FMFCD has indicated that the system is designed to accommodate the residential areas to the north as well as the office complex on the south side of Beechwood Avenue. FMFCD does acknowledge that on a few rare occasions the system can become "overwhelmed" during intense rain events, but dissipate quickly since the system was designed with those events in mind. They further indicated that inlets can get "plugged" by leaves and branches and once cleared there is no problem. Therefore, flood impacts are less than significant.

**e. 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.

**f. Place 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.

**g. 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.

**h. 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 the Bullard Community Plan 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.

Mitigation Measures

1. The proposed project shall implement and incorporate the hydrology and water quality related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 2012111015 Fresno General Plan Mitigation Monitoring Checklist dated May 15, 2015

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.

The subject property is currently vacant and is located within the Bullard Community Plan Area. The subject property is surrounded predominantly by residential, office, and vacant land uses. The subject property is currently designated for Office planned land use under the Fresno General Plan, and the Bullard Community Plan.

**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**

The newly adopted Fresno General Plan puts a strong emphasis on infill development, complete neighborhoods and multimodal connectivity. Each of these areas are discussed below.

Infill Development

The proposed project is considered Non-Corridor Infill (because it is not on a Bus Rapid Transit Corridor). The General Plan includes the following guidance on this topic:

*Non-Corridor Infill. Fresno needs to promote well-designed infill and rehabilitation throughout the city, not just along the corridors. This includes single-family lots, small multi-family lots and small subdivisions. There will also be revitalization and rehabilitation over the years of small retail centers, employment centers and some multi-family properties. These infill developments and redevelopments will focus on creating Complete Neighborhoods in existing areas. Some tools that can be used to accomplish this include: connectivity, financial incentives for investing in established neighborhoods, design compatibility, providing missing uses such as recreation, enhanced landscaping and maintenance of public right-of-way areas, and providing community-based services.*

**UF-12** *Locate roughly one-half of future residential development in infill areas—defined as being within the City on December 31, 2012—including the Downtown core area and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land*

Approval of the CUP application would help facilitate infill development within existing neighborhoods as called for in general plan policy.

### Complete Neighborhoods

The general plan states that the defining characteristic of a complete neighborhood is one that is mostly self-sufficient, walkable and interconnected. It provides residents with most daily needs. A complete neighborhood should include most of the following elements:

- A range of housing choices
- Neighborhood serving retail
- A range of employment opportunities
- Public services, such as health clinics
- Entertainment and cultural assets
- Parks and public schools
- Community services such as a library, recreation center, senior center or community garden
- Public plaza/civic space
- Access to Public Transit

The neighborhood around the site includes both single family and office uses. There are 8 office lots located on the south side of Beechwood Avenue. Five of the 8 lots are already developed with office complexes. If approved, 7 out of 8 lots would be developed, leaving only the most eastern lot vacant.

### Multimodal Connectivity

The general plan calls for the city to develop guidelines for walkability. These are currently in process as part of the new development code. The policy suggests that the guidelines include strategies to avoid the following design features:

- Walls and fences that separate related uses or isolate neighborhoods;
- Over reliance on cul-de-sacs and dead end streets
- Disconnected bike and pedestrian paths
- Wide streets that lack pedestrian support, such as sidewalks, and a landscape strip separating pedestrians from the street
- Street front parking lots that separate pedestrians from the commercial operations;
- Retail centers that are exclusively auto-oriented;
- Transit stops that are not easily accessible from an individual's starting point and destination; and
- Long blocks that discourage walking

***UF 14-b** Design local roadways to connect throughout neighborhoods and large private developments with adjacent major roadways and pathways of existing adjacent development. Create access for pedestrians and bicycles where a local street must dead end or be designed as a cul-de-sac to adjoining uses that provide services, shopping, and connecting pathways for access to the greater community area.*

The urban form of the proposed project is already somewhat established, as only three of the 8 office are undeveloped. The proposed project would be consistent with the existing urban pattern. Finally, the architectural design in terms of massing, materials and colors is required to be compatible with the surrounding development.

In conclusion, the proposed project is consistent with many of the goals and policies of the newly adopted General Plan. The proposed project promotes reinvestment by proposing a quality development in an existing neighborhood, preserves neighborhood character by proposing a design that is compatible with the surrounding architecture, and protects property values by constructing a compatible infill development on currently vacant lots.

### **Bullard Community Plan**

The Bullard Community Plan was adopted in 1988. At that time, about sixty percent (60%) of the territory within its boundary was development. Today, it is estimated that over 80% of the territory within its boundaries is developed. Some of the goals of that plan include the following:

#### **Section 4.1.2 Goals**

1. Provide for a diversity of housing types and housing opportunities to meet the needs of all ages and income levels.
2. Provide for efficient use of land and public delivery system while protecting the integrity of established neighborhoods.
3. Encourage mixed use, i.e. residential /office along major transportation corridors in order to minimize vehicular trips, promote innovative design and allow for flexibility to meet changing market needs.
4. Provide for safe, clean and aesthetically pleasing neighborhoods free from excessive traffic and noise.
5. Provide for a compatible relationship between differing housing types and densities.

The proposed project appears to be in substantial compliance with those goals. Finally, the project would help to facilitate infill development, which is a goal of the general plan. Therefore, the proposed project is consistent with both the Fresno General Plan and Bullard Community Plan Policies, with incorporation of the project-specific mitigation measure noted in this environmental assessment.

### **c. Conflict with any Habitat Conservation Plan**

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

The proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno with approval of the proposed applications. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan and Bullard Community Plan, (2) To be Suitable for the type and development; and, (3) To be safe from potential cause or introduction of serious public health problems. With mitigation incorporated, no impacts would occur.

### **Mitigation Measures**

1. The proposed project shall implement the land use related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated May 15, 2015

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES</b> -- 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.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. NOISE</b> -- 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

The only potential noise source at the project site would be roadway noise and airport noise, however the proposed project would only result in office uses, which are noise sensitive. However, the noise study conducted for the project indicates that using modern construction methods with inoperable windows will result in acceptable interior noise levels. In addition, the senior/memory care facility will have an outdoor central courtyard where outdoor noise levels will also be acceptable. Currently, the homes on Beechwood Avenue are exposed to traffic noise from Herndon Avenue. If this project is approved and built, the two buildings and the added landscaping will effectively “block” the Herndon Avenue traffic noise from the homes on Beechwood Avenue. Therefore these impacts are considered less than significant.

**b. Groundborn Vibration**

The project should not cause exposure to groundborn vibration for the residents of the proposed project or surrounding residents as the project is a residential development. No 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.

**c/d. Permanent increase in ambient noise levels**

The project’s contribution to ambient noise levels would be related to its contribution to transportation noise. The project is expected to generate 1,123 average daily trips, and a maximum of 113 peak hour trips. This number of vehicular trips is not sufficient to increase ambient noise levels, therefore impacts are less than significant.

**e. Airport Noise**

Although the project is located within any Airport Influence Area, impacts from airport noise are less than significant.

**d. Private Airstrip Noise**

Same as above.

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	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 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.

**a. Growth inducement**

The project site is located in the Development Area entitled “Established Neighborhoods North of Shaw” pursuant to Figure 1-3, Residential Capacity Allocation of the General Plan. This area has a housing unit capacity of 9,817 units within existing city limits under plan buildout. The plan also anticipates up to 10.9 million square feet of retail development distributed throughout the urban area. Since the project is proposing an infill project on less than 3, it is not considered to be growth inducing. In addition, the public facilities that will be constructed with this project would not be considered growth-inducing, as they are sized to accommodate only uses and intensities outlined in the general plan. Impacts are less than significant.

**b. Housing Displacement**

Currently the site is vacant; no housing displacement will occur. No impacts will result.

**c. Population Displacement**

No persons or population will be displaced by the construction of this project, as the site is vacant. No impacts will result.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				
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. As noted above, the nearest fire station is Station #2, located at West and Fir Avenues, within the response distance/time of 3 minutes.

FMFCD has built adequate flood control facilities to serve the proposed project and therefore

no adverse impacts are anticipated.

The project has no parks within approximately a one-mile radius. The demand for parks will not be increased by approval of the project.

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 condition of building permit, impacts are less than significant.

Mitigation Measures

1. The proposed project shall implement and incorporate the public service- related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated May 15, 2015.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. RECREATION --</b>				
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 project has no parks within approximately a one-mile radius. The demand for these parks will not be increased by approval of the project. 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. As noted in the above section, all development requires payment of parks and open space impact fees as a condition of building permit. With this regulation in place, impacts are less than significant.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC</b> -- 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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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?**

A traffic impact study was done for this project. It indicates that the project will generate 1,123 trips over a weekday 24-hour period. The bulk of the trips will be created by the office use (849 trips versus 274 trips for the assisted living/memory care facility). Therefore, it is the “by right” use of the office that will generate more than three-fourths of the trips. The morning peak hour will generate 75 trips and afternoon peak hour will generate 113 trips.

Site access driveways connect to Beechwood Avenue, with no connections directly to Brawley Avenue. This is a favorable configuration since driveways on Brawley Avenue could potentially result in blockage related to intersection of Herndon and Brawley Avenues. The exit closest to Brawley Avenue will have a “Right Turn Only” sign posted at the exit. However the other exit will allow a left turn on Beechwood Avenue as the applicant proposed to modify the median island to allow exiting vehicles to make a left turn maneuver.

The City currently has plans and funding to widen Herndon to 3 lanes in both directions between Blythe and Valentine which is currently being done. In addition, when warranted the project shall restripe/widen eastbound Herndon left-turn lane to dual left-turn lane. The applicant shall also restripe/widen northbound Beechwood right-turn lane to dual right-turn lane. Finally, the applicant shall pay a Traffic Mitigation fee of almost \$53,000 as noted below.

Traffic Engineering Division has reviewed the proposed conditional use permit and has determined that the streets adjacent to and near the subject site will be able to accommodate the quantity and kind of traffic generated upon implementation of the traffic related mitigation measures of the MEIR and completion of the adjacent street segments and intersections in accordance with the transportation element of the Fresno General Plan.

The developer of this project will be required to pay the Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per average daily trip at the time of building permit, based on the trip generation rates set forth in the latest edition of the ITE Trip Generation Manual and the Master Fee Schedule. The project will also be required to pay all applicable New Growth Area fees including the Fresno Major Street Impact (FMSI) Fee and City-wide regional street impact fees. The California Department of Transportation (Caltrans) has indicated that the proposed project will mitigate any potential project related traffic impacts to State facilities through payment of the applicable City Fees and subject to payment of the Regional Traffic Mitigation Fee (RTMF).

With Public Works Traffic Engineering conditions imposed as mitigation, impacts are less than significant.

**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**

The project is located within an Airport influence area but will not result in a change in traffic patterns. No impact will result.

**d. Substantially increase hazards due to design feature?**

No design features are proposed that would not comply with Public Works standards, therefore potential hazard impacts are less than significant.

**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 two points of access from Beechwood Avenue. 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 located in an area that is served by the Fresno Area Express (FAX) Route 45, with bus stops on the northwest corner and southeast corner of Brawley and Herndon Avenues.

A Class I Bicycle lane along the north side of Herndon Avenue already exists and will eventually be continuous without interruption.

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. Near term improvements to Herndon Avenue (currently being widened to 6 lanes) and long term improvements, when warranted, will include dual eastbound left turn lanes on Herndon and dual northbound right turn lanes on Beechwood.

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. Nor would it cause unacceptable congestion on adjacent roadways. As such, and with conditions imposed, impacts would be less than significant.

Mitigation Measures

1. The proposed project shall implement and incorporate the traffic related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated May 15, 2015.

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>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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	
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-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, sewer and water lines are available to serve the project site, and water, sewer, and landfill capacities are adequate to serve the site. Therefore, impacts are less than significant.

Mitigation Measures

1. The proposed project shall implement and incorporate the utilities- related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 2012111015-- Fresno General Plan Mitigation Monitoring Checklist dated May 15, 2015.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --</b>				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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
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 Environmental Assessment No. C-14-072**  
**Conducted for Plan Amendment Application No. C-14-072 for development on the Northeast Corner of North Brawley**  
**Avenue and West Herndon Avenue**  
**May 15, 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 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	COMPLIANCE					
			A	B	C	D	E	F

**Aesthetics:**

<b>AES-1.</b> 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. <b>Verification comments:</b>	Prior to issuance of building permits	Public Works Department (PW) and Development & Resource Management Dept. (DARM)	X						

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS					
			A	B	C	D	E	F
<b>Aesthetics (continued):</b>								
<p><b>AES-2:</b> 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.</p> <p><b>Verification comments:</b></p>	Prior to issuance of building permits	DARM.						X
<p><b>AES-3:</b> 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.</p> <p><b>Verification comments:</b></p>	Prior to issuance of building permits	DARM	X					
<p><b>AES-4:</b> 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</p> <p><b>Verification comments:</b></p>	Prior to issuance of building permits	DARM						X

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

**Aesthetics (continued):**

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

**Air Quality:**

<p><b>AIR-1:</b> 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"> <li>• 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.</li> <li>• Post signs requiring drivers to limit idling to 5 minutes or less.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>							X

A - Incorporated into Project  
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS					
			A	B	C	D	E	F
<b>Air Quality (continued):</b>								
<p><b>AIR-2:</b> 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"> <li>• 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.</li> <li>• Post signs requiring drivers to limit idling to 5 minutes or less</li> <li>• Construct block walls to reduce the flow of emissions toward sensitive receptors</li> <li>• Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions</li> <li>• 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.</li> <li>• Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems.</li> </ul>	Prior to development project approval	DARM						X

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

C - Mitigation in Process  
D - Responsible Agency Contacted

A - Incorporated into Project  
B - Mitigated

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS							
			A	B	C	D	E	F		
(continued on next page)										

**Air Quality (continued):**

<p><b>AIR-2 (continued from previous page)</b></p> <ul style="list-style-type: none"> <li>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</li> <li>Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved.</li> </ul> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>																	
<p><b>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.</b></p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>	<table border="1"> <tr> <td></td> <td>X</td> </tr> </table>																X
										X									

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<b>Air Quality (continued):</b>								
<b>AIR-4:</b> 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). <b>Verification comments:</b>	Prior to development project approval	DARM						X
<b>AIR-5:</b> 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. <b>Verification comments:</b>	Prior to development project approval	DARM						X

**A** - Incorporated into Project  
**B** - Mitigated  
**C** - Mitigation in Process  
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

**Biological Resources:**

<p><b>BIO-1:</b> 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><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>					<p>X</p>
<p><b>BIO-2:</b> Direct or incidental take of any state or federally listed</p>	<p>Prior to</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. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F
<p>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 <i>(continued on next page)</i></p>	<p>development project approval</p>							

**Biological Resources** *(continued)*:

<p><b>BIO-2</b> <i>(continued from previous page)</i> 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. <b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>					
<p><b>BIO-3:</b> Development within the Planning Area should avoid,</p>	<p>Prior to</p>	<p>DARM</p>					<p>X</p>

**A** - Incorporated into Project  
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>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 <i>(continued on next page)</i></p>	<p>development project approval</p>							
<p><b>Biological Resources</b> <i>(continued):</i></p>								
<p><b>BIO-3</b> <i>(continued from previous page):</i> 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. <b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>BIO-4:</b> Proposed projects within the Planning Area should</p>	<p>Prior to</p>	<p>DARM</p>						<p><b>X</b></p>

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

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>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 <i>(continued on next page)</i></p>	<p>development project approval and during construction activities</p>							

**Biological Resources (continued):**

<p><b>BIO-4</b> <i>(continued from previous page):</i> may continue in the vicinity of the nest only at the discretion of the biological monitor. <b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>BIO-5:</b> If a proposed project will result in the removal or</p>	<p>Prior to</p>	<p>DARM</p>						<p><b>X</b></p>

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F - Not Applicable

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
			A	B	C	D	E	F
<p>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.</p> <p><b>Verification comments:</b></p>	development project approval							

**Biological Resources (continued):**

<p><b>BIO-6:</b> 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><b>Verification comments:</b></p>	Prior to development project approval	DARM						X
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS							
			A	B	C	D	E	F		
<p><b>BIO-7:</b> 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><b>Verification comments:</b></p>	Prior to development project approval	DARM								X
<p><b>Biological Resources (continued):</b></p> <p><b>BIO-8:</b> 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</p>	Prior to development project approval	DARM								X

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F
<p>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><b>Verification comments:</b></p>								
<p><b>BIO-9:</b> 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 (continued on next page)</p>	<p>Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy</p>	<p>DARM</p>					<p>X</p>	

Biological Resources (continued):

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

<p><b>BIO-9</b> (continued from previous page):          incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.  <b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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<p><b>Cultural Resources:</b>  <b>CUL-1:</b> 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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**Cultural Resources** (continued):

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>CUL-1</b> <i>(continued from previous page)</i></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><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>CUL-2:</b> 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</p> <p><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>					

**Cultural Resources** *(continued):*

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>CUL-2</b> <i>(continued from previous page)</i></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;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						

**Cultural Resources** *(continued):*

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>CUL-2</b> (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;"><i>(continued on next page)</i></p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>						

Cultural Resources (continued):

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>CUL-2</b> <i>(further continued from previous three pages)</i></p> <p>excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. .</p> <p><b>Verification comments:</b></p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>						
<p><b>CUL-3:</b> 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:</p> <p>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><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>					

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>CUL-3</b> <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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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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**Cultural Resources (continued):**

<p><b>CUL-3</b> (further continued from previous two pages)</p> <p>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><b>Verification comments:</b></p>	<p>[see Page 16]</p>	<p>[see Page 16]</p>							
<p><b>CUL-4:</b> 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</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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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>Cultural Resources (continued):</b></p> <p><b>CUL-4</b> (continued from previous page) 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. <b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS					
			A	B	C	D	E	F
<b>Hazards and Hazardous Materials</b>								
<p><b>HAZ-1:</b> 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.</p> <p><b>Verification comments:</b></p>	Prior to development approvals	DARM						X
<p><b>HAZ-2:</b> 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.</p> <p><b>Verification comments:</b></p>	Prior to development approvals	DARM						X
<p><b>HAZ-3:</b> 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.</p> <p><b>Verification comments:</b></p>	Prior to development approvals	DARM						X

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<b>Hydrology and Water Quality</b>									
<b>HYD-1:</b> The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day. <b>Verification comments:</b>		Prior to water demand exceeding water supply	Department of Public Utilities (DPU)	X				X	
<b>HYD-2:</b> The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP. <b>Verification comments:</b>		Ongoing	DPU					X	
<b>HYD-5.1:</b> 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. <ul style="list-style-type: none"> <li>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.</li> </ul> (continued on next page)		Prior to exceedance of capacity of existing stormwater drainage facilities	Fresno Metropolitan Flood Control District (FMFCD), DARM, and PW	X				X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<b>Hydrology and Water Quality (continued):</b>								
<p><b>HYD-5.1 (continued from previous page)</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> <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><b>Verification comments:</b></p>	[see previous page]	[see previous page]						

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

**Hydrology and Water Quality (continued):**

<p><b>HYD-5.2:</b> 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"> <li>• Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedance of capacity of existing retention basin facilities</p>	<p>FMFCD, DARM, and PW</p>	<p>X</p>					<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY					
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**Hydrology and Water Quality (continued):**

<p><b>HYD-5.3:</b> 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"> <li>• Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Verification comments:</b></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>	<p></p>	<p></p>	<p>X</p>
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		A	B	C	D	E	F

**Hydrology and Water Quality (continued):**

<p><b>HYD-5.4:</b> 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"> <li>• Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Verification comments:</b></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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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. C-14-072, May 15, 2015

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

**Hydrology and Water Quality (continued):**

<ul style="list-style-type: none"> <li>• <b>HYD-5.5:</b> 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.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to development approvals in the Southeast Development Area</p>	<p>FMFCD, DARM, and PW</p>					<p>X</p>
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**Public Services:**

<p><b>PS-1:</b> 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"> <li>• <b>Noise:</b> Barriers and setbacks on the fire department sites.</li> <li>• <b>Traffic:</b> Traffic devices for circulation and a "keep clear zone" during emergency responses.</li> <li>• <b>Lighting:</b> Provision of hoods and deflectors on lighting fixtures on the fire department sites.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future fire department facilities</p>	<p>DARM</p>				<p>X</p>
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A - Incorporated into Project  
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

**Public Services** *(continued)*:

<p><b>PS-2:</b> 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"> <li>• Noise: Barriers and setbacks on the police department sites.</li> <li>• Traffic: Traffic devices for circulation.</li> <li>• Lighting: Provision of hoods and deflectors on lighting fixtures on the fire department sites.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future Police Department facilities</p>	<p>DARM</p>					<p>X</p>
<p><b>PS-3:</b> 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 style="text-align: right;"><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>					<p>X</p>

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

**Public Services (continued):**

<p><b>PS-3</b> (continued from previous page)</p> <ul style="list-style-type: none"> <li>Noise: Barriers and setbacks placed on school sites.</li> <li>Traffic: Traffic devices for circulation.</li> <li>Lighting: Provision of hoods and deflectors on lighting fixtures for stadium lights.</li> </ul> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>							
<p><b>PS-4:</b> 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"> <li>Noise: Barriers and setbacks placed on school sites.</li> <li>Traffic: Traffic devices for circulation.</li> <li>Lighting: Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future park and recreation facilities</p>	<p>DARM</p>							<p>X</p>

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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**Public Services (continued):**

<p><b>PS-5:</b> 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"> <li>• <b>Noise:</b> Barriers and setbacks placed on school sites.</li> <li>• <b>Traffic:</b> Traffic devices for circulation.</li> <li>• <b>Lighting:</b> Provision of hoods and deflectors on outdoor lighting fixtures</li> </ul> <p><b>Verification comments:</b></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>					<p style="text-align: center;"><b>X</b></p>
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**Utilities and Service Systems**

<p><b>USS-1:</b> The City shall develop and implement a wastewater master plan update.</p> <p><b>Verification comments:</b></p>	<p>Prior to wastewater conveyance and treatment demand exceeding capacity</p>	<p>DPU</p>					<p style="text-align: center;"><b>X</b></p>
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F											
			A	B	C	D	E	F						
<p><b>Utilities and Service Systems (continued):</b></p> <p><b>USS-2:</b> 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"> <li>• 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.</li> <li>• Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased.</li> </ul> <p><b>Verification comments:</b></p>								DPU					X	
<p><b>USS-3:</b> 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</p>								DPU					X	

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F
<i>(continued on next page)</i>								
capacity								
<b>Utilities and Service Systems (continued):</b>								
<p><b>USS-3</b> <i>(continued from previous page)</i></p> <p>approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> <p><b>Verification comments:</b></p>	[see previous page]	[see previous page]						
<p><b>USS-4:</b> 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</p>	Prior to construction of water and sewer facilities	PW for work in the City; PW and Fresno County Public Works and Planning when unincorporated					X	

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>hours of construction and for deliveries. It shall include haul routes, the notification plan, and coordination with emergency service providers and schools.</p> <p><b>Verification comments:</b></p>		area roadways are involved						
<b>Utilities and Service Systems (continued):</b>								
<p><b>USS-5:</b> 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>	Prior to exceeding capacity within the existing wastewater collection system facilities	DPU					X	
<ul style="list-style-type: none"> <li>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.</li> <li>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</li> </ul>								

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP.  (continued on next page)</p>								
<p><b>Utilities and Service Systems (continued):</b></p>								
<p><b>USS-5 (continued from previous page)</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F						
			A	B	C	D	E	F	
Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012. <i>(continued on next page)</i>									

**Utilities and Service Systems (continued):**

<p><b>USS-7</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> <p><b>Verification comments:</b></p>	<i>[see previous page]</i>	<i>[see previous page]</i>						
<p><b>USS-8:</b> 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</p>	Prior to exceeding capacity within the existing water conveyance	DPU						X

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
approximately 2025. • Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. (continued on next page)	facilities							

Utilities and Service Systems (continued):

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>USS-8</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ul> <p><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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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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**Utilities and Service Systems (continued):**

<p><b>USS-8</b> (continued from previous two pages)</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> <p><b>Verification comments:</b></p>	<p>[see Page 37]</p>	<p>[see Page 37]</p>							
<p><b>USS-9:</b> 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>(continued on next page)</p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>					<p>X</p>		

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE STATUS					
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**Utilities and Service Systems (continued):**

<p><b>USS-9</b> (continued from previous page)</p> <ul style="list-style-type: none"> <li>Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.</li> <li>Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area.</li> </ul> <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><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems - Hydrology and Water Quality**

<p><b>USS-10:</b> 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><b>Verification comments:</b></p>	<p>During the dry season</p>	<p>Fresno Irrigation District (FID)</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									

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

Utilities and Service Systems - Biological Resources (continued):

<p><b>USS-11</b> (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"> <li>i. Specific location, size, and existing hydrology and soils within the wetland creation area.</li> <li>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</li> </ul> <p style="text-align: right;">(continued on next page)</p>	<p>[see previous page]</p>	<p>[see previous page]</p>	
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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Utilities and Service Systems - Biological Resources (continued):

<p><b>USS-11</b> (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;"><i>(continued on next page)</i></p>	<p>[see Page 41]</p>	<p>[see Page 41]</p>						
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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><b>USS-11</b> (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><b>Verification comments:</b></p>	<p>[see Page 41]</p>	<p>[see Page 41]</p>								
<p><b>MM USS-12:</b> 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</p>	<p>During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>California Department of Fish &amp; Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)</p>								<p>X</p>

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
project site would not support rare plants, then no further (continued on next page)								

Utilities and Service Systems - Biological Resources (continued):

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>USS-12</b> <i>(continued from previous page)</i></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"> <li>• The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts).</li> <li>• The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question.</li> </ul> <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>						

**Utilities and Service Systems - Biological Resources (continued):**

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>USS-12</b> (continued from previous two pages)</p> <ul style="list-style-type: none"> <li>• The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population.</li> <li>(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.</li> </ul> <p><b>Verification comments:</b></p>	<p>[see Page 44]</p>	<p>[see Page 44]</p>						
<p><b>USS-13:</b> 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>	<p>During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>CDFW and USFWS</p>						X

Utilities and Service Systems - Biological Resources (continued):

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. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>USS-13</b> <i>(continued from previous page)</i></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><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

Utilities and Service Systems - Biological Resources (continued):

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>USS-14:</b> 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><b>Verification comments:</b></p>	<p>During facility design and prior to initiation of construction activities</p>	<p>CDFW and USFWS</p>						<p>X</p>

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

Utilities and Service Systems - *Biological Resources (continued)*:

<p><b>USS-15:</b> 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><b>Verification comments:</b></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><b>USS-16:</b> 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>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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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<i>(continued on next page)</i>								

Utilities and Service Systems - *Biological Resources (continued):*

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>USS-16</b> <i>(continued from previous page)</i></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><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						

Utilities and Service Systems - Biological Resources *(continued)*:

A - Incorporated into Project  
 B - Mitigated

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>USS-16</b> (continued from previous two pages)</p> <p>For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby.</p> <p><b>Verification comments:</b></p>	<p>[see Page 49]</p>	<p>[see Page 49]</p>						
<p><b>USS-17:</b> When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor:</p> <p>(a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFW on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River.</p> <p>(b) Riparian vegetation shading the main-channel that is removed or damaged shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within</p> <p style="text-align: right;">(continued on next page)</p>	<p>During instream activities conducted between October 15 and April 15</p>	<p>National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)</p>						X

Utilities and Service Systems / Biological Resources (continued):

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>USS-17</b> <i>(continued from previous page)</i></p> <p>FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>Utilities and Service Systems – Recreation / Trails:</b></p>								
<p><b>USS-18:</b> 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: <i>(continued on next page)</i></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>					X	

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

**Utilities and Service Systems – Recreation / Trails (continued):**

<p><b>USS-18</b> (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><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems – Air Quality:**

<p><b>USS-19:</b> 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>							
									<b>X</b>

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

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

**Utilities and Service Systems – Air Quality (continued):**

<p><b>USS-19</b> (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><b>Verification comments:</b></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><b>USS-20:</b> 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><b>Verification comments:</b></p>	<p>Prior to exceeding capacity within the existing storm water drainage facilities</p>	<p>FMFCD, PW, and DARM</p>	<p>X</p>					<p>X</p>				
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
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**Utilities and Service Systems – Adequacy of Water Supply Capacity:**

<p><b>USS-21:</b> 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><b>Verification comments:</b></p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU and DARM</p>					<p>X</p>
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**Utilities and Service Systems – Adequacy of Landfill Capacity:**

<p><b>USS-22:</b> 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><b>Verification comments:</b></p>	<p>Prior to exceeding landfill capacity</p>	<p>DPU and DARM</p>				<p>X</p>
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**MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR EA NO. C-14-072, May 15, 2015**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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 F - Not Applicable

**EXHIBIT C**

**PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST**  
**For Environmental Assessment No. C-14-072**  
**May 15, 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. C-14-072. 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-14-072**

MITIGATION MEASURE	IMPLEMENTED	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 May 1, 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 C: PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST FOR EA NO. C-14-072**

May 15, 2015

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<p><b>I. Aesthetics</b> The project shall plant hedges or other landscape treatment screen the parking lot as well as plant trees to screen the new buildings from the single family homes along Beechwood Avenue.</p>	<p>Applicant</p>	<p>Processing and review of project proposal prior to approval of building permits.</p>	<p>City of Fresno Development &amp; Resource Management Department; City of Fresno, Departments of Public Works and Utilities</p>
<p><b>III. Air Quality</b> Pay Indirect Source review off-site mitigation fee.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits.</p>	<p>City of Fresno Development &amp; Resource Management Department</p>
<p><b>VIII. Hazards and Hazardous Materials</b> The project shall comply with the requirements from the Fresno Airport Land Use Commission regarding written acknowledgement by the memory care tenant (or guardian of same) and office tenant that they will not complain about normal airport operations at Sierra Sky Park.</p>	<p>Applicant</p>	<p>Prior to leasing of space</p>	<p>City of Fresno Development &amp; Resource Management Department</p>

**EXHIBIT C: PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST FOR EA No. C-14-072**

May 15, 2015

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<p><b>IX-b: Hydrology and Water Quality</b> The project shall incorporate water use efficiency for landscaping including the use of drought tolerant and native plant materials, reduction of turf areas, and drip irrigation. Development of artificial lakes, fountains and ponds is strongly discouraged unless only untreated surface water or recycled water supplies are used for these decorative and recreational water features, as appropriate and sanitary.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development &amp; Resource Management Department City of Fresno Department of Public Works</p>
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**EXHIBIT C: PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST FOR EA NO. C-14-072**

May 15, 2015

Page 4

<p><b>VI-a. Transportation</b> Comply with the conditions of the Department of Public Works, Traffic Engineering Division memo dated November 20, 2014 which require dedications and street improvements, and payment of impact fees.</p> <p>This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per ADT 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 and the Master Fee Schedule. Based on weekday total ADT of 1,123 for the proposed project, the fee would be \$52,915.76 and shall be paid at time of building permit.</p> <p>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 signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2025 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 offsets developer improvement costs, and/or construction costs increase/decrease.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development &amp; Resource Management Department Department of Public Works</p>
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**EXHIBIT C: PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST FOR EA NO. C-14-072**

May 15, 2015

Page 5

<p>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.</p> <p>Install six bike racks at the Office Complex and four at the Memory Care facility.</p>	<p>Applicant</p>	<p>Prior to occupancy.</p>	<p>City of Fresno Development &amp; Resource Management Department</p>
<p><b>XIV. Public Services</b> Pay development impact fees for parks/open space, police and fire services.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>City of Fresno Development &amp; Resource Management Department</p>