



PLANNING COMMISSION OF THE CITY OF FOWLER

Pursuant to Government Code 54955

Notice of Adjournment

**The regular Planning Commission
meeting on Thursday, April 6 2023 at
6:30 pm has been adjourned to
Wednesday, April 19 2023 at 6:00pm
at the City Council Chamber,
128 S 5th St
Fowler CA 93625.**



**PLANNING COMMISSION OF THE CITY OF FOWLER
AGENDA
THURSDAY APRIL 6, 2023
6:00 P.M.
CITY COUNCIL CHAMBER
128 SOUTH 5TH STREET FOWLER, CA 93625**

In compliance with the Americans with Disabilities Act, if you need assistance or accommodations to access the City Council Chambers or participate in this meeting, please contact the Planning Secretary at (559) 834-3113 x118. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

Planning Commission meetings are open to the public at the physical address listed above. There are numerous ways to participate in the Planning Commission meetings: you may attend in person, you may appear by telephone as described below, or you may submit written comments via email to maguilar@ci.fowler.ca.us. Please include your name and reference the agenda item you are commenting on, if any. Written comments received that do not specify an agenda item will be marked for the general public comment portion of the agenda. Emails received by 8:00 am on the date of the meeting will be provided to the Planning Commission at the meeting and made part of the record of proceedings but will not be read aloud.

En cumplimiento con la Acta de Americanos con Discapacidades si necesita asistencia o adaptaciones para acceder a las Cámaras del Concejo de la Ciudad o participar en esta reunión, comuníquese con el secretario de la ciudad al (559) 834-3113 x102. También puede ponerse en contacto con el secretario si necesita servicios de traducción. La notificación al menos 48 horas antes de la reunión permitirá a la Ciudad hacer arreglos razonables para garantizar la accesibilidad.

The telephone number and Zoom link listed below will provide access to the meeting via teleconference or video conference.

<https://us06web.zoom.us/j/88323215753?pwd=eFpXUIRXTXJvR05PSE1sZm02a1BsZz09>

Telephone Number: (253) 215-8782

Meeting ID: 883 2321 5753

Passcode: 418006

Persons accessing the meeting will have an opportunity to provide comments at appropriate times during the meeting. To speak during a public comment period, press *9 on your phone to raise your hand or click “raise hand” in the webinar. At the appropriate time, you will be prompted to unmute yourself, and asked to identify yourself when providing public comment.

Any writing or document that is a public record and provided to a majority of the Planning Commission regarding an open session item on the agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.fowlercivcity.org.

Resolutions and Ordinances - With respect to the approval of resolutions and ordinances, the reading of the title thereto shall be deemed a motion to waive a reading of the complete resolution or ordinance and unless there is a request by a Commissioner that the resolution or ordinance be read in full, further reading of the resolution or ordinance shall be deemed waived by unanimous consent of the Planning Commission.


1. Meeting Called to Order
2. Roll Call
3. Public Comment

This portion of the meeting is reserved for persons desiring to address the Commission on any matter not described on this agenda. Presentations are limited to 5 minutes per person and no more than 15 minutes per topic.

4. Actions pertaining to the reconsideration of Conditional Use Permit No. 19-02 for a request to construct a 34-room, two-story hotel and a 2,150-square foot residence, at 312 West Tuolumne Street (APN: 343-110-13).
 - a. ADOPT a categorical exemption pursuant to the California Quality Act (CEQA) Guidelines Section 15332.
 - b. APPROVE Resolution No. 686 approving Conditional Use Permit No. 19-02.
5. Staff Communications
6. Commissioner Reports and Comments
7. Adjourn

Next Resolution No. 689

CERTIFICATION: I, Maria Aguilar, Planning Secretary for the City of Fowler, California, hereby certify that the foregoing agenda was posted for public review on Monday April 3, 2023.

A handwritten signature in blue ink that reads "Maria Aguilar". The signature is written in a cursive style with a large, stylized "M" and "A".

Maria Aguilar
Planning Secretary



PLANNING COMMISSION OF THE CITY OF FOWLER

ITEM NO: 4

REPORT TO THE PLANNING COMMISSION

April 19, 2023

FROM DAWN E. MARPLE, City Planner

SUBJECT

Actions pertaining to the reconsideration of Conditional Use Permit No. 19-02 for a request to construct a 34-room, two-story hotel and a 2,150-square foot residence, at 312 West Tuolumne Street (APN: 343-110-13).

- a. ADOPT a categorical exemption pursuant to the California Quality Act (CEQA) Guidelines Section 15332.
- b. APPROVE Resolution No. 686 approving Conditional Use Permit No. 19-02.

RECOMMENDATION

Staff recommend the Planning Commission approve Resolution No. 686 to approve Conditional Use Permit (CUP) Application No. 19-02, subject to the conditions of approval, and finding that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15332.

The decision of the Planning Commission is final, unless appealed. The Planning Commission is empowered to grant CUPs, impose reasonable conditions upon granting approval, and to deny CUPs provided their decision is supported by findings explaining the Planning Commission's analysis.

BACKGROUND

The Planning Commission and City Council have held five (5) public hearings on the aforementioned CUP. The first two (2) Planning Commission hearings resulted in a request to refer back to staff for the following reasons: revised site plan, revised elevations, and feedback from the City's new Chief of Police. These requests were fulfilled. On November 3, 2022, the Planning Commission technically denied the Conditional Use Permit without findings by not formally taking an action. (Two (2) failed

motions were made.) An appeal was made by the applicant to the City Council. The City Council, on a 4-1 vote, overturned the Planning Commission's technical denial and referred the application back to the Planning Commission. On March 2, 2023 the Planning Commission continued the item to the April 19, 2023 Planning Commission meeting stating they would like the item to be heard when all Planning Commissioners are present.

The subject parcel is zoned C-2 (Community Commercial), within the Highway Beautification (HB) Overlay District, and is planned for Community Commercial land uses by the City of Fowler General Plan. The site, approximately 0.89 acres in size, is currently vacant and is located on the north side of West Tuolumne Street between State Route 99 and North 10th Street (APN 343-110-13). Hotel and residential uses are subject to a Conditional Use Permit in accordance with Section 9-5.1105 of the Fowler Zoning Ordinance. Residential uses in the C-2 zone district must be placed above or to the rear of the permitted use, and are subject to the RM-3 zone district standards.

The project's public street frontage along Tuolumne Street is not normal. The half of Tuolumne Street opposite of the project was vacated in 2006 as part of the La Quinta Inn project in order to accommodate its parking lot and circulation behind the hotel. Despite lacking half of the typical street, the Project has sufficient street width to accommodate the proposed traffic. The California Building Code ensures that noise levels inside the rooms will not exceed 45 decibels, a standard that has to be met for residential homes as well. Furthermore, staff has conditioned the project to install a stop sign at the intersection of Tuolumne Street and 10th Street to reduce vehicular conflicts. Additionally, the project proposes to vacate a portion of Tuolumne Street to remove the existing half cul-de-sac. A separate application for the vacation will be required to be submitted for City Council consideration.

The Development Review Committee reviewed the project and approved the building elevations subject to the recommendations outlined in the attached letter dated, March 23, 2022. The proposed elevations can be found under Figure 5. In addition to the Development Review Committee, staff has verified that the project conforms to the higher quality aesthetic requirements under the Highway Beautification Overlay ordinance.

CONDITIONAL USE PERMIT FINDINGS

Findings are required to be made, whether the action is to approve or deny. As all findings must be made in order to approve a CUP, a denial must make at least one of the findings in the negative (and must provide findings for all) and supported by substantial evidence.

The zoning ordinance requires the City Council to make the following findings for approval of a CUP:

- 1. *The site for the proposed use is adequate in size and shape to accommodate such use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by the Zoning Ordinance.***

CUP Application No. 19-02 is proposed on a parcel of approximately 0.89 acres in size. The proposed site is adequate size and shape to accommodate all of the proposed uses as it complies with all setbacks, and parking aisle and stall dimension requirements. The project, as conditioned, will accommodate turning movements for the largest expected vehicle for each proposed use. The site will accommodate the uses pursuant to the Fowler Zoning Ordinance.

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.*

While half of Tuolumne Street was abandoned to accommodate the La Quinta Inn project, the existing surrounding streets are of adequate size and capacity to facilitate the amount of traffic that will be generated by the proposed use. The project has been conditioned to reposition the building and other site features in order to accommodate emergency vehicles, as well as to install a stop sign at Tuolumne and 10th Streets. The Southwest Area Traffic Study prepared in 2015 analyzed this area and determined there would be no impacts to traffic.

3. *The proposed use will have no adverse effect upon abutting property or the use thereof.*

Operation of CUP Application No. 19-02 will not impact abutting property as the surrounding properties are zoned C-2 and C-H (Highway Commercial) and planned for commercial uses. The hotel use, as well as its parking lot, are conditioned to be placed as far away as possible from adjacent legal non-conforming residential uses. All lights are required to be hooded and placed in a fashion as not to cause light or glare to spill onto adjacent properties. The building will reduce the level of existing freeway noise experienced by neighboring properties, including the additional noise from traffic.

4. *The conditions established by the Planning Commission and stated in the Resolution for the Conditional Use Permit are deemed necessary to protect the public health, safety and general welfare.*

The conditions of approval will serve to accommodate the proposed uses while protecting the health, safety, and welfare of the public. Conditions of approval are based upon standards contained within the Fowler General Plan and the Fowler Zoning Ordinance. Further, the proposed conditions of approval will serve to implement the goals and objectives of the General Plan, which itself is intended to provide for logical and orderly development of the City in a manner that is beneficial to its residents.

ENVIRONMENTAL FINDINGS

The City, as the Lead Agency under the California Environmental Quality Act (CEQA) determined that the proposed project is categorically exempt from CEQA through a Class 32 In-Fill Development exemption. (CEQA Guidelines § 15332.) The project meets the conditions required for the exemption, specifically:

- (a) The project is consistent with the City's applicable General Plan policies and zoning regulations and designations.
- (b) The project Site is located within the incorporated city limits, is less than five (5) acres in size, and is substantially surrounded by urban uses. The project Site is approximately 0.89 acres in size.
- (c) The project Site is located on the north side of West Tuolumne Street between State Route 99 and North 10th Street on a vacant lot. The site provides no value as a habitat for endangered, threatened, or rare species.
- (d) The project will not exceed VMT or Air District thresholds. Water quality will not be impacted as runoff will be directed to existing retention basins. The placement of the building between State Route 99 and existing residences will cause a reduction in noise

- levels. Any noise generated as a result of construction activities would be temporary and cease upon completion of the project. Therefore, impacts would be less than significant.
- (e) The project Site is located within the City, where it can be adequately served by the City's utilities and public services.

CONFLICTS OF INTEREST

Staff are not aware of any potential conflicts of interest.

Attachments:

- Figure 1 – Aerial Photo
- Figure 2 – Zoning Map
- Figure 3 – General Plan Land Use Map
- Figure 4 – Site Plan
- Figure 5 – Elevations
- Planning Commission Resolution No. 686
- Exhibit A – Conditions of Approval
- Design Review Committee Letter

Figure 1 – Aerial Photo



Figure 2 – Zoning Map

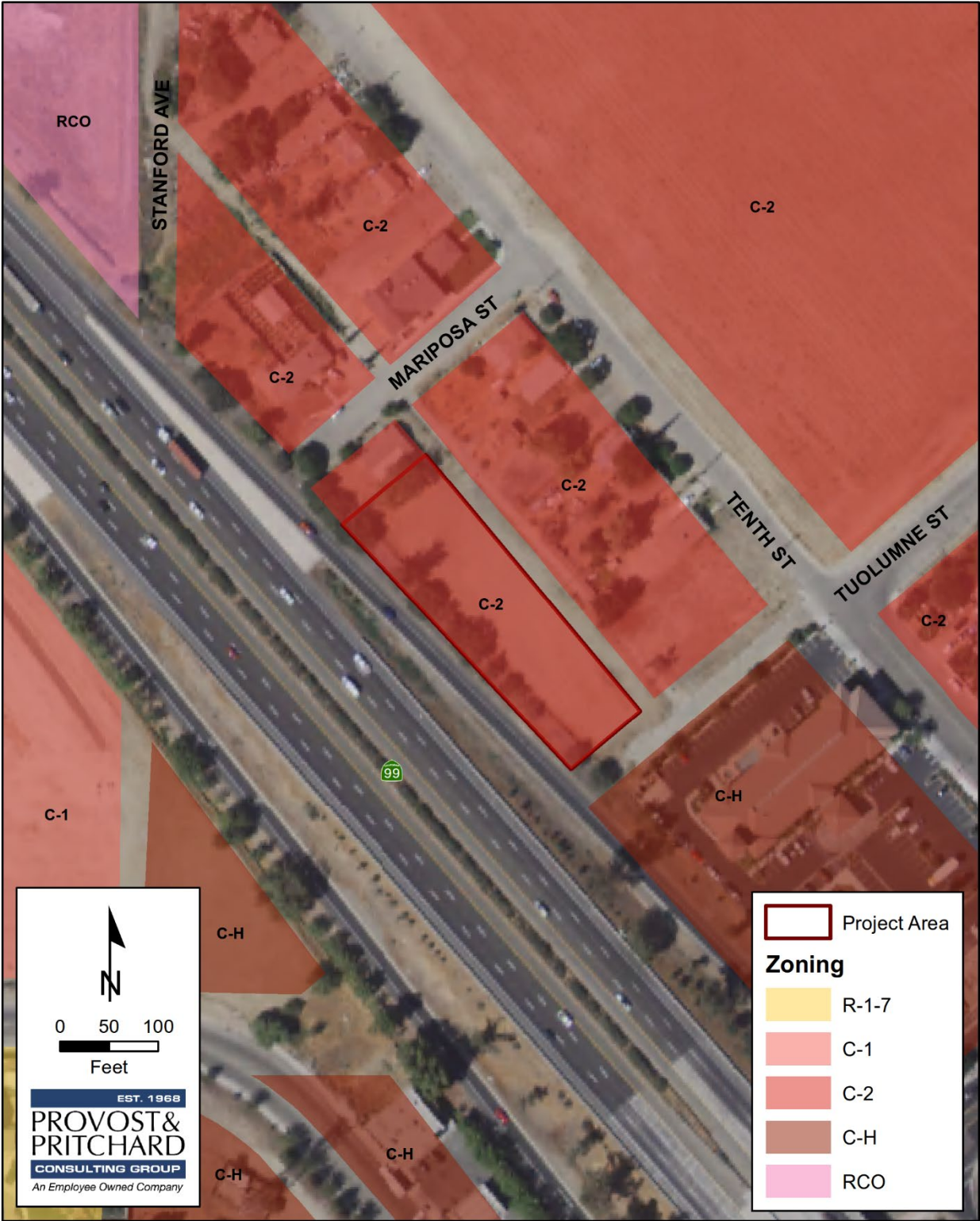


Figure 3 – General Plan Land Use Map

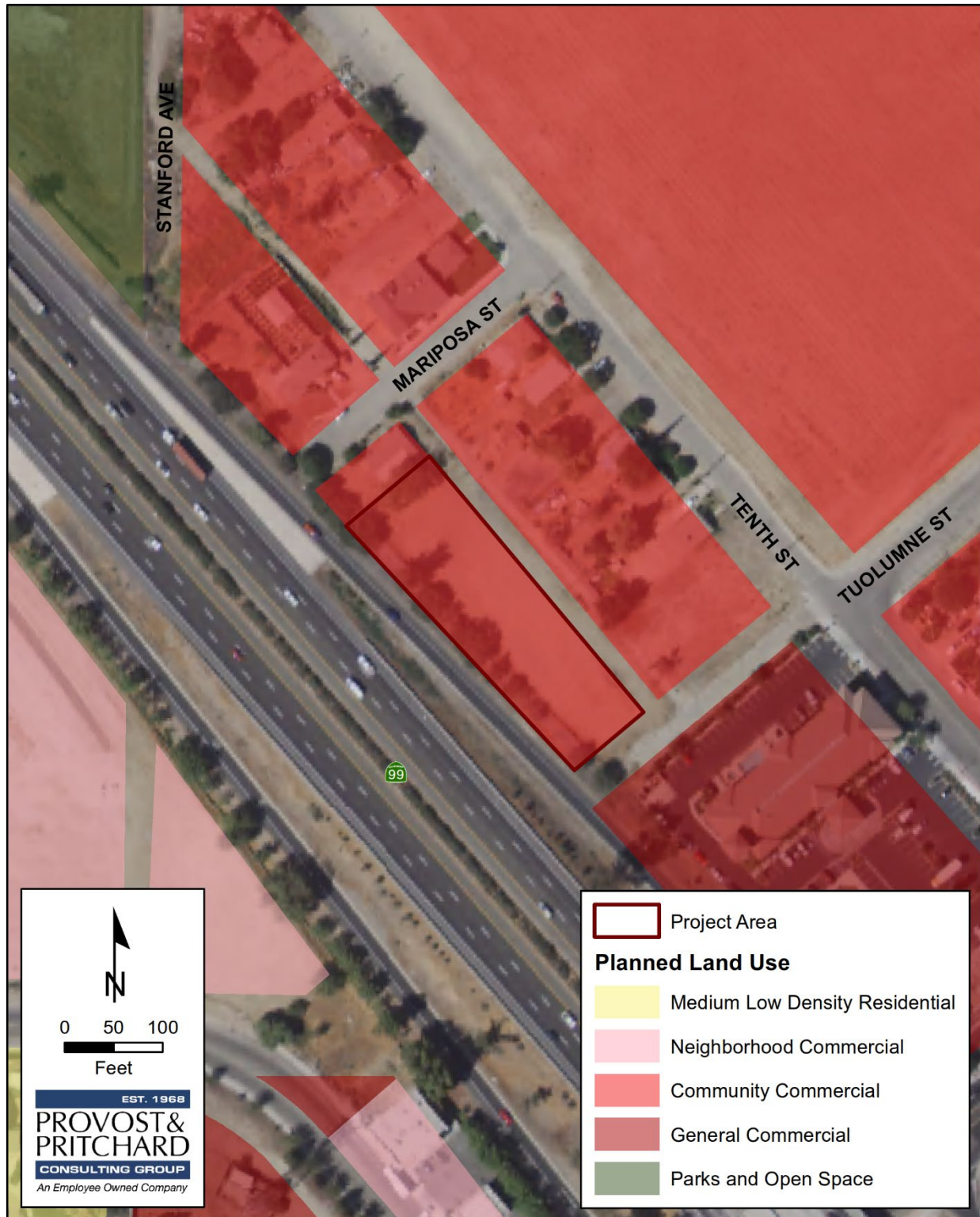
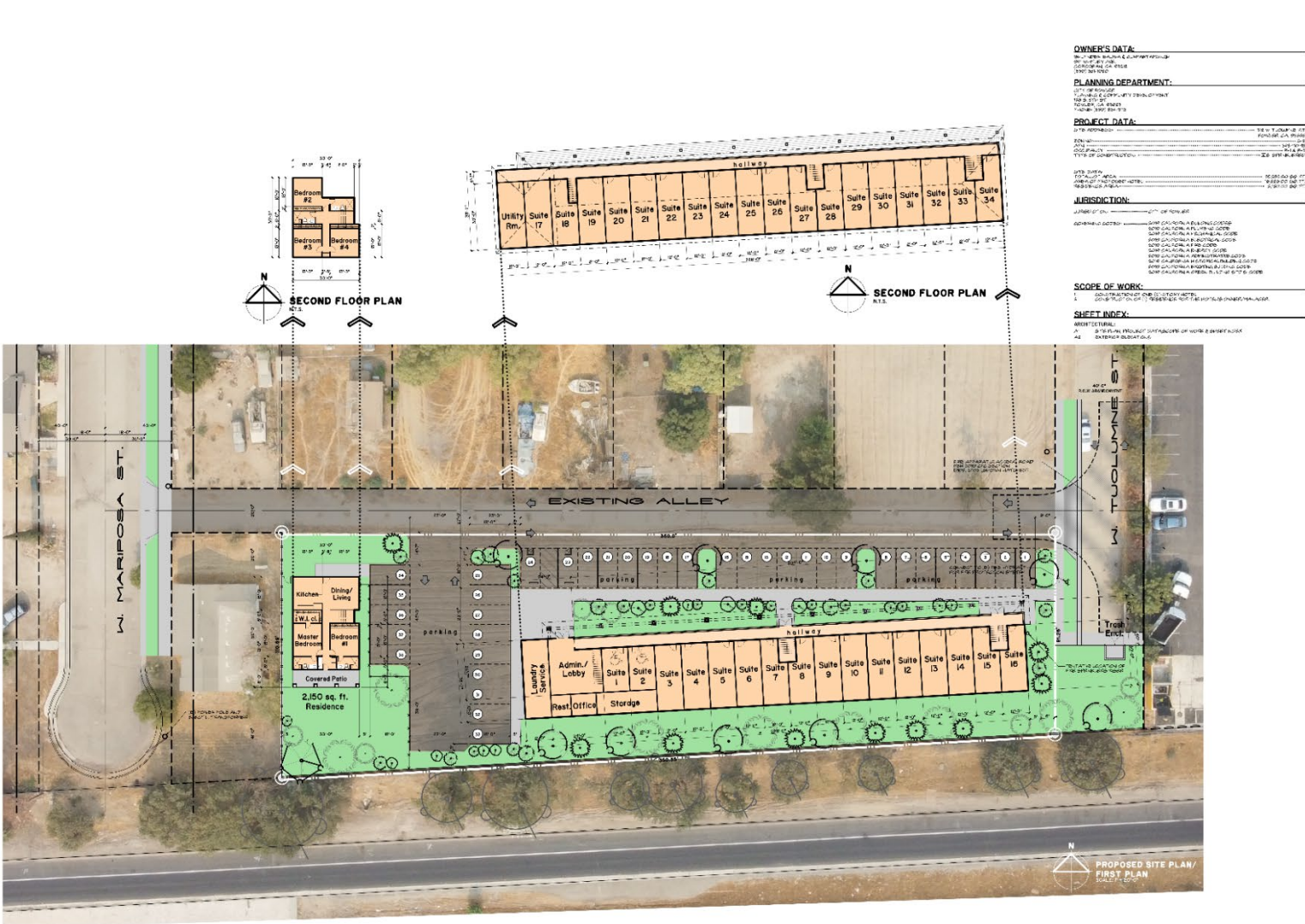


Figure 4 – Site Plan



cadss

100 N. GILBERT ST.
 CHANDLER, AZ 85226
 (480) 755-1100
 www.cadss.com

PROJECT NAME:
 NEW 2-STORY HOTEL FOR:
 BHUPINDER BAJWA & GURPARTAP SINGH

DATE:
 PROJECT NO. 19-02
 REVISION: 1
 1
 2
 3
 4
 5
 6

DRAWN BY:
 ARGO

DRAWING:
 A1

Figure 5 – Elevations



RESOLUTION NO. 686

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOWLER, COUNTY OF FRESNO, STATE OF CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 19-02, AND TO ADOPT A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15332.

WHEREAS, the City received an application for Conditional Use Permit 19-02 to allow for the establishment of the proposed Bajwa Project (“Project”) in a C-2 zone district, on an approximately 0.89-acre parcel (APN: 343-110-13) at 312 West Tuolumne Street, located on the north side of West Tuolumne Street between State Route 99 and North 10th Street; and

WHEREAS, the subject application was deemed complete by the Fowler Planning Department and has been reviewed for compliance with the Fowler Zoning Ordinance; and

WHEREAS, the Project requires approval of a Conditional Use Permit in accordance with Article 25 of the Fowler Zoning Ordinance; and

WHEREAS, the City has determined that the Project is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15332, In-fill Development Projects, and that no additional environmental analysis is required; and

WHEREAS, the Planning Commission of the City of Fowler, on October 1, 2020, requested a revised site plan and elevations; and

WHEREAS, the Planning Commission of the City of Fowler, on October 6, 2022, requested new elevations and that the applicant meet with the new Chief of Police; and

WHEREAS, the Planning Commission of the City of Fowler, on November 3, 2022, technically denied the Project; and

WHEREAS, the applicant submitted an appeal of the Planning Commission’s decision on November 10, 2022; and

WHEREAS, the City Council of the City of Fowler, on February 7, 2023, overturned the Planning Commission’s technical denial and referred the item back to Planning Commission; and

WHEREAS, the Planning Commission of the City of Fowler, on March 2, 2023, continued the item to the April 19, 2023 Planning Commission hearing; and

WHEREAS, a public hearing notice was duly published informing the public that the appeal would be considered for approval at the Planning Commission meeting held on April 19, 2023 at 6:30 p.m.; and

WHEREAS, the Planning Commission reviewed the proposed Conditional Use Permit

together with the Categorical Exemption at the Special Meeting on April 19, 2023; and

WHEREAS, the Planning Commission, after reviewing and considering the staff report, categorical exemption, and all evidence presented at the Planning Commission's regular meeting on April 19, 2023, including oral and written public testimony on the Project and the Categorical Exemption, and which is herein incorporated by this reference, did make the following findings with regard to the Conditional Use Permit 19-02 for the Project:

1. The site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by the Zoning Ordinance.
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. No significant effects on the surrounding street system are anticipated.
3. The proposed use will have no adverse effect upon abutting property or the use thereof.
4. The conditions established by the Planning Commission and attached to this Resolution for Conditional Use Permit 19-02 are deemed necessary to protect the public health, safety and general welfare.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Fowler:

1. Adopts a Class 32 categorical exemption from further environmental review pursuant to CEQA Guidelines Section 15332.
2. Approve Conditional Use Permit No. 19-02, subject to the conditions contained in Attachment "A."

PASSED, APPROVED AND ADOPTED this 19th day of April 2023, at a Special Meeting of the Planning Commission of the City of Fowler by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Craig Mellon, Chair

ATTEST:

Maria Aguilar, Secretary of the Planning Commission

ATTACHMENT “A”
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 19-02
(TUOLUMNE STREET)

General Conditions

1. Approval of this conditional use permit and the associated site plan shall be valid for a period not to exceed one year from the date of approval unless a building permit for the facility described herein has been issued by the Building Department and construction is being diligently pursued. The owner may request an extension of up to one additional year via written request to the Planning Department submitted not less than thirty days prior to expiration of this approval. As there are two (2) buildings on the site, once a building permit is facilitated for one of the proposed buildings construction of the second building will not be held to any time limits.
2. Development of the site shall be in substantial conformance with these conditions or the direction of the Planning Commission, including:
 - A. The majority of parking stalls shall be arranged between the hotel building and the alley.
 - B. The residence shall be placed on the property furthest from Tuolumne Street.
 - C. Access to the property shall be taken only from the alley.
3. Any free standing or occupancy signs are subject to review and approval by the Director by means of a separate Sign Review process.
4. All conditions shall be satisfied prior to occupancy approval for any portion of the project. Failure to comply with all conditions of approval shall be grounds for the imposition of penalties, suspension of the permit, modification of the permit, or revocation of the permit.
5. The operator shall keep the exterior premises free of trash and debris. Graffiti shall be removed or covered within 48 hours of its discovery by the applicant, manager, or any employee.
6. Any business operating on the site and all contractors or sub-contractors working in the City must obtain a business license from the Finance Department at Fowler City Hall.
7. The operator shall report applicable sales tax revenue to the State.
8. All lighting shall be hooded and directed to not shine towards adjacent properties and public streets.
9. Drive aisles shall be kept unobstructed at all times. Vehicles shall not block driveways.
10. A copy of these conditions must be kept on the premises and be shown to any requesting City official. Failure to comply with all conditions of approval shall be grounds for the imposition of penalties, modification of the permit, or revocation of the permit.

11. All business and processes shall be conducted within a completely enclosed structure, except for off-street parking and loading areas, service stations, outdoor dining areas, nurseries, garden shops, signs, Christmas tree sales lots, bus depots, and transit stations, public utility stations and car sales.
12. No use shall be permitted, and no process, equipment or materials shall be used that are found by the City to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare, or unsightliness or to involve any hazard of fire or explosion.

Hotel Property Development Standards

13. All provisions of the C-2 (Community Commercial) zone district shall apply.
14. The maximum building height shall be fifty (50) feet.
**Please provide elevations of all buildings to the Planning Department for review and approval prior to submittal for building permits.
15. The minimum distance between a dwelling and another structure shall be ten (10) feet.

Aesthetics

16. The Development Review Committee reviewed Conditional Use Permit Application No. 19-02 on March 22, 2022 and approved the submitted elevations with the recommendations outlined in the attached letter, dated March 23, 2022.

Residential Dwelling Property Development Standards

17. The residence shall comply with the site area, coverage and yard requirements of the RM-3 (Multi-Family Residential) zone district.
18. The minimum front yard shall be fifteen (15) feet. Any mechanical equipment, including fixed pool equipment such as pumps, filters, diving boards and slides, shall not be located within the front yard or less than five (5) feet from an adjoining side property line.
19. The minimum rear yard shall be ten (10) feet. Where construction involves more than one (1) story, the rear yard shall be increased by three (3) feet for each additional story.
20. The minimum side yard shall be five (5) feet, subject to the following conditions:
 - A. On a reverse corner lot, the side yard adjoining the street shall be not less than fifteen (15) feet.
 - B. On a corner lot, the side yard adjoining a street shall be not less than ten (10) feet.
 - C. The side yard shall be increased by three (3) feet for each additional story over one (1) story; provided, however, that the side yard on the street side of a corner lot need not be greater than five (5) feet.
 - D. A side yard providing access to more than one (1) unit shall be not less than ten (10) feet.

Highway Beautification Overlay Standards

21. All provisions of the Highway Beautification Overlay District shall apply.

22. Pursuant to Section 9-5.1907 of the Fowler Zoning Ordinance along lot lines adjacent to at-grade or elevated highway sections, a landscaped buffer of no less than 20-feet shall be provided.
23. In accordance with Section 9-5.1907, subdivision (L) of the Fowler Zoning Ordinance any building wall visible from the highway shall be detailed and treated equally in terms of appearance to the front of the building.
24. In accordance with Section 9-5.1907, subdivision (M) of the Fowler Zoning Ordinance utility and mechanical equipment such as heating units, air conditioners, antennas, satellite dishes, HVAC units, or similar devices shall be integrated into the design of the building or situated on the site so that they are not visible from the highway. When this is not possible, the equipment shall be screened from view of the highway by a masonry wall or other method acceptable by the City.
25. In accordance with Section 9-5.1907, subdivision (N) of the Fowler Zoning Ordinance trash and recycling areas shall be situated on the site so that they are not visible from the highway. When this is not possible, the trash and recycling areas shall be screened from view of the highway by a masonry wall or other method acceptable to the City.
26. In accordance with Section 9-5.1907, subdivision (O) of the Fowler Zoning Ordinance loading areas shall be situated on the site so that they are not visible from the highway. When this is not possible, the loading areas shall be screened from view from the highway by a masonry wall or other method acceptable to the City.

Off-Street Parking and Loading Standards

27. One (1) parking space shall be provided for each guest room, plus one (1) space for each employee on the maximum shift. No additional parking spaces are required for the caretaker residence.
28. Prior to the issuance of a building permit verification of the required number of parking stalls shall be determined adequate by the Planning Department.
29. Improvements shall include handicap parking stalls and an ADA accessible sidewalk providing access to the front door of the buildings the parking lot serves. These spaces shall meet the State standards.
30. All parking areas shall have adequate ingress and egress to and from a street or alley. Sufficient room for turning and maneuvering vehicles shall be provided on the site. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the City.
31. Entrances and exits to parking lots and other parking facilities shall be provided only at locations approved by the City.
32. Each parking space shall not be less than 20-feet in length and 9-feet in width, exclusive of aisles and access drives, except that up to thirty (30) percent of all spaces may be provided for compact cars and such spaces not less than 9-feet in width and 16-feet in length, and marked for compact cars.
33. Parking lot lighting shall be deflected away from abutting sites so as not to cause annoying glare.

34. No commercial repair work or servicing of vehicles shall be conducted at a parking site.
35. In accordance with Section 9-5.2007 of the Fowler Zoning Ordinance, at all points along streets or sidewalks (excepting points of access to the parking lot or area), a concrete curb or timber barrier not less than 6-inches high shall be installed and maintained.
36. In accordance with Section 9-5.2008 of the Fowler Zoning Ordinance, any plan for off-street parking facilities shall be accompanied by a landscape plan. All off-street parking facilities shall conform with the following standards:
 - A. A plot plan indicating the location of all landscaping.
 - B. Not less than five percent (5%) of a parking lot comprising of up to twenty (20) parking spaces shall be landscaped and continually maintained.
 - C. Not less than ten percent (10%) of a parking lot comprising of more than twenty (20) parking stalls shall be landscaped and continuously maintained.
 - D. Not more than ten (10) consecutive parking stalls shall be allowed without an approved landscaped tree well of twenty (20) square feet or more.

Landscaping Standards

37. Landscaping shall be provided in accordance with Fowler Zoning Ordinance Section 9-5.21.12.
38. Landscaping shall be kept free from weeds and litter.
39. Parking Lot Shading. Fifty (50) percent of paved parking lot surfaces shall be shaded by tree canopies within fifteen (15) years of planting.
40. Landscaping shall be provided in accordance with Fowler Zoning Ordinance Section 9-5.21.12.

Selma-Kingsburg-Fowler County Sanitation District Comments

41. The proposed commercial development is estimated at 20-30 Equivalent Single-Family Residences (ESFR's). The actual ESFR's would be determined as the project may progress.
42. Submit detailed Floor and Plumbing Plans of the building for a sewer evaluation.
43. Install a 6-inch minimum SS lateral with cleanout and box at the property line.
44. Install industry standard sewer backflow device on the 6-inch sewer service. Backflow device shall be installed on-site and maintained by the property owner.
45. Complete and submit the attached commercial sewer connection application.
46. The building shall be metered separately from landscaping.
47. Applicant to pay for the sewer connection permit prior to issuance of the building permit.

Public Works/Fire Department Comments

48. Submit a site plan showing sewer connections and improvements.
49. Submit a site plan depicting fire hydrant locations.

50. Submit a site plan depicting the Fire Department connections (FDC) and backflow devices on both proposed buildings.

Police Department Comments

51. Install security cameras on the external of the building and the ingress/egress routes of the parking lot in coordination with the Police Chief. Recording shall be maintained on a 7-day loop.

Engineering Conditions (Dated September 22, 2022)

General:

52. All proposals of the applicant shall be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
53. The applicant shall pay all fees as required by existing ordinances and schedules. The fees to be paid shall be those in effect at the time of payment.
54. Applicant shall apply for and pay all fees associated with proposed vacation of Tuolumne Street adjacent to the site.

Circulation:

55. Applicant shall pay the Regional Traffic Mitigation Fee to the Fresno Council of Governments.
56. Applicant shall pay its proportionate share of the traffic impacts as identified in the SW Area traffic impact study or the City traffic impact fee, whichever is greater.
57. Applicant shall complete frontage improvements along Tuolumne Street from the project site to 10th Avenue including curb, gutter, sidewalk, streetlights, and landscaping (street trees with grates).
58. Parking stalls shall conform to the City's improvement standards.
59. Applicant shall provide 'No Parking' signs on both sides of Tuolumne Street from 10th Avenue to the project site.
60. Applicant shall reconstruct the alley along the east boundary of the site. Alley shall be 20 feet wide and conform to Fowler Improvement Standards.

Grading and Drainage:

61. A Grading and Site Improvement Plan for the proposed on-site improvements shall be submitted for review and approval by the City Engineer. Applicant shall obtain a Grading and Site Improvement Permit once plans are approved.
62. Parking lot shall be paved with asphalt or concrete, shall be properly lit and landscaped and shall comply with the Fowler Improvement Standards.
63. Drainage shall be directed to the City drainage basin at the terminus of 10th Avenue north of Mariposa Street. Drainage calculations prepared by a registered civil engineer shall be submitted demonstrating the basin and conveyance system has sufficient capacity to accommodate project drainage. Any improvements to the existing storm drainage

infrastructure necessary to convey the project drainage to the drainage basin shall be the responsibility of the applicant.

Landscaping:

64. A landscaping and irrigation plan be prepared and submitted for review by the City Engineer for proposed on-site and off-site (within the City right-of-way) landscaping. Landscape and irrigation shall be low water consumption designs consistent with AB 1881 and City of Fowler ordinances.

Water:

65. Separate domestic, fire and landscape services shall be developed into the site. Each service shall include a City approved water meter and reduced pressure backflow preventer and approved by Public Works prior to occupancy. If utilizing existing services, verify and upgrade with Public Works as necessary.
66. Fire hydrants shall be located on-site at a spacing not to exceed 300' at locations approved by the Fire Chief.

Sewer:

67. Applicant shall install sewer service per direction of Selma-Kingsburg-Fowler Sanitation District ("SKF"). Improvement plans for this work are to be prepared by a registered civil engineer and approved by SKF and the City Engineer.
68. Applicant shall submit floor and plumbing plans for sewer service for review and approval by the City Engineer and SKF.
69. Applicant shall pay applicable sewer connection fees to SKF based upon the rates in effect at the time of payment.
70. Install a 6-inch minimum SS lateral with cleanout and box at the property line.
71. Install industry standard sewer backflow device on the 6-inch sewer service. Backflow device shall be installed on-site and maintained by the property owner.
72. Complete and submit the attached commercial sewer connection application.
73. Applicant to pay for the sewer connection permit prior to issuance of the building permit.

Utilities:

74. Applicant shall work with PG&E and other utilities for the preparation of a utility plan, subject to review and approval by the City Engineer. All new services to the building shall be underground and be completed such that no street surface will need to be reopened for service. No new utility poles are allowed.
75. The existing pole located on site (SE corner) shall be removed and services connected to the pole shall be relocated underground.

Irrigation:

76. A landscaping and irrigation plan be prepared and submitted for review by the City Engineer for proposed on-site and off-site (within the City right-of-way) landscaping.

Landscape and irrigation shall be low water consumption designs consistent with AB 1881 and City of Fowler ordinances.

Other:

77. The applicant shall provide a City standard trash enclosure capable of housing bins for general trash and recyclables with concrete slab and masonry wall.
78. A minimum 36" masonry wall shall be constructed along the west property line abutting the freeway.
79. Approval of this Project is for the benefit of the Applicant. The submittal of applications by Applicant for this Project was a voluntary act on the part of the Applicant not required by the City. Therefore, as a condition of approval of this Project, the Applicant agrees to defend, indemnify and hold harmless the City of Fowler and its agents, officers, consultants, independent contractors and employees ("City") from any and all claims, actions or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the Project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively "Claim").

The City shall promptly notify the Applicant of any Claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the Applicant of any Claim or if the City fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any Claim and the City shall not be required to pay or perform any settlement arising from any such Claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any Claim, and if the City does decide to independently defend a Claim, the Applicant shall be responsible for City's attorneys' fees, expenses of litigation and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any Claim, the Applicant shall not be required to pay or perform any settlement arising from any such Claim unless the Applicant approves the settlement.

Signature of Applicant: _____

Dated: _____



CITY OF FOWLER PLANNING & COMMUNITY DEVELOPMENT

California

March 23, 2022

Bob Bajwa
935 Whitley Avenue
Corcoran, CA 93212
Email: corcoraninn@yahoo.com

SUBJECT: Development Review Committee- March 22, 2022 – Item 5-B

Dear Mr. Bajwa:

On March 22, 2022 the City of Fowler Development Review Committee met to review your plans for the construction of a 34-room hotel and one detached residential dwelling unit. Please see the requested changes below.

- Add architectural relief on the southeast elevation using decorative elements.
- Flip the utility room and add windows to that portion of the façade.
- Place the lobby on the corner and add windows to that portion of the façade.
- On the freeway façade add banding or some type of wrapping decorative element. Use decorative lighting and/or awnings.
- Angle the building to follow the lot line.
- Add carriage lights to the sign on the freeway side.
- Add brick design elements.
- Comply with parking lot shading to break up the parking area.

In accordance with the Fowler Zoning Ordinance, Section 9-5.16.02 – Development Review Committee (DRC), the decision of the DRC shall be a recommendation to the Commission for those applications that require Commission action. For applications that do not require Commission action, the decision of the DRC shall be a recommendation to the Director.

The Director of the Community Development Department, in accordance with the procedures established in Article 16 of the Fowler Zoning Ordinance, has reviewed your application with the Development Review Committee and has recommended approval with the above changes.

Sincerely,
City of Fowler

Dawn E. Marple, City Planner
dmarple@ci.fowler.ca.us or dmarple@ppeng.com

cc Thomas Gaffery, Community & Economic Development Director
Fred Vasquez, Building Official
Maria Aguilar, Permits Technician