



REPORT TO THE PLANNING COMMISSION

June 5, 2013

AGENDA ITEM NO. VIII-A
COMMISSION MEETING 06.05.13

APPROVED BY

[Signature]
DEPARTMENT DIRECTOR *[Signature]*

FROM: MIKE SANCHEZ, Planning Manager
Development Services Division

THROUGH: SOPHIA PAGOULATOS, Supervising Planner
Development Services Division

BY: MCKENCIE CONTRERAS, Planner III
Development Services Division

[Signature]
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[Signature]

SUBJECT: **CONSIDERATION OF THE APPEAL TO CONDITIONAL USE PERMIT APPLICATION NO. C-12-228 FOR PROPERTY LOCATED AT 4385 WEST SHAW AVENUE (APN: 510-070-30)**

RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. APPROVE the environmental finding of Environmental Assessment No. C-12-228 dated April 17, 2013, a determination that the proposed project is exempt from the California Environmental Quality Act through a Class 1 Categorical Exemption.
2. DENY the appeal and UPHOLD the Director's Action approving Conditional Use Permit Application No. C-12-228 subject to the following:
 - a. Development shall take place in accordance with the Conditions of Approval for Conditional Use Permit Application No. C-12-228 dated April 18, 2013.

EXECUTIVE SUMMARY

Conditional Use Permit Application No. C-12-228, filed by Ibrahim Alwareeth, pertains to property located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues. The applicant requests authorization to establish a used car lot with incidental tire sales/repair and an auto body repair shop in an existing ± 65,000 square foot building that is divided into three bays. An existing window distribution business will remain in one of the three bays. The Development and Resource Management (DARM) Department Director approved the subject conditional use permit application on April 18, 2013. In accordance with the Special Permit Procedure of the Fresno Municipal Code (FMC), a notice of granting of the conditional use permit application was mailed to property owners within 350 feet of the subject property and persons requesting notification. In response to this notice, two appeal letters were received (Exhibit C).

PROJECT INFORMATION

PROJECT	Conditional Use Permit Application No. C-12-228 proposes to establish a used car lot with incidental tire sales/repair and an auto body repair shop in an existing ± 65,000 square foot building that is divided into three bays. An existing window distribution business will remain in one of the three bays.
APPLICANT	Ibrahim Alwareeth

LOCATION	4385 West Shaw Avenue; Located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues (APN: 510-070-30) Council District 1—Councilmember Xiong
SITE SIZE	± 5.5 acres
LAND USE	Existing - Existing warehouse and office building with window distribution business Proposed - Used car lot with incidental tire sales/repair, auto body repair shop, and window distribution business
ZONING	M-1 (<i>Light Manufacturing</i>) zone district
PLAN DESIGNATION AND CONSISTENCY	The request to establish a used car lot with incidental tire sales/repair and an auto body repair shop and maintain the existing window distribution business is consistent with the existing M-1 zone district and the light industrial planned land use designated for the subject property by the 2025 Fresno General Plan and the Bullard Community Plan.
ENVIRONMENTAL FINDING	A Class 1 Categorical Exemption was completed on April 17, 2013 by the DARM Department.
PLAN COMMITTEE RECOMMENDATION	The District 1 Plan Implementation Committee reviewed and recommended approval of the proposal at their meeting on February 12, 2013 with recommendations.
STAFF RECOMMENDATION	Staff recommends the Planning Commission deny the appeal and uphold the Director's action approving Conditional Use Permit Application No. C-12-228 subject to the Conditions of Approval dated April 18, 2013.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Light Industrial	C-M <i>Commercial & Light Manufacturing District</i>	Shaw Avenue & Restaurant
South	Light Industrial	M-1 <i>Light Manufacturing District</i>	Warehouse
East	Light Industrial	C-M & M-1 <i>Commercial & Light Manufacturing & Light Manufacturing Districts</i>	Harley Davidson parts store, office space, & day care
West	Light Industrial	C-M & M-1 <i>Commercial & Light Manufacturing & Light Manufacturing Districts</i>	Furniture store, office/warehouse

ENVIRONMENTAL FINDING

This project is exempt under Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines. A Class 1 Categorical Exemption was completed on April 17, 2013 by the Development and

Resource Management Department. No further environmental assessment will be needed at this time. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

BACKGROUND / ANALYSIS

The applicant requests authorization to establish a used car lot with incidental tire sales/repair and an auto body repair shop in an existing \pm 65,000 square foot building that is divided into three 20,000 square foot bays. An existing window distribution business will remain in one of the three bays.

The project will be divided into three phases. Phase one will establish the used car sales business in the first bay and 5,000 square foot office. The proposed auto sales will go in the front lot and building. Cars will be displayed outside and stored inside bay one. The used auto sales business will have four employees. Phase two will establish tire sales/repair incidental to the used car sales business within bay one. The retail sale of tires shall only be incidental to the used car sales operation. Phase three will establish an auto body shop in bay three with three employees. The existing window shop will remain on-site with two employees

Parking

For motor vehicle repair shops, there shall be one parking space for each 400 square feet of gross floor area. The repair shop is 20,000 square feet, which requires 50 parking spaces.

For warehousing for window distribution, there shall be one off-street parking space for each two permanent employees. In addition, there shall be at least one parking space for each truck operated by the concern and one parking space for each sales person permanently employed. The window shop is 20,000 square feet and has two employees. The use requires one parking space. Additional parking may be required for this use if additional employees are hired.

For automobile retail sales, there shall be one parking space on-site for each 400 square feet of gross building area or one parking space for the owner and each employee on duty, whichever is greater and one parking space for each 1,200 square feet of vehicle display area. The automobile retail sales building is 25,000 square feet, which requires 63 parking spaces. The vehicle display area is 3,078 square feet, which requires three parking spaces. The total parking required for this use is 66 parking spaces.

The entire project requires 118 parking spaces and the subject property provides 125 parking spaces on-site. The number of bicycle parking spaces to be provided shall be equal to 10% of the automobile parking spaces provided. Five parking spaces for the repair shop, one for the window operation, and six for the automobile retail sales operation.

Landscaping

The FMC requires 10 feet of landscaping along major streets. Typically the landscaping is installed at the edge of the sidewalk. In this case, the installation of a sidewalk is not required at this time. Therefore, the applicant is required to install the landscaping 10 feet from the existing property line. Future installation or requirement of a sidewalk will require the landscaping to be reinstalled within 10 feet of the new property line.

Installation of landscaping, as mentioned above, shall be completed no later than April 18, 2014. There is no extension. If the landscaping is not installed as approved the conditional use permit will not be in compliance and shall be subject to code enforcement. 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.

Hours of Operation

The businesses on the subject property will operate between the hours of 7:00 a.m. to 6:00 p.m. Sunday through Saturday.

District Committee

The District 1 Plan Implementation Committee reviewed and approved C-12-228 at their meeting on February 12, 2013 with the recommendations that a sidewalk for pedestrians be constructed and landscaping be installed along the north side of the building fronting West Shaw Avenue.

After discussing the sidewalk with the Department of Public Works staff, it was determined that a sidewalk will not be required at this time. A sidewalk may be required in the future as development occurs on the site. The applicant will be required to install 10 feet of landscaping along the West Shaw Avenue frontage.

Land Use Plans and Policies

The subject property is located within the boundaries of the Bullard Community Plan and the 2025 Fresno General Plan. Applicable development standards and policies for the subject property are as follows:

Bullard Community Plan

- 4.3.2 Goal: Ensure that new industrial uses are compatible with adjacent land uses and are not aesthetically or environmentally detrimental.

2025 Fresno General Plan

- C-13 Objective: Plan and support industrial development to promote job growth while enhancing Fresno's urban environment.
- Objective C-19: Develop and implement streetscape plans to establish cohesive and aesthetic major and local street design patterns by using distinctive features.
- Policy C-19-b: Properties fronting on major streets shall be improved with landscaped setbacks and sidewalks which reflect a continuity of design, depth, and planting materials. This should include unified design of street furniture and walls.
- C-20 Objective: As part of the city's project review process, major emphasis will be given to site and building design in order to preserve functionality and community aesthetics.
- C-20-d Policy: Development projects shall be designed with appropriate layouts that provide sufficient areas for all proposed activities, for support functions, and for efficient and safe vehicular and pedestrian access.
 - Appropriate space shall be provided for activities proposed.
 - Sufficient space and access shall be provided for support functions.

- Particular attention shall be given to location of proposed customer parking areas so as to not discourage pedestrian, bicycle, and other forms of transit to the project site and so as to encourage multi-modal transit activity centers.
 - Safe vehicular, bicycle, and pedestrian access shall be provided and maintained. Access for the disabled shall be incorporated into project designs as required.
 - Structural conversions and changes of occupancy shall demonstrate compliance with building and zoning codes.
- C-20-e Policy: Development projects shall include aesthetic measures which support functionality and add to the appearance and livability of the community.
 - C-20-f Policy: The project developer shall provide a set of documents and drawings that will allow assessment of the final building project. Materials, texture, and colors shall be noted on the original special permit drawings and on construction plans.
 - Development projects shall appropriately interface with adjacent properties.
 - High-contrast or gaudy building facades, lighting or signage which create disharmony with adjacent properties, or which draw undue attention, should be avoided.
 - Building facades shall include design features and decorative treatments. Visible sides of buildings shall not develop with featureless, "blank" walls.
 - Adequately screen roof-mounted mechanical equipment, and ensure that such equipment adheres to noise standards as set forth in the General Plan Noise Element and City Noise Ordinance.
 - Apply and enforce the city's Sign and Outdoor Advertising Ordinances.
 - Landscaping and parking lot shading shall be employed for environmental and aesthetic improvement, while observing safe lines-of-sight along access routes.
 - Exterior lighting shall not create glare for neighboring properties, but shall provide adequate on-site lighting for safety and security purposes.
 - H-1 Objective: Protect the citizens of the city from the harmful and annoying effects of exposure to excessive noise

ANALYSIS OF THE APPEAL LETTER

Two appeal letters from adjacent property owners were received in response to the Notice of Granting issued for the project. Below is an analysis of the issues raised in the appeal letters dated April 18 & 24, 2013 (Exhibit C).

Issue #1: Access to the subject property from North Bendel Avenue.

Response:

The applicant is not proposing access from North Bendel Avenue. The subject property will be accessed from driveways on North Blythe and West Shaw Avenues.

Issue #2: "Will the fence be upgraded with panels to hide used cars?"

Response:

The subject property is surrounded by light industrial zoned properties. The FMC does not require screening. The FMC does require that when a fence, hedge, or wall is installed, it shall, in its original form, be maintained in good repair and working order.

Issue #3: “Has a traffic impact report been filed?”

Response:

A traffic impact study (TIS) was not required. The proposed project will not generate over 100 peak hour trips, which triggers preparation of a TIS.

Issue #4: “What are the owners going to do with the old tires from the car/trucks that they just replaced with new tires?”

Response:

The applicant will be required to obtain a waste tire hauler permit issued by the County of Fresno, Department of Public Health pursuant to section 9-2402 of the FMC. This condition has been added to the conditions of approval.

Issue #5: There are a large number of tire businesses in the area.

Response:

The FMC requires a conditional use permit for car sales; however, auto repair garages are by right uses in the M-1 zone district. Tire sales and repairs are incidental to repair garages; therefore, are permitted uses by right within the M-1 zone district. Phase two of the project is to allow tire sales/repairs incidental to the used car sales business in bay one. Therefore, the subject property is properly zoned for the proposed uses.

NOTICE OF PLANNING COMMISSION MEETING

The DARM Department mailed notices of this Planning Commission hearing to surrounding property owners (and others) within 350 feet of the subject property (Exhibit D).

CONDITIONAL USE PERMIT APPLICATION REVIEW FINDINGS

No special permit may be issued unless it is found that the privilege exercised under the permit, as it may be conditioned, conforms to the findings of Section 12-405-A-2 of the FMC. Based upon analysis of the conditional use permit application, staff concludes that all of the required findings can be made for this conditional use permit application as follows:

Findings per Fresno Municipal Code Section 12-405-A-2	
a. <i>All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,</i>	
Finding a:	Conditional Use Permit Application No. C-12-228 will comply with all applicable codes, including parking, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met.
b. <i>The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,</i>	

Finding b:	All special conditions required under Conditional Use Permit Application No. C-12-228 have been incorporated into the conditions of approval of the subject application. Furthermore, the Public Works Department, Traffic Engineering Division reviewed the proposed project and assessed the adjacent streets to ensure that the proposal would not have significant impacts on traffic and the surrounding community. Subject to the Conditions of Approval for Conditional Use Permit Application No. C-12-228, the streets and highways will be of adequate width and pavement type to carry the quantity and kind of traffic generated by the proposed uses.
c. <i>The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The third finding shall not apply to uses which are subject to the provision of Section 12-306-N-30 of the FMC.</i>	
Finding c:	The proposed uses will not have a negative impact on either the subject property, or neighboring properties given that there are similar light industrial uses in the immediate vicinity. The conditions of approval are intended to help protect the public health, safety and welfare of patrons and neighbors, alike, and are expected to improve the overall appearance of the area.

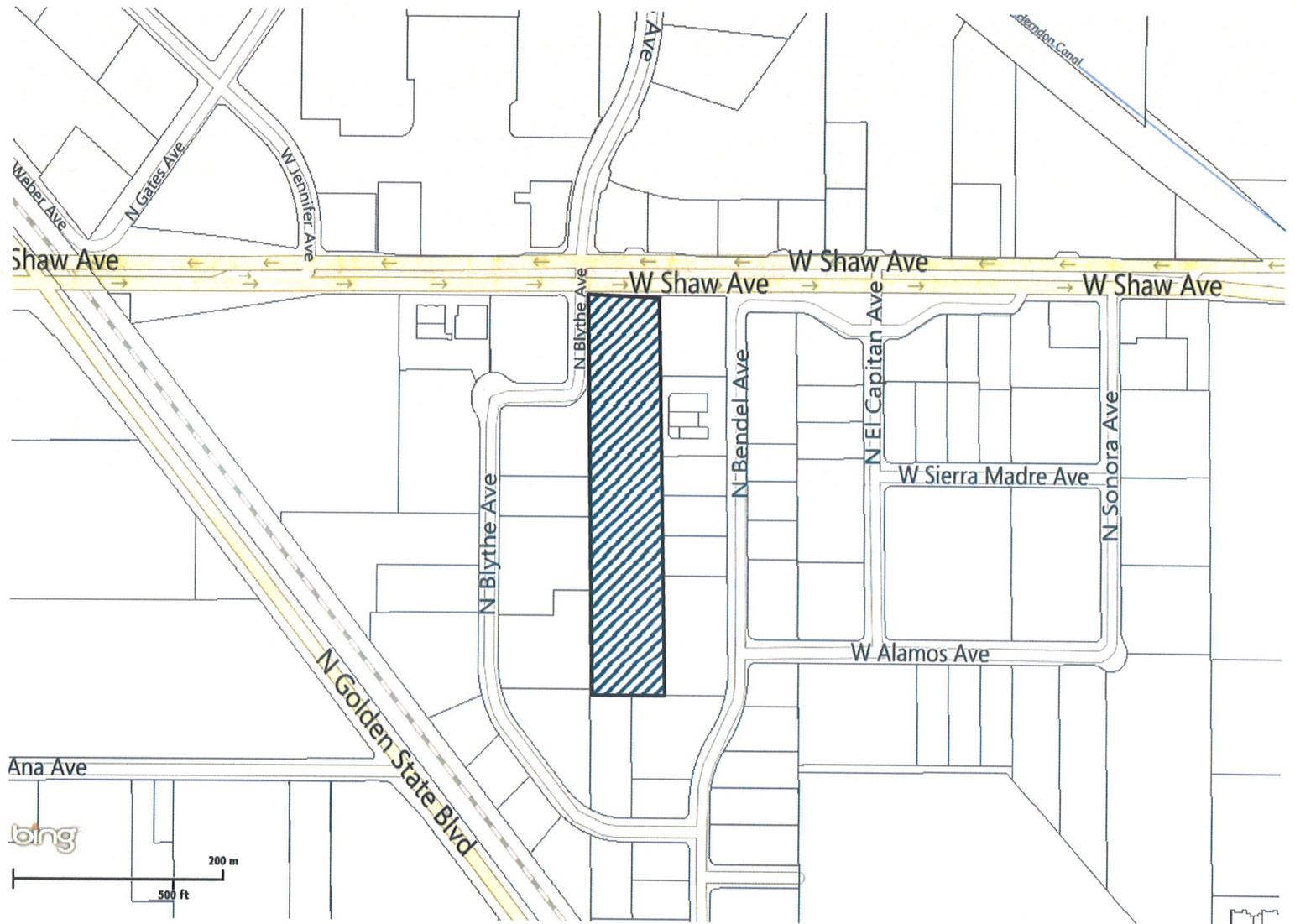
Conclusion

In conclusion, given that all mandated conditional use permit findings required pursuant to Section 12-405-A-2 of the FMC can be made for Conditional Use Permit Application No. C-12-228 and given that the project meets all requirements of a Class 1 Categorical Exemption and is thus exempt from CEQA, staff recommends that the Planning Commission deny the appeal and uphold the action of the Director’s action as previously described in this staff report.

- Attachments:
- Exhibit A: Vicinity Map
 - Exhibit B: 2012 Aerial Photograph of site
 - Exhibit C: Appeal Letters
 - Exhibit D: Noticing Map (350-foot radius)
 - Exhibit E: Revised Conditions of Approval dated April 18, 2013 with exhibits
 - Exhibit F: Operational Statement
 - Exhibit G: Environmental Assessment No. C-12-228, dated April 17, 2013

Exhibit A:
Vicinity Map

VICINITY MAP



LEGEND



Subject Property



CONDITIONAL USE PERMIT APPLICATION NO. C-12-228

PROPERTY ADDRESS

4385 West Shaw Avenue

A.P.N.: 510-070-30

ZONE DIST.: M-1

BY/DATE: MC/05.29.13

Exhibit B:
2012 Aerial Photograph of Site

2012 Aerial Photograph

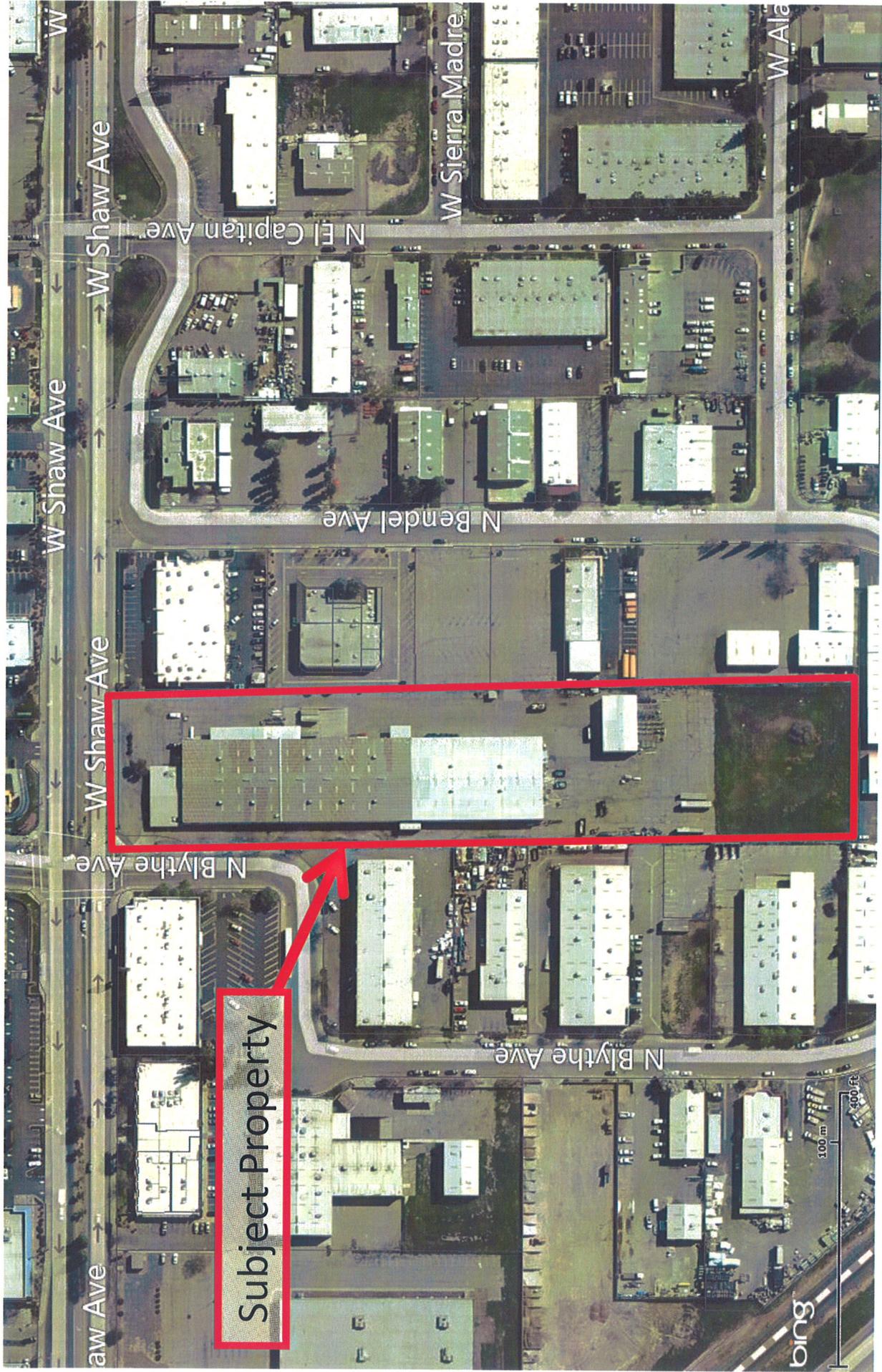


Exhibit C:
Appeal Letters

Fresno Rack & Shelving, Inc
4736 N. Bendel Ave
Fresno, CA 93722

Re: Permit application no. C-12-228
Dated April 18, 2013 Assessors Parcel No. 510-070-30

IF there is going to be any access to the property from Bendel Avenue for customers, clients, or any day to day use we appeal this decision. We would like to see the traffic and environmental impact report plus the proposed drawings of the property improvements. Our building is directly across the street from the proposed used car lot/tire sales/repair/body shop.

For example is the fence going to be upgraded with panels to hide "used cars"?

Has a traffic impact report been filed?

What are the owners going to do with the old tires from the car/trucks that they just replaced with new tires?

Open on weekends? What are the business hours going to be?

There are lots of questions to be answered before we believe this permit can be upheld and move forward.

Ron Walterman
Mike Walterman
FRESNO RACK & SHELVING, INC
559.275.7225

KRETSCHMER ASSOCIATES

**1098 Lea Drive
San Rafael, CA 94903-3726
Phone: 415-479-5767
Cell: 415-215-0752**

San Rafael, April 24, 2013

Development and Resource Management Dept.
2600 Fresno Street, Room 3076
Fresno, CA 93721

Re: Section 12-401-F Fresno Muncial Code
Assessors Parcel No 510-070-30

Gentlemen:

I own the property at 4330 West Shaw Avenue, in Fresno, which is leased by Bridgestone/Firestone.

Recently I drove around the area, and I must say that there are a large number of tire businesses, and I am concerned that another one, close to the one occupied by my Lessee, Bridgestone/Firestone is not in their, and the other businesses in the surrounding area, best interest. Therefore, I do not have a problem with a used car sales and body repair shop but I do object to allowing another tire service business.

Thank you for your attention and consideration to this matter.

Sincerely yours,

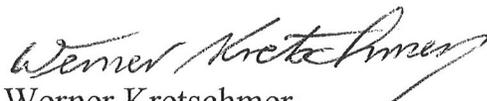

Werner Kretschmer

Exhibit D:
Noticing Map

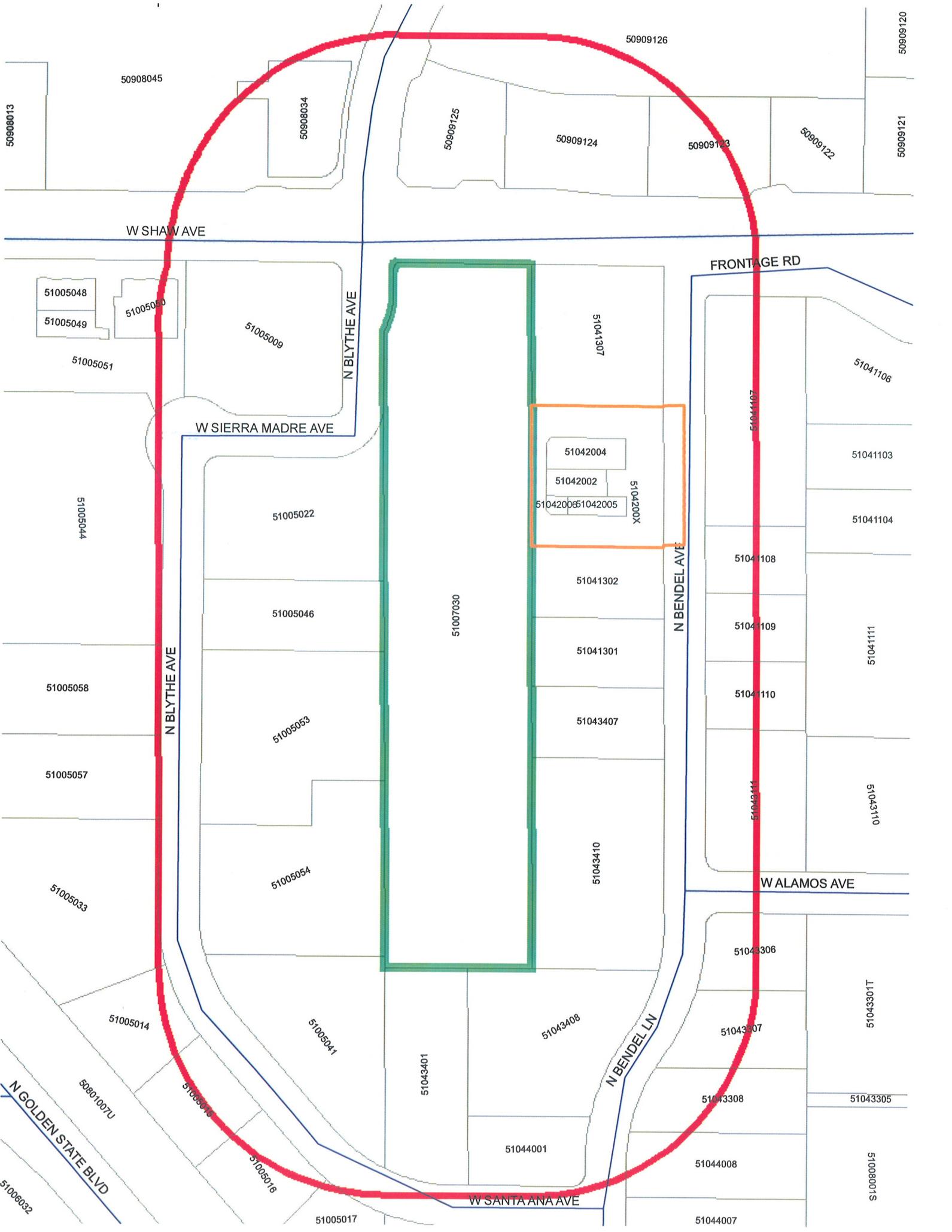


Exhibit E:
Revised Conditions of Approval & Exhibits



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

Development and Resource Management Department
Mark Scott, Interim Director

April 18, 2013 (Revised)

Please reply to:
McKencie Contreras
(559) 621-8066

Ibrahim Alwareeth
wareeth1@yahoo.com
Sent via email only

SUBJECT: CONDITIONAL USE PERMIT APPLICATION NO. C-12-228 LOCATED AT 4385 WEST SHAW AVENUE (APN: 510-070-30)

Dear Mr. Alwareeth:

The Development and Resource Management Department Director, on April 18, 2013, approved Conditional Use Permit Application No. C-12-228, which proposes to establish a used car lot with incidental tire sales/repair and an auto body repair shop and maintain the existing window distribution business and the related environmental document. The proposed project was determined to be exempt from the California Environmental Quality Act by the Development and Resource Management Department on April 17, 2013 through a Class 1 Categorical Exemption. The approval of this project is subject to compliance the following Conditions of Approval:

CONDITIONS OF APPROVAL

PART A – ITEMS TO BE COMPLETED

The following items are required prior to issuance of building permits, occupancy, or operation:

Planner to check when completed

- 1. Development shall take place in accordance with Exhibits A-1 and A-2 dated April 4, 2013. 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/operation.**
- 2. Provide a landscape and irrigation plan depicting the required 10 feet of landscaping along the Shaw Avenue frontage. The landscape plan shall include plant/tree species and size.
- 3. A change of occupancy may be required for each of the phases. Contact the Building and Safety Division at (559) 621-8084 to determine if one is required.
- 4. Abandon the existing on-site ponding basin in accordance with the City of Fresno and Fresno Metropolitan Flood Control District standards.
- 5. Prior to occupancy, complete and submit a Hazardous Materials Business Plan form to the Fresno County Department of Public Health.
- 6. Submit an Air Impact Assessment application to the San Joaquin Valley Air

Pollution Control District and pay an applicable off-site mitigation fees. Provide staff with documentation once completed.



7. Obtain a tire hauler permit from the County of Fresno, Department of Public Health prior to operation of phase two.

PART B – OTHER REQUIREMENTS

1) Planning/Zoning/Environmental Compliance Requirements

- a) Property development standards and the complete list of planning requirements/conditions for this project are contained in the "Project Comments from Planning dated April 17, 2013" prepared for C-12-228, attached to this document for reference.
- b) Development shall take place in accordance with the attached "General Notes and Requirements for Entitlement Applications" as applicable.
- c) Development shall take place in accordance with the policies of the 2025 Fresno General Plan, Bullard Community Plan, and with the light industrial planned land use designation.
- d) Development shall take place in accordance with the M-1 (Light Manufacturing) zone district and all other applicable sections of the Fresno Municipal Code (FMC).
- e) Comply with the operational statement submitted for the proposed project dated March 30, 2013.
- f) Occupancy limitations, as determined by the Uniform Building Code, for any use authorized by this permit shall be strictly adhered to at all times.
- g) All repairs shall occur within an enclosed building.
- h) The retail sale of tires shall only be incidental to the used car sales operation.
- i) For industrial properties, noise levels shall not exceed 70 decibels anytime of the day.
- j) The FMC requires 10 feet of landscaping along major streets. Typically the landscaping is installed at the edge of the sidewalk. In this case, the installation of a sidewalk is not required at this time. Therefore, the applicant is required to install the landscaping 10 feet from the existing property line. Future installation or requirement of a sidewalk will require the landscaping to be reinstalled 10 feet from the new property line.
- k) Installation of landscaping, as mentioned above, shall be completed no later than April 18, 2014. There is no extension. If the landscaping is not installed as approved the conditional use permit will not be in compliance and shall be subject to code enforcement. 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.

2) City and Other Services

- a) Development shall take place in accordance with the attached memoranda and letters from City of Fresno Departments and partner agencies (Building and Safety dated December 18,

2012, Department of Public Utilities (for sewer) dated December 21, 2012 and (for water) dated March 2, 2013, Public Works Department-Traffic and Engineering Services Division dated January 7, 2013 and March 22, 2013, Fresno Metropolitan Flood Control District dated December 20, 2012, County of Fresno Department of Public Health dated December 19, 2012, San Joaquin Valley Air Pollution Control District dated January 15, 2013, Fresno Irrigation District dated January 3, 2013, Fresno Unified School District dated December 9, 2012, United States Postal Service dated December 26, 2012, and the Fire Department dated January 2, 2013).

3) Miscellaneous Requirements

- a) Construction documents for any and all construction shall be submitted, reviewed, and approved by the Development and Resource Management Department-Building and Safety Division prior to issuance of building permits.
- b) Any improvements made to the subject property, interior and exterior, shall comply with all federal, state, and local regulations.
- c) All businesses on-site shall comply with the following hours of operation:
 - i) Sunday through Saturday: 7:00 a.m. to 6:00 p.m.
- d) Bay three shall be used for the window distribution business and bay two shall be used for the auto body shop, as recommended by the District 1 Plan Implementation Committee.
- e) 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.
- f) 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.

APPEALS

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

review review and environmental assessment essential to mitigate adverse effects on the health, safety, and welfare of the community, and recommended conditions for development that would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings pursuant to Section 12-405 can be made. Discretionary conditions of approval will ultimately be deemed mandatory unless appealed in writing to the Director within 15 days. In the event you wish to appeal the Director's decision, you may do so by filing a written appeal with the Director. The appeal shall include the appellant's interest in or relationship to the subject property, the decision or action appealed and specific reasons why the applicant believes the decision or action appealed should not be upheld.

If you wish to appeal the decision, a written request must be received by the Development and Resource Management Department by **May 3, 2013**. The written request should be addressed to Mark Scott, Interim Director, and include the application number referenced above.

BACKCHECK PROCESS

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

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

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

The exercise of rights granted by this special permit must be commenced by April 18, 2017 (four years from the date of approval). There is no extension.

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

Sincerely,



McKencie Contreras, Planner
Development Services Division

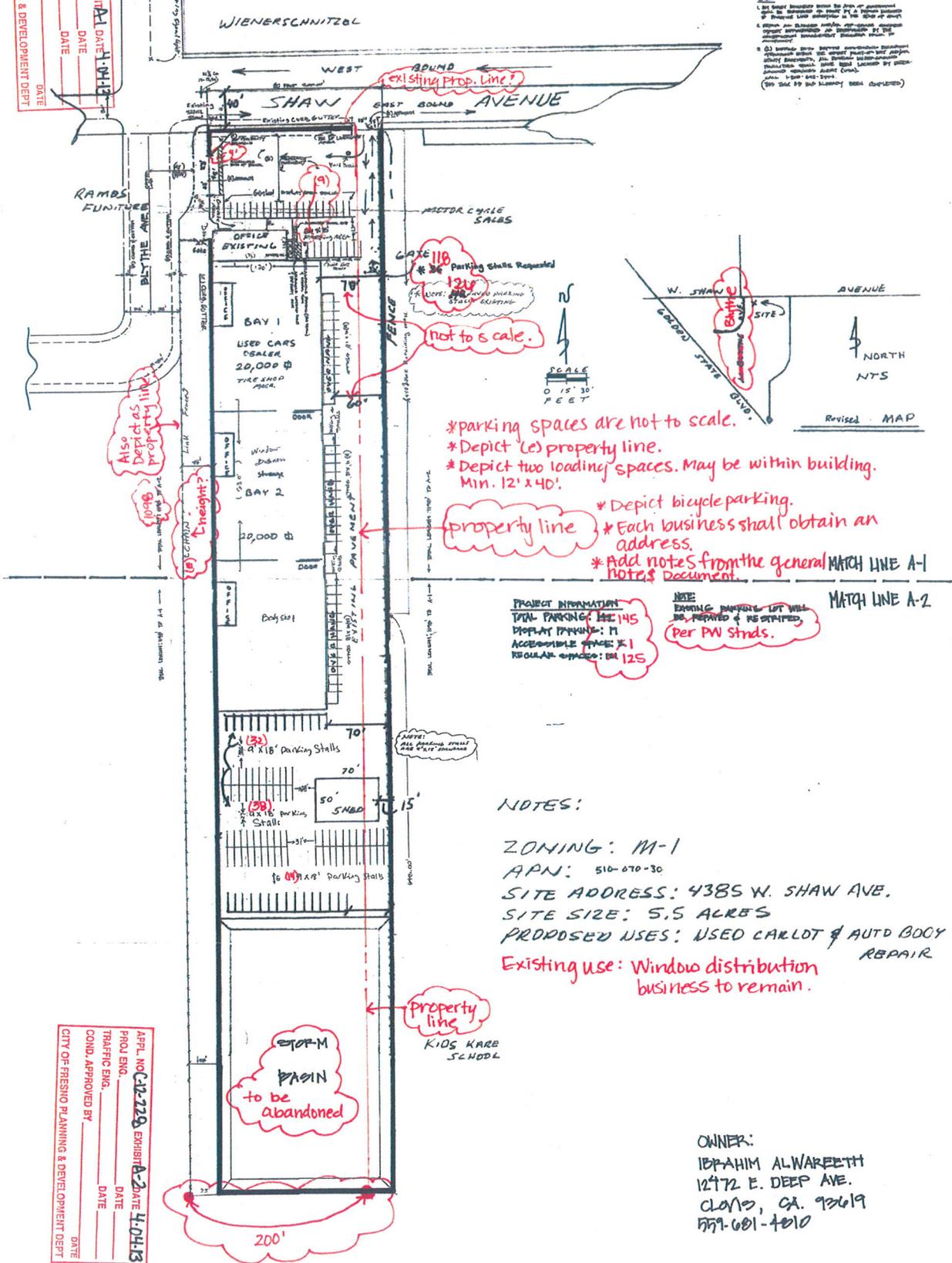
Enclosures: Exhibits A-1 and A-2 dated April 4, 2013, Comments from Partner Agencies & Departments, General Notes and Requirements for Entitlement Applications, Project Comments from Planning dated April 17, 2013

CC: JAF: 4385 West Shaw Avenue

FRESNO CITY SITE PLAN (4385 W. SHAW AVENUE)

APPL. NO. **C-17-228** EXHIBIT **A-1** DATE **4/14/13**
 PROJ. ENG. _____ DATE _____
 TRAFFIC ENG. _____ DATE _____
 COND. APPROVED BY _____ DATE _____
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT.

NOTE:
 1. All Street boundaries shown the Area of Assessment shall be determined by the City of Fresno Planning & Development Department.
 2. All other boundaries shown the Area of Assessment shall be determined by the City of Fresno Planning & Development Department.
 3. All building areas shown the Area of Assessment shall be determined by the City of Fresno Planning & Development Department.
 4. All other areas shown the Area of Assessment shall be determined by the City of Fresno Planning & Development Department.
 5. All other areas shown the Area of Assessment shall be determined by the City of Fresno Planning & Development Department.



Also Depict as property line
 (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)

EXISTING PROP. LINE?

not to scale.

*parking spaces are not to scale.
 *Depict (6) property line.
 *Depict two loading spaces. May be within building. Min. 12' x 40'.

*property line
 *Depict bicycle parking.
 *Each business shall obtain an address.
 *Add notes from the general notes document.

PROJECT INFORMATION
 TOTAL PARKING: 145
 DISPLAY PARKING: 11
 ACCESSIBLE SPACES: 1
 REGULAR SPACES: 125

NOTE:
 EXISTING PARKING LOT WILL BE REPAVED & RESTRIPTED PER PW STRDS.

NOTES:
 ZONING: M-1
 APN: 510-070-30
 SITE ADDRESS: 4385 W. SHAW AVE.
 SITE SIZE: 5.5 ACRES
 PROPOSED USES: USED CAR LOT & AUTO BODY REPAIR
 Existing use: Window distribution business to remain.

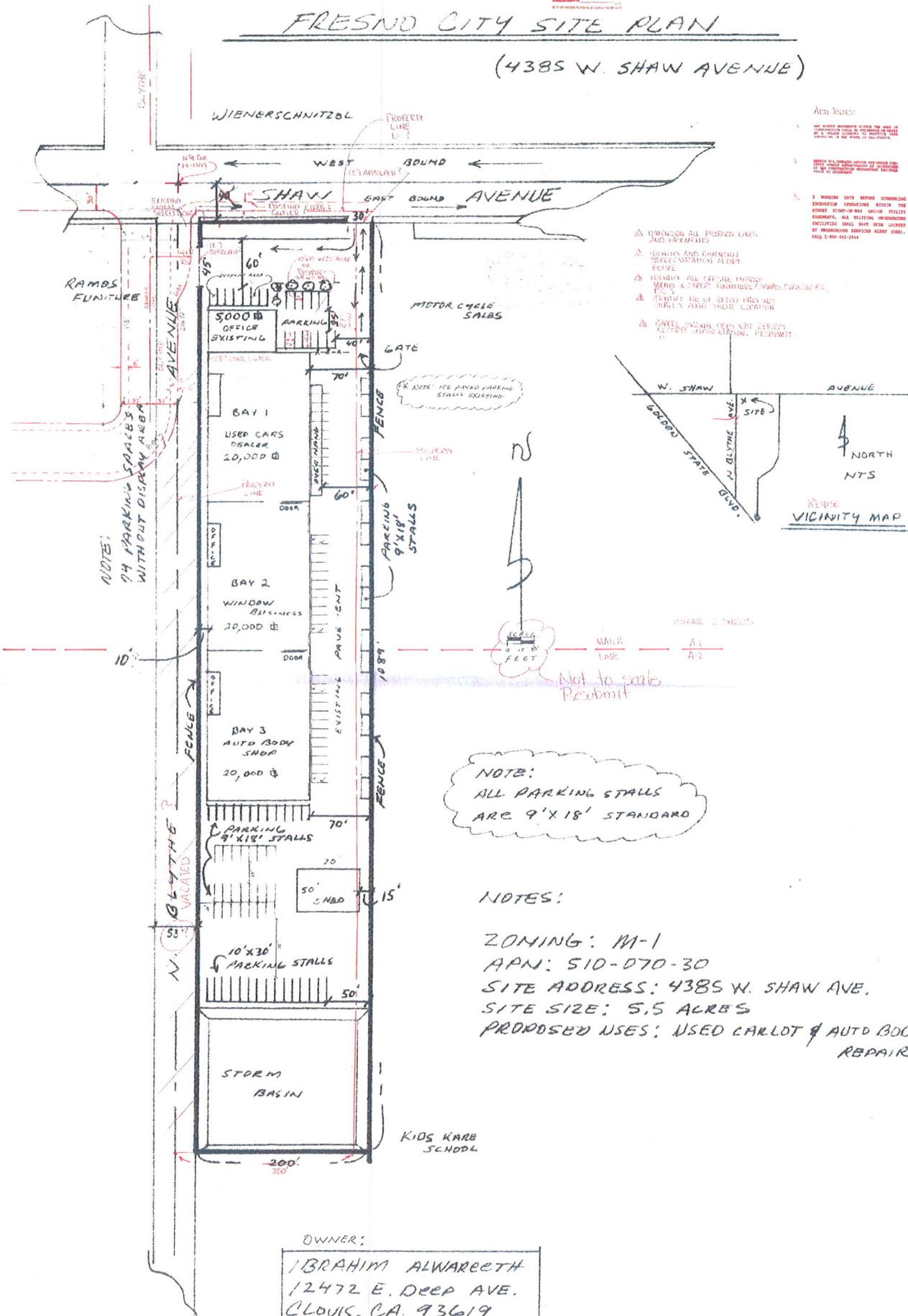
APPL. NO. **C-17-228** EXHIBIT **A-2** DATE **4/14/13**
 PROJ. ENG. _____ DATE _____
 TRAFFIC ENG. _____ DATE _____
 COND. APPROVED BY _____ DATE _____
 CITY OF FRESNO PLANNING & DEVELOPMENT DEPT.

OWNER:
 IBRAHIM ALWAKETH
 12772 E. DEEP AVE.
 CLAYTON, CA. 95019
 925-681-4010

DATE: 11/14/14
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

FRESNO CITY SITE PLAN

(4385 W. SHAW AVENUE)



- Arch Notes:
1. ALL EXISTING STRUCTURES SHALL BE DEMOLISHED AND THE SITE SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
 2. WORKING DATE BEFORE COMMENCING EXISTING CONDITIONS. REVIEW THE STREET RECORD-OF-DEEDS SHOWING UTILITY LOCATIONS. ALL EXISTING UNDERGROUND FACILITIES SHALL HAVE BEEN LOCATED BY UNDERGROUND SERVICES AGENCY (USA), CALL 1-800-955-2144.

- △ DIMENSION ALL PROPERTY LINES AND EASEMENTS
- △ SHOW ALL EXISTING AND PROPOSED UTILITIES
- △ IDENTIFY ALL LOT AND EASEMENT BOUNDARIES
- △ IDENTIFY ALL OF RECORD PREVIOUS EASEMENTS AND EASEMENT LOCATIONS
- △ PANEL NUMBER, DATE AND EFFECT OF ANY REVISIONS, PERMISSIBLE



SCALE: 1/8\"/>

NOTE: ALL PARKING STALLS ARE 9'x18' STANDARD

NOTES:

ZONING: M-1
 APN: 510-070-30
 SITE ADDRESS: 4385 W. SHAW AVE.
 SITE SIZE: 5.5 ACRES
 PROPOSED USES: USED CAR LOT & AUTO BODY REPAIR

OWNER:
 IBRAHIM ALWAREETH
 12472 E. DEEP AVE.
 CLOVIS, CA. 93619
 559-681-4810
 209-628-0206 Mike Smith



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

Development and Resource Management Department
 Mark Scott, Interim Director

Project Comments from Planning dated April 17, 2013

PROJECT DESCRIPTION

Conditional Use Permit Application No. C-12-228 was filed by Ibrahim Alwareeth and pertains to approximately 5.5 acres of property located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues. The applicant requests authorization to establish a used car lot with incidental tire sales/repair and an auto body repair shop in an existing ± 65,000 square foot building that is divided into three bays. An existing window distribution business will remain in one of the three bays.

APN: 510-070-30

ADDRESS: 4385 West Shaw Avenue

GENERAL INFORMATION

ZONING	
Existing	M-1 (<i>Light Manufacturing District</i>)
PREVIOUS ACTIONS	
Applications	Site Plan Review Application Nos. S-2436, S-89-130, and S-89-293
Covenants/ Easements	A release was complete on July 26, 2012 as No. 20120103773.
Development Agreements	N/A
TRACT MAP or LOT SPLIT	N/A

PROPERTY DEVELOPMENT STANDARDS

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

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

USE PERMITTED	
Automobile repairs conducted within a completely enclosed building and warehousing for window distribution are uses permitted by right in the M-1 zone district pursuant to Section 12-226.1 of the Fresno Municipal Code (FMC) and automobile retail sales is permitted subject to a conditional use permit in the M-1 zone district pursuant Section 12-226.3 of the FMC. Automobile retail sales are subject to Section 12-306-N-54 of the FMC.	
LOT AREA	
Permitted	No requirement.
Proposed	Exhibit A-2 dated April 4, 2013 depicts a site area of 5.5 acres.
LOT DIMENSIONS	
Permitted	Width—75 feet and Depth—120 feet
Proposed	The subject property is 200 feet by 1,098 feet. Exhibits A-1 and A-2 dated April 4, 2013 shall depict correct property lines.

DWELLING UNIT DENSITY				
	Permitted	None.		
BUILDING HEIGHT				
	Permitted	No building or structure erected in this District shall have a height greater than 60 feet.		
	Proposed	All buildings are existing and no buildings are proposed.		
YARDS				
	Required Building Setback		Proposed Building Setback	
	Front (Shaw)	10 feet	Front	Exhibit A-1 shall depict correct property lines to determine existing setback.
	Street Side (Blythe)	None	Street Side	Exhibits A-1 and A-2 shall depict correct property lines to determine existing setback.
	Interior Side (portion of west & all of east property lines)	None	Interior Side	Exhibits A-1 shall depict correct property lines to determine existing setback.
	Rear (south property line)	None	Rear	Exhibit A-2 shall depict correct property lines to determine existing setback. Provide dimension from existing shed to south property line.
	Required Landscaping Setback		Proposed Landscaping Setback	
	Front	10 feet	Front	Provide a landscape plan depicting a minimum of 10 feet of landscaping along West Shaw Avenue. Depict plants/tree species.
<p>All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky, except as provided in Subsection 12-105-L-4, Section 12-105-Y (yard) and the exceptions of Subsection 12-216.5-E-5 of the FMC.</p> <p>All required yards shall be landscaped and maintained in accordance with subsections 12-306-N-23 and 24 of the FMC.</p> <p>Where an M-1 District abuts a major street, a yard of no less than 10 feet shall be provided.</p> <p>The required interior side or rear yard may be used for parking and storage provided no materials or vehicle stored therein exceeds a height of six feet.</p>				
SPACE BETWEEN BUILDINGS				
	Main Buildings	N/A		
LOT COVERAGE				
	Required	No requirement.		
FENCES, HEDGES, WALLS				
	Required	<p>Fences, hedges, and walls, not greater than six feet in height, shall be permitted on all rear and interior side property lines, and on or to the rear of all front and street side yard setback lines.</p> <p>No fence, hedge or wall over three feet in height shall be permitted in any required front yard setback area.</p>		

	<p>Corner Cut-Off Areas. All present and future fences, hedges, and walls shall not exceed three feet in height within the corner cut-off area, and shall conform to all aspects of the corner cut-off provisions of Sections 13-227 and 13-228 of the FMC.</p> <p>Corner cut-offs are established to provide an unobstructed view for vehicular traffic approaching an intersection. They are a triangular area formed by the property lines and a diagonal line joining points on the property lines, measured a specific distance from the point of their intersection. At the intersections of streets or highways, that distance shall be 30 feet. In the case of rounded corners to the lot, the triangular area is formed between the tangents to the curve and a diagonal line joining points on said tangent 30 feet from the point of their intersection.</p>
Proposed	Depict any proposed/existing fencing on the site plan.
OFF-STREET PARKING	
Required	<p>For motor vehicle repair shops, there shall be one parking space for each 400 square feet of gross floor area. The repair shop is 20,000 square feet, which requires 50 parking spaces.</p> <p>For warehousing for window distribution, there shall be one off-street parking space for each two permanent employees. In addition, there shall be at least one parking space for each truck operated by the concern and one parking space for each sales person permanently employed. The window shop is 20,000 square feet and has two employees. The use requires one parking space. Additional parking may be required for this use if additional employees are hired.</p> <p>For automobile retail sales, there shall be one parking space on-site for each 400 square feet of gross building area or one parking space for the owner and each employee on duty, whichever is greater and one parking space for each 1,200 square feet of vehicle display area. The automobile retail sales building is 25,000 square feet, which requires 63 parking spaces. The vehicle display area is 3,078 square feet, which requires three parking spaces. The total parking required for this use is 66 parking spaces.</p> <p>The entire project requires 118 parking spaces.</p> <p>The number of bicycle parking spaces to be provided shall be equal to 10% of the automobile parking spaces provided. Five parking spaces for the repair shop, one for the window operation, and six for the automobile retail sales operation</p>
Proposed	Exhibit A-1 dated April 4, 2013 depicts 126 parking spaces on-site. Exhibit A-1 and A-2 shall depict bicycle parking on-site. The parking spaces shall be dimensioned correctly on the site plan.
ACCESS	
Required	<p>There shall be vehicular access from a dedicated and improved street or alley to off-street parking and loading facilities on the property requiring off-street parking and loading. The design of said access to withstand industrial usage shall be approved by the Department of Public Works.</p> <p>The Director shall specify the location and number of ingress and egress points by conditions established at the time of review of required site plan.</p>
Proposed	Depicted on Exhibit A-1 dated April 4, 2013.
OUTDOOR ADVERTISING	
Required	The provisions of Section 12-217.5-K shall apply except that the copy of on-site signs for industrial uses may also specify the type of product manufactured, processed or fabricated, or the service rendered and hours of operation.
Proposed	Depict any proposed signs on the site plan.
LOADING SPACES	
Required	For industrial uses/buildings between 40,001 and 80,000 square feet, two loading spaces are required.

	Loading spaces shall not be less than 12 feet in width and 40 feet in length, and shall have 14 feet of vertical clearance. Loading spaces need not be marked on an exterior paved area if the facility has equivalent interior loading area which is kept accessible for expected delivery vehicles.
Proposed	Depict two loading spaces on the site plan.

TREES (On-Site)

Required	Each industrial parcel of land or lot shall have a minimum of one medium-sized tree for every two parking spaces. Two small trees (15—30 feet at maturity) shall be counted as one medium-sized tree. A change of occupancy will require installation of the trees on-site. Exhibits A-1 and A-2 depict 93 open parking spaces. Therefore, 47 medium-sized trees will be required on-site.
Proposed	Depict the trees proposed within the landscape setback along Shaw Avenue.

SUMMARY AND OTHER COMMENTS/REQUIREMENTS

A. Section 12-306-N-54 of the FMC

(1) Whenever there is a proposal to develop automobile retail sales, the following conditions shall be applied and enforced, except that any automobile retail sales facility that is located completely within an enclosed building is exempt from the provisions of this Section.

- Landscaping shall be provided in accordance with this Code, or if there is an Ordinance, Plan or Policy that requires the landscaped setback be greater, that Ordinance, Plan or Policy shall prevail.
- Any lighting of the facility shall be oriented away, and shielded from neighboring residential properties. In addition, the lighting shall not be excessively intense so as to impact neighboring properties nor passing traffic on adjacent streets.
- On-site signs, advertising the business shall strictly adhere to the requirements of the Fresno Municipal Code and adopted plans and policies.
- Vehicles for sale shall not be displayed outside of the display area as designated by the special permit governing the site.
- There shall be no test driving of vehicles into adjacent or nearby residential neighborhoods.
- On-site parking requirements shall be calculated as follows: There shall be one parking space on-site for 400 square feet of gross building area, or one parking space for the owner and each employee on duty, whichever is greater; and there shall be one parking space for each 1,200 square feet of vehicle display area.
- Each automobile and/or motorcycle retail sales business must have a minimum land area of one-half acre (21,780 square feet).
- This ordinance shall have no force or effect on any automobile retail sales business lawfully existing and operating in compliance with the Fresno Municipal Code, and having a license issued by the State of California, Department of Motor Vehicles for the retail sales of automobiles and/or motorcycles at the time this ordinance is adopted.
- There shall be no off-site sales conducted by any dealership. These "special" sales events held on property other than at the specific property address as found on the Department of Motor Vehicles License, are prohibited.

B. Miscellaneous

- (1) At the time of change of occupancy, provide shade calculations on the landscape plan for parking lot shading in accordance with the **attached** *Development Department, Performance Standards for Parking Lot Shading*, including tree species and tree counts.
- (2) See the **attached** General Notes and Requirements for Entitlement Applications for additional general notes and requirements.
- (3) Each business shall obtain an address.

C. Local Plans and Policies

(1) Bullard Community Plan

- 4.3.2 Goal: Ensure that new industrial uses are compatible with adjacent land uses and are not aesthetically or environmentally detrimental.

(2) 2025 Fresno General Plan

- Objective C-13: Plan and support industrial development to promote job growth while enhancing Fresno's urban environment.
- Objective C-19: Develop and implement streetscape plans to establish cohesive and aesthetic major and local street design patterns by using distinctive features.
- Policy C-19-b: Properties fronting on major streets shall be improved with landscaped setbacks and sidewalks which reflect a continuity of design, depth, and planting materials. This should include unified design of street furniture and walls.
- C-20 Objective: As part of the city's project review process, major emphasis will be given to site and building design in order to preserve functionality and community aesthetics.
- C-20-d Policy: Development projects shall be designed with appropriate layouts that provide sufficient areas for all proposed activities, for support functions, and for efficient and safe vehicular and pedestrian access.
 - i. Appropriate space shall be provided for activities proposed.
 - ii. Sufficient space and access shall be provided for support functions.
 - iii. Particular attention shall be given to location of proposed customer parking areas so as to not discourage pedestrian, bicycle, and other forms of transit to the project site and so as to encourage multi-modal transit activity centers.
 - iv. Safe vehicular, bicycle, and pedestrian access shall be provided and maintained. Access for the disabled shall be incorporated into project designs as required.
 - v. Structural conversions and changes of occupancy shall demonstrate compliance with building and zoning codes.
- C-20-e Policy: Development projects shall include aesthetic measures which support functionality and add to the appearance and livability of the community.
- C-20-f Policy: The project developer shall provide a set of documents and drawings that will allow assessment of the final building project. Materials, texture, and colors shall be noted on the original special permit drawings and on construction plans.
 - i. Development projects shall appropriately interface with adjacent properties.
 - ii. High-contrast or gaudy building facades, lighting or signage which create disharmony with adjacent properties, or which draw undue attention, should be avoided.
 - iii. Building facades shall include design features and decorative treatments. Visible sides of buildings shall not develop with featureless, "blank" walls.

- iv. Adequately screen roof-mounted mechanical equipment, and ensure that such equipment adheres to noise standards as set forth in the General Plan Noise Element and City Noise Ordinance.
- v. **Apply and enforce the city's Sign and Outdoor Advertising Ordinances.**
- vi. Landscaping and parking lot shading shall be employed for environmental and aesthetic improvement, while observing safe lines-of-sight along access routes.
- vii. Exterior lighting shall not create glare for neighboring properties, but shall provide adequate on-site lighting for safety and security purposes.

H-1 Objective: Protect the citizens of the city from the harmful and annoying effects of exposure to excessive noise

Attachments: Performance Standards for Parking Lot Shading
General Notes and Requirements for Entitlement Applications

General Notes and Requirements for Entitlement Applications

GENERAL

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

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

FENCES/WALLS, LANDSCAPING, PARKING

8. Temporary fences to secure projects under construction are allowed. Any temporary fence shall be adequately secured and constructed to prevent overturning due to wind, vandalism, and/or casual contact by the general public. The construction shall be performed in such a manner as to minimize any potential safety hazard, which may occur as a result of improper fence installation or damage to the fence.
9. Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation.
10. No structures of any kind (*including signs and/or fences*) may be installed or maintained within the required-landscaped areas. No exposed utility boxes, transformers, meters, piping (excepting the

backflow prevention device), etc., are allowed to be located in the landscape areas or setbacks or on the street frontages of the buildings. All transformers, etc., shall be shown on the site plan. The backflow device shall be screened by landscaping or such other means as may be approved.

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

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

SIGNAGE

24. All future signs shall be architecturally compatible with the proposed building(s). Provide a set of drawings, with descriptive information, including, materials, design and colors to allow for a preliminary assessment of the future signage. It is recommended that you provide a copy of the signage early in the project process to allow for staff comment.
25. Signs, *other than directional signs, if applicable*, are not approved for installation as part of this special permit. **(Include this note on the site plan.)**
26. All proposed signs shall conform to the current sign ordinance. Applications for a sign permit and requirements for submittal are available at the Development and Resource Management Department's Public Front Counter or online at <http://www.fresno.gov/Government/DepartmentDirectory/PlanningandDevelopment/Planning/SignsandBanners.htm>
27. Window signs are limited to four square feet in area, providing information about hours of operation and emergency, sale or rental information only. Exterior signage such as banners, flags and pennants are prohibited. However, special event banner signs are permitted for 30 days if approved by the Development and Resource Management Department, attached to the building, and not exceeding 32 square feet in area.
28. Permanent window signs over six square feet in area can be submitted for approval under a sign review application (for a current fee of \$150).

MISCELLANEOUS

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

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

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

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

When a project involves specified nonresidential activities (certain commercial and industrial activities), an ongoing industrial stormwater discharge permit is also required. Contact the Fresno office of the California Regional Water Quality Control Board at 559-445-6281 to find out whether your project/business requires an industrial stormwater discharge permit, and to obtain details on securing this permit. Additional information on industrial stormwater discharge regulation may be obtained from this website: www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml, and the California Stormwater Quality Association has additional information on preparing stormwater pollution prevention plans for these activities (www.casqa.org).

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

39. City of Fresno water and sewer connection charge obligations applicable to this project will be computed during the building construction plan check process and shall be payable at time of issuance of building permit unless other arrangements have been approved to defer such payments to a later date. For information relating to water and sewer service requirements and connection charges, contact Frank Saburit at (559) 621-8277.
40. Open street cuts are not permitted; all utility connections must be bored.
41. CROSS-CONNECTION CONTROL. A backflow prevention device may be required on the water service. Contact the Department of Public Utilities, Water Division (559) 621-5300 for requirements relating to approved devices, locations, testing and acceptance. This requirement must be satisfied prior to final occupancy.
42. This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of the Development and Resource Management when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.

FEES

(Not all fees will be applicable to all projects)

43. NOTICE TO PROJECT APPLICANT: In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project. This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.
44. CITYWIDE DEVELOPMENT IMPACT FEES
 - a) Traffic Signal Charge (FMC Section 12-4.1101 to 12-4.1103) This project shall pay its Traffic Signal Mitigation Impact Fee at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual. Refer to the adopted Master Fee Schedule for fee rate. This fee shall be paid at time of building permit.
 - b) Fire Facilities Fee (FMC Section 12-4.901 to 12-4.906) (based on building square footage, or residential units)
 - c) Police Facilities Fee (FMC Section 12-4.801 to 12-4.806) (based on building square footage, or residential units)
 - d) Parks Facilities Fee (FMC Section 12-4.701 to 12-4.706) (based on the number of residential units)
45. CITYWIDE REGIONAL AND NEW GROWTH MAJOR STREET IMPACT FEES (FMC Section 12-4.1006)

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

46. FRESNO COUNTY FACILITY IMPACT FEE

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

47. REGIONAL TRANSPORTATION MITIGATION FEE (RTMF)

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

48. SCHOOL FEES

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

49. FLOOD CONTROL FEES

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

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

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

Effective January 9, 1999, Ordinance No. 98-97 also amended certain sewer connection charges. Fresno Municipal Code Article 15, Section 12 provides property owners the incentives and

deletes certain sewer connection charges pursuant to the Simple Tiered Equity Program (STEP) and the Employment Development Program (EDP). For additional information on the STEP and EDP, contact the Department of Public Utilities, Administration Division at (559) 621-8600.

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

- a) Frontage Charge (based on property frontage)
- b) Transmission Grid Main Charge (based on acreage)
- c) Transmission Grid Main Bond Debt Services Charge (based on acreage)
- d) UGM Water Supply Fee (based on living units, living unit equivalents or acreage)
- e) Wellhead Treatment Fee (based on living units or living unit equivalents)
- f) Recharge Fee (based on living units or living unit equivalents)
- g) 1994 Bond Debt Service Charge (based on living units or living unit equivalents)
- h) Service Charges (based on service size required by applicant)
- i) Meter Charges (based on service need)

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

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
CONDITIONAL USE PERMIT APPLICATION NO. C-12-228

Building & Safety Services

Return Completed Form to:

McKencie Contreras
Email: McKencie.Contreras@fresno.gov
Telephone: 559-621-8066
Development and Resource Management
2600 Fresno Street, City Hall Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit Application No. C-12-228 was filed by Ibrahim Alwareeth and pertains to approximately 5.5 acres of property located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues. The applicant requests authorization to establish a used car lot and an auto body repair shop in an existing 65,000± square-foot building that is divided into three existing bays. An existing window distribution business will remain in one of the three bays. The property is zoned M-1 (*Light Manufacturing*).

APN: 510-070-30

ZONING: M-1

ADDRESS: 4385 West Shaw Avenue

DATE ROUTED: December 18, 2012

COMMENT DEADLINE: January 15, 2013

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

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

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

*Plans/plants need
possible change of*

REQUIRED CONDITIONS OF APPROVAL:

*occupancy plans
to be prepared by
Architect or Engineer*

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

REVIEWED BY:

[Signature]
Name and Title

8156
Telephone Number

12-18-12
Date



**DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM**



Date: December 21, 2012

To: **McKENCIE CONTRERAS**
Planning and Development

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

Subject: SEWER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-12-228

General

C-12-228 was filed by Ibrahim Alwareeth and pertains to approximately 5.5 acres of property located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues, 4385 West Shaw Avenue, APN 510-070-30. The applicant requests authorization to establish a used car lot and an auto body repair shop in an existing 65,000 square foot building that is divided into three existing bays. An existing window distribution business will remain in one of the three bays. The property is zoned M-1, Light Manufacturing.

Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is an 18-inch sewer main in W. Shaw Avenue. Sewer facilities are available to provide service to the site subject to the following requirements:

1. 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.
2. On-site sanitary sewer facilities shall be private.

Sewer Fees

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

1. 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.
2. Sewer Facility Charges are collected after occupancy on a monthly basis over time based on metered (water or sewer effluent) usage. The developer may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect, at that time, per Fresno's Master Fee Resolution. The developer shall provide data regarding estimated sewer discharge rates [flow] and loading [BOD/TSS levels] required for calculating the estimated charges.





Department of Public Utilities – Water Division



DATE: March 2, 2013

TO: MCKENCIE CONTRERAS, Planner III
Development Department/Current Planning

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

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

SUBJECT: WATER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-12-228

General

C-12-228 was filed by Ibrahim Alwareeth and pertains to approximately 5.5 acres of property located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues, 4385 West Shaw Avenue, APN 510-070-30. The applicant requests authorization to establish a used car lot and an auto body repair shop in an existing 65,000 square foot building that is divided into three existing bays. An existing window distribution business will remain in one of the three bays. The property is zoned M-1, Light Manufacturing.

Water Requirements

The nearest water main to serve the proposed project is a 10-inch main located in North Blythe Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. Existing on-site private well shall be utilized. No new permits shall be provided for additional drilling or repair.
2. Once on-site private well is inoperable, development shall connect to City water.



CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

REVISED SITE PLAN TO COMPLY WITH COMMENTS-

PROJECT HAS NOT YET BEEN APPROVED

REQUEST FOR COMMENTS

ENTITLEMENT NO. C-12-228

Address: 4385 West Shaw Avenue

To: Traffic
Attn: Louise

RECEIVED

FEB 19 2013

TRAF ENGIN DIV

Return Completed Form to:

McKencie Contreras Ph: (559) 621-8066.

2600 Fresno Street

Fresno, CA 93721

DATE ROUTED: 02.19.13

BACK CHECK COMMENT DEADLINE: 03.05.13

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

EXHIBIT

A

DATED: 02.19.13

Have original comments been met?

No - Exhibit not useful as-is.

List conditions that have not been satisfied; if applicable:

This exhibit is not accurate.

NOTES are also missing.

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

PROVIDE PARKING TO P.W.
STD.'S

APPROVED RESUBMIT

Reviewed by:

Louise Cullio
Name and title

8678
Telephone Number

3/22/13
Date



DATE: January 7, 2013

TO: McKencie Contreras
Development and Resource Management Department

FROM: Louise Gilio, Supervising Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT: Conditions of Approval for **C-12-228**
APN: 4385 West Shaw Avenue
ADDRESS: 510-070-30

SITE PLAN REQUIREMENTS: This site plan is inaccurate. Please provide the following information.

A. General Requirements

1. **Parcel of Record:** The parcel configuration depicted for the proposed development does not conform to record information: Submit a revised exhibit.

B. Property Lines and Easements: Identify and dimension.

C. Offsite Information:

1. **Section Lines:** Identify all section lines.
2. **Street Improvements and Furniture:** Identify existing and proposed curb, gutter, sidewalks (provide width), driveway approaches (provide width), ADA ramps (provide radius), street lights traffic signals, utility poles, boxes, guy wires, signs, fire hydrants, bus stop benches, trash receptacles, tree wells, etc.
3. **Median Islands:** Identify and specify if existing to remain, proposed or to be modified.
4. **Vacations:** Identify and dimension the vacation along the Blythe Avenue alignment.

D. Onsite Information:

1. **Access:** Provide pedestrian, vehicular and service access. Identify in the operational statement the maximum size of vehicle to enter and exit the site. Provide turning templates on the site plan for all large vehicles.
2. **Parking Lots:** (existing and proposed)
 - a. **Stalls:** Provide the number of parking stalls that are required. Identify disability parking stalls. Identify the 3' vehicular overhang adjacent to continuous curbing. No obstructions shall be within the 3' overhang.
 - b. **Curbs:** 6" high
 - c. **Wheel Stops:** 6" high
 - d. **Circulation Aisles:** provide widths
 - e. **Walkways:** provide width adjacent to parking stalls (7' min)
 - f. **Directional flow of traffic:** Identify existing and proposed directional arrows
 - g. **Lighting:** Identify the location (not to be within the 3' vehicular overhang)
 - h. **Disability signage:** not to be within the 3' vehicular overhang
 - i. **Loading zones:** provide dimensions (12' x 40' min.)
 - j. **Paving:** per Public Works Standards **P-21, P-22, P-23**
3. **Walls or Fencing:** Identify existing and proposed walls and fences complete with location height and type of material.

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.

Questions relative to dedications, street improvements or off-street parking geometrics may be directed to Louise Gilio at (559) 621-8678 / Louise.Gilio@fresno.gov, in the Public Works Department, Traffic and Engineering Services Division.

Submit the following, as applicable, in a single package to the City of Fresno Public Works Department Traffic and Engineering Services Division (559-621-8650), for review and approval, **prior** to issuance of building and street work permits: Street Improvement Plans, Signing and Striping Plans, Street Lighting Plans and Signal Plans.

When preparing Street Plans and/or Traffic Control Plans for projects in the City of Fresno contact the Traffic and Engineering Services Division (Randy Schrey) in advance to make sure that sidewalks or an approved accessible path remain open during construction.

Survey Monuments and Parcel Configuration

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.

Street Dedications, Vacations and Encroachment Permits

Identify all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc. within the public right of way.

The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-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 Improvements

The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. Contact the City of Fresno Public Works Department, Traffic and Engineering Services Division at (559) 621-8686 for detailed information. All required street improvements must be completed and accepted by the city **prior** to occupancy.

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.

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 **5'** 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"**.

Traffic Signal Mitigation Impact (TSMI) Fee: This project shall pay all applicable TSMI Fees **at the time of building permit** based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual. Contact the Planning and Resource Management Department, Frank Saburit at (559)621-8077.

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

550.10 "AH"

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
CONDITIONAL USE PERMIT APPLICATION NO. C-12-228

FMFCD

Return Completed Form to:

McKencie Contreras
Email: McKencie.Contreras@fresno.gov
Telephone: 559-621-8066
Development and Resource Management
2600 Fresno Street, City Hall Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit Application No. C-12-228 was filed by Ibrahim Alwareeth and pertains to approximately 5.5 acres of property located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues. The applicant requests authorization to establish a used car lot and an auto body repair shop in an existing 65,000± square-foot building that is divided into three existing bays. An existing window distribution business will remain in one of the three bays. The property is zoned M-1 (*Light Manufacturing*).

APN: 510-070-30

ZONING: M-1

ADDRESS: 4385 West Shaw Avenue

DATE ROUTED: December 18, 2012

COMMENT DEADLINE: January 15, 2013

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

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

REFER TO FMFCD NOTICE OF REQUIREMENTS FOR CUP 2012-228.

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 II

456-3292

12/20/12

Name and Title

Telephone Number

Date

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.413

Page 1 of 4

PUBLIC AGENCY

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

DEVELOPER

IBRAHIM ALWAREETH
12472 E. DEEP AVE.
CLOVIS, CA 93619

FR
CUP No. 2012-2228

PROJECT NO: 2012-228

ADDRESS: 4385 W. SHAW AVE.

APN: 510-070-30

SENT: 12/20/12

Drainage Area(s)	Preliminary Fee(s)
AH	\$0.00
TOTAL FEE: \$0.00	

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 12/19/12 based on the site plan submitted to the District on 12/19/12 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 4

FR
CUP
No. 2012-2228

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

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

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:

 Developer shall construct facilities as shown on Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".
 None required.

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

 Grading Plan
 Street Plan
 Storm Drain Plan
 Water & Sewer Plan
 Final Map
 Drainage Report (to be submitted with tentative map)
 Other
 None Required

4. Availability of drainage facilities:

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

5. The proposed development:

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

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

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 3 of 4

FR
CUP No. 2012-228

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, approved August 1999, (modified December 2002) A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.


Alan Hofmann
Assistant District Engineer/Design


Gary Chapman
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

CC:

MICHAEL SMITH

P.O. BOX 3814

MERCED, CA 95344

FR CUP No. 2012-228

OTHER REQUIREMENTS
EXHIBIT NO. 2

All storm water drainage shall be directed to Shaw Avenue. The existing temporary on-site ponding basin is no longer required as there are District facilities in place to provide and dispose of storm water drainage from the subject parcel. The pond can be abandoned with documentation and/or improvements directing all drainage to Shaw Avenue are satisfactory to the City of Fresno and the District. Please refer to attached letter dated December 1, 2009 for further information.

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 directed through landscaped areas or otherwise treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas that directly connect to the District's system will not be permitted. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. The District's policy governing said industrial site NPDES program requirements are available. Contact the District's Environmental Department for further information regarding these policies related to industrial site requirements.

Development No. CUP 2012-228



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
File 220.013811 #311
340. "AH"

December 1, 2009

Mr. Richard Madrigal
Development Department
City of Fresno
2600 Fresno Street
Fresno, CA 93721

Dear Mr. Madrigal,

Availability of Drainage Service
APN 510-070-30
4385 West Shaw Avenue
Drainage Area "AH"

The District has constructed facilities, which can provide storm water drainage service to the subject parcels (see enclosed copy of the APN sheet for your reference). As a result, the City's requirement for storm water runoff from the subject site to be retained by temporary facilities is no longer necessary. Abandonment of the temporary facility will require all pipelines entering the site to be plugged and/or eliminated in accordance with City standards.

Our records indicate additional private improvements must be constructed to provide drainage service to the subject parcel. The subject facilities parcel shall be required to provide documentation and/or improvements satisfactory to the City of Fresno and the District to allow for conveyance of storm water to the District facilities prior to abandonment of the existing temporary facility.

Storm water runoff contains pollutants, particularly at an industrial site, which will build up over time in a stormwater runoff retention facility. **The site owner and the operator are fully responsible for the proper operation, maintenance, and abandonment of the temporary retention facility at the subject location.**

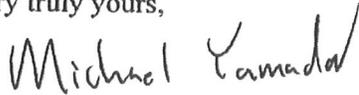
The Federal Clean Water Act prohibits the discharge of anything but stormwater to the storm drain system. Stormwater drainage only, such as surface water runoff from home sites, parking lots, and landscapes may be directed from the site to a public street or the District's storm drain system.

K:\Design\pond aband letters\2009\city of fresno-pond aband-ah(my)#311-ltr.doc

Richard Madrigal
Development Department
City of Fresno
December 1, 2009
Page 2

Please contact the District at (559) 456-3292 with any questions or concerns you may have about the District's storm drainage services. You may also contact Daniel Rourke, Environmental Resource Manager, at the same number for additional information about federal stormwater quality laws and regulations.

Very truly yours,



Michael Yamada
Staff Analyst II

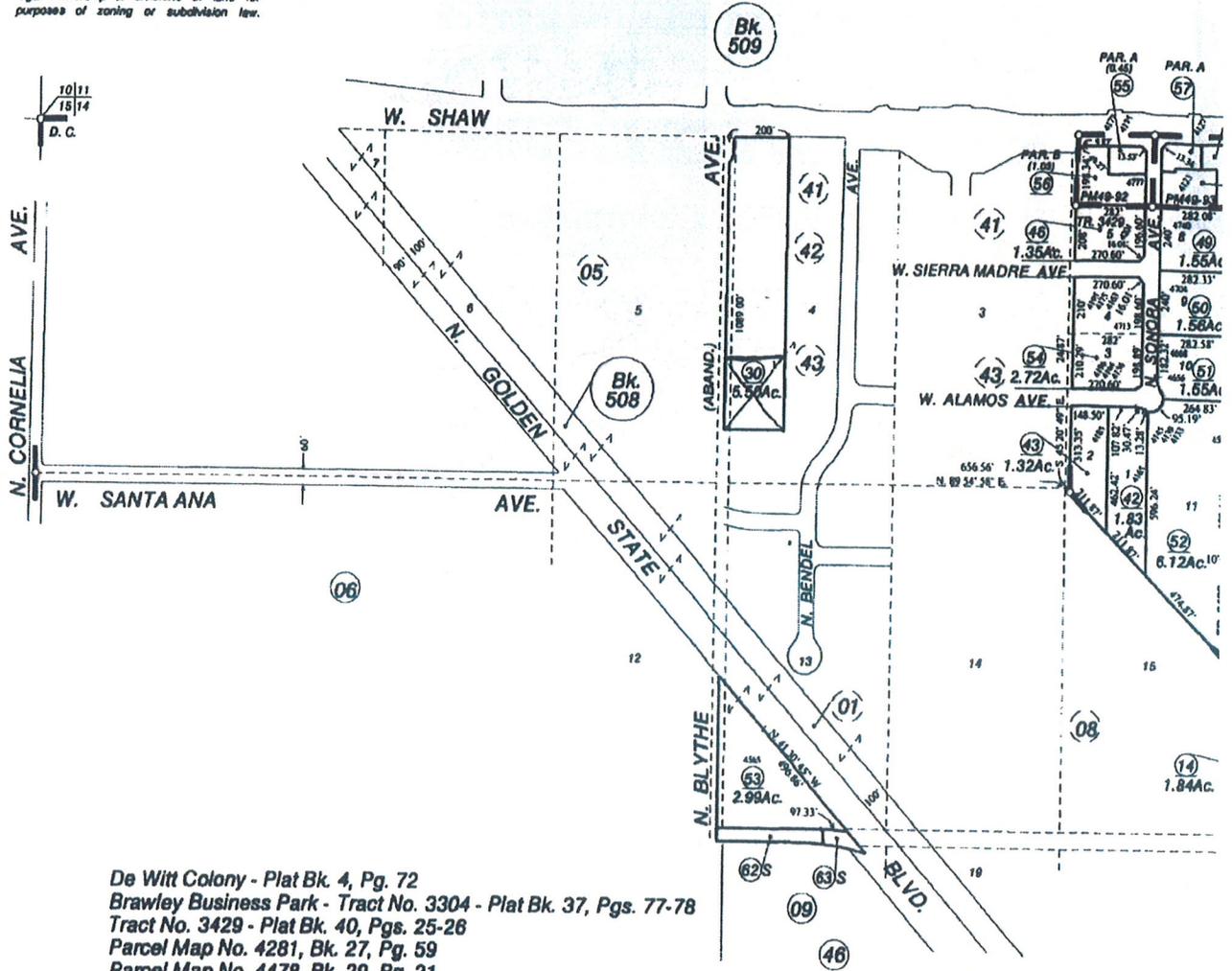
MY/lrl

Enclosure

- c: Peter Sanchez, Fresno Metropolitan Flood Control District
Blong Xiong, City Council Member, District 1
Patrick Wiemiller, City of Fresno Public Works
Dave Farley, Fresno Mosquito and Vector Control District
Eva Flores, City of Fresno Code Enforcement
Ms. Stacey Woo, City of Fresno Street Maintenance
Fresno Redevelopment Agency
Andrew James and Thomas B Merzon

SUBDIVIDED LAND IN POR. SEC. 14, T.13 S., R.19 E. M.D.B. & M.

... NOTE ...
 This map is for Assessment purposes only.
 It is not to be construed as portraying
 legal ownership or divisions of land for
 purposes of zoning or subdivision law.



- De Witt Colony - Plat Bk. 4, Pg. 72
- Brawley Business Park - Tract No. 3304 - Plat Bk. 37, Pgs. 77-78
- Tract No. 3429 - Plat Bk. 40, Pgs. 25-26
- Parcel Map No. 4281, Bk. 27, Pg. 59
- Parcel Map No. 4478, Bk. 29, Pg. 21
- Parcel Map No. 88-33, Bk. 49, Pg. 92
- Parcel Map No. 88-34, Bk. 49, Pg. 93
- Parcel Map No. 2004-42, Bk. 66, Pg. 60-61

NOTE - Assessor's Block Numbers Shown in Ellipses.
 Assessor's Parcel Numbers Shown in Circles.



County of Fresno

Department of Public Health

Edward L. Moreno, M.D., M.P.H., Director-Health Officer

December 19, 2012

FA0170620
LU0016620
PE 2602

McKencie Contreras
City of Fresno
Development Department
2600 Fresno Street
Fresno, CA 93721

Dear Ms. Contreras:

PROJECT NUMBER: C-12-228

Conditional Use Permit Application No. C-12-228 was filed by Ibrahim Alwareeth and pertains to approximately 5.5 acres of property located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues. The applicant requests authorization to establish a used car lot and an auto body repair shop in an existing 65,000± square-foot building that is divided into three existing bays. An existing window distribution business will remain in one of the three bays. The property is zoned M-1 (*Light Manufacturing*).

APN: 510-070-30

ZONING: M-1

ADDRESS: 4385 West Shaw Avenue

Recommended Conditions of Approval:

- Prior to occupancy, the applicant shall complete and submit a Hazardous Materials Business Plan form to the Fresno County Department of Public Health, Environmental Health Division. 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 Health and Safety Code, Chapter 6.5. This chapter discusses proper labeling, storage and handling of hazardous wastes.

REVIEWED BY:

Kevin Tsuda

Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, o=County of Fresno
EH, email=Ktsuda@co.fresno.ca.us, c=US
Date: 2012.12.19 14:15:13 -0800

R.E.H.S.

Environmental Health Specialist II

(559) 600-3271

kt

cc: Vince Mendes Supervising Environmental Health Specialist (4205)
Hector Sandoval, Environmental Health Division
Michael Smith, Agent (myke92252@sbcglobal.net)

C-12-228 Ibrahim Alwareeth.docx

January 15, 2013

McKencie Contreras
City of Fresno
Planning & Development
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Project: Conditional Use Permit Application No.-12-228

District CEQA Reference No: 20120854

Dear Ms. Contreras:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project. 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>.

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 Debbie Johnson, at (559) 230-5817.

Sincerely,

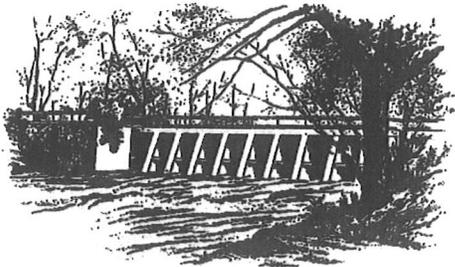
David Warner
Director of Permit Services



For
Arnaud Marjollet
Permit Services Manager

DW: dj

Cc: File



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF EFILE

FRESNO IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2218

January 3, 2013

Ms. McKencie Contreras
City of Fresno
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

RE: Conditional Use Permit No. C-12-228, S/E Shaw and Blythe avenues

Dear Ms. Contreras:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit No. C-12-228 application. The applicant requests authorization to establish a used car lot and an auto body repair shop in an existing 65,000 square-foot building that is divided into three existing bays. An existing window distribution business will remain in one of the three bays, located southeast of Shaw and Blythe avenues, APN: 510-070-30. FID has the following comments:

1. FID does not own, operate or maintain any facilities located on the subject property as shown on the attached FID exhibit map.
2. For informational purposes; FID's Herndon Canal No. 39 runs northwesterly and crosses Shaw Avenue, approximately 2,100 feet east of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street and/or utility improvements along Shaw Avenue and in the vicinity of the canal crossing, FID requires it review and approval of all plans.
3. For informational purposes; FID's Lisenby No. 45 runs westerly along the south side of Shaw Avenue, from Brawly to El Capitan avenues east of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street and/or utility improvements along Shaw Avenue and in the vicinity of the canal crossing, FID requires it review and approval of all plans.

BOARD OF DIRECTORS President JEFFREY NEELY, Vice-President RYAN JACOBSEN
STEVEN BALLS, GEORGE PORTER, JERALD REBENS DORF General Manager GARY R. SERRATO

Ms. McKencie Contreras
Re: CUP C-12-228
January 3, 2013
Page 2 of 2

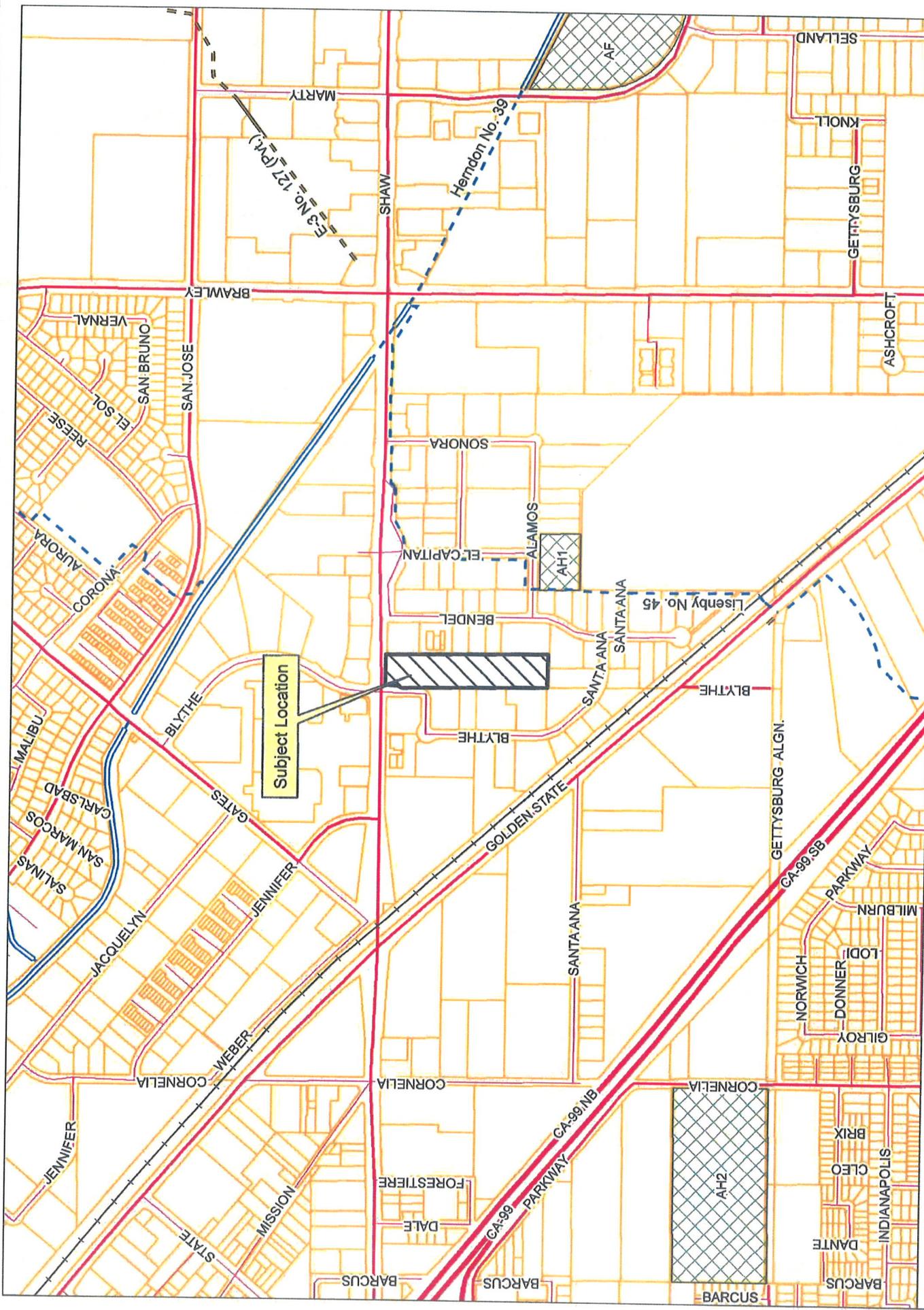
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Steve Bloem at 233-7161 extension 7407 or sbloem@fresnoirrigation.com.

Sincerely,

A handwritten signature in blue ink that reads "William R. Stretch". The signature is fluid and cursive, with a long horizontal stroke at the end.

William R. Stretch, P.E.
Chief Engineer

Attachment



Subject Location

0 355 710 Feet
1 inch = 812.92 feet

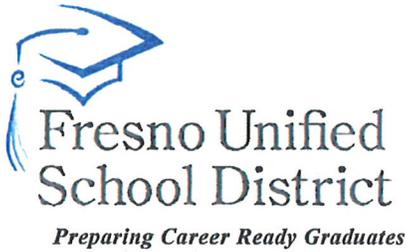
AF
AH1
AH2

Legend

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

FRESNO IRRIGATION DISTRICT

12/2/2012
C:\p\ggv\masar_A010.mxd



Facilities Management & Planning

BOARD OF EDUCATION

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

SUPERINTENDENT

Michael E. Hanson

December 19, 2012

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

Re: **CONDITIONAL USE PERMIT NO. C-12-228**
4385 W. SHAW AVE.

Dear Ms. Contreras,

In response to your request for school district information regarding the above conditional use permit for authorization to establish a used car lot and auto body repair shop using existing building space located at 4385 West Shaw Avenue, Fresno Unified School District submits the following.

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

The Fresno Unified School District levies a commercial/industrial development fee of \$0.51 per square foot. If no new square footage is constructed, no development fee will be charged. Any new development on the property will be subject to the development fee prior to issuance of a building permit.

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

Sincerely,

Lisa LeBlanc, Executive Officer
Facilities Management and Planning

LL:hh

c: Ibrahim Alwareeth, Applicant/Agent

93722

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
CONDITIONAL USE PERMIT APPLICATION NO. C-12-228

Return Completed Form to:

McKencie Contreras
Email: McKencie.Contreras@fresno.gov
Telephone: 559-621-8066
Development and Resource Management
2600 Fresno Street, City Hall Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit Application No. C-12-228 was filed by Ibrahim Alwareeth and pertains to approximately 5.5 acres of property located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues. The applicant requests authorization to establish a used car lot and an auto body repair shop in an existing 65,000± square-foot building that is divided into three existing bays. An existing window distribution business will remain in one of the three bays. The property is zoned M-1 (*Light Manufacturing*).

APN: 510-070-30

ZONING: M-1

ADDRESS: 4385 West Shaw Avenue

DATE ROUTED: December 18, 2012

COMMENT DEADLINE: January 15, 2013

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

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

No

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

None

REQUIRED CONDITIONS OF APPROVAL:

See Attached

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

No

REVIEWED BY: Cathy Gilles Growth Coordinator 5594404267 12/26/12
Name and Title Telephone Number Date

GROWTH COORDINATOR
UNITED STATES POSTAL SERVICE



DECEMBER 26, 2012

To the City of Fresno – Planning and Development Department:

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

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

Sincerely,

Cathy S. Gilles
New Growth Coordinator
559 4404267

755 E NEES AVE
FRESNO CA 93720-2198
559-442-4267
FAX: 559-440-4287

MODE OF DELIVERY AGREEMENT - NEW CONSTRUCTION
United States Postal Service - Sacramento District

Project Information

Name of Project:		ZIP CODE:	
Location:	Estimated # Deliveries:	Route Type/Number	
Unit/Office:		City #	Rural#
Estimated Delivery Date (Month and Year) *		Contract#	To Be Determined

USPS Contact Information

Contact Made By:	Date:	Telephone #:
------------------	-------	--------------

Builder/Developer Contact Information

Name:	Title:	Phone:
Firm:	Address:	

Equipment Information

check type	TYPE OF PROJECT		TYPE & QUANTITY OF EQUIPMENT			
	Deliveries	Floors	QTY	Centralized Equipment	QTY	Non-Centralized Equipment
<input checked="" type="checkbox"/>	Office Bldg.			CBU Type 1 (8)		Curbside 2/post
	Shopping/Strip Mall			CBU Type II (12)		Curbside 3/post
	Apt. / Condo			CBU Type III (16)		Curbside 4/post
	Townhomes			CBU Type IV (13)		Other (Specify)
	Modular Homes			Wallmount Std4C		
	Single Family			Parcel Lockers		
	Other (Specify)					

Purchase/Installation Responsibility

Owner / Developer U.S.P.S. Other: See Comments

Issue Key Responsibility

Owner / Developer U.S.P.S. Other: See Comments

Comments:

See attached maps for designated locations.

() Builder/Developer/Property Owner understands that he/she must comply with USPS Cement Pad Specifications. Copy provided.

This Agreement will document that the builder/developer will purchase and install the centralized delivery equipment as indicated above at the specified locations. Locations must be clearly designated on plat maps provided by the builder or developer. Any changes must be approved jointly by both undersigned individuals.

USPS REPRESENTATIVE:

Name: Cathy Gilles
 Title: Growth Coordinator
 Signature: _____ Date: _____
 Phone # 559-440-4267
 FAX # 559-440-4286

PROPERTY OWNER/DEVELOPER/MANAGER:

*Name: _____
 *Title: _____
 *Signature: _____ Date: _____
 *Telephone #: _____
 *FAX #: _____

DISTRICT APPROVAL: _____ DATE: _____



FIRE DEPARTMENT

DATE: January 2, 2013

TO: McKencie Contreras, Planner III

FROM: LAURIE SAWHILL, Fire Prevention Inspector II
Fire Department, Community Risk Reduction Unit

A handwritten signature in black ink, appearing to be "LS", located to the right of the "FROM:" line.

SUBJECT: C-12-228, 4385 W Shaw Ave.

The Fire Department's conditions of approval include the following:

Approved as submitted.

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.



COUNCIL DISTRICT 1 PLAN IMPLEMENTATION COMMITTEE

PROJECT REVIEW - FEBRUARY 12, 2013

Project Record

PROJECT INFORMATION

CONDITIONAL USE PERMIT APPLICATION NO. C-12-228

4385 WEST SHAW AVENUE (APN: 510-070-30)

ZONE DISTRICT: M-1

Conditional Use Permit Application No. C-12-228 was filed by Ibrahim Alwareeth and pertains to approximately 5.5 acres of property located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues. The applicant requests authorization to establish a used car lot and an auto body repair shop in an existing 65,000± square-foot building that is divided into three existing bays. An existing window distribution business will remain in one of the three bays. The property is zoned M-1 (*Light Manufacturing*).

COMMITTEE RECOMMENDATION

APPROVE APPROVE WITH CONDITION(S) DENY NO ACTION

	Barrett	Cox	Jonasson	Miller	Ryle	Shergill	Martinez
Approve	Y		Y				Y
Deny							
Abstain							
Absent		A		A	A	A	

COMMITTEE CONDITIONS / COMMENTS

The applicant was present at the meeting to answer questions. Committee members were concerned about the proposed auto body shop's proximity to the adjacent day care facility and emphasized the need for this business to respect the health issues of the children attending the day care facility next door. The applicant responded that the operation of the auto body shop would be completely within the building; stated the building had three bays and that the window business could be moved to the third bay, which was closer to the day care facility.

The Committee members present at the meeting recommended that a sidewalk for pedestrians be constructed and landscaping be installed along the north side of the building fronting on West Shaw Avenue; recommended project approval.

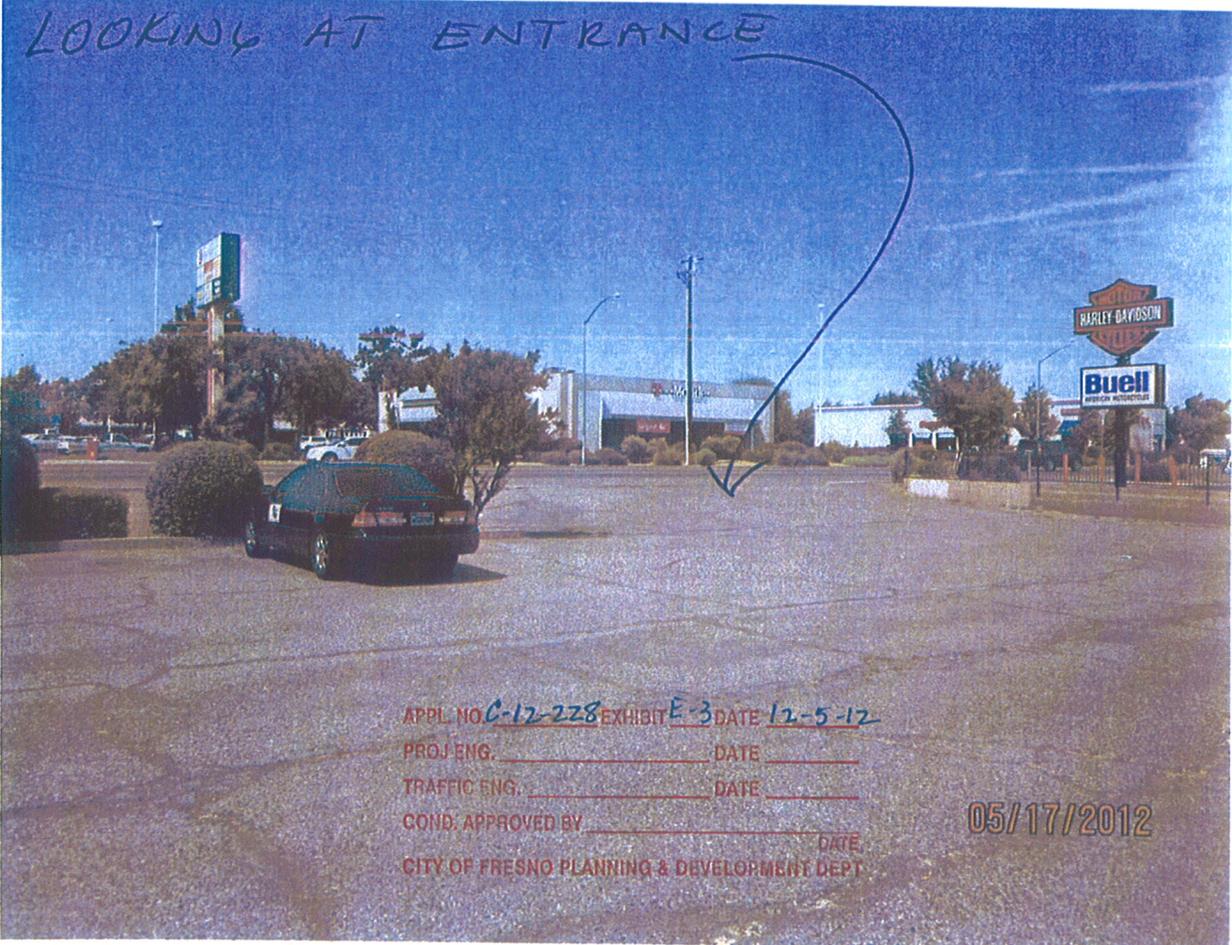
Staff Liaison: _____ Date: _____

EAST SIDE OF EXISTING BLDG,



05/17/2012

LOOKING AT ENTRANCE



APPL NO. C-12-228 EXHIBIT E-3 DATE 12-5-12
PROJ. ENG. _____ DATE _____
TRAFFIC ENG. _____ DATE _____
COND. APPROVED BY _____ DATE _____
CITY OF FRESNO PLANNING & DEVELOPMENT DEPT

05/17/2012

~~W~~ EAST SIDE OF BLDG.



APPL NO C-12-228 EXHIBIT E-6 DATE 12-5-12
PROJ. ENG. _____ DATE _____
TRAFFIC ENG. _____ DATE _____
COND. APPROVED BY _____ DATE _____
CITY OF FRESNO PLANNING & DEVELOPMENT DEPT.

05/17/2012

LOOKING EAST



05/17/2012

Exhibit F:
Operational Statement

Operational Statement For

Proposed Auto Sales, Auto Body/Tire Repair, and Existing Window Shop to Remain

Date: 3/30/2013

Ibrahim Alwareeth

12472 E. Deep Ave. Clovis, CA 93619

Project Description:

The project that is being submitted is a request for a conditional use permit to allow a new owner to establish a used car sales business with incidental tire sales/repair for the used car sales business, and establish an auto body shop. The existing building is approximately 65,000 square feet, which includes a 5,000 square foot office and three 20,000 square foot bays

Phase one will be for the establishment of the used car sales business in the first bay and office. The proposed auto sales will go in the front lot and building. Cars will be displayed outside and stored inside bay one. The auto sales will have 4 employees including the property owner (myself) and my wife. Most of the business is done on the internet (about 75%) of it. There is a small area in the front parking area that will be utilized for car display 19 cars or 3078 SQFT.

Phase 2 will establish tire sales/repair incidental to the used car sales business in bay one.

Phase 3 will establish an auto body shop in bay three. There will be three employees.

The existing window shop will remain in bay two. There are two employees.

This proposed project will produce about 7 local jobs and more in the future. We have made lots of improvements to the property and will continue to do so.

APN: 510-070-30

The parcel size is 5.5 Acers

The address is 4385 W. Shaw Ave., Fresno 93722

The existing zoning is M-1 at this time.

Hours of operation are as follows: from 7am to 6pm week days. There will be at least 10 employees mixed with all business. There are about 74 existing parking stalls now and we will add another 68. See site plan.

If you have any questions, please contact me at 559-681-4810.

Ibrahim Alwareeth

Exhibit G:
Environmental Assessment

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. C-12-228**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

APPLICANT: Ibrahim Alwareeth
12472 East Deep Avenue
Clovis, CA 93619

PROJECT LOCATION: 4385 West Shaw Avenue; Located on the south side of West Shaw Avenue between North Blythe and North Bendel Avenues (APN: 510-070-30)

PROJECT DESCRIPTION: Conditional Use Permit Application No. C-12-228 proposes to establish a used car lot with incidental tire sales/repair and an auto body repair shop in an existing \pm 65,000 square foot building that is divided into three bays. An existing window distribution business will remain in one of the three bays.

This project is exempt under Section 15301/Class 1 of the State of California CEQA Guidelines.

EXPLANATION: A Class 1 exemption consists of, among other things, the minor alteration of existing public or private structures involving negligible or no expansion of an existing use. Included in this exemption are interior or exterior alterations.

The above described project consists of interior and exterior alterations to the existing structure with negligible expansion and is located in a fully urbanized and developed area with similar uses that are not environmentally sensitive and where all public facilities are available to serve the proposed project. No adverse environmental impacts will occur as a result of the proposed project. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

Date: April 17, 2013

Prepared By: McKencie Contreras, Planner

Submitted By: _____


Mike Sanchez, Planning Manager
City of Fresno
Development and Resource Management Department
(559) 621-8277