



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO.
COMMISSION MEETING 11/04/15


DEPARTMENT DIRECTOR

November 4, 2015

FROM: MIKE SANCHEZ, Assistant Director
Development Services Division 

THROUGH: MCKENCIE CONTRERAS, Supervising Planner 
Development Services Division

BY: LAUREN FILICE, Planner III 
Development Services Division

SUBJECT:

Consideration of Rezone Application No. R-15-005, Conditional Use Permit Application No. C-15-025 and related Environmental Assessment No. R-15-005/C-15-025, filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to ±2.7 acres of a ±8.73 acre property located on the southwest corner of North Brawley Avenue and West Herndon Avenue in the City of Fresno. The project site is owned by the City of Fresno and will be leased to the developer.

1. **RECOMMEND APPROVAL (to the City Council)** of the adoption of the Finding of Conformity with the Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan (SCH # 2012111015), for Environmental Assessment (EA) No. R-15-005/C-15-025.
2. **RECOMMEND APPROVAL (to the City Council) of Rezone Application No. R-15-005** which proposes to amend the Official Zone Map to reclassify ±2.7 acres of a ±8.73 acre property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-5/UGM (*General Commercial/Urban Growth Management*) zone district.
3. **CONSIDER AND TAKE ACTION** on Conditional Use Permit Application No. C-15-025 which proposes to construct a 12-pump gas station, a ±3,500 square-foot convenience store, and a drive-through car wash, and requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store, contingent upon City Council approval of the related Rezone Application and Environmental Assessment and subject to the Conditions of Approval dated November 4, 2015.

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. **RECOMMEND APPROVAL (to the City Council)** of the adoption of the Finding of Conformity with the Master Environmental Impact Report (MEIR) prepared for the Fresno

General Plan (SCH # 2012111015), for Environmental Assessment (EA) No. R-15-005/C-15-025.

2. **RECOMMEND APPROVAL (to the City Council) of Rezone Application No. R-15-005** which proposes to amend the Official Zone Map to reclassify ± 2.7 acres of a ± 8.73 acre property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-5/UGM (*General Commercial/Urban Growth Management*) zone district.
3. **APPROVE Conditional Use Permit Application No. C-15-025** which proposes the construction of a Chevron gas station with 12 fueling stations, a $\pm 3,500$ square-foot convenience store, and a drive-through car wash, and requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store, contingent upon City Council approval of the related Rezone Application and Environmental Assessment and subject to the Conditions of Approval dated November 4, 2015.

EXECUTIVE SUMMARY

Rezone Application No. R-15-005, Conditional Use Permit Application No. C-15-025 and related Environmental Assessment No. R-15-005/C-15-025 was filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to ± 2.7 acres of a ± 8.73 acre property located on the southwest corner of North Brawley Avenue and West Herndon Avenue in the City of Fresno. The project site is owned by the City of Fresno and will be leased to the developer. Rezone Application No. R-15-005 proposes to amend the Official Zone Map to reclassify the ± 2.7 -acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-5/UGM (*General Commercial/Urban Growth Management*) zone district. The C-5/UGM zone district is consistent with the Fresno General Plan land use designation of Commercial-General. The project also includes a ground lease of this ± 2.7 acre property, with an option to purchase, from the City of Fresno (as lessor/seller) to Garreks, Inc., a California Corporation (as lessee/buyer).

Rezone Application No. R-15-005 was filed to facilitate Conditional Use Permit Application No. C-15-025 which proposes the construction of a Chevron gas station with 12 fueling stations, a $\pm 3,500$ square-foot convenience store, and a drive-through car wash. The application also requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The convenience store and gas station are proposed to operate 24 hours per day, 7 days per week. The car wash is proposed to operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations and Fresno Police Department conditions regarding alcohol sales, with no alcohol sales between 2

a.m. and 6 a.m. Access to the site is coordinated with the proposed commercial site on the east side of North Brawley Avenue.

PROJECT INFORMATION

PROJECT

Rezone Application No. R-15-005 proposes to amend the Official Zone Map to reclassify the ±2.7 acre portion of a ±8.73 acre property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-5/UGM (*General Commercial/Urban Growth Management*) zone district. If approved, the Rezone Application will facilitate the approval of construction of a Chevron gas station with a convenience store selling alcoholic beverages under a Type 20 ABC license, and a drive-through car wash in accordance with Conditional Use Permit Application No. C-15-025.

APPLICANT Dirk Poeschel of Land Development Services, Inc.

LOCATION 6985 North Brawley Avenue

Located on the southwest corner of North Brawley Avenue and West Herndon Avenue (APN: 507-030-12ST) (**Council District 2, Councilmember Brandau**)

SITE SIZE Approximately ±2.7 acres of +/- 8.73 acre parcel

PLANNED LAND USE "*Commercial-General*"

ZONING Existing:

AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district

Proposed:

C-5/UGM (*General Commercial/Urban Growth Management*) zone district

PLAN DESIGNATION AND CONSISTENCY Pursuant to Table 3-3 (General Plan Land Use Designations and Zone Districts) of the Fresno General Plan and Table 3-1 (Citywide Standards for Density and Development Intensity) of the Fresno General Plan, the *Commercial-General* planned land use is consistent with the proposed C-5 (*General Commercial*) zone district. The corresponding zoning proposed by the new Development Code, Chapter 15 is CG (*Commercial-General*) which is also consistent with the Commercial-General land use. However, the new Development Code has yet to be adopted and the current Zoning Code (Fresno Municipal Code (FMC) Chapter 12) remains in effect.

ENVIRONMENTAL FINDING A Finding of Conformity with the MEIR prepared for the Fresno General Plan (SCH # 2012111015), for EA No. R-15-005/C-15-025 was filed August 14, 2015.

PLAN COMMITTEE RECOMMENDATION The District 2 Plan Implementation Committee met on Monday, March 23, 2015, and approved the project.

STAFF RECOMMENDATION Recommend Approval (to the City Council) of: (1) Environmental Assessment No. R-15-005/C-15-025 and (2) Rezone Application No. R-15-005.

Approve: Conditional Use Permit Application No. C-15-025.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Commercial - General	C-1 <i>Neighborhood Shopping Center</i>	Vacant Land
East	Commercial – General	C-2 <i>Community Shopping Center</i>	Vacant Land
South	Clear Zone	AE-5 <i>Exclusive Five Acre Residential</i>	Vacant Land
West	Clear Zone	R-P <i>Residential & Professional Offices</i>	Vacant Land

West	Clear Zone	R-P <i>Residential & Professional Offices</i>	Vacant Land
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ENVIRONMENTAL FINDING

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the MEIR prepared for the Fresno General Plan (SCH # 2012111015). Therefore, the Development and Resource Management Department filed a Finding of Conformity for this project on August 12, 2015.

This site is located within the City limits and is consistent with the Fresno General Plan. The proposed C-5 zone district is consistent with the “*Commercial-General*” land use designation approved for this site by the Fresno General Plan adopted by the Fresno City Council on December 18, 2014, the Bullard Community Plan, and the Sierra Sky Park Airport Environs Specific Plan. The proposed development occurs on a project site of approximately ±2.7 acres planned for urban uses and is currently vacant. The site has no value as habitat for endangered, rare or threatened species and can be adequately served by all required utilities and public services. No adverse environmental impacts will occur as a result of the proposed project.

BACKGROUND / ANALYSIS

Project Description

Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-025 were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to ±2.7 acres of property located on the southwest corner of North Brawley Avenue and West Herndon Avenue in the City of Fresno. The project also includes a ground lease of this ±2.7 acre property, with an option to purchase, from the City of Fresno (as lessor/seller) to Garreks, Inc., a California Corporation (as lessee/buyer).

Rezone Application No. R-15-005 requests to amend the Official Zone Map to reclassify the ±2.7 acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-5/UGM (*General Commercial/Urban Growth Management*) zone district.

Conditional Use Permit Application No. C-15-025 proposes the construction of a Chevron gas station with 12 fueling stations, a ±3,500 square-foot convenience store, and a drive-through car wash. The application also requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The convenience store and gas station are proposed to operate 24 hours per day, 7 days per week. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations and Fresno Police Department conditions regarding alcohol sales with

no alcohol sales between 2 a.m. and 6 a.m. Access to the site is off North Brawley Avenue via two access driveways. Twenty four (24) parking spaces are provided, while 19 spaces are required for the mini-mart use. Building design will be consistent throughout the site and will be consistent with neighboring commercial parcels.

Access to the project site was coordinated with the Public Works Department, the project site owner, and the owner of the commercial property on the east side of North Brawley Avenue. It was determined that an intersection with a traffic signal and turn lanes would be required. The intersection will be located approximately 400 feet south of the intersection of Herndon and Brawley Avenues, on the southeast side of the project site in alignment with Magill Avenue. The intersection would serve both sites and provide acceptable traffic flows to, and stacking distance from the Herndon and Brawley intersection.

The project and the proposed C-5 zoning are consistent with the planned land use of "*Commercial-General*" as designated by the Fresno General Plan, Bullard Community Plan, and the Sierra Sky Park Airport Environs Specific Plan.

Land Use Plans and Policies

The proposed project is consistent with the policies of the Fresno General Plan, Bullard Community Plan and Sierra Sky Park Airport Environs Specific Plan. The proposed project is consistent with the Fresno General Plan's land use implementing policies LU-1-a to 'promote new development and infill on infill sites and vacant land within the City'; LU-1-c to "promote orderly land use development in pace with public facilities and services needed to serve development"; LU-2-a to "promote development of vacant undeveloped and re-developable land uses within the City limits where urban services are available.."; LU-6-f to "direct highway-oriented and auto-serving commercial uses to locations that are compatible with the Urban Form policies of the General Plan"; and Urban Form policy UF-3-c to " design neighborhood centers for local services and amenities."

The proposed project is for commercial services on a portion of an existing vacant parcel in an area substantially developed with suburban uses. Existing uses in the project vicinity include the Sierra Sky Airport to the northwest, commercial uses of medical offices and storage facility to the east, offices to the west, and the area is surrounded by single family and multiple family housing. Roadways and utility services are in place along Herndon and Brawley Avenues. The proposed project will provide automobile related services in the local vicinity, with the nearest gas station/car wash at West Herndon and North Milburn Avenues to the west, a distance of one mile, and at Herndon and North West to the east, a distance of 2 miles. There is also a car wash located in the northeast quarter of Bullard and Figarden Avenues.

The project is further consistent with Bullard Community Plan Goal 4.2.3-2 to "distribute the new commercial land use designations at logical, marketable, convenient and accessible locations" and with Policy 4.4.4-4 that "commercial areas shall be designated such that commercial traffic will not route through local residential streets." The Bullard Community Plan also requires project consistency with the Sierra Sky Park Airport Environs Specific Plan.

Therefore, the project will protect City policies that promote infill of vacant parcels within developed areas, and will preserve and protect city infrastructure by limiting further expansion to undeveloped sites outside the service area.

Circulation Element Plan Policies and Major Street System Traffic Capacity

The subject property is located on the southwest corner of the intersection of West Herndon and North Brawley Avenues, between North Blythe and North Prospect Avenues. Gas stations serve multiple vehicles per day, thus traffic impacts on area streets and intersections must be analyzed. The applicant contracted with Peters Engineering Group to prepare the "Traffic Impact Study, Proposed Gas Station, Car Wash, and Mini Mart Southwest of the Intersection of Herndon and Brawley Avenues, Fresno, California" (TIS) dated December 19, 2014. The TIS prepared for the project concluded that the project will contribute a significant impact based on the existing-plus-project conditions and contributes to cumulative near-term and 2035 significant impacts and traffic signals will be warranted by the year 2035. Thus, payment of Traffic Signal Mitigation Impact (TSMI) fees is required as project mitigation.

The Public Works Department, Traffic Engineering Division has reviewed the TIS and potential traffic related impacts for the rezone application and has determined that the project shall pay Traffic Signal Mitigation Impact (TSMI), Fresno Major Street Impact (FMSI), and Regional Transportation Mitigation Impact (RTMI) fees, install a traffic signal at the intersection of Brawley and Magill Avenues, improve the intersection of Herndon and Brawley Avenues, extend Magill Avenue and a temporary cul-de-sac at the west of project site, and make necessary improvements and right-of-way and public easement dedications along the adjacent public street(s) and within site boundaries.

Conditional Use Permit Analysis

A service station, retail mini mart and car wash are allowed within the *commercial-general* land use designation. The project is compliant with FMC Section 12-221.3 which permits a mini mart and gas station by right, and a car wash and retail sale of alcoholic beverages with an approved conditional use permit in the C-5 zone district.

The project was reviewed by several agencies and City departments including the Fire, Police and Public Utilities, the County Environmental Health, San Joaquin Valley Air Pollution Control District, Fresno Metropolitan Flood Control District and the Fresno Unified School District provided comments that have been incorporated as conditions of project approval.

Public Input and Noticing

- Airport Land Use Commission (ALUC) – In a letter dated September 9, 2015, the ALUC determined a finding of consistency with the Adopted Airport Land Use Plans for the project at the August 31, 2015 ALUC meeting.

Initially, the project was thought to be within the Sierra Sky Park Airport clear zone, however a recent survey found the original zone line to be in error and the project site to be outside the Airport's clear zone by the Fresno Council of Governments (COG), Fresno County Airport Land Use Commission, in a letter dated September 9, 2015. Further, The Federal Aviation Administration issued a 'Determination of No Hazard to Air Navigation' on October 9, 2015. Therefore, the proposed project is in compliance with the policies and implementation actions of the Bullard Community Plan and the Sierra Sky Park Airport Environs Specific Plan.

- Community Outreach – In early August 2015, the applicant canvassed the neighbors and provided 19 form letters in favor of the project, a sample of which is attached.
- Notice to the Planning Commission - Public notice was mailed on October 23, 2015 to neighboring parcels within 350 feet of the project site pursuant to Section 12-401-C-2 of the FMC. No public comments have been received to date.

CONDITIONAL USE PERMIT FINDINGS

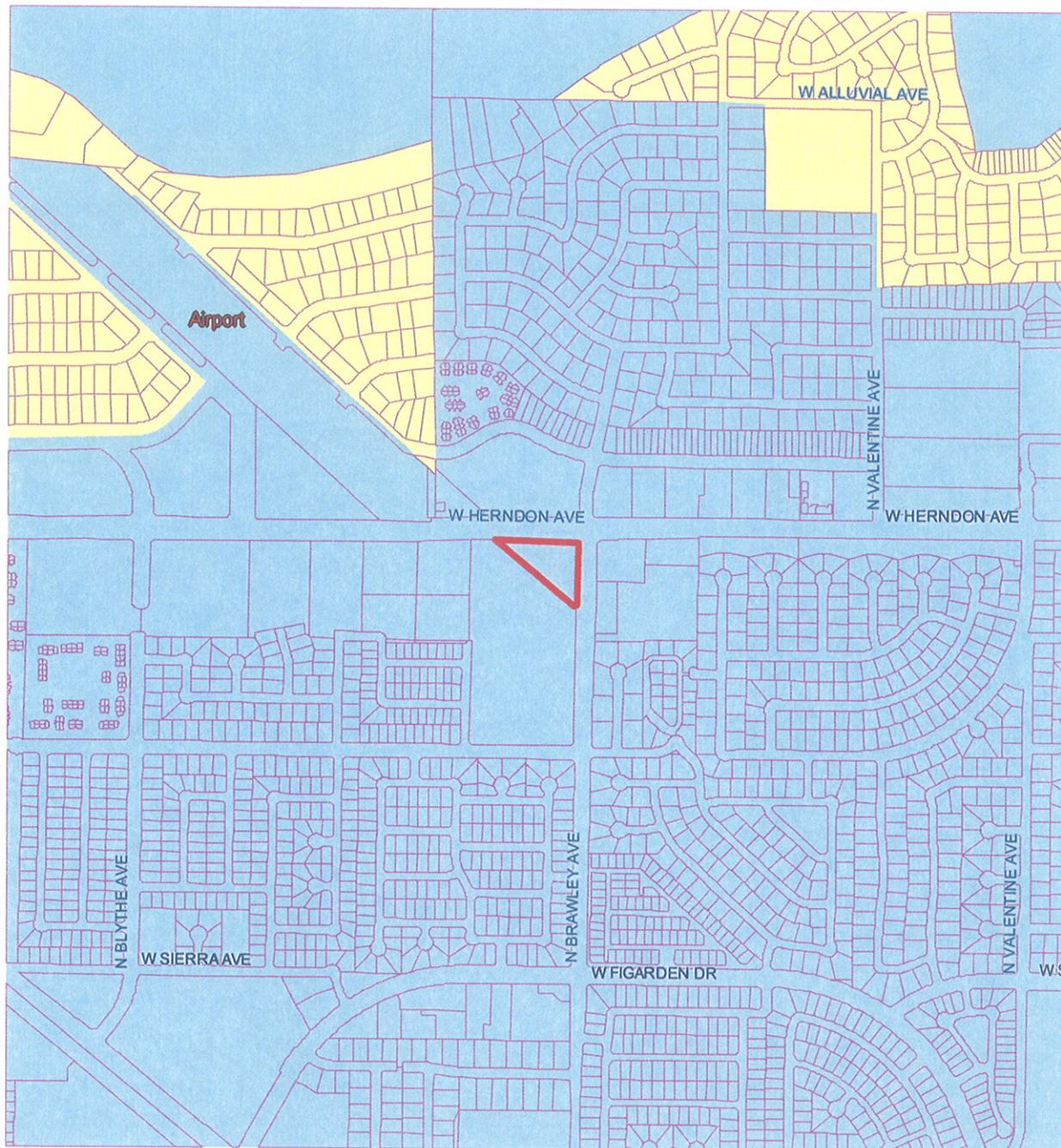
FINDINGS PER FRESNO MUNICIPAL CODE SECTION 12-405-A-2	
<i>a. All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,</i>	
<i>Finding a:</i>	Conditional Use Permit Application No. C-15-025 will involve the construction of gas station, mini mart and car wash facilities and will make physical changes on the site for which adequate space on site does exist to accommodate the proposed uses and traffic flow, parking, as well as yards, walls, fences, recycling areas and landscaping.
<i>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,</i>	
<i>Finding b:</i>	A traffic study was prepared for the request; traffic-related impacts were considered significant based on the existing-plus-project conditions and the project contributes to cumulative near-term and 2035 significant impacts. Traffic signals will be warranted by the year 2035. Thus, payment of TSMI fees, FMSI fees, RTMF fees, installation of a traffic signal at the intersection of Brawley and Magill Avenues, improvements to the intersection of Herndon and Brawley Avenues, extension of Magill Avenue and a temporary cul-de-sac at the west of the project site, and necessary improvements and right-of-way and public easement dedications along the adjacent public street(s) and within site boundaries will be required as project mitigation. This will reduce impacts to less than significant.

<p><i>c. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The third finding shall not apply to uses which are subject to the provision of Section 12-306-N-30 of this Code.</i></p>	
<p>Finding c:</p>	<p>Approval of Conditional Use Permit Application No. C-15-025 would not be detrimental to those properties in the vicinity or detrimental to public welfare, with Conditions of Approval imposed. All plan policies and standards required by the Fresno Municipal Code have been applied to the proposed project as applicable to ensure compatibility with those surrounding land uses and to prevent any detriment to public welfare. Proposed mini mart operations must comply with state and federal regulations for such uses, as well as all standard Police Department requirements for security, video surveillance, loitering, and property management. Gas station and car wash operations must comply with state regulations for such uses, including hazardous materials handling and drainage controls.</p>

Conclusion

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, and the Sierra Sky Park Airport Environs Specific 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 approval of Environmental Assessment No. R-15-005/C-15-025, Rezone Application R-15-005, and Conditional Use Permit Application No. C-15-025 is appropriate for the project site.

- Attachments: Vicinity Map
 Aerial Photograph
 Public Hearing Notice Map
 Zone District Map
 Sierra Sky Park Airport Map
 Conditions of Approval for Conditional Use Permit Application No. C-15-025 dated November 4, 2015
 Site Plan and Site Details
 Agency Comment Letters
 Airport Overflight Zone Survey
 Airport 'Determination of Consistency'
 Federal Aviation Administration 'Determination of No Hazard'
 Environmental Assessment No. R-15-005/C-15-025



Vicinity Map

Project Site 

Address: 6985 North Brawley Avenue

APN: 507-030-12ST



City of Fresno

 User Drawn Redlines

Parcels

 Parcels

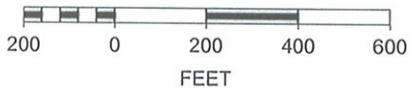
Aerials

 City Limits

 Fresno County



SCALE 1 : 4,975

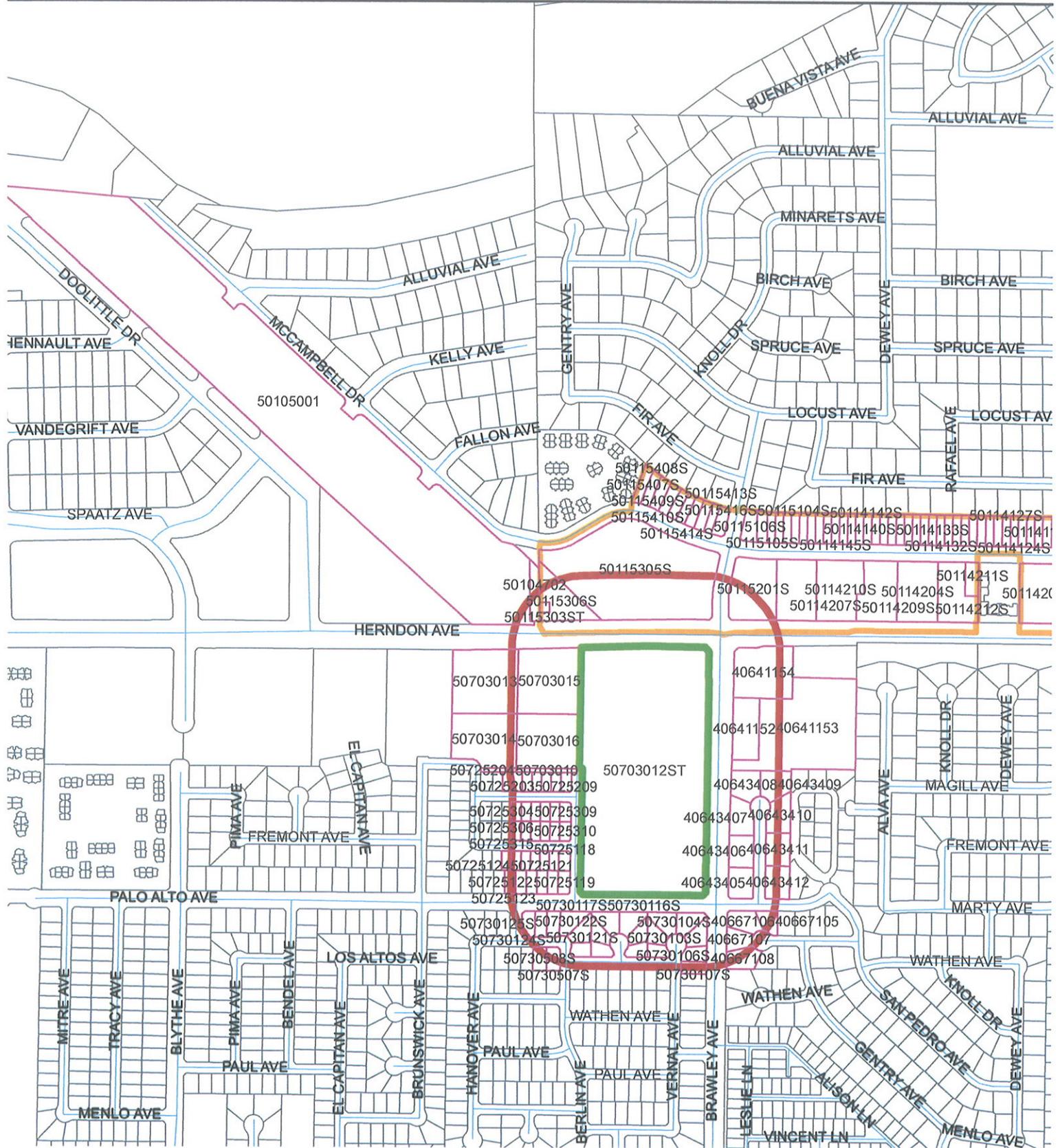


199398 AddrList

uffered at:350 Feet, Legal Notices, Owners
0703012ST



Address List Map, c:\gisdm5\automap\adrlist.mxd, Wed Oct 21 15:13:57 2015





Zone District Map

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

Rezone Application No. R-15-005 and
 Conditional Use Permit Application
 No. C-15-025

Subject Property

PROPERTY ADDRESSES

6985 North Brawley Avenue



APN: 507-030-12ST
 Plan Areas: *Commercial-General*
 By: Lauren Filice, November 4, 2015

*City of Fresno General Plan Land Use Map
Showing Location of Proposed Land Use Changes June 10, 2015*





			ACREAGE	COMMUNITY COMMERCIAL	RESIDENTIAL URBAN NEIGHBORHOOD
25	6	Gates Ave)			
		b. APN 509-030-72S (5613 N. Gates Ave)	3.23	Community Commercial	Residential Urban Neighborhood
		c. APN 509-030-74S (5550 N. Figarden Dr)	8.22	Community Commercial	Residential Medium High
26	10	Martin Ray Kelly Park: APN 456-221-21T (4800 E. Harvey Avenue at SW corner of Chestnut Ave and HWY 180)	3	Blank	Park
			0.38	Residential Medium	Park
27	9	Mission Ranch (NW of Hughes Ave and Kearney Blvd): APN 464-020-13	5	Residential Urban Neighborhood (Dual Designation Land Use	Residential Medium Low (Dual Designation Land Use Map)
28	9	Mission Ranch (SW of Hughes Ave and Kearney Blvd): part of APN 464-060-17	5	Residential Urban Neighborhood (Dual Designation Land Use	Residential Medium Low (Dual Designation Land Use Map)
29	9	Mission Ranch (SW of Hughes and California Avenues): APN 477-021-09	20.89	Residential High (Dual Designation Land Use	Residential Medium Low (Dual Designation Land Use
30	9	Mission Ranch (SW corner of Hughes and California Avenues): APN 477-021-10, 11 and part of 14	20	Residential Medium (Dual Designation Land	Residential Medium Low (Dual Designation Land Use
31	2	APN 417-240-03 and 402-220-60 (8462 and 8468 N. Friant Rd at NE corner of N. Friant Rd and Fresno St)	15.94	Office	Community Commercial
32	11	Calwa Hotel: APN 487-122-02 (3978 E. Calwa Ave)	0.25	Residential Medium	Neighborhood Mixed-Use
33	2	APN 404-071-45 (NW corner of Chestnut and Alluvial Avenues)	18.52	Residential Medium	Residential Medium High
34	6	APN 509-020-35S (5351 N. Salinas Ave.)	12.28	Residential Medium High	Residential Urban Neighborhood
35	2	APN 403-030-07 (1801 E. Shepherd Ave) at SE corner Shepherd and Chance Avenues	2.8	Residential Medium High	Residential Urban Neighborhood
36	3	Gunnar Andros Figarden: APN 417-140-14, 15, 16, 26 and 27 (5210, 5240, 5250, 5260 and 5292 N. Palm Ave) 417-231-16, 17 and 19 (5200 and 5204 N. Palm Ave), 417-240-03 and 37 (507 and 525 W. San Jose Ave)	16.99	Office	Regional Mixed-Use
			2.33	Corridor/Center Mixed-Use	Regional Mixed-Use
			2.38	Residential Medium Low	Regional Mixed-Use
37	5	APN 507-030-12ST (6985 N. Brawley Ave at the SW corner of Herndon and Brawley Avenues)	1.8	Office	Commercial General
			6.25	Office	Clear Zone
			3.93	Office	Residential Medium
38	6	Eisner Family Trust: APN 509-290-07 (5633 N. Figarden Dr)	2.29	Office	Community Commercial
39	14	APN 310-201-12 (3605 N. Armstrong Ave)	2.45	Residential Low	Residential Medium Low
40	12	APN 456-030-34T and part of APN 456-030-51 (5445 and 5471 E. Belmont Ave) at NW corner Belmont and DeWitt Avenues	5	Neighborhood Park	Residential Medium High
41	6	Part of APN 508-110-47S (5126 W. Mission Ave) and 508-119-46S (5185 N Golden State Blvd)	0.45	Residential Medium	Commercial General



Sierra Sky Park Airport

- Noise Contours measured in decibels (db)
- Protection Zones Primary Surface / runway
- Clear Zone / no construction
- Traffic Pattern Area 
- Primary Review Area 

Subject Property



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

**CONDITIONS OF APPROVAL
NOVEMBER 4, 2015**

CONDITIONAL USE PERMIT APPLICATION NO. C-15-025

6985 North Brawley Avenue
(APN: 507-030-12ST)

The Planning Commission will consider approval of Conditional Use Permit Application No. C-15-025 at a noticed public hearing on November 4, 2015 at 6:00 p.m. Staff recommends that the special permit application be approved subject to the conditions listed in this document.

- Project Description:** Conditional Use Permit Application No. C-15-025 proposes the construction of a Chevron gas station with 12 fueling positions, a ±3,500 square-foot convenience store, and a drive-through car wash, and requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store, contingent upon City Council approval of the related Rezone Application and Environmental Assessment and subject to the Conditions of Approval dated November 4, 2015.

CONDITIONS OF APPROVAL

PART A – ITEMS TO BE COMPLETED

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

Planner to initial when completed	
<input type="checkbox"/>	1. Development shall take place in accordance with Exhibits A, F, E1, E2 E 3 and L dated March 3, 2015. 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.
<input type="checkbox"/>	2. A landscape plan is required for review prior to issuance of building permits (Per FMC § 12-306-N-24-j-2). Submit three copies of detailed, final landscaping and irrigation plans prepared by a landscape professional, showing the number and types of trees (differentiate between species), to the Development Services Division. The type of

Conditions of Approval

Conditional Use Permit Application No. C-15-025 ABCUP

November 4, 2015

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		<p>landscaping is to be determined by the applicant and to conform to minimum city standards. These plans must be reviewed and approved prior to issuance of building permits. Hilary Kimber must approve the revised landscape plan prior to issuance of building permits. Contact Hilary Kimber at 559-621-1345.</p>
<input type="checkbox"/>	<p>3.</p>	<p>Landscaping must be in place before issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division.</p>
<input type="checkbox"/>	<p>4.</p>	<p>Prior to final inspection, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division, Development and Resource Management Department (see form, attached).</p>
<input type="checkbox"/>	<p>5.</p>	<p>The project has been reviewed for compliance with the Sierra Sky Park Land Use Compatibility Plan, which goals and policies effect Rezone R-15-005 and Conditional Use Permit C-15-025, and shall apply to continued use of the project site.</p>
<input type="checkbox"/>	<p>6.</p>	<p>The Fresno Metropolitan Flood Control District in comments dated April 6, 2015, Notice of Requirements (NOR) fee of \$111.00, a Grading Plan Review Fee of \$564.00, and a Flood Control fee of \$19,113.00 are due prior to issuance of building permits. Contact the Fresno Metropolitan Flood Control District, 559-456-3292, for all fee requirements. Provide proof that these fees have been paid prior to issuance of building permits.</p>
<input type="checkbox"/>	<p>7.</p>	<p>Comply with the conditions contained in the letter from the County of Fresno, Department of Public Health, dated March 4, 2015. Conditions include permits to operate a 'Food Facility', 'Permit to Operate an Underground Storage Tank System', and obtain a License to sell alcoholic beverages. The applicant/tenant(s) shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-4058 for more information. Provide proof that these requirements have been met prior to occupancy.</p>

<input data-bbox="196 457 284 520" type="checkbox"/>	8. Comply with the conditions contained in the letter from the Department of Public Utilities, Sewer Division, dated March 23, 2015, including construction of an 8-inch sewer main, installation of a sewer house branch, abandonment of on-site private septic systems, and payment of related fees. Provide proof that conditions have been met.
<input data-bbox="196 690 284 753" type="checkbox"/>	9. Comply with the conditions contained in the letter from the Department of Public Utilities, Water Division, dated March 23, 2015. Conditions include that the developer provide a detailed water usage analysis, install water service and meters boxes, seal and abandon any on-site wells, and pay related service fees. Submit revised exhibits to Planner at least 15 days prior to issuance of building permits.
<input data-bbox="196 945 284 1008" type="checkbox"/>	10. Revise site plan to comply with comments provided by the City of Fresno Fire Department in a memo dated March 11, 2015 for fire hydrants, access widths, fire lane designation, cross access and plan notes. Please contact Detective David Polanco at (559) 621-4150 regarding compliance with Fire Department conditions. Provide revised site plan for review and approval prior to issuance of building permits.
<input data-bbox="196 1199 284 1262" type="checkbox"/>	11. Development shall comply with the attached ABC CUP Conditions issued by the Fresno Police Department Northwest Problem Oriented Policing District, dated March 11, 2015. Please contact Detective Dawnielle Serrano at (559) 621-6529 regarding compliance with their conditions. Please provide proof of compliance with Police conditions to Planner prior to Final Approval of this Conditional Use Permit.
<input data-bbox="196 1472 284 1535" type="checkbox"/>	12. Per FMC § 12- 306-I-2.1-C, and §12-306-I-5-d, indicate the number of bicycle stalls on the site plan and clearly demonstrate how the bicycle rack with stalls filled will not obstruct the path of travel or accessible route minimum width requirements. Total required bicycle stalls shall be equal to a minimum of 10% of required parking stalls. Revise exhibits and submit to Planner at least 15 days prior to issuance of building permits.
<input data-bbox="196 1686 284 1749" type="checkbox"/>	13. Provide proof of payment of Fresno Unified School District fees and otherwise comply with their memo dated March 3, 2015 prior to obtaining building permit(s).
<input data-bbox="196 1822 284 1885" type="checkbox"/>	14. Comments from the Contact the San Joaquin Valley Unified Air Pollution Control District (District), dated March 13, 2015, include that the project is subject to District Rule 9510, and may be subject to other District Rules

	<p>and Regulations. To identify District rules or regulations contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found at www.valleyair.org/rules/1ruleslist.htm. Submit verification to the planner that this process has been completed.</p>
<input type="checkbox"/>	<p>15. Comply with the conditions contained in the letter from The Fresno Irrigation District (FID), dated March 20, 2015. Provide proof that FID concerns and comments are resolved. FID shall sign all improvement plans for the project. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.</p>
<input type="checkbox"/>	<p>16. Comply with the conditions contained in comments for the 'Traffic Impact Study' from Public Works Department, Traffic and Engineering Services Division, dated March 11, 2015. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits. Contact Traffic Engineering Manager, Jill Gormley, at 559-621-8695. Provide proof that these requirements have been met prior to issuance of building permits.</p>
	<p>17. Comply with the conditions contained in comments from Public Works Department, Traffic and Engineering Services Division dated October 21, 2015. Make red-line corrections to Exhibit A dated March 3, 2015. Deeds required for dedications and pedestrian easements shall be recorded prior to issuance of building permits. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits. Contact Engineer II, Jairo Mata, at 559-621-8714. Provide proof that these requirements have been met prior to issuance of building permits.</p>
<input type="checkbox"/>	<p>18. Lighting where provided to illuminate parking lot, mini-mart, pump island and car wash shall be hooded and so arranged and controlled so as not to cause a nuisance either to pedestrian or vehicular traffic or to the living environment. The amount of light shall be provided according to the standards of the Department of Public Works. Depict all proposed lights on the site plan. Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.</p>
<input type="checkbox"/>	<p>19. Add the following note to the site plan: <i>"Signs, other than directional signs, if applicable, are not approved for installation as part of this Conditional Use Permit. A separate Sign Permit is required. All outdoor advertising and signage shall conform to the requirements 12-217-.5-K-1 and the city of Fresno Sign Ordinance, Chapter 12, Article 17."</i> Revise exhibits and</p>

		submit to planner at least 15 days prior to issuance of building permits.
<input type="checkbox"/>	20.	The developer shall dedicated an Avigation Easement over the subject property to the City of Fresno that complies with the requirements of the Sierra Sky Park Airport Environs Specific Plan section D-1.a.
<input type="checkbox"/>	21.	The developer shall enter into 'Covenants, Conditions and Restrictions' (CC&R's) with the City of Fresno to insure that the project complies with the Airport/Land Use Compatibility Criteria of Sierra Sky Park Airport Environs Specific Plan. CC&R's will run with the land.
<input type="checkbox"/>	22.	Add applicable notes from the attached document titled "Notes and Requirements for Entitlement Applications". Revise exhibits and submit to planner at least 15 days prior to issuance of building permits.

PART B – OTHER REQUIREMENTS

1. Planning/Zoning/Environmental Compliance Requirements

- a) Development shall take place in accordance with the property development standards and zoning requirements of the C-5 zone district. Any future revisions to the proposed project shall comply with these conditions.
- b) Development shall take place in accordance with the attached "Notes and Requirements for Entitlement Applications" as applicable.
- c) Any changes to approved elevations are subject to review and approval by the Development and Resource Management Department.
- d) Development shall take place in accordance with the attached "Parking Lot Shading Performance Standards" as applicable.
- e) Development shall take place in accordance with the policies of the Fresno General Plan Update adopted by the Fresno City Council on December 18, 2014; the Woodward Park Community Plan, Sierra Sky Park Land Use Compatibility Plan, and the *Employment Office* planned land use designation.
- f) Development shall take place in accordance with the C-P/UGM (*Administrative and Professional Offices/Urban Growth Management*) zone district and all other applicable sections of the Fresno Municipal Code.

- g) Pay applicable development fees prior to issuance of building permits.
- h) Comply with the operational statement for the proposed project dated July 23, 2015.

2. City and Other Services

- a) Development shall take place in accordance with the attached memoranda and letters from City of Fresno Departments and partner agencies (Fire Department dated March 11, 2015; Department of Public Works, Traffic and Engineering Division dated September 9, 2015 and October 21, 2015; Department of Public Utilities, Sewer Division dated March 23, 2105, Water Division dated March 23, 2105, and Solid Waste Division dated March 6, 2015; Fresno Police Department dated March 11, 2015; Fresno Airports Department dated march 18, 2015; Fresno Metropolitan Flood Control District dated March 23 and April 6, 2015; County of Fresno, Environmental Health Department dated March 4, 2015; Fresno Irrigation District dated March 20, 2015; Fresno Unified School District dated March 3, 2015; and the San Joaquin Valley Air Pollution Control District dated March 13, 2015.)

3. Miscellaneous Requirements

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

omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.

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

APPEALS

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings pursuant to Section 12-405 can be made. Discretionary conditions of approval will ultimately be deemed mandatory unless appealed. In the event you wish to appeal any of these conditions, you must state your appeal (in writing or in testimony) at or prior to the Planning Commission hearing for this project scheduled on **November 4, 2015** at 6:00 p.m. or thereafter.

EXPIRATION DATES

The exercise of rights granted by this special permit must be commenced within four years from the date of approval (presumably on November 4, 2019). There is no extension. All improvements must be installed prior to the operation of the proposed use, unless otherwise stated in the conditions of approval.

Enclosures: Exhibit 1: Exhibits A, E1, E2, E3 and L dated March 3, 2015
Exhibit 2: Comments from Partner Agencies & Departments
Exhibit 3: Final Property Development Standards for Conditional Use Permit
Application No. C-15-025 dated October 20, 2015
Exhibit 4: Notes and Requirements for Entitlement Applications
Exhibit 5: Performance Standards for Parking Lot Shading

JEFF KAZALY
 ARCHITECT
 209 N ALVARO STREET
 FRESNO, CA 93704
 (559) 233-1111
 www.jkazaly.com

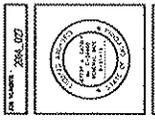


NEW GAS SATIATION AND CAR WASH FOR
 HERRNDON BRAWLEY CHEVRON
 HERRNDON AVE & BRAWLEY AVE
 APN. 507-00-1251
 CALIFORNIA
 CITY OF FRESNO

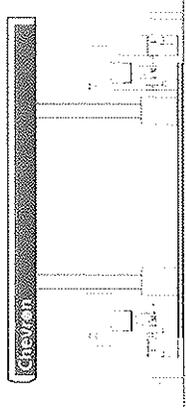
EXTERIOR
 ELEVATIONS
 FUEL CONCEPT

FOR VISIONS 2004.007

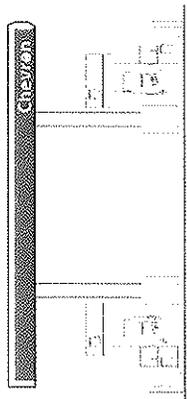
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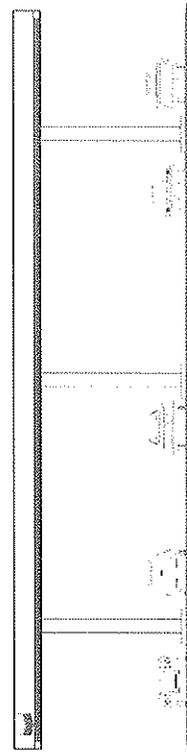
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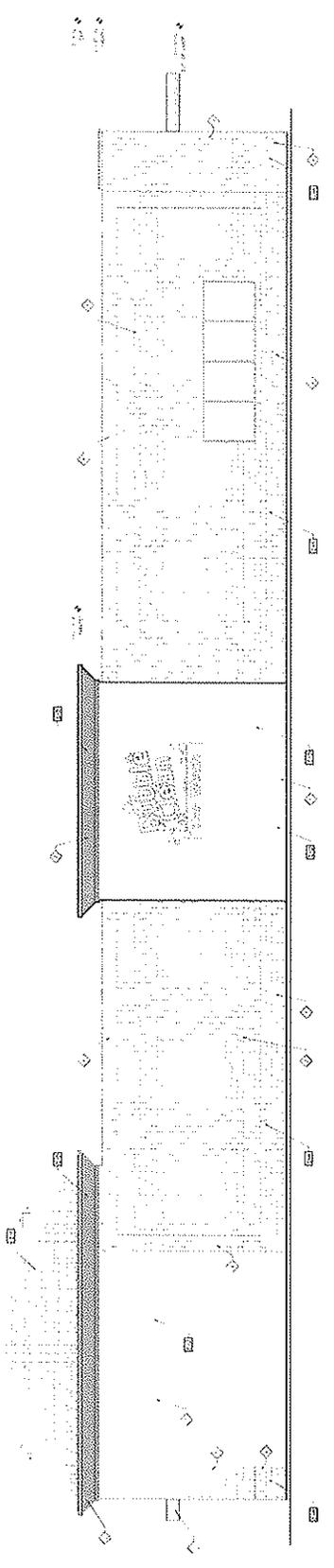
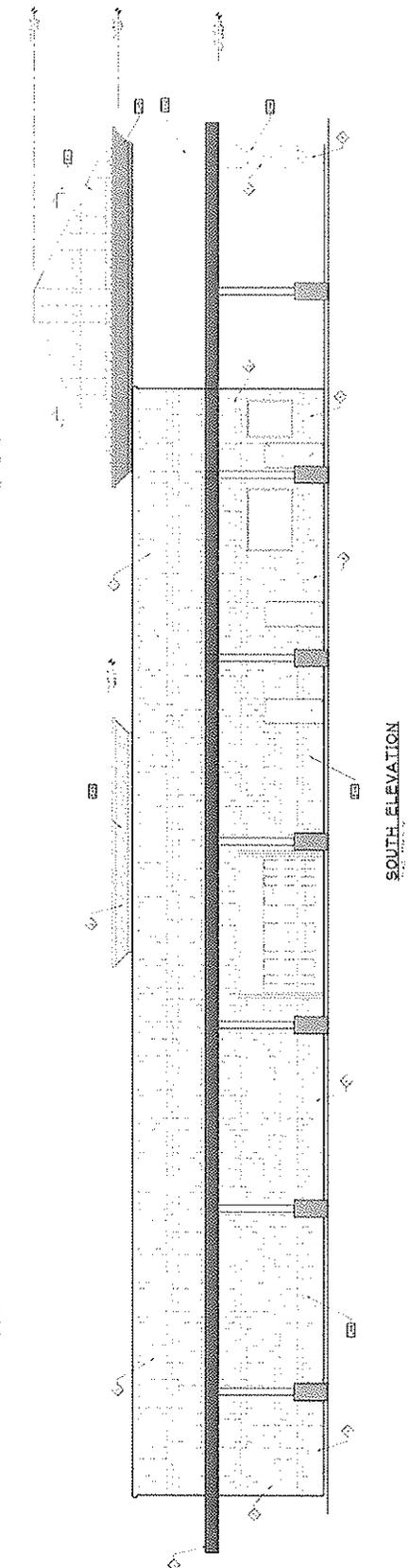
NORTH ELEVATION



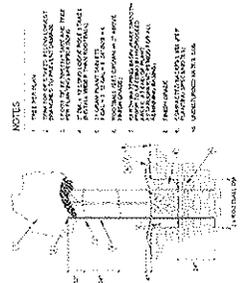
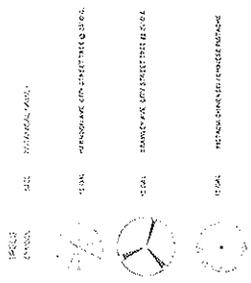
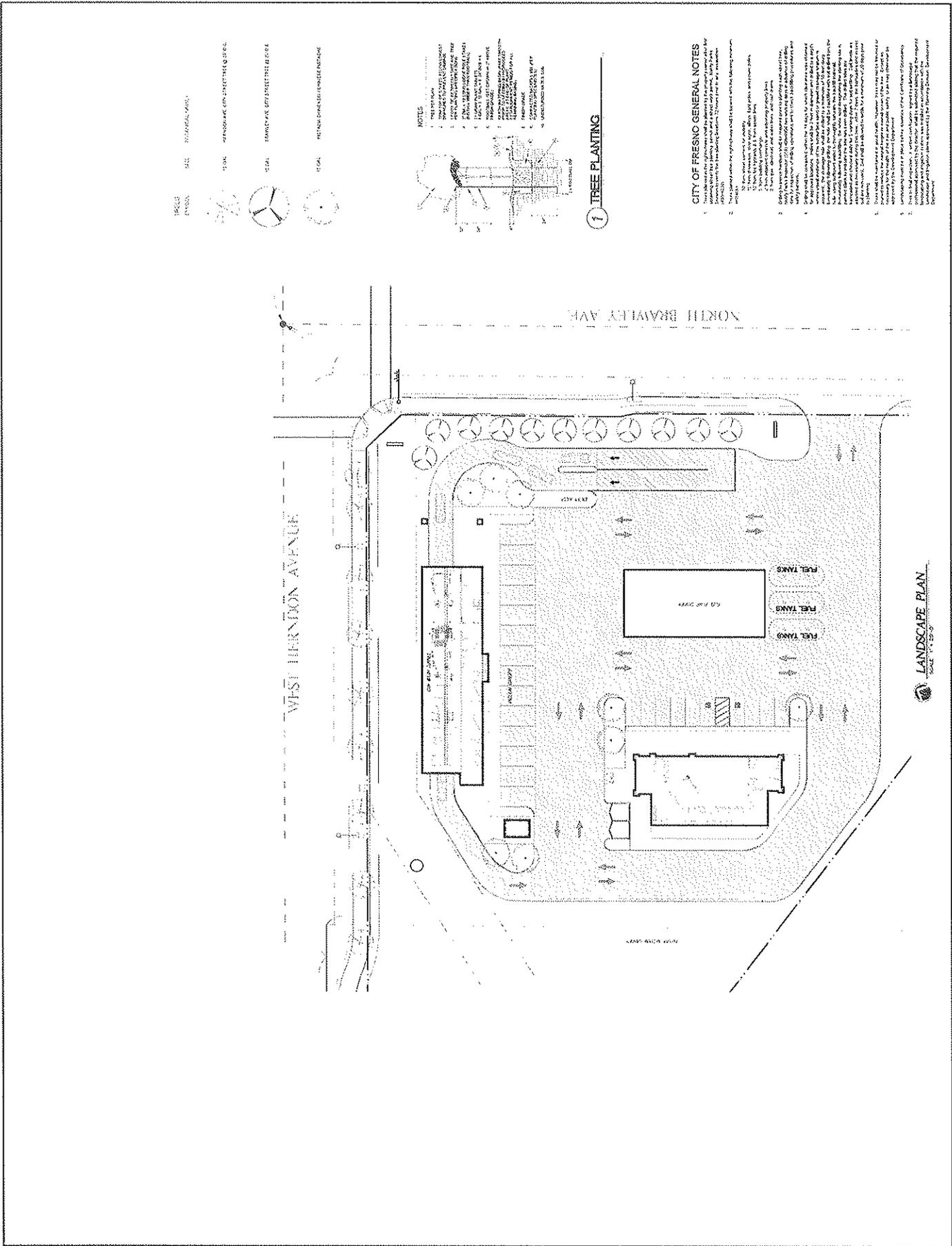
SOUTH ELEVATION



EAST/WEST ELEVATION



- EXTERIOR ELEVATIONS KEYNOTES**
- 1. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 - 2. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 - 3. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
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 - 5. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
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 - 10. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- EXTERIOR COLOR KEYNOTES**
- 1. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
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 - 10. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.



1 TREE PLANTING

- CITY OF FRESNO GENERAL NOTES**
1. These notes are to be read in conjunction with the plans and specifications for the project. The City of Fresno reserves the right to modify these notes at any time without notice.
 2. All work shall be done in accordance with the City of Fresno Standard Specifications for Public Works, the latest edition.
 3. All materials and workmanship shall be subject to inspection and approval by the City of Fresno.
 4. The contractor shall be responsible for obtaining all necessary permits and approvals from the City of Fresno.
 5. The contractor shall be responsible for maintaining access to all adjacent properties at all times.
 6. The contractor shall be responsible for protecting all existing utilities and structures.
 7. The contractor shall be responsible for maintaining the site in a safe and sanitary condition at all times.
 8. The contractor shall be responsible for removing all debris and materials from the site at the end of the project.
 9. The contractor shall be responsible for providing a final site plan and as-built drawings.
 10. The contractor shall be responsible for providing a final report and certificate of completion.



DATE: March 9, 2015 **REVISED** October 21, 2015

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-15-025**
ADDRESS: **6985 North Brawley Avenue**
APN: **507-030-12ST**

ATTENTION:

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

X	<p>The parcel configuration depicted for the proposed development does not conform to record information: Recorded documentation is required to establish this configuration <u>prior</u> to building permits or submit a revised exhibit confining the proposed development within existing parcel lines.</p>	<p>Israel Trejo</p>	<p>(559) 621-8044 Israel.Trejo@fresno.gov</p>
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PUBLIC IMPROVEMENT REQUIREMENTS

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

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

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

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

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

Herndon Avenue: Expressway

1. Dedication Requirements
 - a. Dedicate an easement for Pedestrian purposes. (Additional dedication maybe required. Exact determination to be made once corrected exhibits are provided.)
 - b. Relinquish direct vehicular access right to Herndon Avenue within the limits of this application.

Brawley Avenue: Arterial

1. Dedication
 - a. ~~Dedicate a 26' (minimum) easement for Landscape, Bike and Pedestrian purposes only. There is sidewalk and bike lanes existing along this frontage and continuing to the south to Bullard Avenue.~~
2. Construction Requirements:
 - a. Construct concrete sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **10'** commercial pattern. Construct **4' x 6'** tree wells per Public Works Standard **P-8**. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
 - b. Identify that the existing street on the plans are constructed per current City of Fresno Standards.
 - c. Remove abandoned (existing driveway approaches not identified for utilization) or reduce excessive width driveway approaches as noted on **Exhibit "A"**, and install sidewalk, curb and gutter per City of Fresno Public Works Standard Drawing **P-5** to match existing or proposed street improvement line and grade per Fresno Municipal Code (FMC) 13-211.
 - d. If not existing, construct an **80'** bus bay curb and gutter at the southwest corner of Herndon and Brawley to Public Works Standard **P-73**, complete with a **10'** monolithic sidewalk.
 - e. ~~Construct a 12' wide Bike and Pedestrian Class I Trail, complete with lighting, signing, striping and landscaping, per the 2025 Fresno General Plan, Multi-Purpose Trails Plan Map, Public Works Standards **P-58, P-59, P-60, P-61** and Chapter 1000 of the Caltrans Highway Design Manual. Identify route on the site plan complete with a cross-section. Where the trail is constructed within 5' of the curb, construct a fence per Public Works Standards **P-74** and **P-75**. **N/A, See 1.a.**~~
 - f. Provide a **10'** visibility triangle at all driveways.
 - g. Site Plan approval of a street type approach **P-76** is a tentative approval until such time that a qualified Civil Engineer prepares street plans that provide the sufficient cross drainage approved by the City Engineer in accordance with Public Works Standard **P-10**. If grades are not sufficient, construct to Public Works Standards **P-2** and **P-6**. **Exact location to be determined. Coordination with east side of street may be required.**

Street Construction Plans are required and shall be approved by the City Engineer. All improvements shall be constructed in accordance with the City of Fresno, Public Works Department Standard Drawings and Specifications. The performance of any work within the public street right of way (including pedestrian and utility easements) requires a **STREET**

WORK PERMIT prior to commencement of work. When preparing Street Plans and/or Traffic Control Plans, contact (Randy Schrey) at (559) 621-8807, **10 working days** in advance, to make sure that sidewalks or an approved accessible path remain open during construction. Submit construction plans for all required work, in a single package, to the City of Fresno's, Traffic and Engineering Services Division. All work shall be reviewed, approved, completed and accepted **prior** to obtaining a certificate of occupancy. Utility poles, street lights, signals, etc. shall be relocated as determined by the City Engineer. Dedication(s) shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a 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. Install **30"** state standard "STOP" sign(s) at location(s) shown. Sign shall be mounted on a **2"** galvanized post with the bottom of the sign **7'** above ground; located behind curb and immediately behind a major street sidewalk. A "right turn only" sign is also required, at the same location; install a **30" x 36"** state standard sign immediately below the stop sign on the same post.
3. Provide parking space needs, circulation, access, directional signs (e.g. "Entrance," "Exit," "Right Turn Only," "One Way" signs, etc.) as noted on **Exhibit "A"**.

A Traffic Impact Study has been provided and is being reviewed. The conditions of approval will be revised once we receive the letter from the Traffic Manager.

FMSI Requirements:

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

Brawley Avenue: Arterial

1. If not existing, dedicate and construct (1) **17'** northbound and (1) **29'** southbound center section travel lanes and a raised concrete median island with 250' dual left turn pockets at all major intersections **within the limits of this application**. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **55 MPH** design speed. Exact design to be approved by the City Engineer. Median island and geometrics to be approved with engineered street drawings.

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. If only a portion of an existing parcel is to be developed, a key map shall be included showing the entire parcel.
3. **Property Lines, Easements and Vacations:** Identify and dimension.

B. Offsite Information:

1. **Section:** Identify.
2. **Street Improvements and Furniture:** Identify existing and proposed, sidewalk widths, ADA ramps (provide radius), utility poles, boxes, signs, fire hydrants, bus stop benches, trash receptacles, tree wells, etc.
3. **Median Islands:** Show and identify existing and proposed median island along Brawley Avenue.
4. **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. Identify a **10'** visibility triangle at all driveways and points of egress into public right of way.
2. **Driveways and Alleys:** Provide a **10'** visibility triangle at all driveways.
3. **Parking Lot:**
 - a. **Stalls:** Provide the number that are required, provided, compact and designated for disability parking stalls.
 - b. **Walkways:** provide width adjacent to parking stalls 7' min. at carwash.
 - c. **Lighting / Disability signage:** not to be within the 3' vehicular overhang.
4. **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, in the Public Works Department, Traffic and Engineering Services Division.



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

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

September 1, 2015

Bruce Barnes, Project Manager
 Development and Resources Management Department
 2600 Fresno Street, 3rd Floor
 Fresno, CA 93721

SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) DATED DECEMBER 19, 2014 FOR THE PROPOSED GAS STATION, CAR WASH AND MINI MART, REZONE APPLICATION R-15-005, CONDITIONAL USE PERMIT C-15-025, LOCATED AT THE SOUTHWEST CORNER OF HERNDON AND BRAWLEY AVENUES
 TIS 15-006, R-15-005, C-15-025

PROJECT OVERVIEW

We have reviewed the Traffic Impact Study (TIS) prepared by Peters Engineering for the proposed Gas Station, Car Wash and Mini Mart, "project", that plans to construct an approximately 3,500 square foot mini mart with twelve (12) fueling positions and a car wash on the southwest corner of Herndon and Brawley Avenues. The property is currently designated for Commercial Office and Medium Density Residential uses and zoned AE-5. The project proposes to amend the Official Zone Map to reclassify the 1.87 acre portion of the property from AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the C-1 (Neighborhood Shopping Center/Urban Growth Management) zone district.

The TIS evaluated the impacts of the project by analyzing three (3) intersections in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 9th Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the project as shown in the TIS:

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Gasoline/Service Station with Convenience Market and Car Wash (ITE Code 946)	12 fueling positions	1,834	73	70	143	85	82	167

sf =square feet

Based on the analyses included in the TIS, the intersections of Herndon Avenue at Brawley Avenue and Palo Alto Avenue at Brawley Avenue are currently operating below the acceptable level of service (LOS) standard of LOS D. These study intersections are projected to continue to operate below the acceptable LOS standard with the addition of both the proposed project and any pending area projects and projected future growth.

The TIS has identified the cumulative year ultimate lane configurations needed for intersections to operate at acceptable levels of service.

Palo Alto Avenue at Brawley Avenue

- Installation of a traffic signal
- Eastbound approach: one (1) left-turn lane, one (1) through lane, and one (1) right-turn lane
- Westbound approach: one (1) left-turn lane and a shared through-right turn lane
- Northbound approach: one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
- Southbound approach: one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane

The above improvements at Palo Alto Avenue and Brawley Avenue are included in the TSMI fee program.

Herndon Avenue at Brawley Avenue

- Eastbound approach: two (2) left-turn lanes, three (3) through lanes and one (1) right-turn lane
- Westbound approach: two (2) left-turn lanes, three (3) through lanes and one (1) right-turn lane
- Southbound approach: one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
- Northbound approach: two (2) left-turn lanes, one (1) through lane and two (2) right-turn lanes

The TIS has also identified a second alternative for the northbound approach that includes one (1) left-turn lane rather than two (2) left-turn lanes, requiring a longer left-turn pocket.

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 1,834 for the proposed project, the fee would be \$86,418.08 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 2035 General Plan circulation element and are included

in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the 2035 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
4. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
5. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.
6. The TIS has shown a proposed northbound left-turn lane on Brawley Avenue into the proposed project site. Brawley Avenue access will be limited to a right-in/right-out movement.
7. The proposed project shall install a traffic signal at the intersection of Brawley and Magill Avenues. This traffic signal is not included in the current TSMI program and is not considered eligible reimbursable or creditable improvements.
8. In conjunction with the project's conditions of approval and installing the traffic signal at Herndon and Magill, the proposed project shall improve the intersection of Herndon and Brawley Avenues and shall install northbound dual lefts, a single northbound thru lane, and dual northbound right turn lanes. The project shall modify the north leg of Herndon and Brawley to match the northbound direction and install add one left turn lane. The

traffic signal modification at this intersection is included in the current TSMI program and is considered eligible reimbursable or creditable improvements.

9. The proposed project shall extend Magill Avenue to a point to the westerly limits of the project and shall install a temporary turnaround cul-de-sac for future extension.

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

Sincerely,



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

- C: Copy filed with Traffic Impact Study
Louise Gilio, Traffic Planning Supervisor
Andrew Benelli, PE, Asst. Director, Public Works
Mike Sanchez, Asst. Director, DARM



PUBLIC WORKS DEPARTMENT

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

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

September 1, 2015

Bruce Barnes, Project Manager
 Development and Resources Management Department
 2600 Fresno Street, 3rd Floor
 Fresno, CA 93721

SUBJECT: REVIEW OF THE TRAFFIC IMPACT STUDY (TIS) DATED DECEMBER 19, 2014 FOR THE PROPOSED GAS STATION, CAR WASH AND MINI MART, REZONE APPLICATION R-15-005, CONDITIONAL USE PERMIT C-15-025, LOCATED AT THE SOUTHWEST CORNER OF HERNDON AND BRAWLEY AVENUES
 TIS 15-006, R-15-005, C-15-025

PROJECT OVERVIEW

We have reviewed the Traffic Impact Study (TIS) prepared by Peters Engineering for the proposed Gas Station, Car Wash and Mini Mart, "project", that plans to construct an approximately 3,500 square foot mini mart with twelve (12) fueling positions and a car wash on the southwest corner of Herndon and Brawley Avenues. The property is currently designated for Commercial Office and Medium Density Residential uses and zoned AE-5. The project proposes to amend the Official Zone Map to reclassify the 1.87 acre portion of the property from AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the C-1 (Neighborhood Shopping Center/Urban Growth Management) zone district.

The TIS evaluated the impacts of the project by analyzing three (3) intersections in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 9th Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the project as shown in the TIS:

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Gasoline/Service Station with Convenience Market and Car Wash (ITE Code 946)	12 fueling positions	1,834	73	70	143	85	82	167

sf =square feet

Based on the analyses included in the TIS, the intersections of Herndon Avenue at Brawley Avenue and Palo Alto Avenue at Brawley Avenue are currently operating below the acceptable level of service (LOS) standard of LOS D. These study intersections are projected to continue to operate below the acceptable LOS standard with the addition of both the proposed project and any pending area projects and projected future growth.

The TIS has identified the cumulative year ultimate lane configurations needed for intersections to operate at acceptable levels of service.

Palo Alto Avenue at Brawley Avenue

- Installation of a traffic signal
- Eastbound approach: one (1) left-turn lane, one (1) through lane, and one (1) right-turn lane
- Westbound approach: one (1) left-turn lane and a shared through-right turn lane
- Northbound approach: one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane
- Southbound approach: one (1) left-turn lane, two (2) through lanes and one (1) right-turn lane

The above improvements at Palo Alto Avenue and Brawley Avenue are included in the TSMI fee program.

Herndon Avenue at Brawley Avenue

- Eastbound approach: two (2) left-turn lanes, three (3) through lanes and one (1) right-turn lane
- Westbound approach: two (2) left-turn lanes, three (3) through lanes and one (1) right-turn lane
- Southbound approach: one (1) left-turn lane, one (1) through lane and one (1) right-turn lane
- Northbound approach: two (2) left-turn lanes, one (1) through lane and two (2) right-turn lanes

The TIS has also identified a second alternative for the northbound approach that includes one (1) left-turn lane rather than two (2) left-turn lanes, requiring a longer left-turn pocket.

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 1,834 for the proposed project, the fee would be \$86,418.08 payable at the time of the building permit.

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in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the 2035 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

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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.
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8. In conjunction with the project's conditions of approval and installing the traffic signal at Herndon and Magill, the proposed project shall improve the intersection of Herndon and Brawley Avenues and shall install northbound dual lefts, a single northbound thru lane, and dual northbound right turn lanes. The project shall modify the north leg of Herndon and Brawley to match the northbound direction and install add one left turn lane. The

traffic signal modification at this intersection is included in the current TSMI program and is considered eligible reimbursable or creditable improvements.

9. The proposed project shall extend Magill Avenue to a point to the westerly limits of the project and shall install a temporary turnaround cul-de-sac for future extension.

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

Sincerely,



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

C: Copy filed with Traffic Impact Study
Louise Gilio, Traffic Planning Supervisor
Andrew Benelli, PE, Asst. Director, Public Works
Mike Sanchez, Asst. Director, DARM

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
RESUBMITTED APPLICATION EXHIBITS
REQUEST FOR **BACKCHECK**
APPLICATION NO. C-15-025
R-E-V-I-S-E-D D-R-A-W-I-N-G

AIRPORTS
JARRED GARZA

Return Completed Form to:
Bruce Barnes
Development Services/Planning
Telephone: (559) 621-8277
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

DATE ROUTED: MAY 29, 2015

If no response is received by the comment deadline, it will be assumed that you have no comments to submit.

CORRECTED EXHIBIT: A-1 AND A-2 DATED MAY 29, 2015

RETURN BY : JUNE 15, 2015

Please review and comment.

The City of Fresno Airports Department anticipates no adverse impacts on the Fresno Yosemite International Airport or the Fresno Chandler Executive Airport from the proposed project.

List conditions that have not been satisfied; if applicable:

The City of Fresno Airports Department has no conditions of approval for the proposed project. Recommend verification of compliance with the Sierra Sky Park Land Use Compatibility Plan.

Is any additional information needed for you to complete your back check? (if yes, list specific information.):

None.

APPROVED **RESUBMIT**

Reviewed by: Jarred S. Garza - Senior Engineering Technician 621-4527 06/03/15
Name and title Telephone Number Date

Attachments: Exhibit A-1 and A-2

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
REZONE APPLICATION NO. R-15-005 and
CONDITIONAL USE PERMIT APPLICATION NO. C-15-025

Return Completed Form to:

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

PROJECT DESCRIPTION AND LOCATION:

Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-025 were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to a ±1.87-acre portion of property located on the southwest corner of West Herndon and North Brawley Avenues. **Rezone Application No. R-15-005** requests to amend the Official Zone Map to reclassify the 1.87- acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-1 (*Neighborhood Shopping Center/Urban Growth Management*) zone district. **Conditional Use Permit Application No. C-15-025** proposes the construction of a Chevron gas station with 12 fueling positions, a ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations/Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

APN: 507-030-12st ZONING: From AE-5/UGM to C-1/UGM ADDRESS: 6985 N Brawley Avenue

DATE ROUTED: March 3, 2015

COMMENT DEADLINE: March 20, 2015

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

The City of Fresno Airports Department anticipates no adverse impacts on the Fresno Yosemite International Airport or the Fresno Chandler Executive Airport from the proposed project.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

Verify compliance with Sierra Sky Park's Land Use Compatibility Plan

REQUIRED CONDITIONS OF APPROVAL:

None

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

None

REVIEWED BY:	Jarred S. Garza	559-621-4527	03/18/2015
	Name and Title	Telephone Number	Date

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
REZONE APPLICATION NO. R-15-005 and
CONDITIONAL USE PERMIT APPLICATION NO. C-15-025

FMFCD

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

PROJECT DESCRIPTION AND LOCATION:

Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-025 were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to a ±1.87-acre portion of property located on the southwest corner of West Herndon and North Brawley Avenues. Rezone Application No. R-15-005 requests to amend the Official Zone Map to reclassify the 1.87- acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-1 (*Neighborhood Shopping Center/Urban Growth Management*) zone district. Conditional Use Permit Application No. C-15-025 proposes the construction of a Chevron gas station with 12 fueling positions, a ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations/Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

APN: 507-030-12st ZONING: From AE-5/UGM to C-1/UGM ADDRESS: 6985 N Brawley Avenue

DATE ROUTED: March 3, 2015

COMMENT DEADLINE: March 20, 2015

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

REFER TO FMFCD NOTICE OF REQUIREMENTS FOR CWP
2015-025

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 4/6/15
Name and Title Telephone Number Date



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 210.414 "AC"
550.10 "AC"

March 23, 2015

Mr. Bruce Barnes
City of Fresno
Development Dept., Planning Division
2600 Fresno Street, Third Floor
Fresno, CA 93721

Dear Mr. Barnes,

**Rezone 2015-005
Drainage Area "AC"**

The proposed rezone lies within the District's Drainage Area "AC". The District's system can accommodate the proposed rezone.

If there are any questions concerning this matter, please feel free to contact us.

Very truly yours,

A handwritten signature in blue ink that reads "Gary Chapman".

Gary Chapman
Engineering Technician III

GC/lrl

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

File No. 210.413

Page 1 of 3

**FR
CUP No. 2015-025**

PUBLIC AGENCY

BRUCE BARNES
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOD
FRESNO, CA 93721

DEVELOPER

DIRK POESCHEL, LAND DEVELOPMENT
SERVICES, INC.
923 VAN NESS AVE., SUITE 200
FRESNO, CA 93721

PROJECT NO: 2015-025

ADDRESS: 6985 N. BRAWLEY AVE.

APN: 507-030-12ST

SENT: 4/6/15

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
AC	\$19,113.00	NOR Review	\$111.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$564.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$19,113.00		Total Service Charge: \$675.00		

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/16 based on the site plan submitted to the District on 3/03/15 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

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

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 3

FR
CUP No. 2015-025

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

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

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control 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.

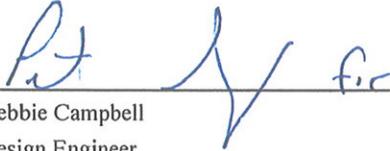
6. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 3

FR
CUP No. 2015-025

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

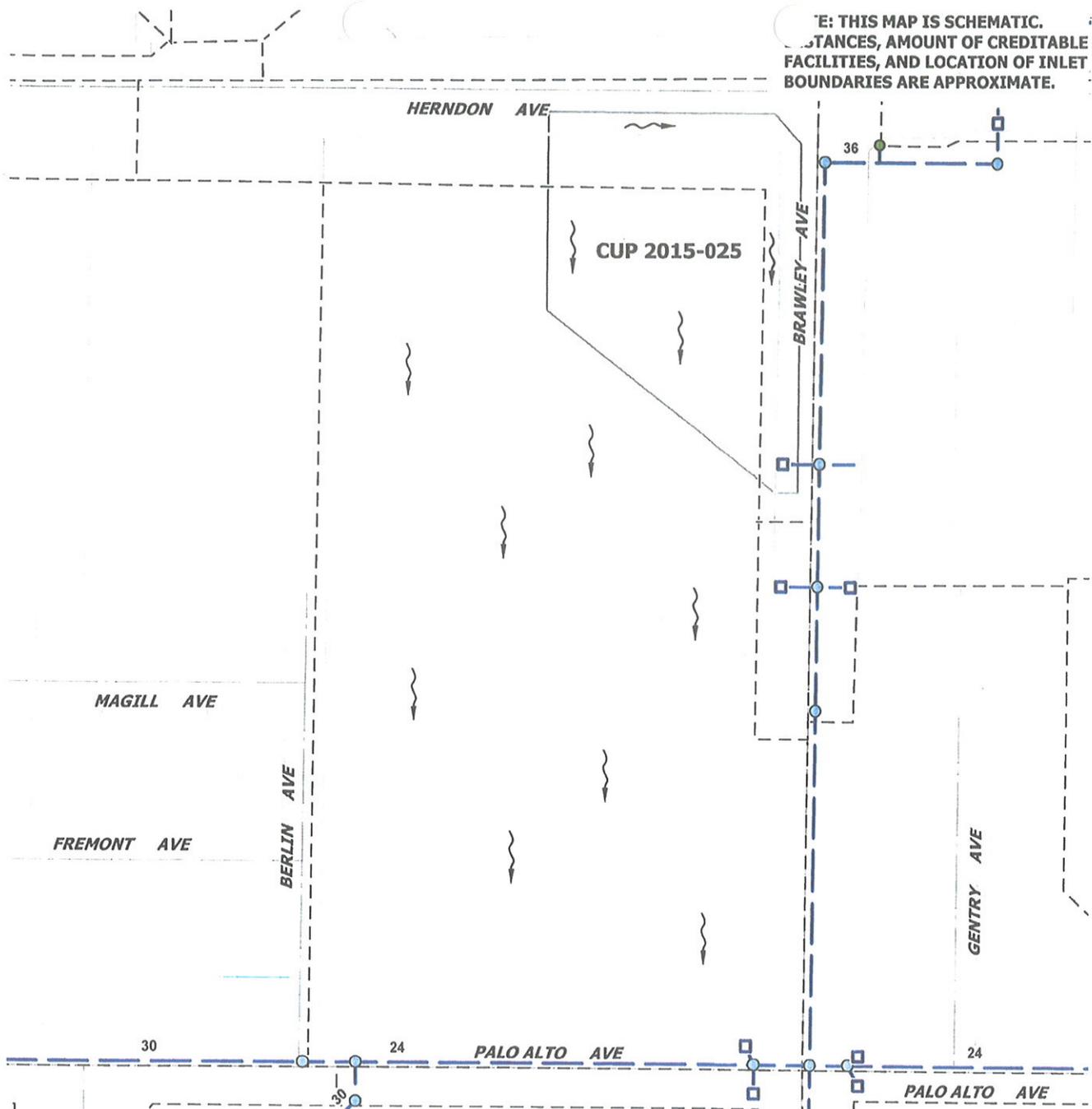


Debbie Campbell
Design Engineer



Gary W. Chapman
Project Engineer

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



LEGEND

-  Existing Master Plan Facilities
-  Inlet Boundary
-  Direction of Drainage
-  Limits of CUP 2015-025



1" = 200'

**CUP 2015-025
DRAINAGE AREA "AC"**

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



OTHER REQUIREMENTS
EXHIBIT NO. 2

Drainage from the site shall be directed to the existing Master Plan inlet in Brawley Avenue and the existing Master Plan inlet at the northwest corner of Palo Alto and Brawley Avenues as shown on Exhibit No. 1. It is recommended that the developer's engineering consultant meet with the District prior to proceeding with design of a grading plan.

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

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

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

Development No. CUP 2015-025



**DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM**



Providing Life's Essential Services

Date: March 23, 2015

To: BRUCE BARNES, Planner III
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-15-025 & REZONE APPLICATION R-15-005

General

R-15-005 and Conditional Use permit Application No. C-15-025 were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to a ± 1.87- acre portion of property located on the southwest corner of West Herndon and North Brawley Avenues, 6985 North Brawley Avenue, APN: 507-030-12sf. Rezone Application No. R-15-005 request to amend the Official Zone Map to reclassify the 1.87 acre portion of property from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the C-1 (Neighborhood Shopping Center/Urban Growth Management) zone district. Conditional Use Permit Application No. C-15-025 proposes the construction of a Chevron gas station with 12 fueling positions, ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (Package Store – sale of beer and wine for consumption off the premise where sold) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations /Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

Sewer Requirements

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

1. No Sewer connections shall be allowed to the existing 45-inch Sewer Trunk located in West Herndon Avenue.
2. Construct an 8-inch sanitary sewer main (including sewer house branches to adjacent properties) in North Brawley Avenue northerly from the existing 8-inch sewer main at manhole number 1348-109 to the north property line adjacent to West Herndon Avenue.
3. Installation of a sewer house branch shall be required.



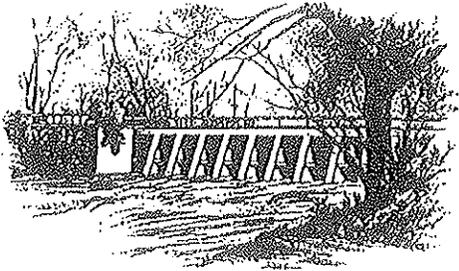
A Nationally Accredited Public Utility Agency

4. On-site sanitary sewer facilities shall be private.
5. Abandon any existing on-site private septic systems.
6. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City Sewer System.
7. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.
8. 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 Area 15.
3. Trunk Sewer Charge Herndon.
4. Sewer Facility Charge (Non-Residential)
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.



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93726-2208

March 20, 2015

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

RE: Rezone Application No. R-15-005
Conditional Use Permit Application No. C-15-025
S/W Herndon and Brawley avenues
FID's Bullard No. 124

Dear Mr. Barnes and Ms. Zuniga:

The Fresno Irrigation District (FID) has reviewed the Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-025 pertaining to a ± 1.87 -acre portion of property located on the southwest corner of Herndon and Brawley avenues. Rezone Application No. R-15-005 requests to amend the Official Zone Map to reclassify the 1.87-acre portion of property from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the C-1 (Neighborhood Shopping Center/Urban Growth Management) zone district. Conditional Use Permit Application No. C-15-025 proposes the construction of a Chevron gas station with 12 fueling positions, a $\pm 3,500$ square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (Package Store – sale of beer and wine for consumption off the premises where sold) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations/Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m., APN: 507-030-12st. FID has the following comments:

1. FID's Bullard Canal No. 124 runs southwesterly and traverses through the northern portion of the subject property as shown on the attached FID exhibit map. FID owns the following:
 - a. Area of Concern 1: 30-foot wide easement along the north side of the subject property, recorded May 7, 2013, as Document Number 2013-0065721, Official Records of Fresno County. The canal consists of a 60-inch diameter ASTM C-

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

361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) and meets FID's standards for developed (residential, industrial, commercial) parcels or urban areas.

- b. Area of Concern 2: Records do not show a recorded easement, however FID does own an easement and the width is as shown on the attached FID's Standard Detail Page No. 10. The reach of canal affected by the development consists of an earthen, open channel canal.
 - i. FID requires the applicant to replace the existing canal across the subject parcels with new 60-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards and that the applicant enter into an agreement with FID for that purpose. Please refer to FID's preferred alignment on the attached FID exhibit map.
 - ii. FID requires the applicant grant a minimum of 40-foot wide exclusive easement to FID and meet with FID to determine the pipeline alignment. Typically, FID recommends that the pipeline easement be aligned parallel and adjacent to a City street right-of-way, in which case FID may reduce the easement width if certain conditions are met.
2. The site plan shows the project to encroach on FID's easement, FID has concerns and offers several recommendations listed below. FID has experienced numerous issues with its pipelines in landscape areas, primarily due to trees and other encroachments which may damage the pipe or hinder FID access and maintenance.
3. In recent years, the most significant issue with pipelines has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasketed joint, thus creating a non-water tight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers, including the City's groundwater recharge basins, and may impact the City's stormwater routing capability (on the canals that are used to route stormwater). Significant pipeline damage often occurs by the time this problem is identified by FID and can be very costly to make the necessary repairs. Subsequent pipeline repairs can be very disruptive to public infrastructure, as well as to FID's operations. The leaking pipelines and pipeline repairs also increase the liability of all parties involved.

The applicant will need to address these concerns, and FID has several suggestions (listed in order of preference).

- a. Keep trees away from the pipeline and pipeline easement. This would be FID's preference. The advantage is the City and FID would have better control over encroachments as well as better access to patrol and maintain the easement. If there is a leak, the damage would be minimized. Trees would be located outside the FID easement.

- b. Install a jointless pipe (i.e. HDPE with fusion weld joints) - HDPE (High-Density Polyethylene) is stronger than PVC pipe, which makes it more suitable to be placed in urban areas. In addition, the jointless design of fusion welded pipe reduces the risk of root intrusion. FID does not currently have or allow HDPE pipelines, so there will be a significant learning curve related to HDPE pipeline design, strength/longevity, and future maintenance. If the applicant chooses this alternative, all parties need to further evaluate the potential issues including long term maintenance, repair methods, materials, etc.
 - c. Install external wrap around the pipe joint -- This method involves using mastic material that can be externally applied to pipe joints to provide a permanent seal against root intrusion. FID approved this method in the City of Fresno and the City of Clovis. The product that has been approved is known as MacWrap from Mar Mac. FID is open to other products, but they would need to be reviewed and approved by FID.
4. FID does not allow FID owned property or easements to be in common use with public utility easements but will in certain instances allow for its property to be in common use with landscape easements if the City enters into the appropriate agreement.
5. For informational purposes, FID's Radin-Kamp No. 130 crosses Herndon Avenue approximately 950 feet west of the subject property as shown on the attached FID exhibit map. FID understands there will be street improvements along Herndon Avenue and in the vicinity of the pipeline crossing. FID is currently review plans from the City.
6. For informational purposes, a privately owned canal known as the Forkner No. 121 crosses Herndon Avenue approximately 1,700 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.
7. FID requires it review, approve and be made a party to signing all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer and Water, FMFCD, Street, Landscaping, Dry Utilities, and all other utilities.
8. FID requires the Developer to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the pipeline, or result in drainage patterns that could adversely affect FID.
9. FID requires its review and approval of all Private facilities that are proposed to encroach into the easement. If FID allows the encroachments, the Private party will be required to enter into the appropriate agreement which will be determined by FID. FID requires all block walls and fences to be located outside of the easement.

Mr. Bruce Barnes and Ms. Joann Zuniga
Re: R-15-005 & CUP C-15-025
March 20, 2015
Page 4 of 4

10. FID requires its easements be shown on all maps with proper recording information, and that FID be made a party to signing the final map.
11. FID requires the Developer and or the Developer's engineer contact FID at their earliest convenience to discuss specific requirements.
12. As with developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.
13. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses.

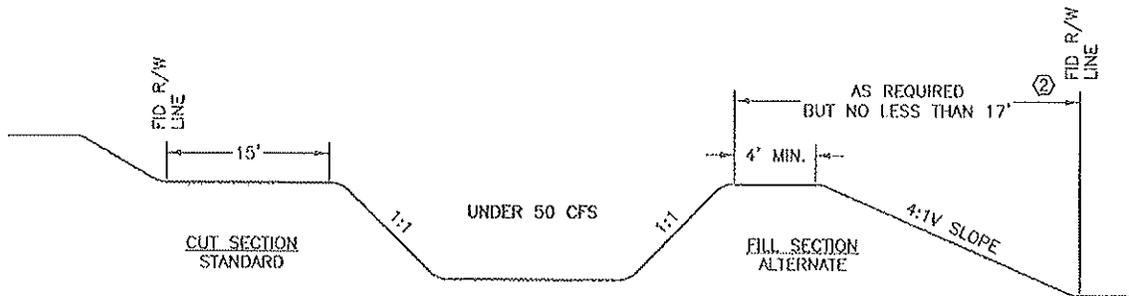
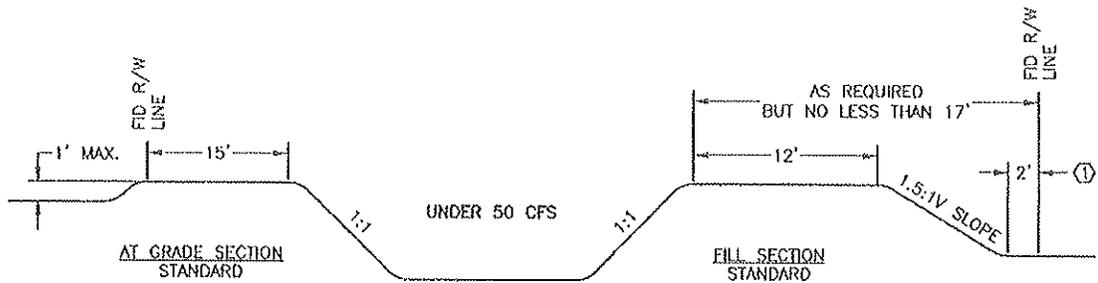
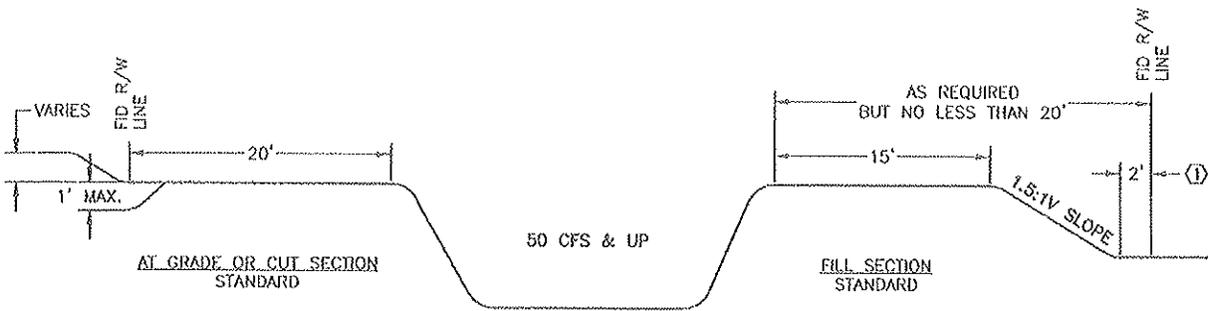
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Sen Saetern at (559) 233-7161 extension 7406 or ssaetern@fresnoirrigation.com.

Sincerely,



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

Attachment



NOTES:

① ADD 2 FEET TO EMBANKMENT WIDTH TO ESTABLISH OVERALL RIGHT-OF-WAY WIDTH TO ACCOMMODATE GRADER BLADE CLEARANCE.

② THE ALTERNATE SECTION CAN NOT BE USED IF THE OVERALL WIDTH EXCEEDS THE STANDARD WIDTH AND IS PERMITTED ONLY WHEN DISTRICT OPERATIONS AND MAINTENANCE FUNCTIONS DO NOT REQUIRE A STANDARD ROADWAY.

DISTRICT CANAL RIGHT-OF-WAY REQUIREMENTS

March 13, 2015

Bruce Barnes
City of Fresno
Development and Resource Management Department
2600 Fresno Street, Third Floor
Fresno, CA 93721

Project: C-15-025-Herndon and Brawley Chevron

District CEQA Reference No: 20150140

Dear Mr. Barnes:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of the construction of a 3,500 square-foot convenience store, drive-thru car wash, and Chevron gas station, located at 6985 North Brawley Avenue, in Fresno, CA. The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 ton/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. Based on information provided to the District, the proposed project would equal or exceed 2,000 square feet of commercial space; therefore, the District concludes that the proposed project is subject to District Rule 9510 (Indirect Source Review).

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

3. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
4. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Cherie Clark, at (559) 230- 5940.

Sincerely,

Arnaud Marjollet
Director of Permit Services



For:
Chay Thao
Program Manager

AM: cc

Bruce Barnes

Subject: FW: Request for Comment - Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-025, swc Herndon and Brawley

From: Ann Lillie
Sent: Wednesday, March 11, 2015 3:30 PM
To: Joann Zuniga; Bruce Barnes
Cc: Mario Rocha; Jairo Mata
Subject: RE: Request for Comment - Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-025, swc Herndon and Brawley

No CFD comments!

Best Regards

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

From: Joann Zuniga
Sent: Tuesday, March 03, 2015 2:40 PM
To: Louise Gilio; Ann Lillie; Hilary Kimber; Dawnielle Serrano; Darla Scott; developmentreview@fresnofloodcontrol.org; Mikeal Chico; Michael Carbajal; Robert Diaz; Doug Hecker; Kevin Gray; skahl@co.fresno.ca.us; glallen@co.fresno.ca.us; jgardner@co.fresno.ca.us; Tsuda, Kevin; ceqa@valleyair.org; engr-review@fresnoirrigation.com; John Downs; vivian.Bourbonnais@fresnounified.org; heidi.Heltne@fresnounified.org; ajs4@pge.com; D3P4@pge.com; Steve Brandau; christine.weldon@abc.ca.gov; Jarred Garza
Cc: Mario Rocha; Jairo Mata; Bruce Barnes; Mark Davis
Subject: Request for Comment - Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-025, swc Herndon and Brawley

Commenting Partners:

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

Project Address: 6985 North Brawley Avenue
APN: 507-030-21st

<http://m3.fresno.gov/upload/files/74810933/C-15-025electronicrouting.pdf> (click on bookmarks to navigate).



Department of Public Utilities – Water Division



Providing Life's Essential Services

DATE: March 11, 2015

TO: BRUCE BARNES, Project Manager
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 REZONE R-15-005, AND CONDITIONAL USE PERMIT APPLICATION C-15-025.**

General

R-15-005 and Conditional Use permit Application No. C-15-025 were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to a ± 1.87-acre portion of property located on the southwest corner of West Herndon and North Brawley Avenues, 6985 North Brawley Avenue, APN: 507-030-12sf. Rezone Application No. R-15-005 request to amend the Official Zone Map to reclassify the 1.87 acre portion of property from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the C-1 (Neighborhood Shopping Center/Urban Growth Management) zone district. Conditional Use Permit Application No. C-15-025 proposes the construction of a Chevron gas station with 12 fueling positions, ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (Package Store – sale of beer and wine for consumption off the premise where sold) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations /Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

Water Requirements

The nearest water mains to serve the proposed project are a 12-inch main located in North Brawley Avenue, an 8-inch main located in West Palo Alto Avenue and an 8-inch main located in North Berlin Avenue. Water facilities are available to provide service to the site subject to the following requirements:

- 1. No water service connections shall be allowed to the existing 12-inch water main located in West Herndon Avenue.



2. On-site facilities shall be private.
3. Installation of water service(s) & meter box(es) shall be required.
4. The developer shall provide a detailed water usage analysis identifying water fixture, landscape, and laundry efficiencies to document water conservation design characteristics, subject to approval by the Director of Public Utilities.
5. Seal and abandon any existing on-site well in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.

Water Fees

The following Water Connection Charges and fees shall be paid for the project.

1. Water service(s) and/or meter(s) installation(s)
2. Frontage Charge
3. Transmission Grid Main Charge
4. UGM Water Supply Area Number: 142



Mariposa Mall
P.O. Box 1271
Fresno, CA 93715-1271

Police Department

Jerry P. Dyer
Chief of Police



March 11, 2015

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

Attn. Bruce Barnes, Planning Division

**Re: SPECIAL PERMIT NO. C-15-025, R-15-005
Chevron
6985 N. Brawley Avenue
Fresno, CA 93722
A.P.N. 507-030-12st**

Dear Mr. Barnes,

Pursuant to your Department's request, the Fresno Police Department has reviewed the special permit application for property located at **6985 N. Brawley Avenue**. The property has been zoned AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) conditions of zoning. Rezone Application R-15-005 requests to amend the Official Zone Map to reclassify the property to C-1 (Neighborhood Shopping Center/Urban Growth Management) zone district. The Fresno Police Department's primary concern with the application is the propensity of the operations on the premises to generate calls for police service, and therefore, be detrimental to the public welfare.

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, and 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 to the surrounding area. If approved, this Conditional Use Permit would allow for an **off-sale Type 20 ABC license**. We request the following conditions be included as Conditions of Approval for Conditional Use Permit Application No. C-15-025. These conditions will help to insure maintain an environment that is least likely to generate criminal activity, public complaints and police calls for service.

The Fresno Police Department is not in opposition of this Conditional Use Permit, providing the applicant agrees to the listed conditions. If the following conditions are not included as conditions of approval of CUP No. C-15-025, the Fresno Police Department shall oppose the approval of this Conditional Use Permit, and shall appeal such approval to the Planning Commission. As such, we request that you provide Detective Serrano with notice of the Director's decision regarding this Conditional Use Permit as well as a complete copy of the conditions of approval, if the Director approves 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 9-502 (Amusement Devices - Permit Required)
- FMC 9-1803 (Hours of Operation of Billiard Hall)
- FMC 9-1804 (Restriction on Attendance of Minors in Billiard Rooms)
- FMC 9-1805 (Minors allowed: Family Billiard Rooms)
- FMC 9-1905 (Public Dancing - Permit Required)
- FMC 10-105 (Noise Ordinance)
- FMC 10-708 (Unlawful Nuisances - High Calls for Police Service)
- FMC 12-224 (C-M Zone, Adult Theater activities not permitted, see 12-105-T-1.1 for definition of Adult Theater, and 12-306-N-30 for additional limitations on Adult Business activities.)

A current version of the Fresno Municipal Code may be viewed at the City of Fresno's website: www.Fresno.gov. The link to the FMC is located on the Home Page of that website.

2. State and Federal Law

The applicant shall comply with all applicable state and federal law, rules and regulations, including but not limited to the following California Business and Professions Code sections and ABC rules:

- BP 24046 (Required to Post ABC License on Premises)
- BP 25612.5 (Loitering, Open Alcoholic Beverage Containers, Consuming Alcoholic Beverages on Premises, Exterior Lighting, Litter Removal, Graffiti Removal, Signs and Barriers in Windows and Doors, Public Phones Blocked From Incoming Calls, Areas to Display Harmful Matter, Required Copies of Operating Standards Available for Public Viewing)
- BP 25631 (No sale of alcoholic beverages between 2:00 a.m. and 6:00 a.m.)
- BP 25665 (Minors Remaining in Public Premises)
- ABC Act Rule 106 (No Buy One Get One Free Drinks)
- ABC Act Rule 107 (No One Under 21 Allowed Signs Posted)
- ABC Act Rule 139 (Interior Lighting Required for Identification of Patrons)

3. Video Camera

Prior to exercising any privileges granted by CUP No. C-15-025 the applicant must install a fully functional color digital video camera system ("System") that meets the following requirements:

- 3.1 The System must continuously record, store, be capable of playing back images and be fully functional at all times, including during any hours the business is closed. The System must be maintained in a secured location inside of the business.
- 3.2 The System shall have the correct date and time stamped onto the image at all times.
- 3.3 The camera storage capacity should be for at least one week (seven calendar days). Such cameras must be capable of producing a retrievable and identifiable image than can be made a permanent record and that can be enlarged through projection or other means.
- 3.4 Digital video recorder must be capable of storing at least seven days of real-time activities.
- 3.5 The System shall be capable of producing a CD or digital playback feature and may be provided to an authorized representative of the Fresno Police Department within 24 hours of the initial request relating to a **criminal investigation only**.
- 3.6 The interior of the business must have at least one camera placed to focus on each cash register transaction to include the clerk as well as the customer waiting area. There should be at least one camera focused on the entrance and the camera view should clearly show an image of the color coded height tape installed on the inside of the door jamb.

3.7 There shall be a minimum of four (4) exterior cameras placed so as to record activities in the primary customer parking areas of their business. These cameras should be of sufficient quality to be able to identify persons and or vehicles utilizing the business parking lot.

3.8 All interior cameras shall record in color.

3.9 All exterior cameras shall record in color and 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.

It is recommended, but not required, that the owner/operator provide the IP address(s) 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. ABC Education

Any and all employees hired to sell alcoholic beverages shall provide evidence that they have either:

- 4.1 Completed training from the State of California Department of Alcoholic Beverage Control--Fresno District Office-administered "Leadership and Education in Alcohol and Drugs" (LEAD) Program as confirmed by receipt of an ABC-issued certificate of completion; or,
- 4.2 Completed equivalent training acceptable to the ABC-- Fresno District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.

If any prospective employee designated to sell alcoholic beverages, tobacco or inhalants does not currently have such training then:

- 4.3 The ABC-licensed proprietors shall have confirmed with the Development Department within 15 days of the final approval of the CUP or within 15 days of the opening to the public of a new store, whichever is later, that a date certain has been scheduled with the local ABC Office for said prospective employees to take the LEAD Program course; and
- 4.4 Within 30 days of taking said course the employee(s) or responsible employer shall deliver to the Planning Department each required LEAD Program Certificate evidencing completion of said course.

5. **Sale of Malt and Wine-Cooler Alcoholic Beverages**

5.1 Malt liquor or malt beverage products shall not be sold in less than six (6) pack quantities for sale. They must be sold in manufacturer pre-packaged multi-unit quantities. This will include all sizes of containers.

5.2 All wine cooler products shall not be sold in less than four (4) pack quantities for sale. They must be sold in manufacturer pre-packaged multi-unit quantities.

5.3 Single Sales of any other beer product, of any size, is permitted.

6. **Wine Alcohol Per Volume**

No wine shall be sold with an alcoholic content greater than 24% volume, except premium dessert wines priced at \$10.00 or more.

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 must 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.

8. **Consumption of Alcoholic Beverages and Loitering.**

8.1 The establishment shall not allow alcoholic beverages to be consumed outside the building premises or any other adjacent property under its control. No alcoholic beverage will be consumed on any property adjacent to the premises (i.e., parking lot and sidewalks). If the alcoholic beverages are consumed on the exterior portion of adjacent property not owned or controlled by the applicant, the applicant shall immediately report such consumption to the Fresno Police Department.

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

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

9. **Property Responsibility**

"Frequent" responses by the Fresno Police Department arising out of or relating to

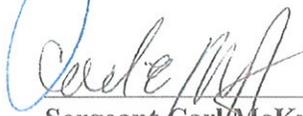
the operation or management of the real property owned or controlled by the permittee causing any combination of the following: animal disturbances; violent criminal acts; illegal consumption of intoxicants in public view; gaming activities; and juvenile disturbances, or any of the other activities set forth in the Fresno Municipal Code section 10-708(g) may result in an FPD recommendation to the Director of Planning and Development to commence proceedings to revoke the Conditional Use Permit for violation of the Management of Real Property Ordinance. 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” means response by the Fresno Police Department is occurring more than 1.5 times the average number of such responses (3 calls for every 2) for property of a similar size and character within the same policing district.

10. The establishment shall ensure that all employees involved, either directly or indirectly, in the sale of alcoholic beverages are aware of and comply with these conditions. The establishment shall have each employee sign a written acknowledgment that he/she has reviewed and understood each of these conditions. The written acknowledgement shall be maintained by the establishment and made available to the Fresno Police Department upon reasonable request.

FRESNO POLICE DEPARTMENT


Date: 3/11/15
Lieutenant Jon Papaleo
Northwest District Commander


Date: 3-10-15
Sergeant Carl McKnight
Northwest District Supervisor


Date: 3-11-15
Detective Dawnielle Serrano
Northwest District POP

**CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
REZONE APPLICATION NO. R-15-005 and
CONDITIONAL USE PERMIT APPLICATION NO. C-15-025**

Fire Department

Return Completed Form to:

Bruce Barnes, Development Services/Planning

Email: Bruce.Barnes@fresno.gov and

Joann.Zuniga@fresno.gov

Development and Resource Management

2600 Fresno Street, Third Floor

Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-025 were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to a ±1.87-acre portion of property located on the southwest corner of West Herndon and North Brawley Avenues. **Rezone Application No. R-15-005** requests to amend the Official Zone Map to reclassify the 1.87- acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-1 (*Neighborhood Shopping Center/Urban Growth Management*) zone district. **Conditional Use Permit Application No. C-15-025** proposes the construction of a Chevron gas station with 12 fueling positions, a ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations/Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

APN: 507-030-12st ZONING: From AE-5/UGM to C-1/UGM ADDRESS: 6985 N Brawley Avenue

DATE ROUTED: March 3, 2015

COMMENT DEADLINE: March 20, 2015

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 FOR COMMENTS.*

REVIEWED BY:	<i>DAVID POLANCO, FIRE INSPECTOR II</i>	<i>621-4150</i>	<i>3-11-15</i>
	Name and Title	Telephone Number	Date



FIRE DEPARTMENT

Date: March 11, 2015

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

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

Subject: Rezone Application No. R-15-005 and Conditional Use permit Application No. C-15-025 (6985 N Brawley) were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to a ± 1.87- acre portion of property located on the southwest corner of West Herndon and North Brawley Avenues. Rezone Application No. R-15-005 request to amend the Official Zone Map to reclassify the 1.87 acre portion of property from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the C-1 (*Neighborhood Shopping Center/Urban Growth Management*) zone district. Conditional Use Permit Application No. C-15-025 proposes the construction of a Chevron gas station with 12 fueling positions, ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premise where sold*) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations /Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

General

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.

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

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

Provide a site plan that shows compliance with all site plan requirements noted on site plan review.

Note: The proximity of the proposed *Vacuum Canopy* and *Car Wash Tunnel* structures would exceed the 5,000 square feet and both proposed structures will be required to have automatic fire sprinkler protection based on the California Building Code and local municipal code.

Hydrants

Public street hydrant(s) must be installed along the proposed project's frontage. Coordinate location(s) and installation with Public Works.

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.

Access roadways shall be constructed within 10' of the fire hydrant.

On Sheet A0.1, under *Keyed Notes*, note #9 describes "*existing fire hydrant*". There is no #9 on the site plan drawing. Locate existing fire hydrant on the drawing or remove note if it doesn't apply.

On Sheet A0.1, under *City of Fresno Fire Dept. Notes*, note #1 describes, "*hydrants are noted on the plans...*". No existing or proposed hydrants are noted on the plans. Address as necessary.

On Sheet A0.1, under *City of Fresno Fire Dept. Notes*, note #5 describes, "*provide a covenant for shared fire fighting access and water supply.*" Identify what adjacent property you will be included in the covenant or remove from the notes if it doesn't apply.

Access

Provide approved emergency vehicle drive access to within 200' of all building openings. Once the locations of the proposed public hydrants are identified on the site plan, travel distance regarding the 200' of hose pull will be confirmed to all building openings.

Streets highlighted on Sheet A0.1 shall be identified as fire lanes as provided in the California Vehicle Code, Section 22500.1. Designate curbs as fire lanes (red curb with "Fire Lane" in 3 inch white letters every 50 feet or approved signs every 50 feet).



DEPARTMENT OF PUBLIC UTILITIES

Date: March 06, 2015

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

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

Subject: R-15-005 and Conditional Use permit Application No. C-15-025 were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to a ± 1.87- acre portion of property located on the southwest corner of West Herndon and North Brawley Avenues, 6985 North Brawley Avenue, APN: 507-030-12sf. Rezone Application No. R-15-005 request to amend the Official Zone Map to reclassify the 1.87 acre portion of property from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the C-1 (Neighborhood Shopping Center/Urban Growth Management) zone district. Conditional Use Permit Application No. C-15-025 proposes the construction of a Chevron gas station with 12 fueling positions, ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (Package Store – sale of beer and wine for consumption off the premise where sold) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations /Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

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.

Recommended Conditions of Approval

2-cell trash enclosure required.

Additional Information

Location of enclosure is acceptable.



County of Fresno

DEPARTMENT OF PUBLIC HEALTH
DAVID POMAVILLE, DIRECTOR

March 4, 2015

LU0017963
2602

Bruce Barnes
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Dear Mr. Barnes:

PROJECT NUMBER: R-15-005 & C-15-025

Rezoning Application No. R-15-005 and Conditional Use Permit Application No. C-15-025 were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertain to a ±1.87-acre portion of property located on the southwest corner of West Herndon and North Brawley Avenues.

Rezoning Application No. R-15-005 requests to amend the Official Zone Map to reclassify the 1.87-acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-1 (*Neighborhood Shopping Center/Urban Growth Management*) zone district.

Conditional Use Permit Application No. C-15-025 proposes the construction of a Chevron gas station with 12 fueling positions, a ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store- sale of beer and wine for consumption off the premises where sold*) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations/Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

APN: 507-030-12st ZONING: From AE-5/UGM to C-1/UGM ADDRESS: 6985 N Brawley Avenue

Recommended Conditions of Approval for Rezoning:

- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area shall be properly destroyed by an appropriately licensed contractor.

Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

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

Recommended Conditions of Approval for the Chevron Gas/Car Wash:

- Prior to issuance of building permits, the applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- Prior to operation, the applicant shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- Prior to alcohol sales, the applicant shall obtain their license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.
- Prior to the issuance of building permits, the applicant shall submit three (3) sets of complete plans and specifications regarding any proposed installation of underground petroleum storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency, at (559) 600-3271 for more information.
- Prior to occupancy, the applicant shall apply for and secure a Permit to Operate an Underground Storage Tank System from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- Prior to operations, the applicant/tenant shall 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.
- The proposed construction project and operation of the proposed car wash has the potential to expose nearby residents to additional elevated noise levels. Consideration should be given to your City's municipal code.

REVIEWED BY:

Kevin Tsuda

Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, o=Fresno
County Department of Public Health,
ou=Environmental Health Division,
email=ksuda@co.fresno.ca.us, c=US
Date: 2015.03.04 13:33:37 -08'00'

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

(559) 600-3271

kt

cc: Casagrande, Tolzmann, Rogers, & Bains- Environmental Health Division (CT 42.10)
Dirk Poeschel, Consultant (dirk@dplds.com)
Gary Chester, Applicant (bubblecleanoftexas@att.net)



Preparing Career Ready Graduates



Facilities Management & Planning

BOARD OF EDUCATION

Lindsay Cal Johnson, President
Christopher De La Cerda, Clerk
Brooke Ashjian
Luis A. Chavez
Valerie F. Davis
Carol Mills, J.D.
Janet Ryan

SUPERINTENDENT

Michael E. Hanson

March 3, 2015

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

**SUBJECT: REZONE APPLICATION NO. R-15-005
CONDITIONAL USE PERMIT NO. C-15-025-ABCUP
6985 N. BRAWLEY AVE.**

Dear Mr. Barnes,

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

The applicant proposes the construction of a Chevron gas station with 12 fueling stations, a \pm 3,500 square-foot convenience store, and a drive-through car wash to be located at 6985 North Brawley Avenue. The proposed convenience store is requesting authorization to establish a State of California Alcoholic Beverage Control Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) alcohol license. It is located within approximately 2,000 feet from Forkner Elementary School.

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

The Fresno Unified School District levies a commercial/industrial development fee of \$0.54 per square foot. Any new development on the property will be subject to the development fee prior to issuance of a building permit.

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

Sincerely,

Jeff Friesen, Interim Executive Officer
Facilities Management and Planning

JF:hh

c: Ryan Duff, Principal, Forkner Elementary School



Fresno County
Airport Land Use Commission

Wednesday, September 9, 2015
McKencie Contreras
ATTN: McKencie.Contreras@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

Dear Ms. Contreras,

This letter is to inform you that the Fresno County Airport Land Use Commission has made a determination of consistency for the following items:

- City of Fresno Rezone Application No. R-14-010 – Mission Ranch Rezone
- Sierra Sky Park Runway Protection Zone location verification and mapping update relevant to the Proposed Bubble Clean Car Wash/Chevron Gas Station Mini Mart located adjacent to Sierra Sky Park Airport on the southwest corner of Herndon and Brawley Avenues.

Fresno County Airport Land Use Commission Determination:

The Fresno County Airport Land Use Commission has determined a finding of consistency with the Adopted Airport Land Use Plans by unanimous vote for the above agenda items at the August 31st ALUC Meeting. Commission members in attendance were:

1. Nathan Magsig
2. Robert Mason
3. William Kidd
4. James Estep
5. Ron Duarte

Sincerely,

A handwritten signature in blue ink, appearing to read "Laural Fawcett", with a long horizontal flourish extending to the right.

Laural Fawcett, Associate Regional Planner
Fresno County Airport Land Use Commission
(559) 233.4148 x 223, lfawcett@fresnocog.org

Cc: Fresno County Airport Land Use Commission



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2015-AWP-9058-OE

Issued Date: 10/09/2015

Chester
 Gary
 9468 N Somerville Drive
 Fresno, CA 93720

**** 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 Wly Cor. Store/Office
Location:	Fresno, CA
Latitude:	36-50-12.27N NAD 83
Longitude:	119-51-46.93W
Heights:	325 feet site elevation (SE)
	19 feet above ground level (AGL)
	344 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.

This determination expires on 04/09/2017 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 2015-AWP-9058-OE.

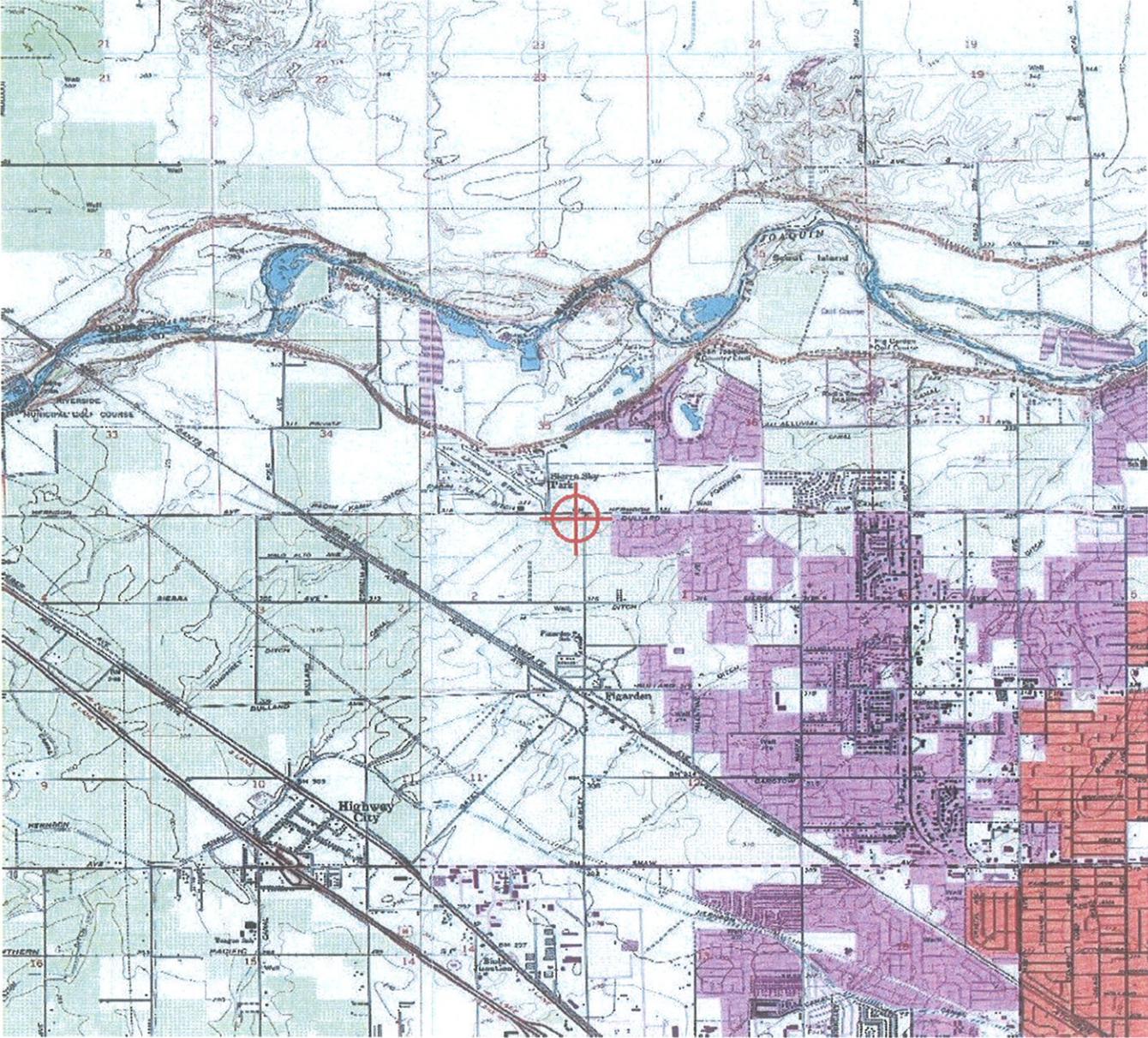
Signature Control No: 265467691-268302946

(DNE)

Karen McDonald
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2015-AWP-9058-OE



CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A FINDING OF CONFORMITY

Filed with: E201510000195

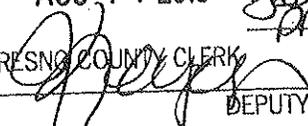
FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA 93721

PROJECT TITLE AND ENVIRONMENTAL ASSESSMENT

Rezone Application No. R-15-005
Conditional Use Permit No. C-15-025

APPLICANT:

Dirk Poeschel
Land Development Services Inc.
923 Van Ness, Suite 200
Fresno, CA 93721

FILED
AUG 14 2015
TIME 5:30 PM
By  FRESNO COUNTY CLERK DEPUTY

PROJECT LOCATION:

6985 North Brawley Avenue
Located on the southwest corner of North Brawley Avenue and West Herndon Avenue
Site Latitude: 36°50'18.351" N and Longitude - 119°51'44.2584" W
Mount Diablo Base & Meridian, Township 14S Range 20 E, Section 21
APN: 507-030-12st

PROJECT DESCRIPTION: EA No. R-15-005 and C-15-025: The following applications were filed by filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to ±2.7 acres of property located on the southwest corner of North Brawley Avenue and West Herndon Avenue in the County of Fresno. The project also includes a ground lease of this ±2.7 acre property, with an option to purchase, from the City of Fresno (as lessor/seller) to Garreks, Inc., a California Corporation (as lessee/buyer).

Rezone Application No. R-15-005 requests to amend the Official Zone Map to reclassify the ±2.7 acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-1 (*Neighborhood Shopping Center/Urban Growth Management*) zone district.

Rezone Application No. R-15-005 was filed to facilitate **Conditional Use Permit Application No. C-15-025** which proposes the construction of a Chevron gas station with 12 fueling positions, a ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations/Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is fully within the scope of the Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan (SCH # 2012111015). Therefore, the Development and Resource Management Department proposes to adopt a Finding of Conformity for this project.

With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the proposed environmental finding of a Finding of Conformity and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, Room 3070, California 93721-3604. Please contact Bruce Barnes at (559)621-8047 for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on **September 16, 2015**. Please direct comments to Bruce Barnes, Planner, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721-3604; or by email to bruce.barnes@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

These development applications and this proposed environmental finding have been tentatively scheduled to be heard by the Planning Commission on September 16, 2015 at 6:00 p.m. or thereafter. This hearing will be held in the Fresno City Council Chambers located at Fresno City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California, 93721. Your written and oral comments are welcomed at the hearing and will be considered in the final decision.

INITIAL STUDY PREPARED BY:

Bruce Barnes, Planner

SUBMITTED BY:



Mike Sanchez, Assistant Director
DEVELOPMENT AND RESOURCE
MANAGEMENT DEPARTMENT

DATE: August 14, 2015

**CITY OF FRESNO – ENVIRONMENTAL ASSESSMENT
FINDING OF CONFORMITY / MEIR SCH No. 2012111015**

<p>Pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) SCH No. 2012111015 prepared for the Fresno General Plan</p>	<p>DATE RECEIVED FOR FILING:</p>
--	----------------------------------

<p>Applicant: Dirk Poeschel Land Development Services Inc. 923 Van Ness, Suite 200 Fresno, CA 93721</p>	<p>Initial Study Prepared By: Planner Lauren Filice, Planner III Date: August 14, 2015</p>
--	---

<p>Environmental Assessment Number: R-15-005/C-15-025</p>	<p>Project Location (including APN): 16985 North Brawley Avenue Located on the southwest corner of North Brawley Avenue and West Herndon Avenue, in the City and County of Fresno, California. APN: 507-030-12st</p>
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Project Description:

The following applications were filed by filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to ±2.7 acres of property located on the southwest corner of North Brawley Avenue and West Herndon Avenue in the County of Fresno. The project also includes a ground lease of this ±2.7 acre property, with an option to purchase, from the City of Fresno (as lessor/seller) to Garreks, Inc., a California Corporation (as lessee/buyer).

Rezone Application No. R-15-005 requests to amend the Official Zone Map to reclassify the ±2.7 acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-5/UGM (*General Commercial/Urban Growth Management*) zone district.

Rezone Application No. R-15-005 was filed to facilitate **Conditional Use Permit Application No. C-15-025** which proposes the construction of a Chevron gas station with 12 fueling positions, a ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations/Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m. The property is currently zoned AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*), while a rezone to the C-5/UGM (*General Commercial/Urban Growth Management*) zone district allows a gas station and mini-mart by right and a conditional use permit is required for a car wash and the sale of alcoholic beverages. The proposed zoning to the C-5 zone district is consistent with the *commercial-general* planned land use designation.

Conformance to Master Environmental Impact Report (MEIR) NO. SCH No. 2012111015:

The adopted Fresno General Plan, the Bullard Community Plan, and the Sierra Sky Park Airport Environs Specific Plan designate the subject site for *commercial-general* planned land uses. The proposed project site zoning is C-5/UGM (*General Commercial/Urban Growth Management*) which conforms to the *commercial-general* planned land use designation. The subject site is an approximately ± 2.78 acre portion of a ± 8.73 acre parcel, currently undeveloped and vacant. The project proposes to construct a new Chevron gas station with 12 fueling positions, a $\pm 3,500$ square-foot convenience store, and a drive-through car wash. Fresno Municipal Code Section 12-221.3 permits a mini mart and gas station by right, and a car wash and retail sale of alcoholic beverages with an approved conditional use permit in the C-5 zone district. The facility is proposed to operate 24 hours per day, 7 days per week. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations and Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m. The proposed request will conform to the land use designated of *commercial-general* for the site by the Fresno General Plan and is thus in conformance with the applicable land use plan.

The Development and Resource Management Department staff has prepared an Initial Study (see attached "Modified Appendix G To Analyze Subsequent Project Identified In MEIR SCH No. 2012111015") to evaluate the proposed Conditional Use Permit No. C-15-025 application in accordance with the land use and environmental policies and provisions of lead agency City of Fresno's General Plan (SCH No. 2012111015). The subject property is currently undeveloped and vacant but may be further developed at an intensity and scale that is permitted by the planned land use designation and proposed zone district classification for the site. Thus, the Conditional Use Permit No. C-15-025 application will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. Moreover, it is not expected that the future development will adversely impact existing city service systems or the traffic circulation system that serves the subject property. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR for the Fresno General Plan SCH No. 2012111015 have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR SCH No. 2012111015 as provided by CEQA Guidelines Section 15177(b)(3).

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project, as identified in the MEIR pursuant to Section 21157(b)(2) of the Public Resources Code and CEQA Guidelines Section 15177, falls within the scope of a MEIR, provided that the project does not cause additional significant impacts on the environment that were not previously examined by the MEIR for the Fresno General Plan

Relative to this specific project proposal, the environmental impacts noted in the MEIR, pursuant to the Fresno General Plan land use designation, include impacts associated with the *employment-office* planned land use designation specified for the subject property. Based on this Initial Study, the following findings are made: (1) The proposed project was identified as a Subsequent Project in MEIR SCH No. 2012111015 because its, location, land use designation and permissible densities and intensities are set forth in Figure I-1 of MEIR SCH No. 2012111015; (2) The proposed project is fully within the scope of the MEIR SCH No. 2012111015 because it will not generate additional significant effects on the environment not previously examined and analyzed by the MEIR SCH No.

2012111015 for the reasons set forth in the Initial Study; and (3) other than identified below, there are no new or additional mitigation measures or alternatives required.

In addition, after conducting a review of the adequacy of the MEIR pursuant to Public Resources Code Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and adopted, has become available. Moreover, as lead agency for this project, the Development and Resource Management Department, per Section 15177(d) of the CEQA Guidelines, has determined that all feasible mitigation measures from MEIR SCH No. 2012111015 shall be applied to the project as conditions of approval as set forth in the attached Mitigation Monitoring Checklist (See "Master Environmental Impact Report (MEIR) SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist).

Public notice has been provided regarding staff's finding in the manner prescribed by Section 15177(d) of the CEQA Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).

Bonique Emerson, Planning Manager, City of Fresno

Date

Attachments: Notice of Intent to Adopt a Finding of Conformity
Exhibit A: Appendix G/Initial Study prepared for Environmental Assessment No. C-15-025
Exhibit B: Mitigation MEIR Mitigation Monitoring Checklist for Environmental Assessment No. No. C-15-025

FINDING OF CONFORMITY:

NOTICE IS HEREBY GIVEN THAT a finding of conformity has been prepared by the City of Fresno Development and Resource Management Department resulting from Initial Study and Environmental Assessment (EA) of the projects described below:

Rezone Application No. R-15-005 and Conditional Use Permit Application No. C-15-025 were filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, and pertains to a ±2.7-acre portion of property located on the southwest corner of West Herndon and North Brawley Avenues. **Rezone Application No. R-15-005** requests to amend the Official Zone Map to reclassify the 2.7- acre portion of property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-1 (*Neighborhood Shopping Center/Urban Growth Management*) zone district. **Conditional Use Permit Application No. C-15-025** proposes the construction of a Chevron gas station with 12 fueling positions, a ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations/Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m. The project also includes a ground lease of this ±2.7 acre property, with an option to purchase, from the City of Fresno (as lessor/seller) to Garreks, Inc., a California Corporation (as lessee/buyer).

Additional information on the proposed project, including copies of the proposed environmental findings, may be obtained from the City of Fresno Development and Resource Management Department, Bruce at (559) 621-8047 or by email at Bruce.Barnes@fresno.gov OR the Development and Resource Management Department, City Hall, 2600 Fresno Street, Rm. 3076, Fresno, CA 93721, Sophia Pagoulatos at (559) 621-8062 or by email at Sophia.Pagoulatos@fresno.gov. ***Para información en español, comuníquense con Sophia Pagoulatos (al número de teléfono 559-621-8062).***

ANY INTERESTED PERSON may comment on the above proposed environmental finding. Comments must be in writing and must state (1) the commenter's name and address; (2) the commenter's interest in or relationship to the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and on/or before September 16, 2015. Your comments are welcomed and will be considered in the final decision.

Publish on August 14, 2015

EXHIBIT A

EXHIBIT A

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

Environmental Checklist Form For
EA No. R-15-005 and C-15-025
August 14, 2015

1. **Project Title:**
Rezone Application No. R-15-005, Conditional Use Permit C-15-025 (Bubble Clean Project)
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, 3rd Floor
(559) 621-8047
4. **Project location:**
6985 North Brawley Avenue

Located on the southwest corner of North Brawley Avenue and West Herndon Avenue
Site Latitude: 36°50'18.351" N and Longitude -119°51'44.2584" W
Mount Diablo Base & Meridian, Township 14S Range 20 E, Section 21
APN: 507-030-12ST
5. **Project sponsor's name and address:**
Dirk Poeschel
Land Development Services Inc.
923 Van Ness, Suite 200
Fresno, CA 93721
6. **General & Specific plan designation:**
Commercial-General

7. **Zoning:**

Existing: AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district

Proposed: C-5 (General Commercial/Urban Growth Management) zone district
(Proposed new Development Code: CG (Commercial General) zone district)

8. **Description of project:**

EA No. R-15-005, C-15-025: The following applications were filed by filed by

Rezone Application No. R-15-005 requests to amend the Official Zone Map to reclassify the ±2.7 acre portion of property of a from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-5 (*General Commercial/Urban Growth Management*) zone district. The C-5/UGM zone district is consistent with the Fresno General Plan land use designation of *commercial general*.

Rezone Application No. R-15-005 was filed to facilitate **Conditional Use Permit Application No. C-15-025** which proposes the construction of a Chevron gas station with 12 fueling positions, a ±3,500 square-foot convenience store, and a drive-through car wash. The application requests authorization to establish a State of California Alcoholic Beverage Control alcohol license Type 20 (*Package Store – sale of beer and wine for consumption off the premises where sold*) for the convenience store. The facility is proposed to operate 24/7. The car wash will operate from 6 a.m. to 9 p.m. The convenience store shall comply with all State of California regulations/Fresno Police Department conditions regarding alcohol sales with no alcohol sales between 2 a.m. and 6 a.m.

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

	Planned Land Use	Existing Zoning	Existing Land Use
North	Commercial - Community	C-1 <i>Neighborhood Shopping Center</i>	Vacant Land
East	Commercial - Community	C-2 <i>Community Shopping Center</i>	Vacant Land
South	Clear Zone	AE-5 <i>Exclusive Five Acre Residential</i>	Vacant Land
West	Clear Zone	R-P <i>Residential & Professional Offices</i>	Vacant Land

0. 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 Works; Public Utilities; City of Fresno Fire Department; City of Fresno Police Department; San Joaquin Air Pollution Control District

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report (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.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas | <input type="checkbox"/> Hazards & Hazardous | <input type="checkbox"/> 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:

- X I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR 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.
- _____ I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. 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, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

X _____
Bruce Barnes, Planner

July 2, 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. AESTHETICS -- 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.

b. State Scenic Highways

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

c. Visual Character

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

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, 3.1 Goal 15 - Improve Fresno's visual image and enhance its form and function through design strategies and effective maintenance.

Mobility and Transportation, Objective MT-3 Identify, promote and preserve scenic or aesthetically unique corridors by application of appropriate policies and regulations.

MT-3-a Implement measures to preserve, enhance scenic qualities along scenic corridors or boulevards, including:

- 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

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

b. 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 July 2, 2015.

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 "Farmland of Local Importance" by the 2010 Rural Mapping Edition: Fresno County Important Farmland Map, and thus is not considered to be prime farmland, farmland of statewide importance, or unique farmland. The subject site is currently vacant, and does not currently contain an active agricultural land use. Aerial photos dating

back to 1992 show the land had been continuously cultivated until 2005. Therefore, the General Plan did anticipate this conversion to commercial uses to occur.

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

The project site is currently planned for heavy industrial 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 (except to the south of the proposed project site), 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>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) - -</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		

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

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

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

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

The SJVAB is approximately 250 miles long and averages 35 miles wide, and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a “bowl” open only to the north.

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

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

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

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

a. - 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 is subject to District Rule 9510. This rule is intended for proposed projects that would equal or exceed 100,000 square feet of heavy industrial space. The impact on air quality can be mitigated through design elements or the payment of applicable off-site mitigation fees. In addition to

complying with District Rule 9510, 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 heavy industrial type projects. Since the facility will operate as a warehouse/distribution center, no manufacturing activities are anticipated in the proposed C-5 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.

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

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

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

There are 6-10 existing mature trees, or other vegetation on the site. While these trees will be removed, the applicant will be required to plant trees along Herndon and Brawley Avenues at a rate of 1 tree for every 60 feet. Additional trees will be required to be planted in the parking lot as part of the City's Landscape Plan requirement. 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. Therefore, any impacts to existing trees and vegetation will be mitigated by the addition of street trees and parking lot trees.

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 July 2, 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
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 July 2, 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).

The proposed project is located in the northern 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. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		X		
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		X		

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

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

GHGs are gases having properties that absorb and emit radiation within the thermal infrared range, and that would cause thermal energy (heat) to be trapped the earth's atmosphere. It is believed that increased levels of GHGs in the atmosphere can disturb the thermal equilibrium of the earth when natural carbon cycle processes (such as photosynthesis) are unable to

absorb sufficient quantities of carbon dioxide and other GHGs in comparison with the amount of GHGs being emitted. It is believed that a combination of factors related to human activities, such as deforestation, emissions of GHG into the atmosphere from carbon fuel combustion, etc. are causing climate change.

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

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

Regulation

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

a. Generation of Greenhouse Gases

The General Plan Update and MEIR relies upon a Greenhouse Gas Reduction Plan 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
VIII. HAZARDS AND HAZARDOUS MATERIAL -- 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
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

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

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

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

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

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

Proposed project consists of a conditional use permit for a gas station, car wash and mini mart seeking warehousing to store and distribute goods. The Fresno County Department of Environmental Health reviews and conditions projects to avoid or mitigate any environmental health concerns related to hazardous materials.

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 less than a half mile from the Forkner Elementary School campus, and just over a half mile from the Figarden Elementary School campus. 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?, and

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

The project site is located just outside the approach zone of the Sierra Sky Park Airport. Response to the project routing for comment by the Fresno Airports Department dated March 18, 2015, indicated that the project verify compliance with Sierra Sky Park Land Use Compatibility Plan (SSPLUCP). The project site is outside the southeastern Outer and Inner Approach Zones, for which there is no land use restriction or condition of use required by the SSPLUCP.

g. 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 surrounding the project site and is vacant land along portions of Herndon Avenue. As a result, there is a very low fire hazard area to the project site. In addition, the proposed project is within the fire protection service area of Fire Station 14 located at North Polk and West Escalon Avenues, approximately 1.65 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 July 2, 2015

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	

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

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

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

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

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

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

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

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area

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

a. Violate Water Quality Standards

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

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

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

b. Deplete Groundwater Supplies

As noted in the 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 plan-check 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 comment letter dated April 6, 2015, indicated that the system is designed to accommodate the runoff from the project and will require the payment of a \$19,113.00 flood control fee. 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 above and in Section XVII: Utilities and Service Systems 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 July 2, 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 industrial, agricultural and vacant land uses. The subject property is currently designated for Heavy Industrial planned land use under the Fresno General Plan, and the Edison 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 identifies the project site as Commercial-General planned land use and puts a strong emphasis on infill development within existing City limits. The proposed zoning of C-5 (General Commercial) is consistent with the General Plan planned land use. The proposed service station and mini mart are permitted by right, while the car wash and alcoholic beverage sales are permitted with an approved conditional use permit. Therefore the project is consistent with the goals of the General Plan.

Approval of Conditional Use Permit No. C-15-025 and Rezone Application No. R-15-005 to effect appropriate zoning would help facilitate the continued commercial development within an area planned for commercial and office employment development as called for in general plan policy. In conclusion, the proposed project is consistent with many of the goals and policies of the newly adopted General Plan.

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 July 2, 2015.

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

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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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. The proposed use is reliant on a location at a main intersection along an arterial roadway to attract and serve the public. General Plan Figure NS-3 which maps future noise contours along Herndon Avenue noise to be between 70 to 75 decibels, and Brawley Avenue at between 60 to 65 decibels. Therefore, noise at the project site will be within expected and acceptable limits. These noise impacts are therefore considered less than significant.

b. Groundborne Vibration

The project should not cause exposure to ground-born vibration for the nearby residential uses since 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 143 a.m. peak hour daily trips, and a maximum of 167 p.m. peak hour trips. This number of vehicular trips is not sufficient to increase ambient noise levels, therefore impacts are less than significant.

b. Airport Noise, and e. Private Airstrip Noise

The project site is located southeast of the Sierra Sky Park Airport runway, across Herndon Avenue. The site is within the 60 db CNEL of the airport. However, an acoustical analysis is not required for projects sites within the 60 db CNEL. Therefore, impacts from airport noise are less than significant.

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

The newly adopted Fresno General Plan projects a population 780,600 by the year 2035. In addition, the General Plan 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 Bullard Community Plan area and within the “Established Neighborhoods North of Shaw” area pursuant to Figure 1-3, Residential Capacity Allocation of the General Plan. Table 1-3 indicates this area has a housing unit capacity of 7,700 units within existing city limits under plan build-out. The plan also anticipates up to 10.9 million square feet of retail development distributed throughout the urban area. 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 ±8.73 acre site is vacant land and is planned for commercial-general use. Since housing is not compatible with commercial-general uses, the project will not displace housing.

c. Population Displacement

No persons will be displaced by the construction of this project, as the site is intended for commercial-general uses, as identified in the General Plan. The project site is vacant land. No homes are impacted and no residents will be displaced, the project will not necessitate the construction of replacement housing and is therefore less than significant.

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 #7, located 1.3 miles north of the site at Cherry and Jensen Avenues, within the response distance/time of 3 minutes.

Fresno Metropolitan Flood Control Distirct has built adequate flood control facilities to serve the proposed project and therefore, upon payment of the flood control fee, no adverse impacts are anticipated.

There are no parks in the vicinity. 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 July 2, 2015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X

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

Forkner Park is located within half a mile northeast of the project site. However, demand for parks will not be increased by approval of the project since this is not a residential type 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
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
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 single access driveway is proposed from Brawley Avenue, approximately 250 feet south of the intersection of Brawley and Herndon Avenues. Internal traffic is proposed to flow from the driveway east to circle the gas pump median, and north around the mini mart then east to the car wash, then west to the driveway exit. Public Works, Traffic Engineering Division has reviewed the proposed conditional use permit application, site plan and Traffic Impact Study and has determined that the following improvements are required:

- Brawley Avenue access will be limited to a right-in/right-out movement to insure safe traffic flow.

- The project shall make improvements and right-of-way and public easement dedications along adjacent public streets and within the project boundaries per City of Fresno standards/requirements.
- A traffic signal shall be installed at the intersection of Brawley and Herndon Avenues.
- The Applicant 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 Traffic Division indicates that the average daily traffic is 1,328 trips.
- 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 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) pursuant to Cal Trans requirements.

The Applicant must comply with implementation of the traffic related mitigation measures of the MEIR, must complete the adjacent street segment and must comply with the transportation element of the Fresno General Plan.

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 site is located just outside the approach zone of the Sierra Sky Park Airport. Response to the project routing for comment by the Fresno Airports Department dated March 18, 2015, indicated that the project verify compliance with Sierra Sky Park Land Use Compatibility Plan (SSPLUCP). The project site is outside the southeastern Outer and Inner Approach Zones, for which there is no land use restriction or condition of use required by the SSPLUCP. Therefore no significant 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 a single point of access from North Brawley Avenue. Therefore impacts are less than significant.

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

In the project vicinity the Fresno Area Express (FAX) route 45 serves Herndon Avenue, while bicycle lanes are located along N. Brawley and West Herndon Avenues.

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 July 2, 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

ENVIRONMENTAL ISSUES	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 6.3 – Wastewater Collections and Treatment

Objective PU-7 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-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.

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 bio-solids 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 July 2, 2015.

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

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

EXHIBIT A

City of Fresno General Plan Mitigation and Monitoring Reporting Program (MMRP) for Environmental Assessment No. C-15-025

Conducted for Conditional Use Permit Application No. C-15-025, August 14, 2015

PURSUANT TO CERTIFIED MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) 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					
		A	B	C	D	E	F

Section 5.1 - Aesthetics:

<p>MM AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.</p> <p>Verification comments:</p>	<p>Prior to issuance of building permits</p>	<p>Public Works Department (PW) and Development & Resource Management Dept. (DARM)</p>	<p>X</p>	<p>X</p>	<p></p>	<p></p>	<p></p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE VERIFIED BY					
			A	B	C	D	E	F
Aesthetics (continued):								
<p>MM AES-2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.</p> <p>Verification comments:</p>	Prior to issuance of building permits	DARM						X
<p>MM AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.</p> <p>Verification comments:</p>	Prior to issuance of building permits	DARM	X	X				
<p>MM AES-4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater</p> <p>Verification comments:</p>	Prior to issuance of building permits	DARM	X	X				

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

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

Aesthetics (continued):

<p>MM AES-5: Materials used on building facades shall be non-reflective. Verification comments:</p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>	<p>X</p>			
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Section 5.3 - Air Quality:

<p>MM AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to:</p> <ul style="list-style-type: none"> Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. Post signs requiring drivers to limit idling to 5 minutes or less. <p>Verification comments:</p>	<p>Analysis to be completed prior to-development project approval; posting of signs to be completed prior to use of truck unloading/loading areas</p>	<p>DARM</p>	<p>X</p>				<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	COMPLIANCE					
			A	B	C	D	E	F
Air Quality (continued):								
<p>MM AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to:</p> <ul style="list-style-type: none"> • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. <p>(continued on next page)</p>	Control measures to be incorporated into project design prior to development project approval	DARM	X	X				

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Air Quality (continued):								
<p>MM AIR-2 (continued from previous page):</p> <ul style="list-style-type: none"> For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved. <p>Verification comments:</p>	[see previous page]	[see previous page]						
<p>MM 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 or newer regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD).</p> <p>Verification comments:</p>	Prior to development project approval	DARM	X	X				

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

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

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

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

Biological Resources:

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

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

Biological Resources (continued):

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

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

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

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

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

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

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

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

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

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

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

Biological Resources (continued):

<p>MM BIO-9 (continued from previous page): incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>	
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Section 5.5 - Cultural Resources:

<p>MM CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.</p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X X</p>			
<p>(continued on next page)</p>						

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Cultural Resources (continued):								
<p>MM CUL-1 (continued from previous page) 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 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. Verification comments:</p>	[see previous page]	[see previous page]						
<p>MM CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed. 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 (continued on next page)</p>	Prior to commencement of, and during, construction activities	DARM	X	X				

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

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

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Cultural Resources (continued):</p> <p>MM CUL-2 (further continued from previous two pages) 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 excavation and/or construction activities, the procedure (continued on next page)</p>	<p>[see Page 15]</p>	<p>[see Page 15]</p>						

Cultural 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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>MM CUL-2 (further continued from previous three pages)</p> <p>identified above for the discovery of unknown resources shall be followed. .</p> <p>Verification comments:</p>	<p>[see Page 15]</p>	<p>[see Page 15]</p>						
<p>MM CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:</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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>	<p>X</p>				

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Cultural Resources (continued):</p> <p>MM CUL-3 (continued from previous page)</p> <p>measures that shall be implemented to protect the discovered 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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

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

Cultural Resources (continued):

<p>MM CUL-3 (further continued from previous two pages) excavations of the finds. 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 a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.</p> <p>Verification comments:</p>	<p>[see Page 17]</p>	<p>[see Page 17]</p>							
<p>MM CUL-4: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most <i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>	<p>X</p>					

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.8 - Hazards and Hazardous Materials									
MM HAZ-1: Re-designate the existing vacant land proposed for low density residential use, located northwest of the intersection of East Garland Avenue and North Dearing Avenue and within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space. Verification comments:		Prior to development approvals	DARM						X
MM HAZ-2: Limit the proposed low density residential at (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less. Verification comments:		Prior to development approvals	DARM						X
MM HAZ-3: Re-designate the current area located within Fresno Yosemite International Airport Zone 5-Sideline northeast of the airport to Public Facilities-Airport or Open Space. Verification comments:		Prior to development approvals	DARM						X

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

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

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

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

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.9 - Hydrology and Water Quality:									
MM HYD-1: The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day. Verification comments:		Prior to water demand exceeding water supply	Department of Public Utilities (DPU)					X	
MM HYD-2: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP. Verification comments:		Ongoing	DPU					X	
MM HYD-5.1: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant. <ul style="list-style-type: none"> Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. (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	

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Hydrology and Water Quality (continued):</p> <p>HYD-5.1 (continued from previous page)</p> <ul style="list-style-type: none"> Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness. Implementation of the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. <p>Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

A - Incorporated into Project
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY					
		A	B	C	D	E	F

Hydrology and Water Quality (continued):

<p>MM HYD-5.2: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant:</p> <p>Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. <p>Verification comments:</p>	<p>Prior to exceedance of capacity of existing retention basin facilities</p>	<p>FMFCD, DARM, and PW</p>	<p>X</p>				<p>X</p>
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A - Incorporated into Project
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Hydrology and Water Quality (continued):</p> <p>MM HYD-5.3: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant.</p> <p>Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> • Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. • Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. <p>Verification comments:</p>	<p>Prior to exceedances 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></p>	<p>X</p>	<p></p>

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

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality (continued):								
<p>MM HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that is would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area.</p> <p>Verification comments:</p>	<p>Prior to development approvals in the Southeast Development Area</p>	<p>FMFCD, DARM, and PW</p>					X	X
Section 5.13 - Public Services:								
<p>MM PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes:</p> <ul style="list-style-type: none"> • Noise: Barriers and setbacks on the fire department sites. • Traffic: Traffic devices for circulation and a "keep clear zone" during emergency responses. • Lighting: Provision of hoods and deflectors on lighting fixtures on the fire department sites. <p>Verification comments:</p>	<p>During the planning process for future fire department facilities</p>	<p>DARM</p>					X	

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

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

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MMRP CHECKLIST FOR EA NO. C-15-025

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F
Public Services (continued):								
<p>MM PS-5: As future court, library, detention, and hospital facilities are planned, the appropriate agencies and DARM, when the City has jurisdiction, shall evaluate if specific environmental effects would occur. Typical impacts from court, library, detention, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce these potential impacts includes:</p> <ul style="list-style-type: none"> Noise: Barriers and setbacks placed on school sites. Traffic: Traffic devices for circulation. Lighting: Provision of hoods and deflectors on outdoor lighting fixtures <p>Verification comments:</p>	<p>During the planning process for future detention, court, library, and hospital facilities</p>	<p>DARM, to the extent that agencies approving/constructing these facilities are subject to City of Fresno regulation</p>					X	
Section 5.15 - Utilities and Service Systems								
<p>MM USS-1: The City shall develop and implement a wastewater master plan update.</p> <p>Verification comments:</p>	<p>Prior to wastewater conveyance and treatment demand exceeding capacity</p>	<p>DPU</p>					X	

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

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
<p>MM USS-3 (continued from previous page): After approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> Construct an approximately 24 MGD wastewater treatment facility within the Southeast Development Area and obtain revised waste discharge requirements as the generation of wastewater is increased. Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. <p>Verification comments:</p>	[see previous page]	[see previous page]						
<p>MM USS-4: Prior to construction, 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 hours of construction and for deliveries, haul routes, access and parking restrictions, pavement markings and signage; and it shall include the (continued on next page)</p>	Prior to construction of water and sewer facilities	PW for work in the City; PW and Fresno County Public Works when unincorporated area roadways are involved	X	X				

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
<p>MM USS-4 (continued from previous page): notification plan, and coordination with emergency service providers and schools. Verification comments:</p>	[see previous page]	[see previous page]						
<p>MM USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.</p> <ul style="list-style-type: none"> Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. <p>(continued on next page)</p>	Prior to exceeding capacity within the existing wastewater collection system facilities	DPU						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems (continued):</p> <p>MM USS-5 (continued from previous page)</p> <ul style="list-style-type: none"> Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches <i>(continued on next page)</i> 	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
<p>MM USS-5 (further continued from previous two pages): to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. Verification comments:</p>	[see Page 34]	[see Page 34]						
<p>MM USS-6: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in MEIR Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided. Verification comments:</p>	Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR	DPU						X
<p>MM USS-7: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that would demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. (continued on next page)</p>	Prior to exceeding existing water supply capacity	DPU	X			X		

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems (continued):</p> <p>USS-7 (continued from previous page)</p> <ul style="list-style-type: none"> Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012. Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):								
<p>MM USS-8: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025.</p> <ul style="list-style-type: none"> • Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>		X				X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems (continued):</p> <p>MM USS-8 (continued from previous page)</p> <ul style="list-style-type: none"> • Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. • Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems (continued):</p> <p>MM USS-9: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <ul style="list-style-type: none"> Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area. <p>Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <p>Verification comments:</p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>	<p>X</p>				<p>X</p>	

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Utilities and Service Systems - Hydrology and Water Quality

USS-10: In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge.

Verification comments:

Fresno Irrigation District (FID)							
			X				X

Utilities and Service Systems - Biological Resources:

USS-11: When FMFCD proposes to provide drainage service outside of urbanized areas:

- (a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required.

(continued on next page)

California Regional Water Quality Control Board (RWQCB), and USACE							
			X				X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
<p>MM USS-11 (continued from previous page):</p> <p>(b) Where proposed activities could have an impact on areas verified by the USACE as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. (As part of FMFCD's Memorandum of Understanding, with CDFW, Section 404 and 401 permits would be obtained from the USACE and RWQCB 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 USACE 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 USACE. 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> <p style="text-align: right;">(continued on next page)</p>	[see previous page]	[see previous page]						

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-11 <i>(further continued from previous two pages)</i></p> <ul style="list-style-type: none"> i. Specific location, size, and existing hydrology and soils within the wetland creation area. ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper 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. 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. <i>(continued on next page)</i> 	<p>[see Page 41]</p>	<p>[see Page 41]</p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-11 <i>(further continued from previous three pages)</i></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. If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.</p> <p>Or</p> <p>(e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank.</p> <p>Verification comments:</p>	<p>[see Page 41]</p>	<p>[see Page 41]</p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
<p>MM USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(a) During facility design and prior to initiation of ground disturbing activities in wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further 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 CDFW/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 CDFW and/or implement a Section 7 consultation with USFWS, shall <i>(continued on next page)</i></p>	<p>During FMFCD 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 & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)</p>						X

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F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>Utilities and Service Systems - Biological Resources (continued):</p> <p>MM USS-12 (continued from previous page)</p> <p>determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:</p> <ul style="list-style-type: none"> • The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts). • The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question. • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. <p>(c) Prior to design approval, and in consultation with the CDFW and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
<p>MM USS-12 (further continued from previous two pages)</p> <ul style="list-style-type: none"> • The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. (c) Prior to design approval, and in consultation with the CDFW and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level. <p>Verification comments:</p>	[see Page 45]	[see Page 45]						
<p>MM USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans.</p> <p>(continued on next page)</p>	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	CDFW and USFWS	X					

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
<p>MM USS-13 (continued from previous page)</p> <p>(b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp.</p> <p>(c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Or mitigation shall be the purchase of mitigation credit through an accredited mitigation bank.</p> <p>Verification comments:</p>	[see previous page]	[see previous page]						

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-14: When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur:</p> <p>(a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat.</p> <p>(b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible.</p> <p>(c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.</p> <p>Verification comments:</p>	<p>During facility design and prior to initiation of construction activities</p>	<p>CDFW and USFWS</p>						<p>X</p>
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A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems - Biological Resources (continued):								
<p>MM USS-15: Prior to ground disturbing activities during nesting season (March through July) for a FMFCD drainage facility project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.</p> <p>Verification comments:</p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>						X
<p>MM USS-16: When FMFCD proposes to construct drainage facilities in an area that supports burrowing owl 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 (e.g., 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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to, and during, the breeding season (approximately February 1 through August 31) of the same calendar year that construction is planned to begin</p>	<p>CDFW and USFWS</p>						X

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-16 (continued from previous page)</p> <p>above survey shall be valid only for the season when it is conducted</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 CDFW, 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</p> <p style="text-align: right;">(continued on next page)</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

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

Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-16 (further continued from previous two pages)</p> <p>burrows according to current CDFW protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. 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>Verification comments:</p>	<p>[see Page 50]</p>	<p>[see Page 50]</p>						
<p>MM USS-17: 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;"><i>(continued on next page)</i></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>	<p style="text-align: right;">X</p>					

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

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

Utilities and Service Systems / Biological Resources (continued):

<p>MM USS-17 (continued from previous page) FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board. Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>	
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Utilities and Service Systems – Recreation / Trails:

<p>MM USS-18: When FMFCD updates its District Service Plan: Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following: (continued on next page)</p>	<p>Prior to final design approval of all elements of the FMFCD District Service Plan</p>	<p>DARM, PW, City of Clovis, and County of Fresno</p>	<table border="1"> <tr> <td></td> <td></td> <td></td> <td>X</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td>X</td> <td></td> </tr> </table>				X							X	
			X												
				X											

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

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

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

<p>MM USS-18 (continued from previous page)</p> <p>(a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities.</p> <p>(b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Air Quality:

<p>MM USS-19: When District drainage facilities are constructed, FMFCD shall:</p> <p>(a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use.</p> <p>(continued on next page)</p>	<p>During storm water drainage facility construction activities</p>	<p>Fresno Metropolitan Flood Control District and SJVAPCD</p>	<p>X</p>					<p>X</p>
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C - Mitigation in Process
 D - Responsible Agency Contacted

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

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems – Air Quality (continued):

<p>MM USS-19 (continued from previous page)</p> <p>(b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site.</p> <p>(c) Off-road trucks should be equipped with on-road engines if possible.</p> <p>(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by the California Air Resources Board), or be re-powered with an engine that meets this standard.</p> <p>Verification comments:</p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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Utilities and Service Systems – Adequacy of Storm Water Drainage Facilities:

<p>MM USS-20: Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with FMFCD to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the necessary additional capacity is provided.</p> <p>Verification comments:</p>	<p>Prior to exceeding capacity within the existing storm water drainage facilities</p>	<p>FMFCD, PW, and DARM</p>		<p>X</p>			<p>X</p>	
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A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

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

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

Utilities and Service Systems – Adequacy of Water Supply Capacity:

<p>USS-21: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demands additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the 2013 Recycled Water Master Plan and the 2014 City of Fresno Metropolitan Water Resources Management Plan update.</p> <p>Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025.</p> <p>Verification comments:</p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU and DARM</p>			<p>X</p>			<p>X</p>
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Utilities and Service Systems – Adequacy of Landfill Capacity:

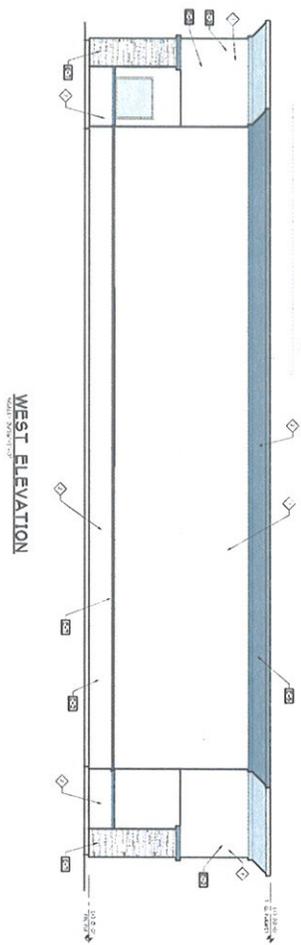
<p>USS-22: Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations, and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.</p> <p>Verification comments:</p>	<p>Prior to exceeding landfill capacity</p>	<p>DPU and DARM</p>						<p>X</p>
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A - Incorporated into Project
 B - Mitigated

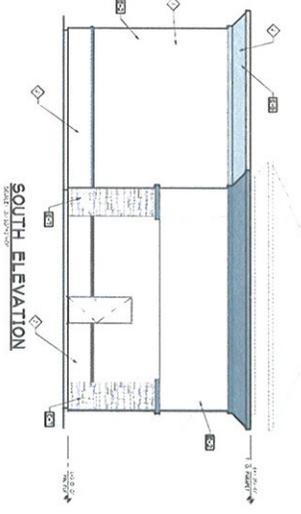
C - Mitigation in Process
 D - Responsible Agency Contacted

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

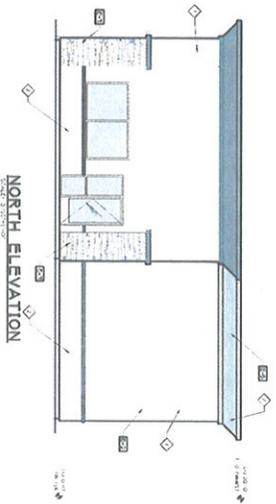
EXHIBIT C



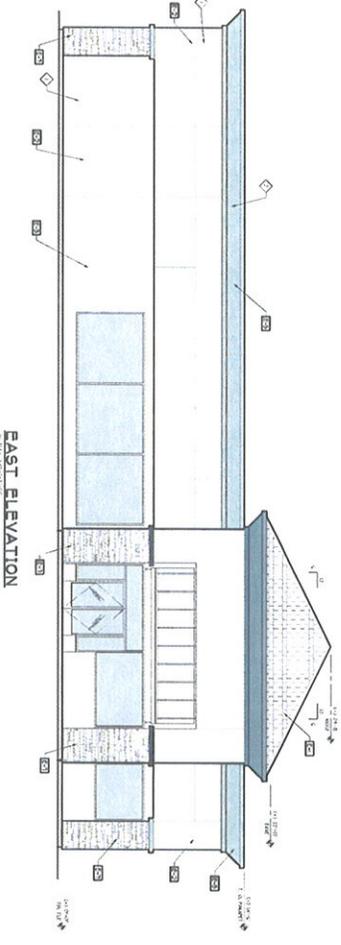
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION

- EXTERIOR COLOR KEYNOTES
- ◆ 101 - LIGHT PEARL
 - ◆ 102 - LIGHT GREY
 - ◆ 103 - LIGHT BLUE
 - ◆ 104 - LIGHT TAN
 - ◆ 105 - LIGHT BROWN
 - ◆ 106 - LIGHT GREEN
 - ◆ 107 - LIGHT PURPLE
 - ◆ 108 - LIGHT PINK
 - ◆ 109 - LIGHT ORANGE
 - ◆ 110 - LIGHT YELLOW
 - ◆ 111 - LIGHT CYAN
 - ◆ 112 - LIGHT MAGENTA
 - ◆ 113 - LIGHT VIOLET
 - ◆ 114 - LIGHT SLATE
 - ◆ 115 - LIGHT SLATE
 - ◆ 116 - LIGHT SLATE
 - ◆ 117 - LIGHT SLATE
 - ◆ 118 - LIGHT SLATE
 - ◆ 119 - LIGHT SLATE
 - ◆ 120 - LIGHT SLATE

- EXTERIOR ELEVATIONS KEYNOTES
- 101 - LIGHT PEARL
 - 102 - LIGHT GREY
 - 103 - LIGHT BLUE
 - 104 - LIGHT TAN
 - 105 - LIGHT BROWN
 - 106 - LIGHT GREEN
 - 107 - LIGHT PURPLE
 - 108 - LIGHT PINK
 - 109 - LIGHT ORANGE
 - 110 - LIGHT YELLOW
 - 111 - LIGHT CYAN
 - 112 - LIGHT MAGENTA
 - 113 - LIGHT VIOLET
 - 114 - LIGHT SLATE
 - 115 - LIGHT SLATE
 - 116 - LIGHT SLATE
 - 117 - LIGHT SLATE
 - 118 - LIGHT SLATE
 - 119 - LIGHT SLATE
 - 120 - LIGHT SLATE

DATE: 2/14/07
 SCALE: AS SHOWN
 SHEET: 3.0



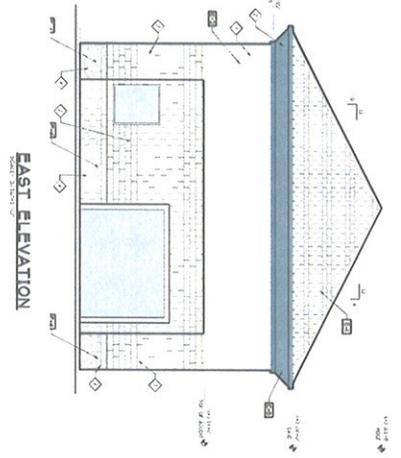
JEFF CAZALY
 ARCHITECT
 705 N. ALLAMAL, SUITE 104
 FRESNO, CA 93701
 (559) 291-1899
 jeff@jeffcazaly.com

NEW GAS SATATION AND CAR WASH FOR:
HERNDON BRAWLEY CHEVRON
 HERNDON AVE & BRAWLEY AVE.
 CITY OF FRESNO A.P.N. 307-003-12ST CALIFORNIA

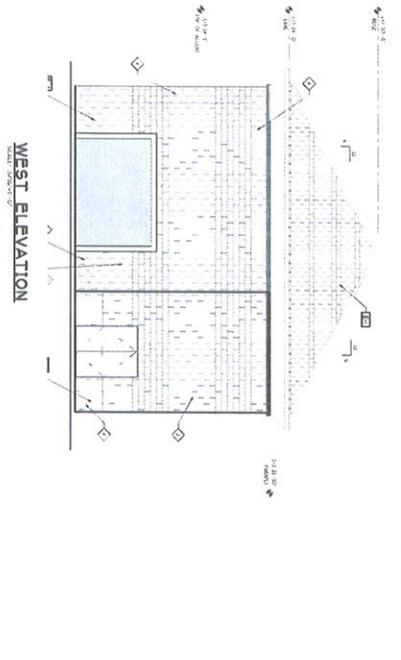
NEW GAS SATATION AND CAR WASH FOR:
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 HERNDON AVE & BRAWLEY AVE.
 CITY OF FRESNO A.P.N. 307-003-12ST CALIFORNIA

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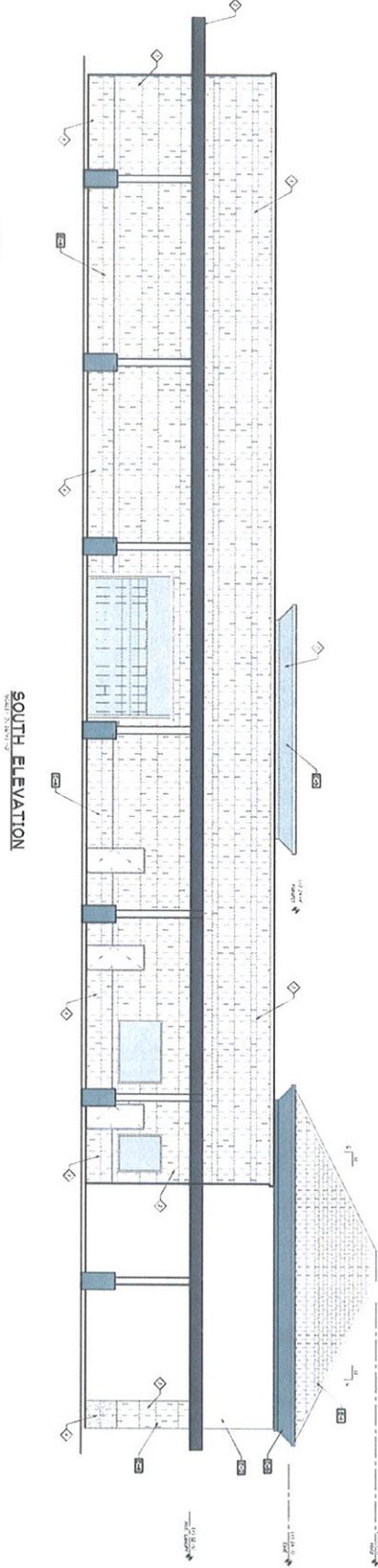
NEW GAS SATATION AND CAR WASH FOR:
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 CITY OF FRESNO A.P.N. 307-003-12ST CALIFORNIA



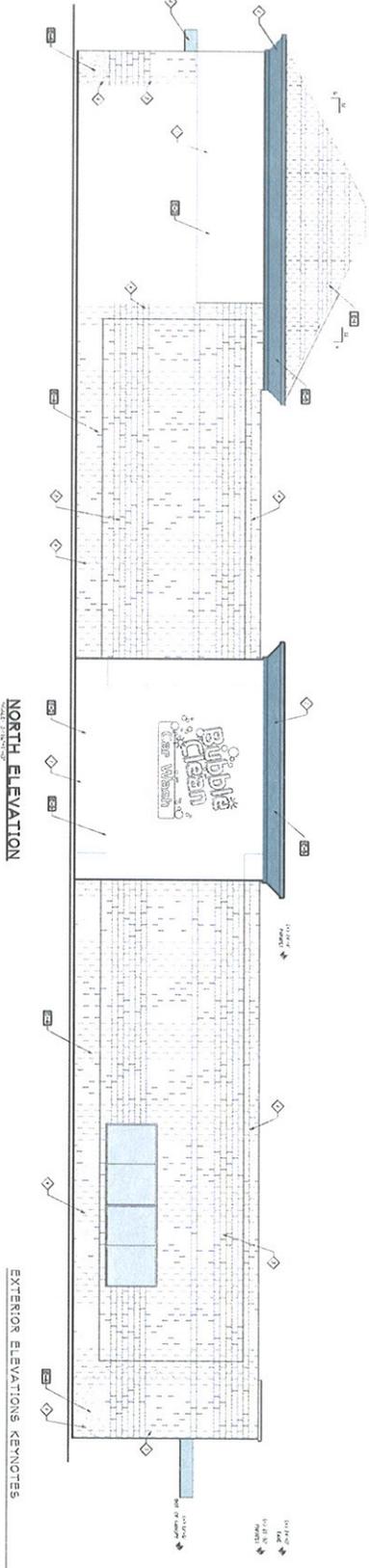
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

EXTERIOR COLOR KEYNOTES

- ◆ PPG SIGNAGE PAINTS/COATINGS
- ◆ PPG SIGNAGE-EXTERIOR COLOR
- ◆ EXTERIOR LIGHT FIXTURES
- ◆ EXTERIOR LIGHT FIXTURES

EXTERIOR ELEVATIONS KEYNOTES

- 101 THE SIGNAGE SHALL BE THE SIGNAGE COMPANY SIGNAGE PER THE CITY OF FRESNO
- 102 THE SIGNAGE SHALL BE THE SIGNAGE COMPANY SIGNAGE PER THE CITY OF FRESNO
- 103 THE SIGNAGE SHALL BE THE SIGNAGE COMPANY SIGNAGE PER THE CITY OF FRESNO
- 104 THE SIGNAGE SHALL BE THE SIGNAGE COMPANY SIGNAGE PER THE CITY OF FRESNO
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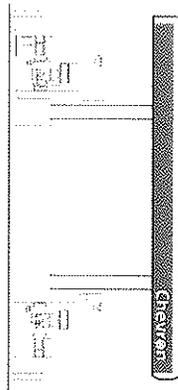
JEFF CAZALY ARCHITECT
 720 W. ALLIANCE, SUITE 104
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 (559) 291-1889
 jeff@jeffcazaly.com Fax: 559-291-1882

NEW GAS SATIATION AND CAR WASH FOR:
HERNDON BRAWLEY CHEVRON
 HERNDON AVE & BRAWLEY AVE
 CITY OF FRESNO A.P.N. 507-003-12ST CALIFORNIA

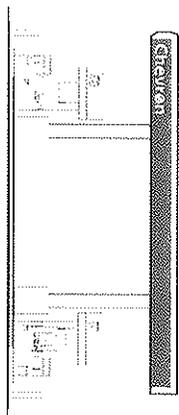
EXTERIOR ELEVATIONS CAR WASH

31

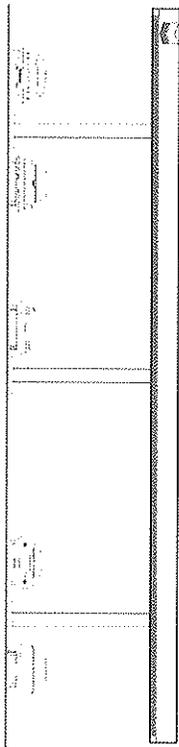
31



SOUTH ELEVATION



NORTH ELEVATION



EAST/WEST ELEVATION

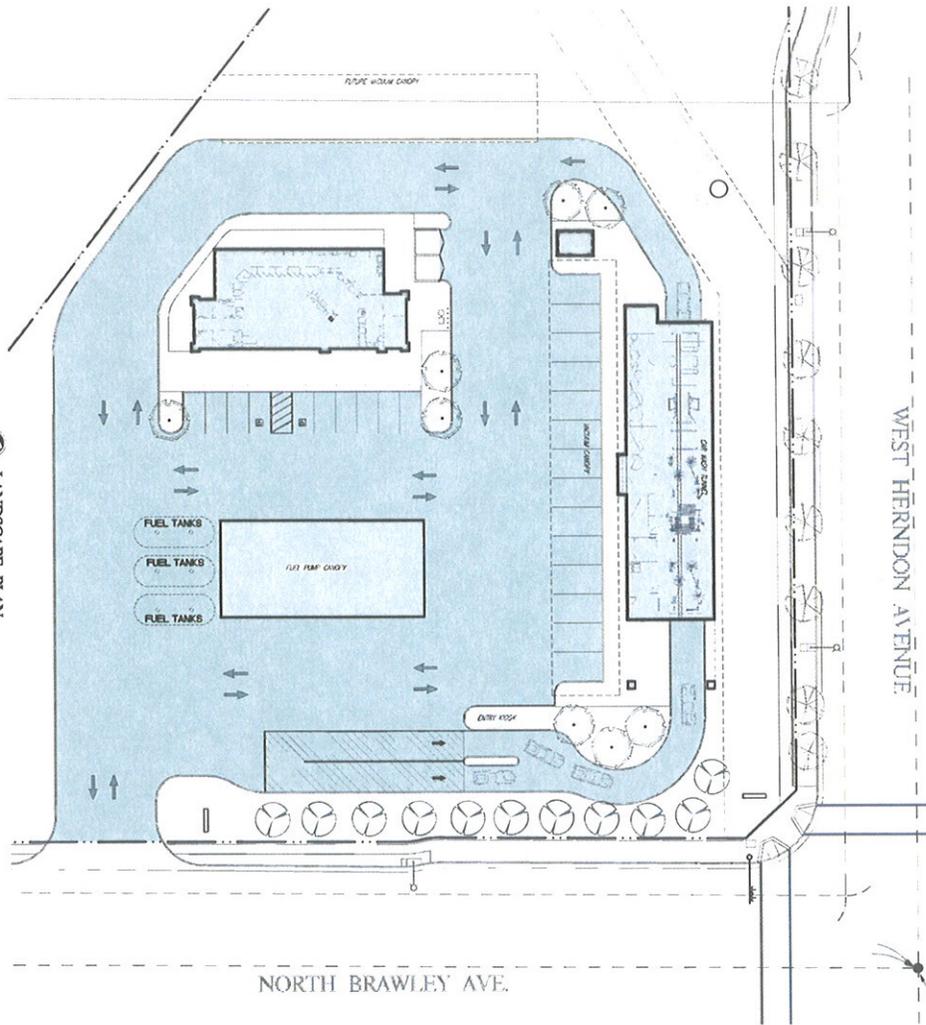
JEFF CAZALY ARCHITECT
 725 W. ALLIANCE BLVD. #4
 FRESNO, CA 93726
 COMMERCIAL AND
 RESIDENTIAL DESIGN
 (510) 331-3333
 (510) 331-3333

NEW GAS SATATION AND CAR WASH FOR:
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 HERNDON AVE. & BRAWLEY AVE.
 CITY OF FRESNO A.P.N. 307-003-12ST CALIFORNIA

EXTERIOR
 ELEVATIONS
 FUEL CONDUIT

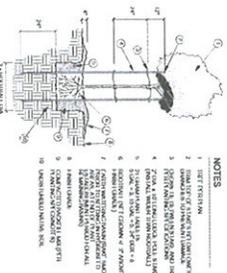


A32



LANDSCAPE PLAN
SCALE: 1" = 20'

TREES	SYMBOL	SIZE	BOTANICAL NAME /
		18 GA.	HERNDON AVE CITY STREET TREE #28 GC
		18 GA.	BRAWLEY AVE CITY STREET TREE #23 GC
		18 GA.	INDIANA ORNAMENTAL / ORNAMENTAL PERIWOKE



1 TREE PLANTING

- CITY OF FRESNO GENERAL NOTES**
1. These plans are to be prepared by the applicant and approved by the Planning Commission. The applicant shall be responsible for obtaining all necessary permits and approvals from the City of Fresno.
 2. The applicant shall provide a detailed site plan showing the location and size of all trees to be planted. The site plan shall also show the location and size of all other landscape features to be installed.
 3. The applicant shall provide a detailed list of all trees to be planted, including the botanical name, size, and quantity of each tree. The list shall also include the location and size of all other landscape features to be installed.
 4. The applicant shall provide a detailed plan showing the location and size of all trees to be planted. The plan shall also show the location and size of all other landscape features to be installed.
 5. The applicant shall provide a detailed list of all trees to be planted, including the botanical name, size, and quantity of each tree. The list shall also include the location and size of all other landscape features to be installed.
 6. The applicant shall provide a detailed plan showing the location and size of all trees to be planted. The plan shall also show the location and size of all other landscape features to be installed.
 7. The applicant shall provide a detailed list of all trees to be planted, including the botanical name, size, and quantity of each tree. The list shall also include the location and size of all other landscape features to be installed.
 8. The applicant shall provide a detailed plan showing the location and size of all trees to be planted. The plan shall also show the location and size of all other landscape features to be installed.
 9. The applicant shall provide a detailed list of all trees to be planted, including the botanical name, size, and quantity of each tree. The list shall also include the location and size of all other landscape features to be installed.
 10. The applicant shall provide a detailed plan showing the location and size of all trees to be planted. The plan shall also show the location and size of all other landscape features to be installed.

NEW GAS SATATION AND CAR WASH FOR:
HERNDON BRAWLEY CHEVRON
HERNDON AVE & BRAWLEY AVE
CITY OF FRESNO APN. 507-003-12ST CALIFORNIA

JEFF CAZALY ARCHITECT
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Tel: (559) 291-1882
Fax: (559) 291-1882
jeff@jeffcazaly.com

ARCHITECTURAL LANDSCAPE PLAN

DATE: 2014.07.17

SCALE: 1" = 20'