



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-A
COMMISSION MEETING 11-17-10

APPROVED BY

DEPARTMENT DIRECTOR

November 17, 2010

FROM: JERRY D. BISHOP, Assistant Director 
Development and Resource Management Department

THROUGH: MIKE SANCHEZ, Planning Manager 
Development Services Division

BY: BONIQUE SALINAS, Planner 
Development Services Division

SUBJECT: CONSIDERATION OF VARIANCE APPLICATION NO. V-10-05 AND ENVIRONMENTAL FINDING FOR ENVIRONMENTAL ASSESSMENT NO. S-10-024/V-10-05

RECOMMENDATION

Upon consideration of staff evaluation, it can be concluded that the proposed Variance Application Application No. V-10-05 is appropriate for the project site. Therefore, staff recommends the Planning Commission take the following actions:

1. APPROVE the environmental finding of Environmental Assessment No. V-10-05 dated September 10, 2010, a determination that the proposed project is exempt from CEQA through a Class 32 Categorical Exemption.
2. DENY the appeals and UPHOLD the action of the Development and Resource Management Department Director approving Variance Application No. V-10-05 subject to the following:
 - a. Development shall take place in accordance with the Conditions of Approval for Site Plan Review Application No. S-10-024 and Variance Application No. V-10-05 dated September 14, 2010.

EXECUTIVE SUMMARY

Variance Application No. V-10-05, filed by Naser Salem of Platinum Engineering Solutions, pertains to approximately 0.33 acres of property located on the northeast corner of South Maple and East Eugenia Avenues. Variance Application No. V-10-05 is a request for authorization to reduce the number of required parking stalls from 26 to 11 for a small commercial building. Staff's rational for supporting this variance application is that because of the small size of the subject site, it is more similar to a C-5 (*General Commercial*) zoned property than a C-1 (*Neighborhood Shopping Center*) zoned property (it will be a standalone retail building rather than a neighborhood shopping center). The related site plan review application is a request to construct a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen, a laundromat, and 2 upper floor office suites.

The Development and Resource Management Department Director approved this variance application in conjunction with related Site Plan Review Application No. S-10-024 on September 14, 2010. In accordance with the Special Permit Procedure of the Fresno Municipal Code, a notice of granting of the variance application was mailed to surrounding property owners. In response to this notice, several appeal letters were received from surrounding property owners and concerned citizens (see attached Exhibit C).

PROJECT INFORMATION

PROJECT	Variance Application No. V-10-05 is a request for authorization to reduce the number of required parking stalls from 26 to 11 for a small commercial building.
APPLICANT	Naser Salem, Platinum Engineering Solutions, Inc.
LOCATION	2419 South Maple Avenue Located on the northeast corner of South Maple and East Eugenia Avenues. (APN: 480-251-06) (Council District 5, Councilmember Dages)
SITE SIZE	± 0.33 acres
LAND USE	Neighborhood Commercial planned land use (the site is currently vacant)
ZONING	C-1 (<i>Neighborhood Shopping Center</i>) zone district
PLAN DESIGNATION AND CONSISTENCY	The request to establish a small retail building is consistent with the existing C-1 zone district and the Neighborhood Commercial planned land use designation of the 2025 General Plan and the Roosevelt Community Plan.
ENVIRONMENTAL FINDING	The proposed project was determined to be exempt from CEQA by the Development and Resource Management Department on September 10, 2010 through a Class 32 Categorical Exemption. No further environmental assessment is needed.
PLAN COMMITTEE RECOMMENDATION	The District 5 Plan Implementation Committee reviewed and approved the proposed project with conditions at their July 12, 2010 meeting. These conditions have been incorporated into the conditions of approval for this project.
STAFF RECOMMENDATION	Staff recommends the Planning Commission deny the appeal and approve Variance Application No. V-10-05 subject to the Conditions of Approval detailed in the approval letter dated September 14, 2010.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Neighborhood Commercial	C-1 <i>Neighborhood Shopping Center Commercial</i>	Mini-mart
South	Medium Low Density Residential	R-1 <i>Single Family Residential</i>	Single Family home
East	Neighborhood Commercial	C-1 <i>Neighborhood Shopping Center Commercial</i>	Church
West	Medium Density Residential	R-1 <i>Single Family Residential</i>	Single Family Residential

ENVIRONMENTAL FINDING

The proposed project was determined to be exempt from CEQA by the Development and Resource Management Department on September 10, 2010 through a Class 32 Categorical Exemption.

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this Section which are as follows: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value, as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

The above described project is consistent with the land use designated for the site by the Roosevelt Community Plan and the 2025 Fresno General Plan. The conditions of approval for this project will ensure that the project complies with all applicable plan policies as well as the applicable zoning regulations. The subject site is located within the City of Fresno and is on property that is approximately 0.33 acres in size. The subject site has no value, as habitat for endangered, rare or threatened species and the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. In addition, the project was routed to the appropriate utility and public service providers and it has been confirmed that the site can be adequately served by all required utilities and public services. Thus, the project complies with all conditions described in Section 15332/Class 32 of CEQA Guidelines.

BACKGROUND / ANALYSIS

Variance Application No. V-10-05 is a request for authorization to reduce the number of required parking stalls from 26 to 11 for a small commercial building. Staff's rationale for supporting this variance application is that because of the small size of the subject site, it is more similar to a C-5 zoned property than a C-1 zoned property (it will be a standalone retail building rather than a neighborhood shopping center). The related site plan review application is a request to construct a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen, a laundromat, and 2 upper floor office suites.

Parking Analysis

The general requirement for off-street parking spaces and areas shall be two square feet of parking area for each square foot of floor area. All proposed uses are considered general uses in the C-1 zone district (there are no special requirements for markets¹ or laundromats in the C-1 zone district). Thus, the required parking is as follows:

- $4,750$ (floor area of building) $\times 2 = 9,500$ square feet of parking area required
- The code states that 370 square feet is the area needed for one parking stall, including ingress and egress.
- $9,500/370 = 26$ parking stalls required

The site plan for this project depicted 11 parking stalls, well under the required number of stalls. Variance Application No. V-10-05 was submitted to request a reduction to the number of required parking stalls.

¹ There are special parking requirements in the C-5 zone district for grocery stores but given that the proposed market will only be 2,736 square feet, it is too small to be considered a grocery store.

The number of parking stalls required in the C-1 (*Neighborhood Shopping Center*) zone district is reflective of a requirement for a larger shopping center. The subject site is one of 4 parcels intended to be developed as a unified small shopping center. Unfortunately, the 3 other parcels adjacent to this site are all fully developed. Thus, the subject parcel will either remain vacant or be developed on its own. Staff asked the applicant to work with the adjacent property to the north to obtain cross access between the two parcels. The applicant's attempts to work with this property owner were unsuccessful.

Since the subject site is being developed more like a strip commercial center rather than a small shopping center, the C-5 (*General Commercial*) parking requirements are more appropriate. According to Section 12-221 of the Fresno Municipal Code, the C-5 District is intended to serve as sites for the many lighter uses in the commercial classifications which are located in existing built-up areas too far scattered to perform the function of a compact neighborhood or community shopping center.

The requirements for the C-5 zone district are 1 square foot of parking for every square foot of floor area. If the C-5 parking requirements were applied, the required parking would be as follows:

- $4,750/370 = 12.8$ stalls

With a 20% minor deviation (which requires public art), the number of stalls could be reduced by 2.5 stalls. This would mean 10.3 (rounded to 11) would be required. **Thus, staff believes that with public art, the 11 parking stalls proposed for the subject site are appropriate and not outside of what would otherwise be allowed for a property zoned C-5.**

Rational for Granting Variance Application

The primary reason for granting this variance application is that, due of the small size of the subject property, the strict application of the Zoning Ordinance deprives this property of privileges enjoyed by other property in the vicinity and in an identical zoning district. There are several small commercial properties in the vicinity of the subject site that do not meet the C-1 parking requirements. The property directly to the northeast of the subject site has a much larger commercial building on the same size property and provides little, if any, on-site parking.

Secondly, according to Section 12-217.5-M-1 of the Fresno Municipal Code, in order to carry out the purpose of the C-1 (*Neighborhood Shopping Center*) zone district, a 1 (one) acre minimum area is needed to create a new C-1 zone district. The subject site is only a third of an acre. The four parcels together that create the C-1 zone district are 1.32 acres in area, however, the other three parcels are fully developed making the potential to create a neighborhood shopping center in the near future very unlikely (See attached Exhibit E which depicts the four parcels that make up this C-1 district).

The subject site is a corner lot which requires landscaping on the two street sides. This landscaping takes up a large area on this small site. In addition, a full two-cell trash enclosure is required for this site. This trash enclosure could easily be shared with other buildings if this building was constructed on a larger site with other buildings.

As mentioned above, staff asked the applicant to work with the adjacent property owner to the north to obtain cross access between the two parcels. The applicant's attempts to work with this property owner were unsuccessful. Staff asked the applicant to work with the adjacent property to share a trash enclosure. If the subject site were able to share the trash enclosure with the adjacent property owner and have cross circulation, the site would be able to accommodate two to five more parking stalls.

Finally, the applicant has only proposed 31.5% lot coverage which is not considered an "overbuilt" property. Lot coverage is the percentage of the site covered by structures. The maximum lot coverage in the C-1 zone district is 33% and in most commercial zone districts there is no maximum lot coverage.

The applicant simply cannot provide enough parking stalls on the subject site because the C-1 zone district parking requirements are not appropriate for a corner parcel of this size. As mentioned above, staff believes that with public art, the 11 parking stalls proposed for the subject site are appropriate and not outside of what would otherwise be allowed for a property of the same size in the C-5 (*General Commercial*) zone district.

LAND USE PLANS AND POLICIES

The subject site is located within the boundaries of the Roosevelt Community Plan and the 2025 Fresno General Plan. The proposed project has been required to comply with all applicable goals and policies within these plans.

DIRECTOR'S ACTION ON CONDITIONAL USE PERMIT

The Development and Resource Management Department Director took action on September 14, 2010 to approve Variance Application No. V-10-05. In accordance with Government Code Section 65091 (Planning and Zoning Law) and the Special Permit Procedure of the Fresno Municipal Code, a notice of granting of the variance application was mailed to surrounding property owners (Noticing Map attached as Exhibit D). The special permit does not become effective until 15 days from the date the special permit is granted in order to allow time for any interested parties to file an appeal. Several appeal letters were received during the 15-day appeal period. These appeal letters are attached as Exhibit C.

ANALYSIS OF THE APPEAL LETTERS

Below is an analysis of the major issues raised in the appeal letters submitted for the proposed project. All appeal letters are attached as Exhibit C:

- The following issues were raised in the appeal letters dated September 22, 2010 from Jaswant Kahlon and Jasdip Kahlon (2 separate letters), owners of the convenience store and laundromat located on the northwest corner of South Maple and East Jensen Avenues:

Issue #1: We own a grocery store on Maple Avenue south of the proposed grocery store where ample parking provided per city ordinance and traffic circulates smoothly. We believe the variance should be rejected

Response:

The applicant's site is approximately 1.14 acres in area, well over the size of the subject site. In addition, this convenience store and gas station was approved in conjunction with two retail/warehouse buildings. In total, the approved retail "center" was approximately 2.25 acres in area and this larger site allowed for cross circulation and shared facilities. In addition, this site is zoned C-6 (Heavy Commercial) which has the same parking requirement as the C-5 zone district (a 1 to 1 parking ratio rather than a 2 to 1 parking ratio like the applicant's C-1 zoned property). Thus the appellant was allowed to have half the parking area on his site than the applicant is required to have.

Issue #2: The applicant of the building should reduce the size of the building and provide more parking spaces, probably eliminating one of the uses.

Response:

As mentioned above, staff believes that with public art (which allows an automatic reduction of parking or other development standards by 20%), the 11 parking stalls proposed for the subject site are appropriate and not outside of what would otherwise be allowed for a property zoned C-5 or C-6.

Issue #3: I own a laundromat on Maple Avenue with adequate parking based on the number of washers and dryers I have.

Response: As mentioned above, the appellant's site is zoned C-6 (*Heavy Commercial*) and the parking required for his property was not based on the number of washers and dryers on the property, but on the size of the retail buildings (only one square foot of parking was required for each one square foot of building floor area).

- The following issues were raised in the appeal letter dated September 23, 2010 from Eric Tang, owner of a liquor store located directly north of the subject site on the southeast corner of South Maple and East Church Avenues.

Issue #4: I believe there is insufficient parking on the site and that an overflow of customers will park on my property and will be at the laundromat for hours at a time.

Response: There is a landscape buffer between the subject site and the appellant's property making it somewhat difficult for people to park in the appellant parking lot and then cross to the subject site with their laundry. If the appellant has his property properly posted, he has the right to have a non-customer vehicle towed from his property.

Issue #5: There will be a lot more traffic accidents due to people being forced to park on the streets.

Response: Currently, there are no signs preventing people from parking on South Maple Avenue. If there is not enough room for cars to park on South Maple Avenue, one option is to post "No Parking" signs on the street. The City will conduct a site visit to verify whether or not there is enough room for cars to park on South Maple Avenue in front of the subject site. If the width of the lane is too narrow to allow for on-street parking, the applicant will be required to post "No Parking" signs along the property's frontage on South Maple Avenue.

- The following issues were raised in the appeal letter dated September 24, 2010 from Paul H. Garcia, a nearby resident.

Issue #6: Appellant is against the variance application because of the traffic on Maple and Eugenia, the Fresno Unified School District bus that parks there on Eugenia and Maple, and the air quality problem.

Response: The subject site is planned and zoned for commercial uses and the traffic and air quality impacts associated with a commercial development on the subject site were examined in the Master Environmental Impact Report prepared for the 2025 Fresno General Plan. In addition, the proposed project was reviewed by the Public Works Department and the San Joaquin Valley Air Pollution Control District and was conditioned accordingly. The proposed project was also reviewed by the Fresno Unified School District and the school district made no mention of a bus in the vicinity of the subject site. The development of the subject site will not impact a school bus stop on the street adjacent to the subject site. There will still be ample room on the sidewalk on Eugenia for students to wait for the bus.

- The following issues were raised in the appeal letters dated September 26, 2010 from various residents of the neighborhoods in the vicinity of the subject site.

Issue #7: We do not need another grocery/market or laundromat in this area.

Response: The proposed uses are allowed by right in the C-1 zone district. City staff cannot require the property owner to construct a drug store on the subject site instead of a market and laundromat.

These appeal letters also raised the issue of limited parking on the subject site. As mentioned throughout this staff report, staff believes that with public art (which allows an automatic reduction of parking or other development standards by 20%), the 11 parking stalls proposed for the subject site are appropriate and not outside of what would otherwise be allowed for a property zoned C-5 (*General Commercial*).

VARIANCE APPLICATION 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-1 of the Fresno Municipal Code. Based upon analysis of the variance application, staff concludes that all of the required findings can be made for this variance application as follows:

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 12-405-A-1	
<p>a. <i>Because of special circumstances (other than monetary hardship) applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges (not including the privilege of maintaining a nonconforming use or status) enjoyed by other property in the vicinity and in an identical zoning district.</i></p>	
<p>Finding a:</p>	<p>The subject site is unique because it is zoned C-1 (<i>Neighborhood Shopping Center</i>) but is only 0.33 acres and cannot be developed in conjunction with the abutting C-1 zoned properties because those properties are fully developed and in separate ownership. The number of parking stalls required for this site is reflective of a requirement for a larger shopping center. Staff has asked the applicant to work with the adjacent property to the north of the subject site to obtain cross access between the two parcels. The applicant's attempts to work with this property owner were unsuccessful. Thus, the subject site must either be developed on its own or continue to remain vacant (as is has been for the past 20 years). Given the size of the subject property, the C-1 parking requirements are not appropriate. Since the subject site is being developed more like a strip commercial use rather than a small shopping center, the C-5 parking requirements are more appropriate.</p> <p>If the C-1 zone district parking requirements were applied to this small parcel, this parcel would be deprived of privileges enjoyed by other property in the vicinity with C-1 zoning. The property directly northeast of the subject site is a retail building of similar size that provides no on-site parking.</p>
<p>b. <i>The grant of variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zone district in which the property is situated.</i></p>	
<p>Finding b:</p>	<p>The granting of this variance application would not constitute a special privilege because, as mentioned above, there are other parcels proximate to the site that do not meet the C-1 parking requirements.</p>
<p>c. <i>The grant of variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located.</i></p>	
<p>Finding c:</p>	<p>The approval of this variance application will not be detrimental to the public welfare or injurious to property or improvements in the area. The proposed project will actually be an improvement to the area, providing needed services such as a deli and a laundromat. It will also provide development on a parcel that has remained vacant for over 20 years.</p>

<i>d. The grant of variance will not be in conflict with established general and specific plans and policies of the city.</i>	
Finding d:	As discussed above, the proposed project is consistent with the objectives and goals of the 2025 Fresno General Plan and the Roosevelt Community Plan.
<i>e. The grant of a variance from existing development standards will encourage infill development within designated inner city areas as defined by 12-105-I.</i>	
Finding e:	Although the subject site is not located within an inner city area as defined by Section 12-105-I, the granting of the variance application will encourage infill development by allowing a project to be developed on a site that has remained vacant for over 20 years.

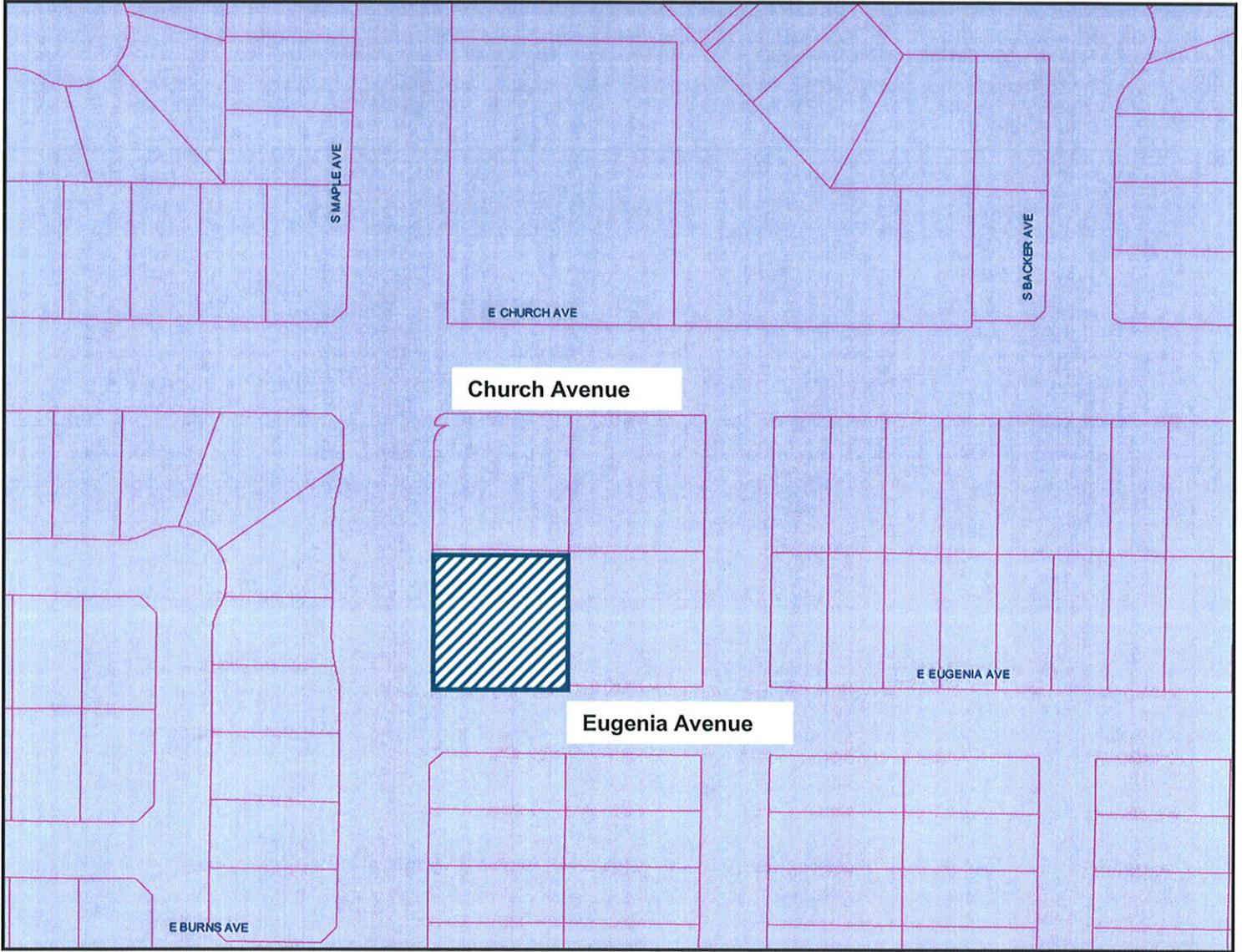
Conclusion

In conclusion, given that all mandated variance findings required pursuant to Section 12-405-A-1 of the Fresno Municipal Code can be made for Variance Application No. V-10-05 and given that the project meets all requirements of a Class 32 Categorical Exemption and is thus exempt from CEQA, staff recommends that the Planning Commission deny the appeals and uphold the action of the Director as previously described in this staff report.

- Attachments:
- Exhibit A: Vicinity Map
 - Exhibit B: 2008 Aerial Photograph of site
 - Exhibit C: Appeal Letters
 - Exhibit D: Noticing Map (350-foot radius)
 - Exhibit E: Map of the entire C-1 district (subject site and 3 adjacent properties)
 - Exhibit F: Site Plan, Floor Plan and Elevations
 - Exhibit G: Operational Statement
 - Exhibit H: Approval Letter/Conditions of Approval dated September, 2010 (including all memos/letters/requirements for other agencies and departments)
 - Exhibit I: Environmental Assessment No. S-10-024/V-10-05

Exhibit A
Vicinity Map

VICINITY MAP



VARIANCE APPLICATION NO. V-10-05

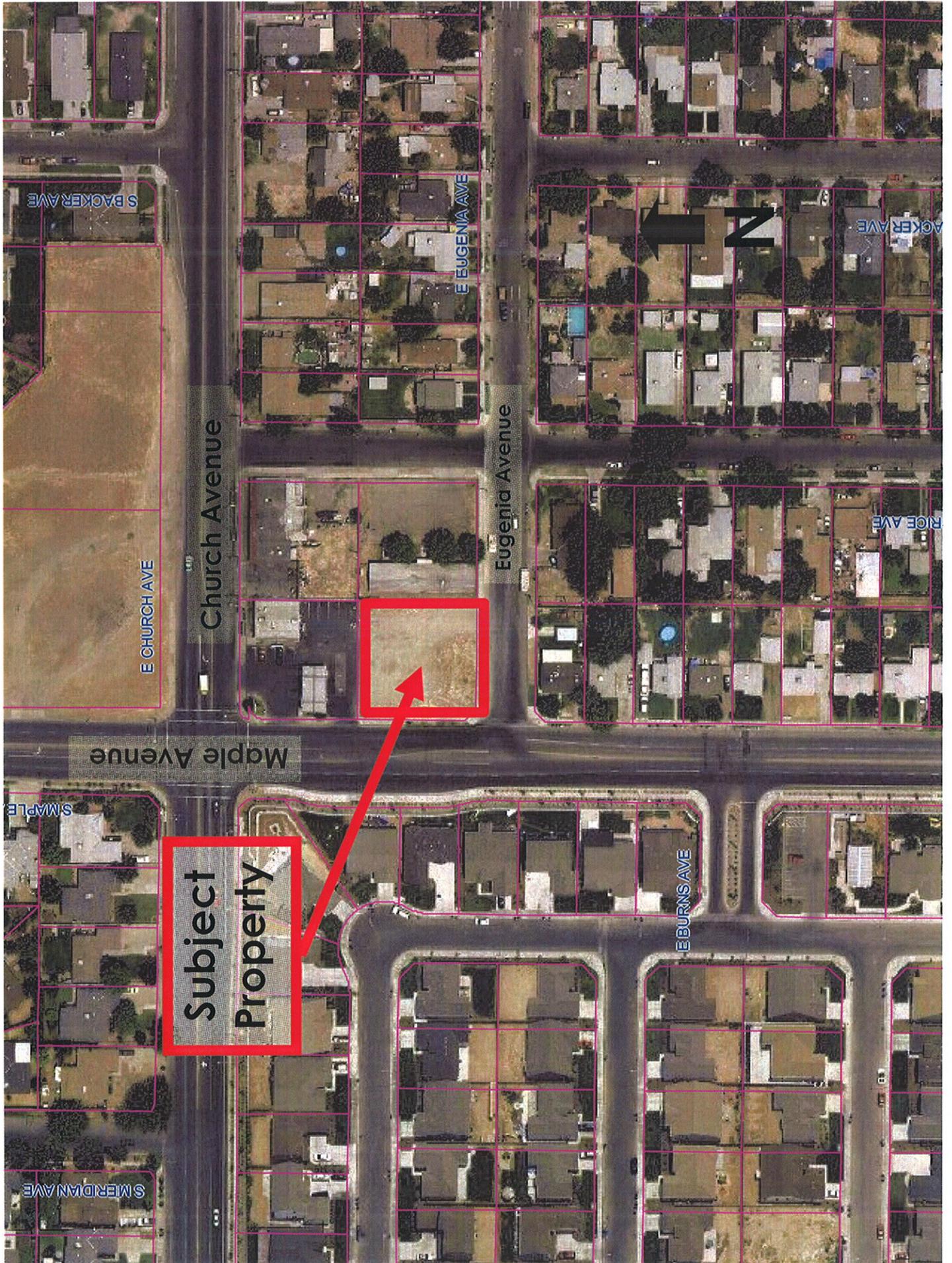
2419 South Maple Avenue

LEGEND

 Subject Property



Exhibit B
2008 Aerial Photograph of Site



**Subject
Property**

N

S BACKER AVE

E CHURCH AVE

Church Avenue

E EUGENIA AVE

Eugenia Avenue

BACKER AVE

RICE AVE

Maple Avenue

S MAPLE

EBURNS AVE

S MERIDIAN AVE

Exhibit C
Appeal Letters

Appeal

September 22, 2010

City of Fresno
Development and Resource Management Department
2600 Fresno Street, 3rd floor
Fresno, CA 93721-2604

RECEIVED
SEP 23 2010
Planning Division
Planning & Development Dept
CITY OF FRESNO

RE: V-10-005

Mr. John M. Dugan, Director;

- We own a grocery store on maple avenue south of the proposed grocery store where ample parking provided per city ordinance and traffic circulates smoothly. We believe the variance should be rejected.
- The applicant did a similar project on Clinton and Fruit north east corner where he had adequate parking. He should do same for this project too, reduce the size of the building and provide more parking spaces, probably eliminating one of the uses.
- Too much building and too little parking in our neighbourhood is hard to tolerate. We play by the rules so we expect others to do the same. An adjacent grocery store has no parking spaces and the church behind is fenced nobody can park there. An adjacent gas station has only five parking spaces so the area has huge shortage of parking spaces already that causes people to park on the streets.
- Besides, approving reduction from 26 down to 11 parking spaces sets a horrible precedence that nobody would welcome to see in future projects.

Sincerely,



Jaswant Kahlon
2588 S. Maple Ave
(559) 392-3365

MCappeal1

✓
Appeal

September 22, 2010

City of Fresno
Development and Resource Management Department
2600 Fresno Street, 3rd floor
Fresno, CA 93721-2604

RECEIVED
JUL 1 2010
Planning Division
Planning & Development Dept
CITY OF FRESNO

RE: V-10-005

Mr. John M. Dugan, Director;

- I own a laundromat (huge investment \$250k equipments plus much maintenance) on Maple avenue with adequate parking based upon the number of washers and dryers I have.
- Most of the time few customers are there occupying 6- 10 parking spaces. but in specific days of the week 20-25 customers show up which we have parking for them.
- The proposed laundromat parking defficiency will overwhelm the streets and the neighbourhood with negative consequences that will try to avoid now if we can.
- Reducing the parking requirements by 2-3 parking spaces is easier to digest but from 26 down to 11 is a matter we never heard of anywhere.
- We are doing the applicant a favor by objecting now so he goes back to the drawing board and avoid future problems.

Sincerely,



Jasdip Kahlon
2590 S. Maple Ave.
(559) 250-5051

Laundappeal

APPEAL

September 23, 2010

City of Fresno

Development and Resource Department

Re: V-10-005

RECEIVED

JUL 23 2010

Planning Division
Planning & Development Dept
CITY OF FRESNO

To whom it may concern:

I own a Liquor Store/ Gas Station next door to the proposed Grocery Store/ Laundromat. I am against the proposed project not only due to competition but parking. I believe parking is insufficient for the project. I believe overflow of customers will park on my property and will be at the Laundromat for hours at a time. I can't have my parking lot full for another business. Also there will be a lot more traffic accidents due to people being forced to park on the streets. The Church behind the project also does not have sufficient parking nor does the Liquor Store behind my business. I have strong reason to believe that the Market will apply for an Alcohol license after its completion. Also approving the reduction of required parking's from 26 to 11 is a huge mistake. The Laundromat down on Maple and Jensen has a huge parking lot and it's congested all the time. Please reevaluate this project and approve a smaller project.

Sincerely,



Eric Tang

4602 E Church Ave

Fresno Ca 93725

559-799-3288

City of Fresno

9/24/10

Development and Resource

Management Department

ATT: John M. Dugan

ALCP, Director

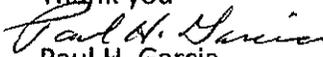
VARIANCE APPLICATION # 10-005
ASSESSORS PARCEL # 480-251-06

My name is Paul H. Garcia a resident of Calwa, and my address is 2336 S. Jackson, which is located on maple and Church Street, and the founder and president of the home owners and Business Association which is The Concerned Citizens of Calwa, A non-profit organization.

My concern about the new business that was to establish here on South Maple and Eugenia street, and I am against the variance applications because of traffic on maple and Eugenia, because of the

Fresno Unified School District bus that parks there on Eugenia and Maple street, and the air quality problem.

Thank you


Paul H. Garcia

RECEIVED

JUN 24 2010
Planning Division
Planning & Development Dept
CITY OF FRESNO

V-10-005 Petition / Appeal

September 26, 2010
City of Fresno
Development and Resource Management Department

Re: V-10-005

RECEIVED
JUN 27 2010
Planning Division
Planning & Development Dept
CITY OF FRESNO

We are against the variance for the proposed Grocery/Market and Laundromat. We do not need another Grocery/ Market or Laundromat in this area. This area needs a nice eating establishment or a Pharmacy/Drugstore. We have multiple businesses in our neighborhood who have contributed to our community and we feel there is no need for more of the same types of businesses to come here. We are also against the variance due to the lack of parking. The intersection is already congested and has a lot of walking traffic which includes children walking back and from the bus stop which is adjacent to the proposed site. Also 11 parking stalls for 2 businesses is ridiculous. People no longer leave their clothing unattended at a Laundromat. How will this be sufficient parking? People will be forced to park on the street or in the empty field across the street and will cause accidents in doing so. Please reconsider this project and approve something that will benefit our area and that will bring positive things to this neighborhood.

Sincerely,

Concerned Neighbors

1. Paul Garcia 2336 S. JACKSON
2. Dawn Yang 2340 S. Jackson ave
3. ~~Al Ghun~~ 2368 S JACKSON AVE
4. Paul Vongsavanh 2329 S. Jackson Ave.
5. Anna Reyes 2439 S. Price Ave
6. Ruben Rojas 2447 S. PRICE FRESNO CA, 93725
7. Candido VEGA 2453 PRICE
8. Luis Lopez 2492 S. Price
9. Celia Sandoval 4831 Florencia
10. Adriana Rubio Colina 2452 S. Price.
11. Dally Garcia 4620 E. Eugenia
12. GILBERT ROMERO 2406 S. Woodrow
13. Scoop Winn 3650 #4 Eugenia Ave 93725

V-10-005 Petition / Appeal

RECEIVED
SEP 23 2010
Planning & Community Dev Dept
CITY OF FRESNO

September 26, 2010
City of Fresno
Development and Resource Management Department

Re: V-10-005

We are against the variance for the proposed Grocery/Market and Laundromat. We do not need another Grocery/ Market or Laundromat in this area. This area needs a nice eating establishment or a Pharmacy/Drugstore. We have multiple businesses in our neighborhood who have contributed to our community and we feel there is no need for more of the same types of businesses to come here. We are also against the variance due to the lack of parking. The intersection is already congested and has a lot of walking traffic which includes children walking back and from the bus stop which is adjacent to the proposed site. Also 11 parking stalls for 2 businesses is ridiculous. People no longer leave their clothing unattended at a Laundromat. How will this be sufficient parking? People will be forced to park on the street or in the empty field across the street and will cause accidents in doing so. Please reconsider this project and approve something that will benefit our area and that will bring positive things to this neighborhood.

Sincerely,

Concerned Neighbors

- ✓ 1. Gabriel Velaz. 4526 E BAYARD FRESNO (559) 577-6766
- ✓ 2. Sureti Ki Sampur 2503 S. Recreation Fresno 559/237-8728
- ✓ 3. DARRI MATHERSKOD 2549 S Sierra Vista Fresno 442-3723
- ✓ 4. Sumler 4637 BAVILAND AVE. Fresno (310) 600-4493 93725
- ✓ 5. Chau K Saog 4602 A. Church Ave. 559. 255. 1932
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____

V-10-005 Petition / Appeal

September 26, 2010
City of Fresno
Development and Resource Management Department

Planning Dept
City of Fresno

Re: V-10-005

We are against the variance for the proposed Grocery/Market and Laundromat. We do not need another Grocery/ Market or Laundromat in this area. This area needs a nice eating establishment or a Pharmacy/Drugstore. We have multiple businesses in our neighborhood who have contributed to our community and we feel there is no need for more of the same types of businesses to come here. We are also against the variance due to the lack of parking. The intersection is already congested and has a lot of walking traffic which includes children walking back and from the bus stop which is adjacent to the proposed site. Also 11 parking stalls for 2 businesses is ridiculous. People no longer leave their clothing unattended at a Laundromat. How will this be sufficient parking? People will be forced to park on the street or in the empty field across the street and will cause accidents in doing so. Please reconsider this project and approve something that will benefit our area and that will bring positive things to this neighborhood.

Sincerely,

- ✓ Concerned Neighbors Kristopher Garcia 24775 Kalkreuth 255-9923
- ✓ Michael Becerra 2255 S. Maple apt 222 559-274-769
- ✓ Ernesto Becerra 3690 N. Fruit apt 124 456-9125
- ✓ Martin Gonzalez 4766 E Belgravia (NON)
- ✓ CRUZ SALINAS 4640 E. Eugenia 394-3657
- ✓ Javier Cano 4726 E. CHURCH AP. 267 93725 Cell 5778535
- ✓ Chastic Salinas 4640 E. Eugenia (559) 517 9443
- ✓ CARLA ANDRAN 2746 E. Lensen (559) 801334
- ✓ FARID S. Shaibi 4646 E Church Ave Fresno (559) 251-3196
- ✓ VINCENT DAVIS 4670 E. FLORENCE 981-2259

V-10-005 Petition / Appeal

September 26, 2010
City of Fresno
Development and Resource Management Department

Re: V-10-005

RECEIVED
2011
Planning Division
Planning & Development Dept
CITY OF FRESNO

We are against the variance for the proposed Grocery/Market and Laundromat. We do not need another Grocery/ Market or Laundromat in this area. This area needs a nice eating establishment or a Pharmacy/Drugstore. We have multiple businesses in our neighborhood who have contributed to our community and we feel there is no need for more of the same types of businesses to come here. We are also against the variance due to the lack of parking. The intersection is already congested and has a lot of walking traffic which includes children walking back and from the bus stop which is adjacent to the proposed site. Also 11 parking stalls for 2 businesses is ridiculous. People no longer leave their clothing unattended at a Laundromat. How will this be sufficient parking? People will be forced to park on the street or in the empty field across the street and will cause accidents in doing so. Please reconsider this project and approve something that will benefit our area and that will bring positive things to this neighborhood.

Sincerely,

Concerned Neighbors

- ✓ 1. Sergio Canales 4658 E GARRETT 485-5747
- ✓ 2. Lina Garcia 4719 E. Grove 255-8890
- ✓ 3. Vincent Amador 2307 S. Meridian 1670 514 892
- ✓ 4. Bob Brown 4619 E. Byron Ave 960-2178 4372
- ✓ 5. Titemon 4625 E. KAVILAND 93725
- ✓ 6. [unclear] 4726 [unclear] [unclear]
- ✓ 7. Alphonso [unclear] 4637 E. [unclear] 251-4504
- ✓ 8. Rosa Cervantes star Cellular 4618 E. Church AVE (559) 389-0500
- ✓ 9. Claudia Gutierrez 2574 S. Tel. 5793156

10. _____

Exhibit D
Noticing Map (350-foot radius)

Exhibit E

Map of the entire C-1 district
(subject site and 3 adjacent properties)

These 4 properties together are zoned C-1. 3 are already fully developed. It is unlikely that this site will be developed as one integrated neighborhood center in the near future

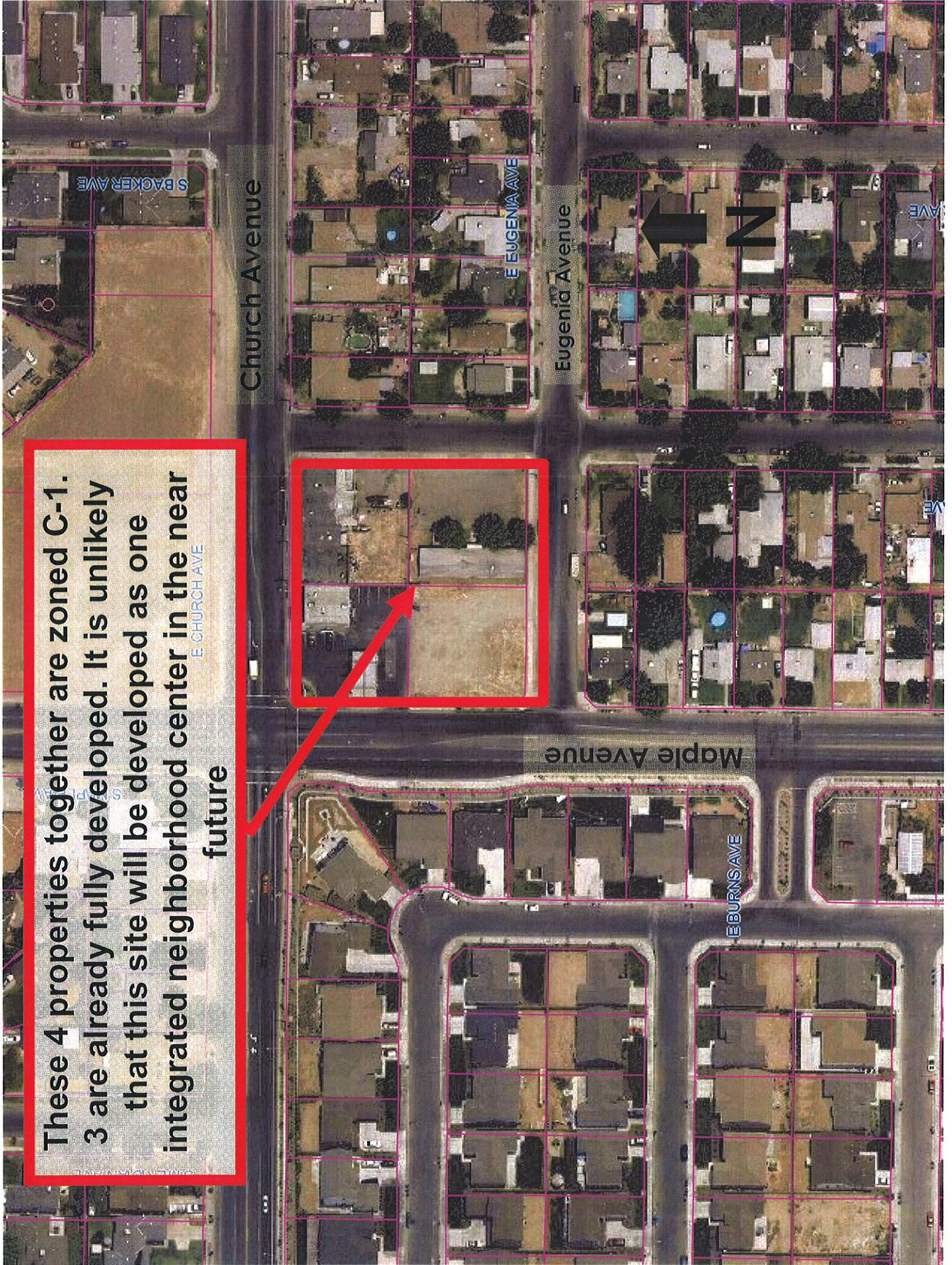


Exhibit F
Site Plan, Floor Plan and Elevations

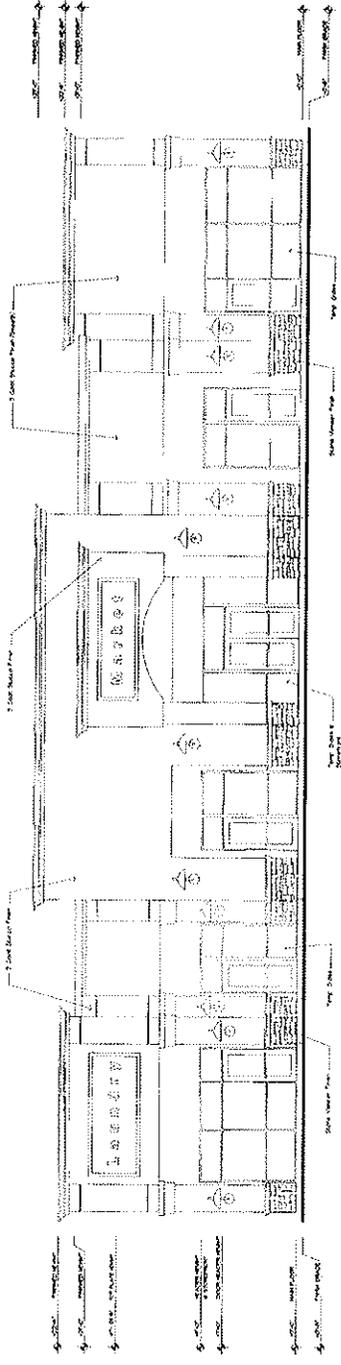
A-2a

Exterior Elevations
East & West Elevations

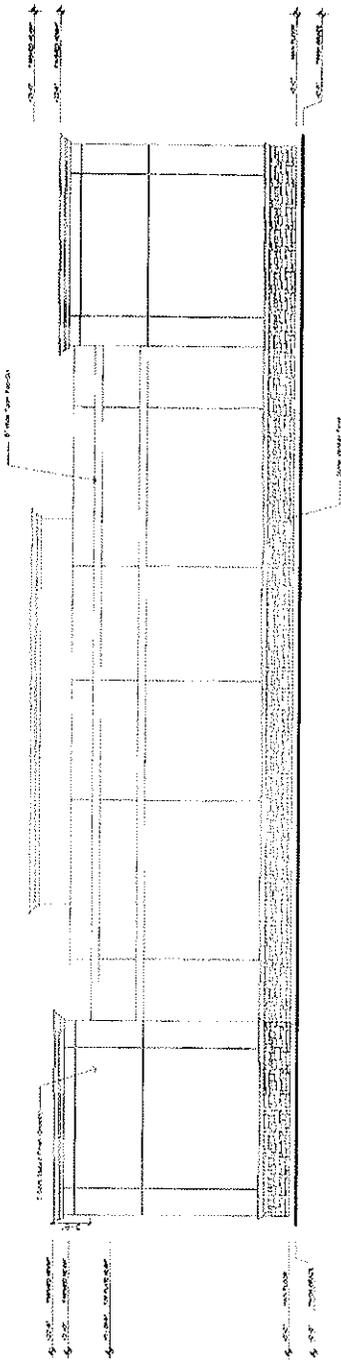
COMMERCIAL
COMPLEX

PLATINUM
Engineering Solutions, Inc.
1680 N Hwy 21
Mills, CA 94543
Tel: (925) 438-8800
Fax: (925) 438-4111
www.platinum-es.com

DATE: 08/11/10
DRAWN BY: J. J. JONES
CHECKED BY: J. J. JONES
SCALE: AS SHOWN



West Elevation
Scale 3/8" = 1'-0"



East Elevation
Scale 3/8" = 1'-0"

Provide color samples
prior to issuance of
building permits.

PLATINUM
Engineering Solutions, Inc.
Commercial, Industrial, Residential, Transit

1026 N. HWY #1
IRVING, TX 75038
TEL: (972) 419-2000
FAX: (972) 419-4111
www.platinumengineering.com



COMMERCIAL COMPLEX

APR 4-20-21-09
CITY OF IRVING, CALIFORNIA

Exterior Elevations
North & South

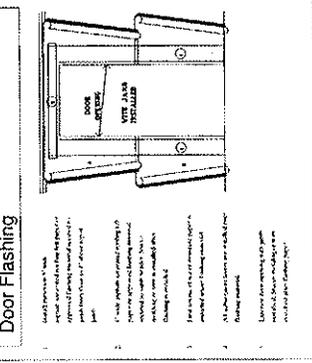
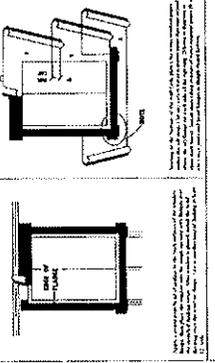
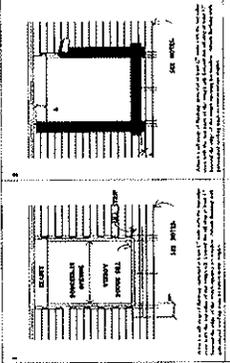
A-2b

Elevation Notes

1. Provide 3/8" diameter stainless steel bolts for fasteners for window and door frames (ASTM A307, SS-316).
2. Provide window and door frames, including, but not limited to, using MSRP for any window and door.

Window Flashing

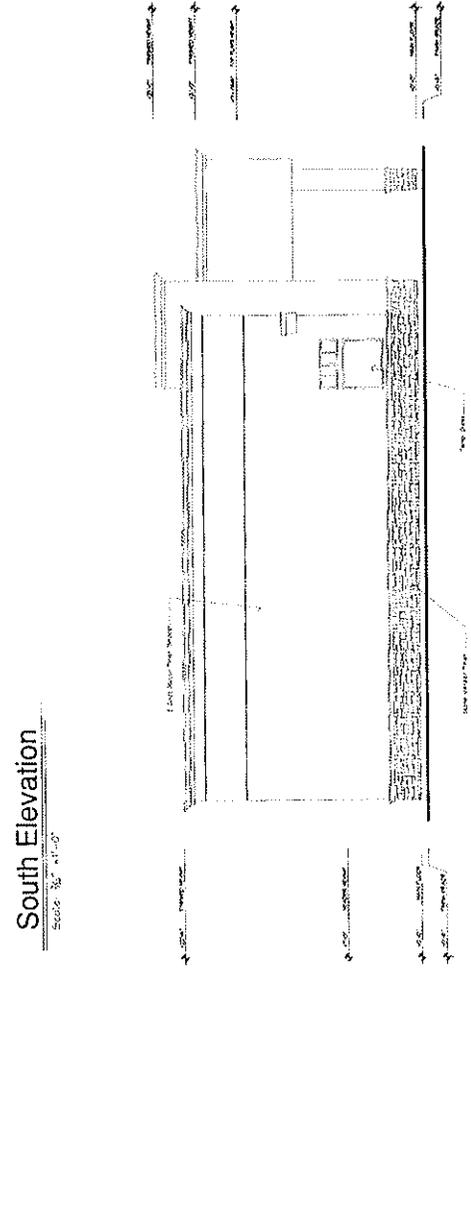
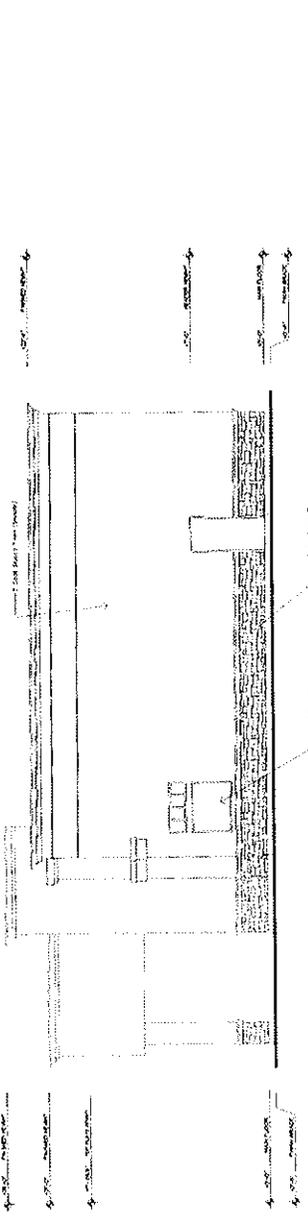
1. Refer to Section 05210, Custom Building Code, for details of all exterior windows required to be weathered to meet weather proof. Supply 1 1/2" x 1/4" zinc coated galvanized steel for window flashing.
2. Use "water" grade 1/4" x 1/4" x 1/4" galvanized steel for window flashing. Flashing material shall be installed before setting.
3. Flashing shall be installed in accordance with manufacturer's instructions.
4. Flashing shall be installed in accordance with manufacturer's instructions.
5. Flashing shall be installed in accordance with manufacturer's instructions.
6. Flashing shall be installed in accordance with manufacturer's instructions.
7. Flashing shall be installed in accordance with manufacturer's instructions.



Elevation Legend

1. All exterior walls shall be finished with brick per Chapter 17.
2. Provide a typical plan of proposed building as shown on sheet A-2b.

Handwritten notes:
Provide color samples prior to issuance of building permits.



Handwritten note:
Provide color samples prior to issuance of building permits.

PLATINUM
 Engineering Solutions, Inc.
 10649 N. HWY 41
 KODAK, CA 94038-9400
 TEL: (559) 439-0500
 WWW.PLATINUMENGINEERING.COM



COMMERCIAL
 COMPLEX
 CITY OF PLEASANTON, CALIFORNIA
 APR 14 2010 10:06 AM

Proposed Shell Building
 Upper Floor Dimensions
 7.8.14

A-1b

Floor Plan General Notes

1. Subject matter shall be derived from the building for a value of 20% for a new grade of 2%.
2. All manufactured items and materials shall be certified and labeled 20% for compliance.
3. All building materials, equipment, and systems shall be certified and labeled 20% for compliance.
4. All building materials, equipment, and systems shall be certified and labeled 20% for compliance.
5. All building materials, equipment, and systems shall be certified and labeled 20% for compliance.
6. All building materials, equipment, and systems shall be certified and labeled 20% for compliance.
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24. All building materials, equipment, and systems shall be certified and labeled 20% for compliance.
25. All building materials, equipment, and systems shall be certified and labeled 20% for compliance.

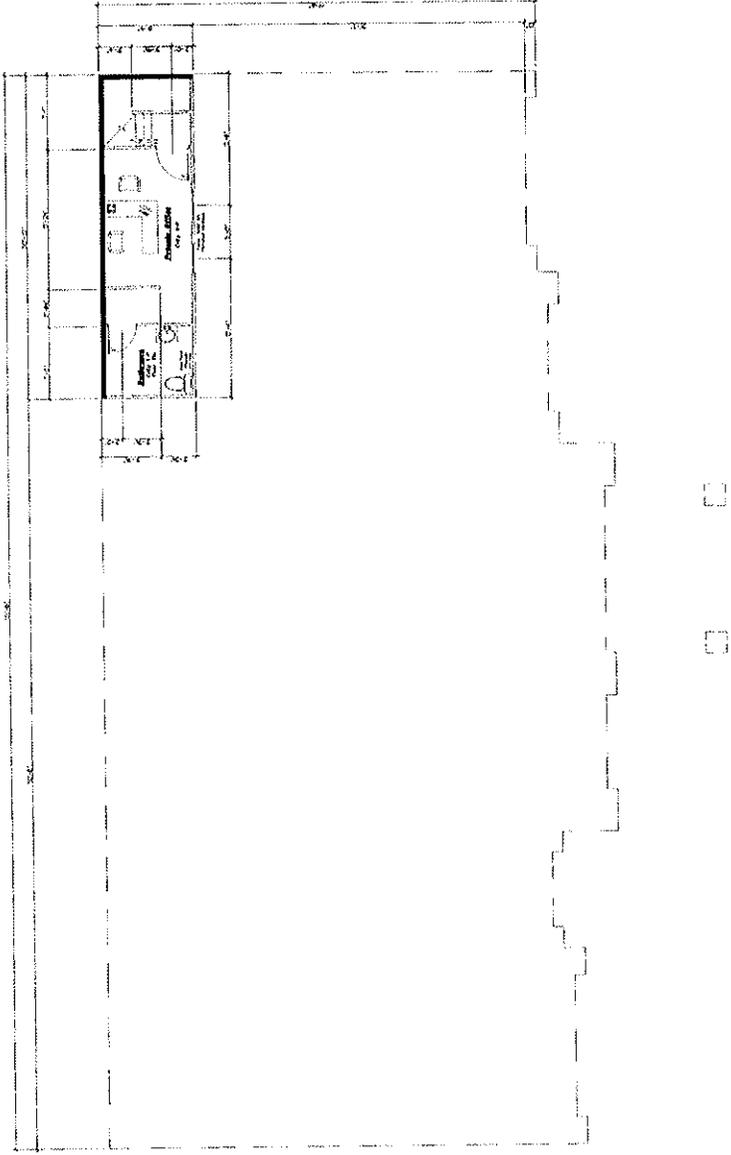
Floor Plan Specifications

Reinforcement U-Values shall be equal or less than:
 U=0.19 @ Exterior Walls
 U=0.28 @ Ceiling
 U=0.28

Duct Testing & IERS Rater verification is required for this project.

Wall Legend

- 3/8 DWP# Stud @ 16" o.c.
- 3/4 DWP# Stud @ 16" o.c.



Proposed Shell Building, Upper Floor Dimensioned

Scale: 3/4" = 1'-0"

PLATINUM
Engineering Solutions, Inc.
Commercial, Industrial, Residential, Towers10450 N. 17th St.
Redwood City, CA 94061-9470
Tel: (650) 433-9433
www.platinumeng.com

COMMERCIAL COMPLEX
CITY OF TRUSTEES, CALIFORNIA
APN 460-251-06

Proposed Shell Building
Lower Floor Dimensioned
11/10/10

A-1a

Floor Plan General Notes

1. Section notes shall be applied every 5 feet from the building for a run of 2'-0" or less, grade of 2%.
2. All manufactured doors and windows shall be considered and shall be shown on the floor plan.
3. All windows shall be shown on the floor plan.
4. All building codes, zoning ordinances, and requirements shall be checked and noted in appropriate locations. (Refer to BIDS responses).
5. Where provided by the building contractor, the building of electrical systems and equipment shall be shown on the floor plan.
6. The building shall provide the following information: (a) Building Information System (BIS); (b) Energy Systems; (c) Heating, Ventilation, and Air Conditioning (HVAC) systems; (d) Fire Alarm; (e) Security; (f) Elevators; (g) Stairs; (h) Other systems and equipment.
7. The building shall provide the following information: (a) Building Information System (BIS); (b) Energy Systems; (c) Heating, Ventilation, and Air Conditioning (HVAC) systems; (d) Fire Alarm; (e) Security; (f) Elevators; (g) Stairs; (h) Other systems and equipment.
8. The building shall provide the following information: (a) Building Information System (BIS); (b) Energy Systems; (c) Heating, Ventilation, and Air Conditioning (HVAC) systems; (d) Fire Alarm; (e) Security; (f) Elevators; (g) Stairs; (h) Other systems and equipment.
9. All interior wall openings shall be dimensioned.
10. All exterior wall openings shall be dimensioned.
11. All openings shall be shown on the floor plan.
12. All openings shall be shown on the floor plan.
13. All openings shall be shown on the floor plan.
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25. All openings shall be shown on the floor plan.

Floor Plan Specifications

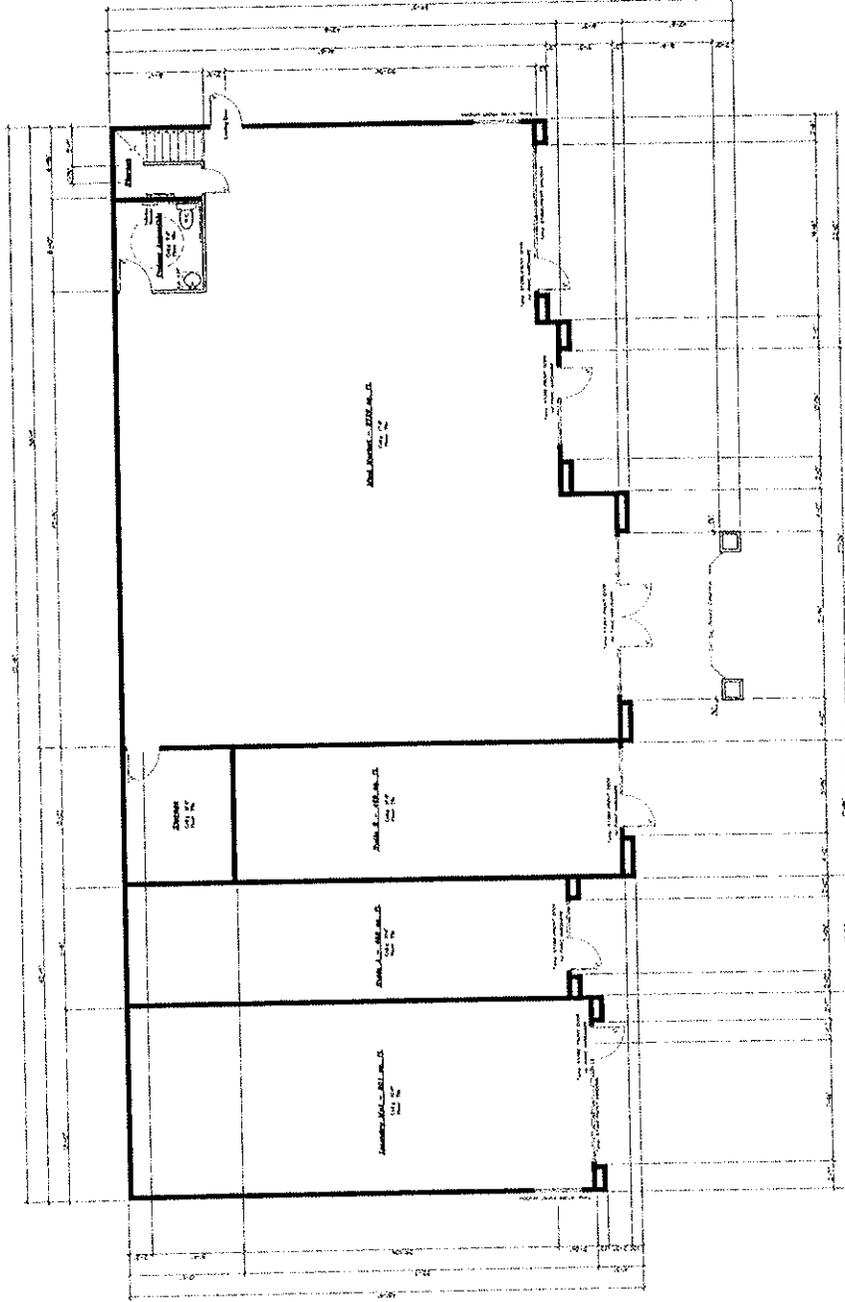
Foundation U-Values shall be equal or less than:
 0.15 @ Floor
 0.35 @ Ceiling
 0.15 @ Wall
 0.15 @ Roof

Sub-floor gain coefficients shall not exceed:
 0.15

Doel Testing & BERS Rater verification is required for this project.

Wall Legend

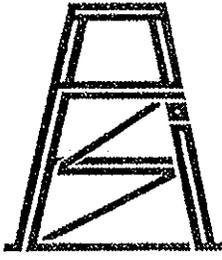
- 2x6 DF#2 Studs @ 16" o.c.
- 2x4 DF#2 Studs @ 16" o.c.



Proposed Shell Building, Lower Floor Dimensioned

Scale: 1/4" = 1'-0"

Exhibit G
Operational Statement



PLATINUM

Engineering Solutions, Inc.

STRUCTURAL ENGINEERING

Residential • Commercial • Industrial • Towers

Operational Statement

RE: Commercial Complex-Shell Building:
Essam Zamzami
550 W. Dakota
Fresno, Ca. 93705

Project Description:

Commercial Complex -- Shell Building is being submitted by Naser Salem or Matthew Malick of PLATINUM ENGINEERING on behalf of Essam Zamzami and pertains to 0.328971 acres of property located at 2419 S. Maple, A.P.N. 480-251-06 and is zoned ~~CM-C6~~ with a planned land use of Commercial is requesting authorization to:

C-1

Construct Light Commercial Shell Building 25 ft. tall and 4750 square feet.

The proposed development will consist of:

The Commercial Complex will consist of a Small Market with Deli, a Laundry Mat, and two Suites to be occupied by outside parties.

The existing site currently exists of 0 with 0 existing parking spaces.

The Proposed hours of operation are from 7a.m. to 9p.m. on 7-Days a Week

Other facts pertinent to this project are as follows:

The primary motivation behind this project was to provide the large surrounding community with a centralized Market/Grocery Store and a much needed Laundry Mat.

Exhibit H

Conditions of Approval dated September 14, 2010 (including
all memos/letters/requirements from other agencies and
departments)

**CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT**

CONDITIONS OF APPROVAL

SEPTEMBER 14, 2010

SITE PLAN REVIEW APPLICATION NO. S-10-024

VARIANCE APPLICATION NO. V-10-005

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.

PART A - PROJECT INFORMATION

1. Assessor's Parcel No: 480-251-06 (.33 acres)
2. Job Address: 2419 South Maple Avenue
3. Street Location: Located on the northeast corner of South Maple and East Eugenia Avenues
4. Existing Zoning: C-1 (*Neighborhood Shopping Center Commercial*) zone district
5. Planned Land Use: Neighborhood Commercial
6. Zone Map: 2653
7. Plan Areas: Roosevelt Community Plan
Southeast Fresno Revitalization Redevelopment Area
8. Project Description: The proposed project is a request to construct a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites.

PART B – GENERAL CONDITIONS AND REQUIREMENTS

The Development and Resource Management Department, on September 14, 2010, approved the special permit application subject to the enclosed list of conditions and Exhibits A-1, A-2, E-1 and E-2 dated July 16, 2010 and Exhibits F-1 and F-2 dated April 1, 2010.

The proposed project was determined to be exempt from CEQA by the Development and Resource Management Department on September 10, 2010 through a Class 32 Categorical Exemption. No further environmental assessment will be needed.

IMPORTANT: PLEASE READ CAREFULLY

Please note that this project may be subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval are listed in the last section of this list of conditions under the heading "Part F - Miscellaneous" and may be appealed. All code requirements, however, are mandatory and may only be modified by variance, provided the findings pursuant to Fresno Municipal Code (FMC) Section 12-405.A can be made.

All discretionary conditions of approval will ultimately be deemed mandatory unless appealed in writing to the Planning and Development Director within 15 days.

In the event you wish to appeal the Director's decision or discretionary conditions of approval, you may do so by filing a written appeal with the Director. The appeal shall include a statement of your interest in or relationship to the subject property, the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld. Your appeal must be filed by **September 29, 2010**.

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:

1. 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;
2. All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
3. Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.

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. **(Include this note on the site plan.)**

No uses of land, buildings, or structures other than those specifically approved pursuant to this site plan shall be permitted. **(Include this note on the site plan.)**

Transfer all red line notes, etc., shown on Exhibits A-1 and A-2 dated July 16, 2010 to the final site plan exhibits. CORRECTIONS SHALL INCLUDE ALL THOSE LISTED IN THIS DOCUMENT AND THOSE LISTED IN THE CORRECTION LIST PROVIDED BY THE PLAN CHECK PROCESS.

The exercise of rights granted by this special permit shall commence by **September 14, 2014** (four years from the date of Director approval). There is no exception.

To complete the back-check process for building permits relative to planning and zoning issues, submit four copies of this corrected, final site plan, together with three copies of the elevations, landscape, and irrigation plans, and any fees and title reports for required covenants and any required studies or analyses to Bonique Salinas in the Development Services Division for final review and approval, fifteen days before applying for building permits. It may be necessary to resubmit these "corrected exhibits" a second time if not all the conditions have been complied with or are not shown on the exhibits. Once the "corrected exhibits" are approved by the Development Services Division, please place these exhibits in the plan check set and contact the Development Services Division, along with Traffic Planning, to set up an appointment to signoff and stamp these exhibits. Please bring two additional copies of the site plan exhibit(s) to this appointment so that both the Development Services Division and Traffic Planning have a final signed-off copy of the site plan.

Please note that even if building permits are not required for the proposed use, a final corrected exhibit is required and all conditions must be met and project must be signed off by the planner prior to the start of operation.

Copies of the final approved site plan, elevations, landscape, and irrigation plans stamped by the Planning Division **must be substituted** for unstamped copies of same in each of the sets of construction plans submitted for plan check prior to issuance of building permits. The final approved site plan must also include all corrections identified in the plan check process.

Be advised that on-site inspections will not be authorized unless the final stamped approved site plan, elevations, landscape, and irrigation plans are included in the plan check file copy.

Please contact Bonique Salinas at (559) 621-8024 or via e-mail at Bonique.Salinas@fresno.gov for an appointment for final sign-off for building permits following your receipt and substitution of the copies of the stamped, corrected, approved exhibits in the plan check sets.

PART C – PUBLIC IMPROVEMENT REQUIREMENTS

1) PUBLIC WORKS, ENGINEERING DIVISION 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, for which this review process is dependent, will be imposed whenever such conditions are disclosed.

Please see attached memorandum from the Public Works Department, Traffic Engineering dated April 19, 2010 as well as comments made to Exhibit A-1 and A-2 dated July 16, 2010.

Questions relative to dedications, street improvements or off-street parking geometrics may be directed to Mario Rocha at Mario.Rocha@fresno.gov , Engineering Division, Traffic Planning Section.

SURVEY MONUMENTS AND PARCEL CONFIGURATION

- a) Existing survey monuments shall be preserved and if disturbed, shall be reset by a person licensed to practice land surveying in the State of California.

STREET DEDICATIONS, VACATIONS, AND ENCROACHMENT PERMITS,

- b) Exhibit "A" is required to include 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 existing and proposed public rights of way.
- c) Provide a minimum 4 foot wide path of travel along the public sidewalk on all frontages of the property as required by Title 24 of the California Administration Code. An on-site pedestrian easement may be required if Title 24 requirements can not be met within the existing public rights of way.
- d) Deed documents for the required dedications shall be prepared by the applicant's engineer and submitted to the Public works Department, Engineering Division, Special Districts / Projects and Right of Way Section with verification of ownership **prior** to issuance of building permits. The cost of deed document processing and recordation fee must be paid at the time of deed submittal. Deed documents must conform to the format specified by the city. Document format specifications may be obtained from the City of Fresno Public Works Department, Engineering Division, Special Districts / Projects and Right of Way Section, (559) 621-8694.
- e) 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, Engineering Division, Special Districts / Projects and Right of Way Section, (559) 621-8693. Encroachment permits must be approved **prior** to issuance of building permits.

STREET IMPROVEMENTS

- f) All improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department. 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, Engineering Services Section at (559) 621-8686 for detailed information. All required street improvements must be completed and accepted by the city **prior** to occupancy.
- g) Repair all damaged and/or off grade off-site concrete improvements as determined by the Public Works Department, Construction Management Division. For additional information you may call (559) 621-5600.

OFF-STREET PARKING FACILITIES AND GEOMETRICS

- h) Off-street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawing(s) P-41, P-42, P-43.
- i) Install **30"** state standard "STOP" sign(s) at location(s) shown. Sign shall be mounted on a **2"** galvanized post with the bottom of the sign **7'** above ground; located behind curb and immediately behind a major street sidewalk. A "right turn only" sign is also required, at the same location; install a **30" x 36"** state standard sign immediately below the stop sign on the same post.
- j) 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:

- k) This project shall pay its TSMI 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.

FRESNO MAJOR STREET IMPACT FEES (FMSI)

- l) This entitlement is in the **Infill Area**; therefore pay all applicable City-wide regional street impact fees.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FEES:

- m) Applicant shall pay fair share contribution as determined by the State of California Department of Transportation (Caltrans) to be collected by the City of Fresno Public Works Department Traffic Engineering, (559) 621-8820, **prior** to a Building Permit.

2) WATER AND SEWER SERVICE REQUIREMENTS

- a) Connection to the City of Fresno water system is required.
- b) Connection to the City of Fresno sewer system is required.
- c) 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.
- d) Open street cuts are not permitted; all utility connections must be bored.
- e) 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.

3) DEVELOPMENT IMPACT FEES

- a) City of Fresno Development Impact Fee obligations applicable to this project will be computed during the building construction plan check process. The specified fees will be payable at time of issuance of building permit, at time of issuance of certificate of occupancy, or deferred with a fee deferral covenant.
- b) For information related to City of Fresno Development Impact Fees, contact Frank Saburit at (559) 621-8077.
- c) Sewer Connection Charges (FMC Section 9-503-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.
 - (i) Lateral Sewer Charge (based on property frontage to existing sewer main, to a depth of 100')
 - (ii) 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.

- (iii) Upon occupancy of the project, the developer shall pay the appropriate sewer facility charge pursuant to the Simple Tiered Equity Program (STEP) as determined by the Department of Public Utilities, Wastewater Division, Environmental Services Section (559-621-5153).
- d) Water Connection Charges: (FMC Sections 14-107 to 14-110). 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.
 - (i) Frontage Charge (based on property frontage *to existing water main*)
 - (ii) Transmission Grid Main Charge (based on *parcel* acreage)
 - (iii) Transmission Grid Main Bond Debt Services Charge (based on *parcel* acreage)
 - (iv) Service Charges (based on service size required by applicant)
 - (v) Meter Charges (based on service need)
- e) Traffic Signal Fee Mitigation. 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.
 - Commercial, Industrial (based on Average Daily Trips) Single, Multi-Family Residential (based on the number of residential units)
- f) Citywide Fire Facilities Charge
 - Commercial, Industrial (based on building square footage)
 - Single, Multi-Family Residential (based on the number of residential units)
- g) Citywide Park Facility Charge.
 - Single, Multi-Family Residential (based on the number of residential units)
- h) Citywide Police Facilities Charge
 - Commercial, Industrial (based on building square footage)
 - Single, Multi-Family Residential (based on the number of residential units)
- i) Citywide Regional Street Charge.
 - Planned Land Use (based on parcel acreage)
- j) Fresno County Facility Impact Fee: Pay the Fresno County Facility Impact Fee. Provide proof of payment or exemption prior to issuance of permits.

4) OTHER AGENCIES IMPACT FEES

- a) Satisfy the Fresno County Facilities Impact Fee obligation. Provide County Facilities Impact Fee receipt from the County Public Works and Planning Department (559-488-3496) as proof of payment or exemption prior to the issuance of building permits.
- b) Satisfy the Fresno County Regional Transportation Mitigation Fee (RTMF), as required by the RTMF Joint Powers Agency (559-233-4148). The RTMF Informational Summary and the Record of Payment forms are available at the Planning and Development public counter.
 - i) The completed Record of Payment of the RTMF form of the must be submitted to the City prior to the issuance of building permits. Prior to issuance of the Certificate of Occupancy, the Record of Payment of the RTMF form must be signed indicating the Disposition of RTMF by the RTMF JPA.

PART D – PLANNING/ZONING REQUIREMENTS

1) PLANNING

- a) Development is subject to the following plans and policies:
 - (i) C-1 (*Neighborhood Shopping Center Commercial*) zone district (*Section 12-217 of the FMC*)
 - (ii) Roosevelt Community Plan
 - (iii) Southeast Fresno Revitalization Redevelopment Area
 - (iv) 2025 Fresno General Plan
 - (v) Development Department, Performance Standards for Parking Lot Shading

2) ZONING

- a) Development is proposed in accordance with the existing C-1 (*Neighborhood Shopping Center Commercial*) zone district.
- b) The proposed uses, a grocery store, a delicatessen, a laundromat, and an office are uses allowed by right in the C-1 zone district pursuant to Section 12-217.1 of the Fresno Municipal Code.

3) ROOSEVELT COMMUNITY PLAN:

- a) The following plans and policies contained in the Roosevelt Community Plan are applicable to the subject property:

Policy and Implementation Measure 1-10.2	Distribute office, retail and service commercial development outside of the Kings Canyon Road commercial corridor: <ul style="list-style-type: none">a. Neighborhood commercial uses may be considered at arterial/collector street intersections; or when not more than 5 acres in size and included within a unified residential planned development.
--	---

The subject site is located on two collector streets but is already planned for neighborhood commercial uses by both the Roosevelt Community Plan and the 2025 Fresno General Plan.

- b. Assure that public facilities and services will be provided to accommodate demand increases or characteristics (peak factors, disruptive traffic movements, fire suppression water demands, et al.) in a manner that will maintain an acceptable level of service to the proposed use and the surrounding community in accordance with adopted plans, policies, and development standards.

The subject site has the public facilities needed to serve the proposed project as verified by the Public Works Department, the Department of Public Utilities, and the Fire Department

Policy and
Implementation
Measure 1-11.2

The Roosevelt Community Plan designates the subject property as neighborhood commercial, thus, this project is consistent with the Roosevelt Community Plan. It should be noted that although the following policies are applicable, Policy 1-11.2 states the following: "they [i.e. the development standards] may be modified through the development entitlement process in order to best serve the Community's health, safety and welfare, if the Director of the [Planning and] Development Department, the Planning Commission or the City Council finds that appropriate architectural design, screening, noise attenuating and operational measures have been provided to adequately protect adjoining residential property." As a result, staff reviewed the following policies and addressed their applicability.

Policy 1-11.2-a

Where possible, loading and storage areas should not be located at the front of structures. In all cases, these areas shall be screened from view of adjoining property zoned or planned for residential uses by a combination of landscape planting and a solid masonry wall. All loading spaces shall be located not less than 150 feet from the boundary of any residential property, however, the proximity of loading areas may be reduced when adequate design and operational mitigation measures are approved to protect adjacent residential. All storage shall be within an enclosed structure.

Given that the site is adjacent to planned and zoned residential uses, staff will prohibit all outdoor storage, unless enclosed by a structure. However, given the project site's area and orientation, it is staff's opinion that prohibiting loading areas would make the project infeasible, given the size of the parcel. No loading space has been shown on the site plan. If a loading space will be provided, please design this loading zone the impacts to the adjacent residential uses are minimal.

Policy 1-11.2.b:

Roof-mounted and detached mechanical equipment for commercial and

office uses should be screened from view and acoustically baffled to prevent the noise level rating for the equipment from exceeding 55 Ldn measures at the nearest property line.

This is a requirement.

Policy 1-11.2.c:

Provide a landscaped setback, at least 10 feet wide or wider (as required by the Fresno Municipal Code) and containing deciduous and evergreen trees, to be planted and maintained along the property line between all commercial or office uses and abutting properties zoned or planned for residential uses and along abutting local streets.

This property does not share a property line with properties zoned or planned for residential uses. The property does, however, abut a local street and thus is required to provide 10-feet of landscaping along Eugenia. The applicant has been granted a minor deviation from this landscaping requirement. Please see Condition 7-b-ii below.

Policy 1-11.2.d:

No commercial or office building shall be constructed within 50 feet of the property line of abutting properties zoned or planned for residential uses, unless alternative measures are approved in accordance with the above provisions.

Although there is residential property across the street from the subject site, the property does not directly abut (share a property line) with property zoned or planned for residential uses.

Policy and
Implementation
Measure 1-11.3

Policy 1-11.3.a(2):

To protect the integrity of adjacent residential areas, a masonry wall (or combination of masonry wall or earth berm) shall provide a continuous barrier 3 ½ feet to 6 ½ feet in height, and shall be erected on or along the setback line 10 to 20 feet from, and parallel with, the right-of-way line abutting local streets, as determined appropriate through the special permit process.

Given that a driveway and the wall of the proposed building will run along the south property line, a wall is not necessary. However, please provide dense hedges, at least 3 feet in height along this property line (except where the driveway is proposed).

Policy 1-11.3.b:

Within an area 100 feet wide abutting property zoned or planned for residential use, exterior area lighting for parking areas, carports, garages, access drives and loading areas for commercial and office uses shall be shielded to prevent line of sight visibility of the light source.

This property does not abut property zoned or planned for residential use; however there are single family residences proximate to the subject site. Lighting is required to be hooded and so arranged and controlled so as not to cause a nuisance either to highway traffic or the living environment.

Policy 1-11.3.c:

The design of exterior trash pads and similar accessory site elements shall be compatible with the architectural style of the main building and shall use complementary materials and colors.

The applicant is required to provide a compatible color and material schedule for the proposed trash enclosure.

Policy 1-11.3.d:

Buildings shall have an attractive appearance on all sides, not just the front elevation. No monolithic walls shall be permitted. Implementation of design features such as the extension of the roof treatment around to the sides and back of the building, provision of pedestrian overhangs, and use of texture, relief, and/or color will add interest to otherwise blank walls.

The applicant is required to provide design features on all sides of the building.

Policy 1-11.3.e:

Front facade pedestrian walkways and protective overhangs shall be incorporated into site plans and building designs respectively.

This is required.

4) 2025 FRESNO GENERAL PLAN

- a) The following plans and policies of the 2025 Fresno General Plan are applicable to the subject property:
 - (i) C-19-d Policy: Properties fronting on major streets shall be improved with landscaped setbacks and sidewalks which reflect a continuity of design.
 - (ii) 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 (e.g., indoor area for display of merchandise, as opposed to "sidewalk"/parking lot display).
- Sufficient space and access shall be provided for support functions, (e.g., storage, loading, parking, waste disposal/recycling).
- 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.

5) PARCEL CONFIGURATION

- a) Given that there are structures cross existing property lines on the subject site, a Voluntary Parcel Merger is required. Please remit \$950 and all necessary documentation required for a Voluntary Parcel Merger Application. This must approved prior to issuance of building permits.

6) BUILDING HEIGHT

- a) No building or structure over 35-feet shall be erected in this district without a conditional use permit. The proposed building will be 25 feet in height, under the allowable building height.

7) LOT COVERAGE

- a) The maximum coverage of the lot by buildings or structures shall not exceed thirty-three (33) per cent of the total area, including easements. In calculating lot area, one-half (1/2) of the width of all abutting alleys may be included in the "C-1" District; however, when there is an approved plan for an integrated center, said plan shall govern.

Please provide this calculation on Exhibit A. It appears that the proposed lot coverage is approximately 33% (including first floor building footprint and trash enclosure).

8) BUILDING SETBACK, OPEN SPACES AND LANDSCAPING

- a) Provide the following minimum building setbacks:
 - (i) North Maple Avenue: 10-feet required pursuant to Section 12-217.5-E-2 of the FMC
 - (ii) East Eugenia Avenue: 10-feet required pursuant to Section 12-217.5-E-3-b of the FMC
- b) Provide the following minimum landscape setbacks:
 - (i) North Maple Avenue: 10-feet required pursuant to Section 12-217.5-E-2 and Section 12-217.5-E-1-b of the FMC. This 10-feet shall be landscaped in accordance with Section 12-

306-N-24 of the FMC.

- (ii) East Eugenia Avenue: 10-feet required pursuant to Sections 12-217.5-E-3-b and 12-217.5-E-1-b of the FMC. This 10-feet shall be landscaped in accordance with Section 12-306-N-24 of the FMC. **Exhibit A-2 dated July 16, 2010 depicts only a 5-foot landscape setback for about half of the length of the Eugenia Avenue frontage.** According to Section 12-306-N-24, a variable landscaped area along a major street, ranging in depth from no less than three feet to ten feet or more, may be permitted by the Director provided that the total area of landscaping shall not be less than that provided by an area ten feet wide times the length of the major street frontage or boundary, excluding driveways, and provided further that aggregate length of the portions of the landscaped area having a depth of three feet shall not exceed thirty-five percent of the major street frontage or boundary. No parked vehicle shall be allowed to overhang any portion of the landscaped area that is less than seven feet in depth. **The total length of the area to be landscaped is 81 feet (after subtracting out the corner cut-off and the drive-approach). This means that 810 square feet along the Eugenia Avenue frontage is required to be landscaped. There is approximately 686 square feet of landscaping along this frontage. This is 124 square feet or 15.3% less than required. The applicant has requested a minor deviation to reduce the landscape setback (because we cannot make the findings for a variance for this reduction).**

Pursuant to Section 12-407-B of the FMC, as an incentive to incorporate Public Art into Public or Private projects, a Minor Deviation of up to twenty percent (20%) from property development standards may be granted. The applicant has proposed a sculpture to meet this public art requirement. **The final piece of artwork must be approved by the Development and Resource Management Department prior to issuance of building permits.** Please see attached application for more information.

- (iii) All other landscaping as shown on Exhibit A-2 dated July 16, 2010.
- c) All landscaping shall comply with the Anti-Graffiti Landscaping, Landscaped Buffer Development and Planting Standards, attached.
- d) Clearly identify all condensing units, air conditioning and heating units on the site and elevation plans.
- e) No structures of any kind (*including signs and/or fences*) may be installed or maintained within the above-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. **(Include this note on the site plan.)**
- f) The number of trees will be determined by the following formula:
- (i) Provide one medium size tree for every two parking spaces (*Section 12-306-N-24-g-3 of the FMC*).

- o Provide a total of **6** medium sized trees on-site, in addition to the 4 required street trees:
 - 11 new parking spaces provided/ 2= 6 medium sized trees required on-site. Exhibit A-2 depicts only 5 trees on-site and 2 street trees.
 - Per the memo from Hilary Kimber in the Public Works Department dated March 12, 2010, the 2 street trees along North Maple Avenue may be provided on-site. Thus, a total of 8 on-site trees are required. **Please provide 3 additional on-site medium sized trees.**

NOTE: Two small trees (15-30 feet at maturity) shall be counted as one medium-sized tree.

- g) **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.
- h) 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.
- i) 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 Planning and Development Department. **(Include this note on the site and landscape plans.)**
- j) Once planted, healthy, thriving trees and shrubs may not be removed without submitting a written request, supported by specific reasons, to the Director. The Director will make a determination to grant or deny the request based on the validity of the reasons presented and respond with a written decision. Valid reasons include, but are not limited to, approval of a revised or amended site plan, construction of a new building or on-premises sign or an addition to an existing structure when an unlandscaped building area is not available, or replacement with drought or disease tolerant plants. Each tree or shrub so removed must be replaced elsewhere on the site with landscape materials of equal value. **(Include this note on the site and landscape plans.)**
- k) Submit three copies of landscaping and irrigation plans prepared by a landscape professional, showing the number and types of trees, to the Development Services Division. These plans must be reviewed and approved prior to obtaining building permits.
- l) 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 Planning Division. **(Include this note on the site and landscape plans.)**

- m) 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 Planning Division, Development Department. **(Include this note on the site and landscape plans.)**

9) SPACE BETWEEN BUILDINGS

- a) There are no requirements for space between buildings.

10) FENCES, HEDGES, AND WALLS

- a) 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.
- b) Please depict all existing fences (location, material, and height) on the site plan.
- c) Please provide the height and type of all existing and proposed fences on the site plan.
- d) Future fences shall be reviewed and approved by the Development and Resource Management Department prior to installation. **(Include this note on the site plan.)**

11) OFF-STREET PARKING

- a) The following off-street parking requirements shall apply:
 - a. The general requirement for off-street parking spaces and areas shall be two square feet of parking area for each square foot of floor area.

All proposed uses are considered general uses in the C-1 zone district. The required parking is as follows:

$4,750 \times 2 = 9,500$ square feet of parking area required

The code states that 370 square feet is the area needed for one parking stall, including ingress and egress.

$9,500/370 = 26$ parking stalls required

Exhibit A-2 dated July 16, 2010 depicts 11 parking stalls, well under the required number of stalls. Variance Application No. V-10-005 has been submitted and approved to allow the reduced number of parking stalls.

- b. The special parking requirements and improvement and maintenance standards of Section 12-306-I, shall apply as thereto specified.

3. The provisions of the General Conditions, Section 12-306-I, shall apply.

- a) Future tenants, including tenant improvements shall be reviewed to ensure adequate parking pursuant to Section 12-218.5-I (off-street parking) of the FMC.
- b) **Outdoor storage of materials, including ISO containers, is prohibited. All materials shall be stored within a completely enclosed building, unless approved by the Development and Resource Management Department. (Include this note on the site plan.)**
- c) The parking lot design must accommodate the provision of trees in accordance with the attached Parking Lot Shading Policy.
- d) A minimum of **1** handicap accessible parking stall is required per Table 11B-6 of the 2007 State of California Building Code (page 462). Exhibit A-2 dated July 16, 2010 depicts 2 handicap accessible parking stalls.
- e) All handicapped 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.)**
- f) All handicapped 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 handicapped parking stalls and ramps. **(Include this note on the site plan.)**
- g) 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. The lighting depicted on Exhibit A-2 is adequate.**
- h) A minimum of **2** bicycle parking spaces shall be provided for the proposed use pursuant to Section 12-306-I-2.1c of the 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. **The location of the bicycle rack shown on Exhibit A-2 is adequate.**
- i) All general provisions of Section 12-306-I of the FMC shall apply to all parking areas.

12) LOADING SPACE REQUIREMENTS

- a) Pursuant to Section 12-306-L-1, a commercial building or buildings of this size which contains a

use which involves pick-up and delivery of materials (other than normal solid waste collections) from trucks and tractor-trailers weighing more than two tons, shall provide and maintain loading spaces as required by this section of the FMC. This section of the code requires 1 loading space for commercial buildings of this size.

- b) Should trucks exceeding two tons not be utilized in the operation of the proposed businesses, or internal loading is provided, a letter must be submitted to the Development Services Division stating such. Exhibit A-2 dated July 16, 2010 depicts 0 loading zones.

13) ACCESS

- a) 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.
- b) Vehicular and/or pedestrian access shall be provided and shall remain clear at all times.
- c) When pedestrian paths traverse the parking lot, the pedestrian path shall be delineated by a contrasting color.

14) ADDRESSING

- a) 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'.

15) NOISE

- a) Pursuant to Section 10-102.b of the FMC, noise levels for commercial zoned properties shall not exceed 60 decibels from 10 p.m. to 7 a.m. and 65 decibels from 7 a.m. to 10 p.m. measured at the nearest subject property line. Future uses and/or development shall be required to comply with this provision. **(Include this note on the site plan.)**

16) OUTDOOR ADVERTISING

- a) The provisions of Section 12-217.5-K, shall apply. No signs have been approved through this site plan review process.

17) COVENANTS AND AGREEMENTS

- a) None required.

PART E – CITY AND OTHER SERVICES

1) BUILDING AND SAFETY DIVISION

- a) Plans and permits are required and must be submitted and approved prior to construction.

2) FIRE PROTECTION REQUIREMENTS

- a) Comply with attached Fresno Fire Department response dated April 16, 2010.

3) SOLID WASTE MANAGEMENT

- a) Please see the attached Department of Public Utilities, Solid Waste memorandum, dated April 12, 2010. Per the standard, two doors are required for each cell.

4) FLOOD CONTROL REQUIREMENTS

- a) Comply with the attached Fresno Metropolitan Flood Control District (FMFCD) Notice of Requirements dated May 18, 2010. No drainage fee is required at this time.
- b) Contact the Fresno Metropolitan Flood Control District for further explanation regarding their requirements at (559) 456-3292.

5) SCHOOL FEES

- a) School fees must be paid, if required, prior to the issuance of building permits. Please see attached letter from Fresno Unified School District dated April 13, 2010. Provide proof of payment (or no fee required) prior to the issuance of building permits.

6) STREET TREE REQUIREMENTS

- a) Provide 1 street tree for every 60 lineal feet of street frontage. Based on this requirement, the following number of street trees are required:

North Maple Avenue: 2 street trees required (120 feet/60 = 2)

East Eugenia Avenue: 2 street trees required (120 feet/60)

4 street trees are required for the proposed project. As mentioned above, the 2 street trees required along Maple Avenue may be provided on-site (within 10-feet of property line).

- b) Please see the attached letter dated March 12, 2010 from Hilary Kimber in the Public Works Department for additional requirements.

7) SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

- a) Comply with the attached letter from the San Joaquin Valley Air Pollution Control District (SJVAPCD) dated April 15, 2010.

- b) As indicated in the attached letter, an ISR is required. This ISR must be completed prior to operation. Mitigation measures incorporated into the ISR analysis are incorporated into these conditions as conditions of approval and are required. This must be completed prior to issuance of building permits.

8) DEPARTMENT OF PUBLIC UTILITIES

- a) Comply with the attached memorandums (2: one for water and one for sewer) from the Department of Public Utilities, dated February 11, 2010.

9) DEPARTMENT OF TRAFFIC ENGINEERING

- a) Comply with the attached Public Works-Traffic Engineering memorandum, dated April 19, 2010.
- b) Transfer all comments and conditions on Exhibit A-2 dated July 16, 2010 to the corrected exhibit.

10) FRESNO COUNTY ENVIRONMENTAL HEALTH

- a) Comply with the attached County of Fresno Department of Community Health memorandum, dated April 16, 2010.
- b) One of the requirements noted in the above memorandum is that prior to occupancy the applicant shall complete and submit food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division. A hold on occupancy will be placed on the project until this condition has been met.

11) FRESNO IRRIGATION DISTRICT

- a) Please see attached response from the Fresno Irrigation District dated April 13, 2010.

12) POLICE DEPARTMENT

- a) The proposed project was routed for comment to the City of Fresno Police Department. The Police Department did not provide conditions or comments in regards to the proposed project.

13) REDEVELOPMENT AGENCY

- a) Comply with the attached conditions from the Redevelopment Agency dated April 12, 2010.

14) UNITED STATES POST OFFICE

- a) Comply with the attached comments from the United States Post Office dated April 13, 2010.

15) DISTRICT 5 PLAN IMPLEMENTATION COMMITTEE

- a) The District 5 Plan Implementation Committee reviewed and approved this project with the

following condition at their July 12, 2010 meeting:

- (1) Landscaping shall be installed prior to occupancy (*this is already a requirement*).
- (2) Solid waste enclosures shall be placed towards the rear of the property.

Staff would also like the trash enclosure to be located in the rear. However, given the size of the subject property, it is very difficult to provide separate drive aisles in the rear or side of the property for access to this enclosure. Staff has asked the applicant to work with the adjacent property owner to gain cross access across his property. The adjacent property owner has declined. If cross access can be obtained, the most ideal location would be to locate the trash enclosure against the north side of the building facing north. In the future, if the property to the north of this site is redeveloped, the subject site shall grant cross access between the two properties if needed.

Given that the trash enclosure cannot be placed to the rear of the subject site, the applicant is required to ensure that the doors on the trash enclosure are decorative in nature and closed at all times. The design of the trash enclosure must be approved by the Development and Resource Management Department prior to issuance of building permits.

PART F – MISCELLANEOUS

- 1) Approval of this site plan is contingent upon the submittal of corrected exhibits showing all existing/proposed on-site conditions as reflected on all exhibits and the following:
 - a) Screen all roof-mounted equipment from the view of public rights-of-way. **Depict all mechanical equipment on site plan and elevations.**
 - b) 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.)**
 - c) 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.)**
 - d) 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.)**

All discretionary condition of approval will ultimately be deemed mandatory unless appealed in writing to the Development and Resource Management Department Director within 15 days.

City of



FIRE DEPARTMENT

Date: April 16, 2010

To: BONIQUE SALINAS, Planner III
Planning and Development Department , Current Planning

From: RICHARD FULTZ, Senior Fire Prevention Inspector
Fire Department, Fire Prevention & Investigative Services

Subject: S-10-024 was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue, 2419 South Maple Avenue, APN 480-251-06. The applicant proposes the construction of a 2-story, 4,750 square foot commercial building, first floor 4,536 square feet, second floor 214 square feet, for a market-grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1, Neighborhood Shopping Center.

General

Existing access and water supply meet fire department requirements and there are no additional site requirements for this project. The building will be reviewed when the building plan is submitted to the Planning and Development Department.

No notes on site plan



DEPARTMENT OF PUBLIC UTILITIES

Date: April 12, 2010

To: BONIQUE SALINAS, Planner III
Planning and Development Department, Current Planning

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

Subject: S-10-024 was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue, 2419 South Maple Avenue, APN 480-251-06. The applicant proposes the construction of a 2-story, 4,750 square foot commercial building, first floor 4,536 square feet, second floor 214 square feet, for a market-grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1, Neighborhood Shopping Center.

Does Project Affect Your Agency/Jurisdiction

Yes - Project will be serviced by Solid Waste Division

Suggestions to Reduce Impacts/Address Concerns

Enclosure not shown to current standard.
Enclosure shall be constructed on a level surface.

Recommended Conditions of Approval

Project will be serviced by Solid Waste Division.
Enclosure shall be built in accordance with current Solid Waste standards.
Two cell trash enclosure required.
Current Solid Waste Standard Attached

Additional Information

Location of enclosure is acceptable
Revise plans to address concerns stated above and resubmit for approval.
Make sure developer/contractor receives copy of current Solid Waste Standards.

General Notes:

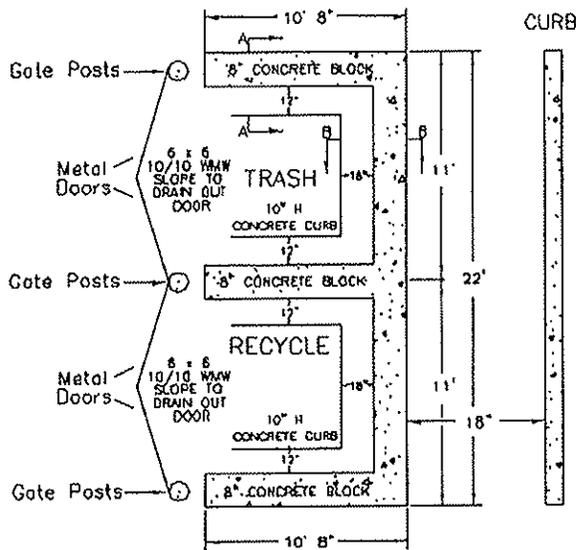
1. All site plans shall have the signature approval of a Solid Waste Management Division representative.
2. Containers used at all places shall be placed for collection at service locations approved by the Public Utilities Director, or his/her designee, but shall not be stored in the public right-of-way.
3. The design of any new, substantially remodeled, or expanded building or other facility shall provide for proper storage or handling which will accommodate the solid waste loading anticipated and which will allow for safe and efficient waste removal.
4. The Public Utilities Director, or his/her designee, shall plan with the property owner and/or their representative as to placement of storage containers to minimize traffic, aesthetic and other problems both on the property, and for the general public.
5. Below is a checklist of requirements reviewed for a site plan:
 - a. Refuse, recyclables, and grease barrels shall be stored for later removal from the premises in an area that is screened from view of the public streets by a City of Fresno, Public Utilities approved standard enclosure (refer to P-33, P-34, and P-95 for details). Approved standard enclosures are to be built using eight inch (8") concrete block at a height of six feet (6').
 - b. Enclosures built in (industrial zones) M-1, M-2, M-3, and CM zones requiring director approval, or his/her designee, may eliminate walls as long as it is not visible from a main street. For this design, the curbing will be twelve inches (12") wide on both sides, eighteen inches (18") deep along the rear with a thirty-two inch (32") wide curb separating the two cells. Curbing must be reinforced with rebar at a height of ten inches (10"). All enclosures shall be a minimum of eighteen inches (18") from the nearest curb. All other Public Works design requirements shall be met during review.
 - c. The approved standard enclosure has been designed to accommodate all sizes of containers to handle the accumulation of waste and recyclables generate between collections. A storage area with inner dimensions ten feet (10') by ten feet (10') is the minimum. There shall be curbing twelve inches (12") from side walls and wide curb separating the two cells. Curbing must be reinforced with rebar at a height of ten inches (10"). eighteen inches (18") from rear wall and at a height of ten inches (10"). These features are included in order to reduce the possibility of damage to the enclosure itself.
 - d. Service access to enclosure shall be a minimum unencumbered opening of eight feet (8'). The gate to be used shall be built of metal, chain link is not acceptable, so that bins cannot be seen when gates are closed and shall be mounted on the outer surface of enclosure as to not protrude into service access opening. Hardware latches should be a heavy gauge locking gate latch. Two gates are required on each cell with the exception of the grease barrel cell.
 - e. The floor or bottom surface of the collection area shall be made of concrete. (SLOPED) one percent (1%) to the front, and there shall not be any drainage gutter in front of entrance. The unencumbered opening of eight feet (8') referenced in d. above shall be a level surface. The floor shall not slope to the back or sides of the enclosure to allow drainage to the rear of the area or cause any standing water within the enclosure. It shall be constructed so the collection vehicle can drive directly into the pockets of the containers without any obstructions.
 - f. Ingress and egress shall have an unobstructed overhead clearance of sixteen feet (16') and shall not be less than eighteen feet (18') wide and capable of accommodating a truck with a two hundred fifty inch (250") wheelbase, a forty-four foot (44') (center line) turning radius and a support weight of thirty-five (35) tons. Area shall be unobstructed and so configured that a truck will be able to make a round trip from the public right-of-way to the collection ore and return without excessive backing into a traffic lane or a public thoroughfare. Backing around a building IS NOT allowed. At no time shall a truck be required to back in excess of forty-five feet (45').
 - g. Bin enclosure gates and service area shall not open into or be a part of a parking stall or loading zone.
 - h. Gated entrance/exit service sites shall be at least forty feet (40') away from entrances and exits to prevent trucks from sticking out into the roadway while waiting to access enclosure and allow trucks enough space to clear gate on exiting while waiting to merge with traffic.
 - i. The enclosure(s) shall accommodate refuse bins, recycle bins, and grease barrels when applicable. Neither the waste nor recycling container shall be required to be moved in order to service the other. Grease barrels shall not be placed in the same area of the enclosure with refuse or recyclables.
 - j. Owner/occupants shall not use enclosures for storage or place any materials around the trash, recycle, or grease containers.
 - k. Signage is required to clearly identify all recycling, solid waste collection, and loading areas and the materials accepted therein. This signage shall be placed at all points of direct access to recycling, solid waste, and loading areas on, or adjacent to, the recyclable and solid waste material containers.
 - l. Sites utilizing compactors and/or roll-offs require sixty feet (60') of clearance in front of the unit, and a minimum of three feet (3') on each side, for loading and unloading.

TYPICAL REFUSE
ENCLOSURE DETAILS

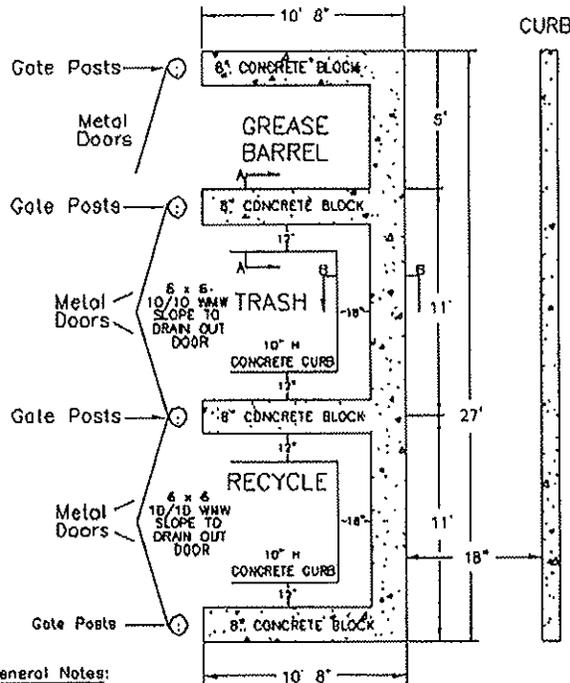
REF. & REV.
NOV. 2007

CITY OF FRESNO
P-34

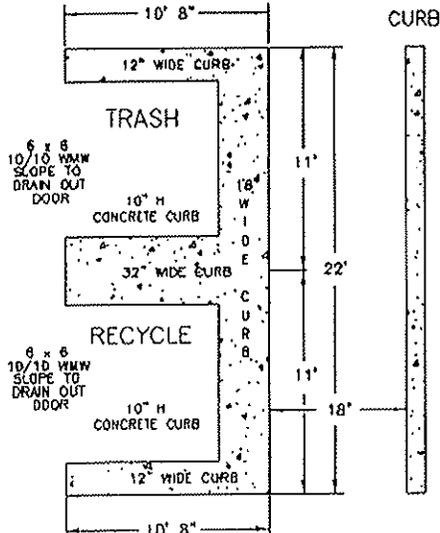
ENCLOSURE SCALE / STANDARD



ENCLOSURE SCALE / RESTAURANT

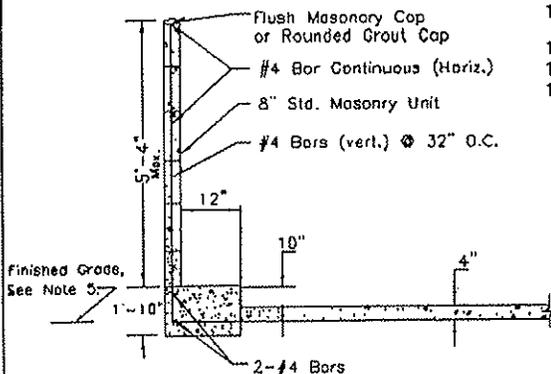


ENCLOSURE SCALE / CURB ONLY
ZONES-M1, M2, M3, & CM ONLY



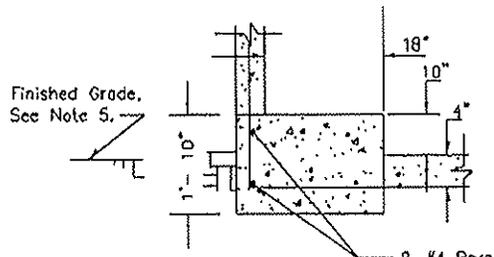
General Notes:

1. All construction shall comply with the Fresno Municipal Code.
2. Grout all cells.
3. All masonry units shall comply with the latest adopted California Building Code and U.B.C. standard 24-4 Grade N.
4. All masonry walls shall be inspected by the City of Fresno.
5. Depth of footings are into natural undisturbed soil or tested and approved compacted fill.
6. All masonry units shall be minimum f'm=1500 psi.
7. Reinforcing steel shall be deformed bar, min. Grade 40.
8. Footing concrete shall be a minimum 2000 psi at 28 days.
9. Mortar shall be type-S (minimum 1800 psi at 28 days).
One (1) part cement, Type-1
One-half (1/2) part lime putty or hydrated lime.
Four and one-half (4 1/2) parts sand (maximum).
10. Grout shall be a minimum 2000 psi at 28 days.
One (1) part cement,
Three (3) parts sand,
Two (2) parts pea gravel.
11. Finish pad elevation to be flush with grade at access pavement.
12. Any gate hinges should be located on the outside.
13. Metal doors are required on all enclosures, chain link is not acceptable.
14. 8" concrete block to be used for walls.
15. 2 cells are required for commercial/industrial buildings.
16. 3 cells are required for restaurants.



View "A-A"

Typical Section w/ Concrete Block Wall



View "B-B"

TYPICAL REFUSE CONTAINER ENCLOSURE DETAILS

REF. & REV.
MAR 2006

CITY OF FRESNO

P-33

550,10
"GG"

CITY OF FRESNO - PLANNING AND DEVELOPMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
SITE PLAN REVIEW APPLICATION NO. S-10-024

F.M.F.C.D.

Return Completed Form to:

Bonique Salinas
Development Services/Planning
Email: Routing@fresno.gov
Telephone: 559-621-8277
Planning & Development Department
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Site Plan Review Application No. S-10-024 was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue. The applicant proposes the construction of a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1 (*Neighborhood Shopping Center*).

APN: 480-251-06

ZONING: C-1

ADDRESS: 2419 South Maple Avenue

DATE ROUTED: April 7, 2010

COMMENT DEADLINE: April 19, 2010

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 SPR 2010-024.

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:

RICK LYONS, ENG. TECH. III 456-3292

5/18/10

Name and Title

Telephone Number

Date

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.412

Page 1 of 4

PUBLIC AGENCY

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

DEVELOPER

ESSAM ZAMZAMI
505 W. DAKOTA
FRESNO, CA 93705

PROJECT NO: 2010-024

ADDRESS: 2419 S. MAPLE AVE.

APN: 480-251-06

SENT: 5/18/10

Drainage Area(s)	Preliminary Fee(s)
GG	\$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 2/28/11 based on the site plan submitted to the District on 5/11/10 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.

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

1. a. Drainage from the site shall be directed to EUGENIA AND/OR MAPLE AVENUES.
 b. Grading and drainage patterns shall be as identified on Exhibit No.

FR SPR No. 2010-024

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 4

FR SPR No. 2010-024

- e. 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".
 X None required.
3. The following final improvement plans 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
 Other
 X None Required
4. Availability of drainage facilities:
 X 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. TEMPORARY SERVICE IS AVAILABLE THROUGH
 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.)
 X 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

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.



Gerald E. Lakeman
District Engineer



Rick Lyons
Project Engineer

FR
SPR
No. 2010-024

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

CC:

NASER SALEM / PLATINUM ENGINEERING SOLUTIONS, INC.

10648 N. HWY. 41

MADERA, CA 93638

FR SPR No. 2010-024

OTHER REQUIREMENTS
EXHIBIT NO. 2

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. SPR 2010-024



Fresno Unified School District

Preparing Career Ready Graduates

BOARD OF EDUCATION

Valerie F. Davis., President
Michelle A. Asadoorian, Clerk
Lindsay Cal Johnson
Carol Mills, J.D.
Larry A. Moore
Janet Ryan
Tony Vang., Ed.D.

SUPERINTENDENT

Michael E. Hanson

April 13, 2010

Bonique Salinas, Development Services/Planning
City of Fresno
Planning & Development Department
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Re: **SITE PLAN REVIEW APPLICATION NO. S-10-024**
2419 S. MAPLE AVE.

Dear Ms. Salinas,

In response to your request for school district information regarding the above site plan review for the construction of a 2-story, 4,750 square-foot commercial building for a market/grocery store with delicatessen and a laundromat, located at 2419 South Maple 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 \$0.47 per square foot. 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 Director
Facilities Management and Planning

LL:hh

c: Naser Salem, Applicant/Agent

**CITY OF FRESNO - PLANNING AND DEVELOPMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
SITE PLAN REVIEW APPLICATION NO. S-10-024**

PW Engineering Services - Hilary Kimber

Return Completed Form to:

Bonique Salinas
Development Services/Planning
Email: Routing@fresno.gov
Telephone: 559-621-8277
Planning & Development Department
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Site Plan Review Application No. **S-10-024** was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue. The applicant proposes the construction of a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1 (*Neighborhood Shopping Center*).

APN: 480-251-06

ZONING: C-1

ADDRESS: 2419 South Maple Avenue

DATE ROUTED: April 7, 2010

COMMENT DEADLINE: April 19, 2010

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.) **YES. PLEASE SEE ATTACHED.**

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

REQUIRED CONDITIONS OF APPROVAL:

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

REVIEWED BY: H. Kimber PSU 2-8774 4.12.10
Name and Title Telephone Number Date

DEPARTMENT OF PUBLIC WORKS

TO: **Bonique Salinas, Planner III**
Planning Division

FROM: **Hilary Kimber, Parks Supervisor II (559.621.8794)**
Public Works, Engineering

DATE: March 12, 2010

SUBJECT: Site Plan No. S-10-024; 2419 South Maple Avenue (APN: 480-251-06)

The Department of Public Works offers the following comments regarding plans for the proposed commercial building drawn by Harbison International Inc. dated April 1, 2010:

GENERAL REQUIREMENTS

1. The Fresno Municipal Code requires street trees to be planted at minimum rate of 60-foot intervals along all street frontages or one tree per lot, whichever is greater.
2. This project has approximately 120 lineal feet of street frontage on both E. Eugenia and S. Maple Avenues resulting in the requirement of two (2) street trees for each street for a total of four (4) street trees.
3. The parkstrip on S. Maple Ave. is too narrow to support street trees, therefore, appropriate onsite trees planted within 10' of the back of the sidewalk will count towards the street tree requirement.
4. There is an existing curb & gutter on E. Eugenia Ave. but no sidewalk. Appropriate trees planted within the proposed 10' P.U.E. (change to a P.P.U.E.) will count towards the street tree requirements.
5. There are no designated street trees for either S. Maple or E. Eugenia Avenues. Please choose an appropriate tree from the list of Street Trees (attached). Public Works requires a landscape and irrigation plan at the scale of 1"=20' for all onsite trees planted in-lieu-of street trees to be submitted prior to the installation of the landscaping.

9. 2009

City of Fresno Street Tree Lists:

General Use Tree List:

Cercis canadensis 'Oklahoma'	Redbud Eastern Oklahoma
Cinnamomum camphora	Camphor
Fraxinus Americana 'Autumn Purple'	American Ash
Fraxinus Americana 'Autumn Applause'	American Ash
Koelreuteria paniculata	Golden Rain Tree
Lagerstroemia indica 'Indian' var.	'Indian' var. Crape Myrtle
Magnolia grandiflora 'Russet'	Southern Magnolia
Pistacia chinensis	Chinese Pistache
Platanus acerifolia 'Columbia'	London Plane Tree
Quercus agrifolia	Coast Live Oak
Quercus virginiana	Southern Live Oak
Quercus wislizenii	Interior Live Oak
Sapium sebiferum	Chinese Tallow
Zelkova serrata 'Village Green'	Zelkova
Ginkgo biloba 'Autumn Gold'	Autumn Gold Ginkgo
Ginkgo biloba 'Fairmont'	Fairmont Ginkgo
Ginkgo biloba 'Saratoga'	Ginkgo Saratoga
Prunus cerasifera 'Atropurpea'	Purple Leaf Plum
Arbutus unedo	Strawberry tree

Special Use trees:

Quercus ilex	Holly Oak (So. of McKinley)
Ulmus parvifolia 'Drake'	Chinese Elm
Cupressus arizonica	Arizona Cypress
Koelreuteria paniculata	Goldenrain Tree
Sophora japonica 'Regent'	Chinese Scholar Tree
Quercus suber	Cork Oak (So. of McKinley)

Under PG&E :

Acer campestre	Hedge Maple
Arbutus unedo 'Marina	Marina Strawberry Tree
Chionanthus retusus (male)	Chinese Fringe Tree
Diospyros virginiana (male)	Ornamental Persimmon
Elaeocarpus decipiens	Japanese Blueberry Tree
Laurus nobilis	Sweet Bay Laurel
Magnolia 'Little Gem'	
Magnolia 'St. Mary's'	
Magnolia 'Samuel Sommers'	
Magnolia 'Victoria'	



April 15, 2010

Bonique Salinas
City of Fresno
Development Services/Planning
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Project: Site Plan Review Application S-10-024

District CEQA Reference No: 20100199

Dear Ms. Salinas:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of a commercial building Site Plan Review, located at 2419 S. Maple Avenue, in Fresno, CA. The District offers the following comments:

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

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

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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

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

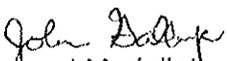
Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585
www.healthyliving.com

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 John Gallup at (559) 230-5940.

Sincerely,

David Warner
Director of Permit Services


for Arnaud Marjollet
Permit Services Manager

DW: jg

Cc: File



DEPARTMENT OF PUBLIC UTILITIES

Date: April 13, 2010

To: BONIQUE SALINAS, Planner III
Planning and Development Department

From: ROBERT A. DIAZ, Senior Engineering Technician
Department of Public Utilities, Planning and Engineering

Subject: WATER REQUIREMENTS FOR SITE PLAN S-10-024



General

S-10-024 was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue, 2419 South Maple Avenue, APN 480-251-06. The applicant proposes the construction of a 2-story, 4,750 square foot commercial building, first floor 4,536 square feet, second floor 214 square feet, for a market-grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1, Neighborhood Shopping Center.

Environmental Recommendations

A NEGATIVE DECLARATION MAY BE ISSUED: The project may have adverse impacts but impacts can be mitigated without further study or are not serious enough to warrant an Environment Impact Report.

Water Requirements

The nearest water mains to serve the proposed project are a 4-inch main located within a 10-foot water main easement along the northerly side of the proposed site, between South Maple Avenue and South Price Avenue. Water facilities are available to provide service to the site subject to the following requirements:

1. On-site water facilities shall be private.
2. Installation of water service & meter box shall be required.
3. All water main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the water main. The planting plan, for any proposed landscape within the easement, shall be approved by the Department of Public Utilities. No Trees shall be located within 8-feet of the water main
4. Seal and abandon any existing on-site well in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.

Water Fees

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

1. Wet-tie(s), water service(s) and/or meter(s) installation(s)
2. Frontage Charge



DEPARTMENT OF PUBLIC UTILITIES

Date: April 12, 2010



To: BONIQUE SALINAS, Planner III
Planning and Development Department

From: ROBERT A. DIAZ, Senior Engineering Technician
Department of Public Utilities, Planning and Engineering

Subject: SANITARY SEWER REQUIREMENTS FOR CONDITIONAL USE PERMIT C-10-024

General

S-10-024 was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue, 2419 South Maple Avenue, APN 480-251-06. The applicant proposes the construction of a 2-story, 4,750 square foot commercial building, first floor 4,536 square feet, second floor 214 square feet, for a market-grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1, Neighborhood Shopping Center.

Environmental Recommendations

A NEGATIVE DECLARATION MAY BE ISSUED: The project may have adverse impacts but impacts can be mitigated without further study or are not serious enough to warrant an Environment Impact Report.

Sanitary Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is a 10-inch main located in East Eugenia Avenue. Sewer facilities are available to provide service to the site subject to the following requirements:

1. On-site sanitary sewer facilities shall be private.
2. Installation of sewer house branch(s) shall be required.
3. Abandon any existing on-site private septic systems.

Sanitary Sewer Fees

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

1. Sewer Lateral Charge
2. Sewer Facility Charge (Non-Residential)

3. 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.
4. Sewer Facility Charges are collected after occupancy on a bi-monthly basis over time based on metered (water or sewer effluent) usage. The developer may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect, at that time, per Fresno's Master Fee Resolution. The developer shall provide data regarding estimated sewer discharge rates [flow] and loading [BOD/TSS levels] required for calculating the estimated charges.



DATE: April 19, 2010

TO: Bonique Salinas, Development Services/Planning
Planning and Development Department, Planning Division

FROM: Ann Lillie, Senior Engineering Technician
Public Works Department, Engineering Division

SUBJECT: Conditions of Approval for **S-10-024**
APN: 480-251-06
ADDRESS: 2419 South Maple Avenue

SITE PLAN REQUIREMENTS: This site plan is incomplete. Please provide the following information prior to Building Permits:

A. General Requirements

1. **Vicinity Map:** Provide 4 major streets (1/2 square mile), north arrow

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 **Ann Lillie at (559) 621-8690 / ann.lillie@fresno.gov**, Engineering Division, Traffic Planning Section.

Submit the following, as applicable, in a single package to the City of Fresno Public Works Department Engineering Division (559-621-8650), Plan Check and GIS Mapping Section and Traffic Engineering, 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 Traffic Engineering (Randy Schrey) in advance to make sure that sidewalks or an approved accessible path remain open during construction.

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

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. Also, identify the required 4' minimum path of travel along the public sidewalk directly in front of property, as required by the California Administration Code (Title 24). **A pedestrian easement may be required if Title 24 requirements cannot be met.**

South Maple Avenue: Collector

1. Dedicate 2' of property for pedestrian purposes behind all driveway approaches to provide for a minimum of a 4' clear path.

Deed documents for the required dedications shall be prepared by the applicant's engineer and submitted to the Public works Department, Engineering Division, Special Districts / Projects and Right of Way Section with verification of ownership **prior** to issuance of building permits. The cost of deed document processing and recordation fee must be paid at the time of deed submittal. Deed documents must conform to the format specified by the city. Document format specifications may be obtained from the City of Fresno Public Works Department, Engineering Division, Special Districts / Projects and Right of Way Section, (559) 621-8694.

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, Engineering Division, Special Districts / Projects and Right of Way Section, (559) 621-8693. Encroachment permits must be approved **prior** to issuance of building permits.

Street Improvements

All improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a 45 MPH design speed for Collectors and 55 MPH for Arterials. Utility poles, street lights, signals, etc. shall be relocated as determined by the City Engineer. 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, Engineering Services Section 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 improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600.

South Maple Avenue: Collector

1. If not existing, install "Detectable Warning Devices" as per Public Works Standards **P-86** and **P-87**.
2. Construct a concrete pedestrian walkway behind all driveway approaches as identified on Exhibit "A". Asphalt concrete paving per City of Fresno Public Works Standard Drawing **P-41** may be substituted for concrete. (Refer to City of Fresno Public Works Standard Drawings **P-1** thru **P-3** for additional information.)

3. Remove and construct a **30' to 35'** driveway approach to Public Works Standard(s) **P-2** and **P-4**. **Provide 10' of red curbing (3 coats) on both sides of the proposed driveway approaches.**
4. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-8** for Collector Streets.

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-41, P-42, P-43**.
2. Install **30"** state standard "STOP" sign(s) at location(s) shown. Sign shall be mounted on a **2"** galvanized post with the bottom of the sign **7'** above ground; located behind curb and immediately behind a major street sidewalk.
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 Impact Study

This development will generate a total of **5** a.m. / **17** p.m. peak hour trips and generate a count of **204** Average Daily Trips (A.D.T.), based upon the following:

Land Use	Size	Average Daily Trips (ADT)	AM Pk Hour	PM Pk Hour
Retail	4,750 SF	204	5	17

A Traffic Impact **Study is not required**.

Traffic Signal Mitigation Impact (TSMI) Fee:

This project shall pay its TSMI 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.

Fresno Major Street Impact (FMSI) Fees:

This entitlement is in the **Infill Area**; therefore pay all applicable City-wide regional street impact fees.

State of California Department of Transportation (Caltrans) Fees:

Applicant shall pay fair share contribution as determined by the State of California Department of Transportation (Caltrans) to be collected by the City of Fresno Public Works Department Traffic Engineering, (559) 621-8820, **prior** to a Building Permit.

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 building permits.

CITY OF FRESNO - PLANNING AND DEVELOPMENT DEPARTMENT

REVISED SITE PLAN TO COMPLY WITH COMMENTS-

PROJECT HAS NOT YET BEEN APPROVED

REQUEST FOR COMMENTS

ENTITLEMENT NO. S-10-024

Address: 2419 South Maple Avenue

To: Traffic

Return Completed Form to:

Bonique Salinas

Ph: (559) 621-8024

2600 Fresno Street

Fresno, CA 93721

DATE ROUTED: JULY 30, 2010

BACK CHECK COMMENT DEADLINE: AUGUST 12, 2010

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

EXHIBITS

A-1 AND A-2

DATED: 7-16-10

Have original comments been met?

List conditions that have not been satisfied; if applicable:

DEDICATION REQUIRED PRIOR TO BUILDING PERMIT.

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

CALL FOR APPOINTMENT W/PLANNER FOR FINAL SIGN-OFF

APPROVED RESUBMIT

Reviewed by:

ANN LILIE

Name and title

621-2690

Telephone Number

8/4/10

Date

Attachments:

Exhibits:

A-1 and A-2

dated

7-16-10

Previous site plan,
comments and
notes



County of Fresno

Department of Public Health

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

April 16, 2010

999999999
LU0015604
PE 2602

Bonique Salinas
City of Fresno
Development Department
2600 Fresno Street
Fresno, CA 93721

Dear Ms. Salinas:

PROJECT NUMBER: S-10-024

Site Plan Review Application No. S-10-024 was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue. The applicant proposes the construction of a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1 (*Neighborhood Shopping Center*).

APN: 480-251-06

ZONING: C-1

ADDRESS: 2419 South Maple Avenue

Comments/Concerns:

- Since specific tenants for this application have not been identified, the full range of C-1 uses will be considered. The potential adverse impacts could include (but are not limited to) storage of hazardous materials and/or wastes, storage of medical wastes, and potential noise nuisances.

Recommended Conditions of Approval:

- Prior to issuance of construction permits for the market/grocery store with delicatessen, the applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 445-3392 for more information.
- Prior to operation of the market/grocery store with delicatessen, the applicant shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 445-3392 for more information.
- Prior to operation, prospective tenants may be required to apply for and obtain a license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.

Bonique Salinas
S-10-024
April 16, 2010
Page 2 of 2

- Prospective tenants should be advised that construction and operating permits may be required by the State of California, Department of Health Services for wholesale food manufacturing. Contact the staff at the Division of Food and Drug at (559) 445-5323 for more information.
- Certain uses allowed may utilize underground storage tanks. If such a use is proposed, then prior to the issuance of building permits, the applicant or future tenants shall submit three (3) sets of complete plans and specifications regarding the installation of any underground storage tanks to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency, at (559) 445-3271 for more information.
- Certain uses allowed may utilize aboveground storage tanks. If such a use is proposed, then prior to the issuance of building permits, the applicant shall complete and submit a Hazardous Materials Business Plan with the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency staff at (559) 445-3271 for more information.
- Certain uses allowed may utilize hazardous materials or create hazardous wastes. If a tenant with such uses is proposed, then prior to occupancy the tenant shall complete and submit either a Hazardous Materials Business Plan or a Business Plan Exemption form to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Hazardous Program Agency at (559) 445-3271 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.
- Future tenants may be required to obtain a Medical Waste Permit from the California Department of Health Services, Medical Waste Management Program. Call (916) 449-5671 for more information.

REVIEWED BY:

Janet Gardner

R.E.H.S., M.P.H.

Environmental Health Specialist

Digitally signed by Janet Gardner
DN: cn=Janet Gardner, o=Environmental Health Division, ou=Fresno
County Public Health Department, email=jgardner@cofresno.co.us, c=US
Date: 2010.04.16 08:11:38 -0700

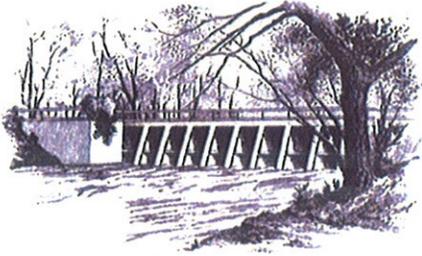
(559) 445-3271

jg

cc. Vince Mendes, Supervising Environmental Health Specialist (CT 1202)
Baruti/Casagrande/Tolzmann, Environmental Health Division

S-10-024 C-1 with Food

E-File



Your Most Valuable Resource - Water

OFFICES OF
FRESNO
IRRIGATION DISTRICT

PHONE (559) 233-7161
FAX (559) 233-8227
2907 SOUTH MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2218

April 13, 2010

Mr. Bonique Salinas
City of Fresno
Planning & Development Department
2600 Fresno Street, Room 3043
Fresno, CA 93721-3604

RE: Site Plan Review No. S-10-024, S/E Church & Maple Avenues

Dear Ms. Salinas:

The Fresno Irrigation District (FID) has reviewed the Site Plan Review No. S-10-024 where the applicant proposes the construction of a 2-story, 4,750 square-foot commercial building for a market/grocery store with delicatessen and a Laundromat, located southeast of Church and Maple Avenues, APN: 480-251-06, and has the following comments:

1. FID does not own, operate or maintain any facilities located on the applicant's property as indicated on the attached FID exhibit map.
2. FID expects no adverse impacts from the approval of the subject proposal.

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 James Shields at 233-7161 extension 319 or jshields@fresnoirrigation.com.

Sincerely,

William R. Stretch, P.E.
Chief Engineer

Attachment

G:\Agencies\City\Site Plan Review\S-10-024.doc

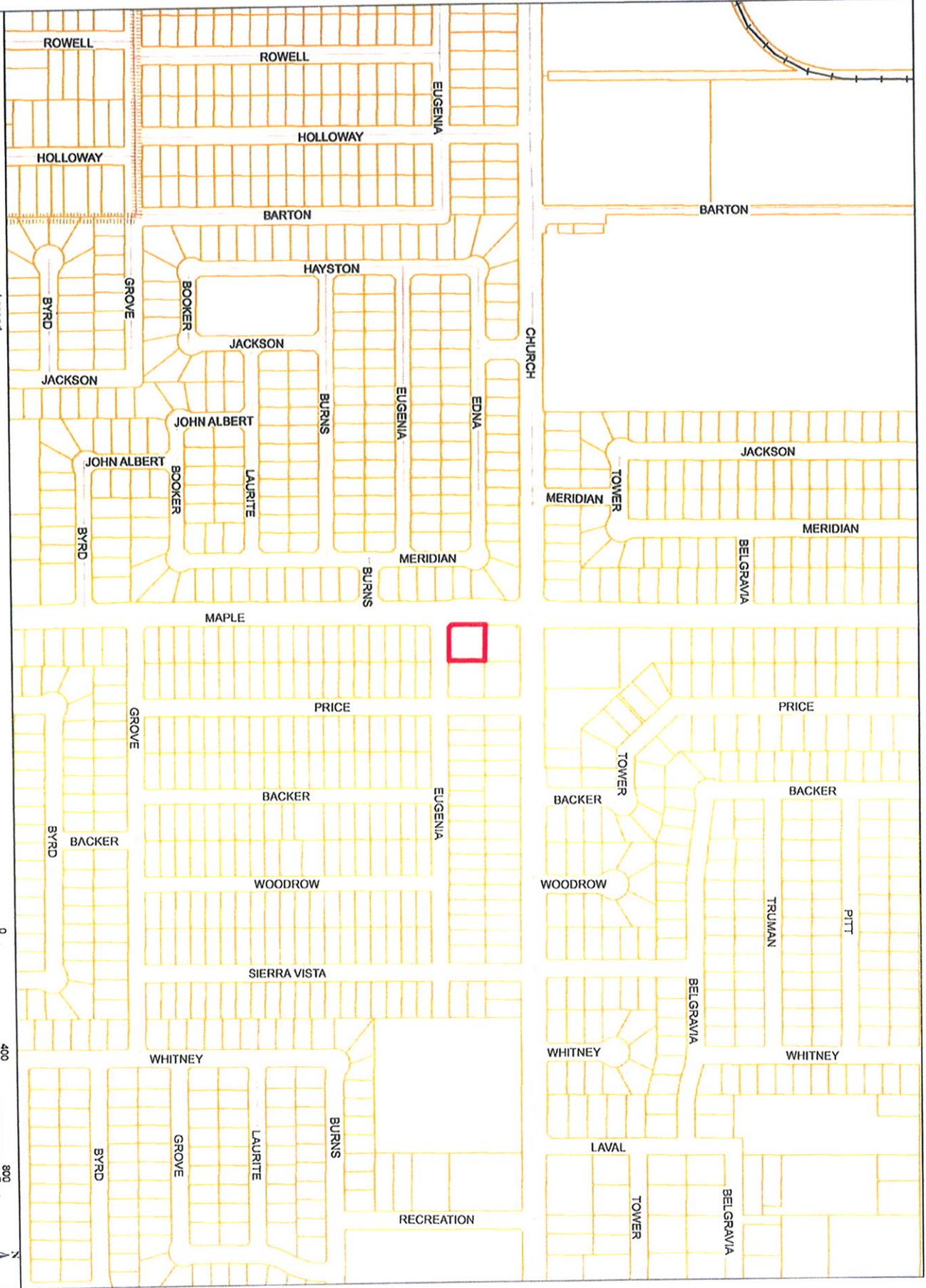
BOARD OF
DIRECTORS

President JEFFREY G. BOSWELL, Vice-President JEFF NEELY
STEVE BALLS, RYAN JACOBSEN, GEORGE PORTER, General Manager GARY R. SERRATO



FRESNO IRRIGATION DISTRICT

- Legend**
- FID Canal
 - Private Canal
 - Abandoned Canal
 - FID Pipeline
 - Private Pipeline
 - Abandoned Pipeline
 - Stream Group
 - Other-Creek/River
 - Other-Pipeline
 - FID Boundary
 - Rainfed
 - Streets
 - Parcel
 - FIMCD Acquired Basins
 - FIMCD Flooded Basins



CITY OF FRESNO - PLANNING AND DEVELOPMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
SITE PLAN REVIEW APPLICATION NO. S-10-024

RECEIVED
APR 05 2010

BY: F.D. email

Return Completed Form to:

Bonique Salinas
Development Services/Planning
Email: Routing@fresno.gov
Telephone: 559-621-8277
Planning & Development Department
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Site Plan Review Application No. S-10-024 was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue. The applicant proposes the construction of a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1 (*Neighborhood Shopping Center*).

APN: 480-251-06

ZONING: C-1

ADDRESS: 2419 South Maple Avenue

DATE ROUTED: April 7, 2010

COMMENT DEADLINE: April 19, 2010

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:

REQUIRED CONDITIONS OF APPROVAL:

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

REVIEWED BY: _____

Name and Title

Telephone Number

Date

REDEVELOPMENT AGENCY OF THE CITY OF FRESNO
2344 Tulare Street, Suite 200, Fresno, CA 93721 • (559) 621-7600

Application No.: S-10-024 (Bonique Salinas)	Date: 4-12-10
Assessor Parcel No.: 480-251-06	Reviewer: Richard Yee,
Site address: 2419 South Maple Avenue	Planner III
Redevelopment Area: Southeast Fresno	<i>Senior Project Coordinator</i>
Revitalization	Telephone: 621-7614

Agency Staff Recommendation:

APPROVE PROJECT WITH THE FOLLOWING CONDITIONS:

1. The property identified in Application No. S-10-024 is located in the adopted Southeast Fresno Revitalization Redevelopment Plan and is subject to all requirements of the Redevelopment Plan.
2. The Redevelopment Agency does not object to the proposed development of a 0.33 acre of commercial zoned property with the construction of a 2-story 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen, a self-serve Laundromat and two 2nd- floor offices. The project site at 2419 South Maple Street is located at the northeast corner of South Maple and East Eugenia Avenues. The construction and location of the commercial building shall be in accordance with all appropriate requirements, especially the Property Development Standards, of the C-1 (Neighborhood Shopping Center) zone district of the Fresno Zoning Ordinance and consistent with the adopted Redevelopment Plan.
3. Metal buildings are discouraged in the commercial corridor along South Maple Avenue, however, metal buildings maybe used if the facade of a (metal) wall, that is visible from a public street, is architecturally altered or textured with a non-metal finish.
4. A minimum 10-foot setback shall be maintained along all major public streets, unless otherwise approved by the Agency.
5. The required setback along the frontage of South Maple and East Eugenia Avenues shall contain landscaping and irrigation system in accordance with Section 12-306-N of the Fresno Municipal Code.
6. All new and existing parking areas on site shall be developed or restriped in accordance with requirements of the Fresno Zoning Ordinance, including the requirement for 50% shading.
7. Outdoor storage areas and any exposed equipment (located outdoors) shall be screened in conformance with requirements of the Fresno Zoning Ordinance.
8. Any undeveloped (dirt) areas on site shall be maintained and kept "weed free" by the owner of the property.
9. All fences and gates that are located on and visible from any public street frontage shall be constructed of wrought iron, except the gates on a trash enclosure.
10. The location and material of the existing fences shall be reviewed by the Development

PLEASE MAKE APPLICANT AWARE OF AGENCY COMMENTS

Department to ensure that they are in conformance with the requirements of City code.

11. The project shall be developed in accordance with the Operational Statement, elevations and Site Plan (or as revised by the City of Fresno) submitted for Site Plan Review Application No. S-10-024.
12. The use of dense landscaping is encouraged on South Maple and East Eugenia Avenues to facilitate and soften the visual image of the building and site, especially in association with the existing residential dwellings along the south frontage of East Eugenia Avenue.
13. This site plan should be reviewed by the District 5 Council office for any additional issues and/or comments.

GROWTH COORDINATOR
UNITED STATES POSTAL SERVICE



APRIL 13, 2010

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

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#	Contract#
Estimated Delivery Date (Month and Year)					

USPS Contact Information

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

Builder/Developer Contact Information

Name:	Title:	Phone:
Firm:	Address:	

Equipment Information

TYPE OF PROJECT				TYPE & QUANTITY OF EQUIPMENT				
check type	Deliveries	Floors		QTY	Centralized Equipment		QTY	Non-Centralized Equipment
<input checked="" type="checkbox"/>	Office Bldg.				CBU Type I (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:		PROPERTY OWNER/DEVELOPER/MANAGER:	
Name:	_____	Name:	_____
Title:	_____	Title:	_____
Signature:	_____	Signature:	_____
Date:	_____	Date:	_____
Telephone #:	_____	Telephone #:	_____
FAX #:	_____	FAX #:	_____

DISTRICT APPROVAL _____

DATE: _____

CITY OF FRESNO - PLANNING AND DEVELOPMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
SITE PLAN REVIEW APPLICATION NO. S-10-024

Return Completed Form to:

Bonique Salinas
Development Services/Planning
Email: Routing@fresno.gov
Telephone: 559-621-8277
Planning & Development Department
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Site Plan Review Application No. S-10-024 was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue. The applicant proposes the construction of a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1 (*Neighborhood Shopping Center*).

APN: 480-251-06

ZONING: C-1

ADDRESS: 2419 South Maple Avenue

DATE ROUTED: April 7, 2010

COMMENT DEADLINE: April 19, 2010

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:

Bonnie Salinas, Growth Coordinator 440 926 1

Name and Title

Telephone Number

4-12-10
Date



DISTRICT 5 ADVISORY COMMITTEE MEETING ACTION AGENDA/MINUTES

Monday, July 12, 2010 -- 3:30 P.M.

Room 3054, Third Floor, Fresno City Hall

2600 Fresno Street, Fresno CA 93721-3604

AGENDA

1. ROLL CALL

This meeting was called to order at 3:30 p.m.

2. APPROVAL OF AGENDA/MINUTES

- a. Agenda for July 12, 2010
- b. Minutes for April 26, 2010

Present: , Gonzalez, Nachtigall

Absent: Johnston

Staff: Israel Trejo (Planning and Development Department)

Nachtigall moved and Gonzalez seconded the motion to approve the agenda and the minutes; motion carried (M/S/C, vote 2-0-0):

PROJECT REVIEW

a. **Site Plan Review Application No. S-10-024** was filed by Naser Salem of Platinum Engineering Solutions, Inc., on behalf of Essam Zamzami, and pertains to 0.33 acre of property located on the southeast corner of South Maple and East Eugenia Avenues, south of East Church Avenue. The applicant proposes the construction of a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen and a laundromat open 7 days a week from 7 a.m. to 9 p.m.; and 2 upper floor office suites. The property is zoned C-1 (*Neighborhood Shopping Center*).

The applicant explained the project and indicated access may be requested off of Eugenia Street. The Committee had questions regarding landscaping, uses on the property and access to the property to the north.

Gonzalez moved and Nachtigall seconded the motion to recommend approval of the project, with the recommendation that landscaping be installed prior to occupancy and the solid waste enclosures be placed towards the rear of the property; motion carried (M/S/C, vote 2-0-0).

a. **Site Plan Review Application No. S-10-029** was filed by Robert Marquez, on behalf of Arnold and Norma Rugama, and pertains to 2.10 acres of property located on the west side of South Minnewawa Avenue, abutting the East California Avenue alignment. The applicant proposes the conversion of an existing garage structure to a single story 1,008 square-foot

second residential dwelling unit; two existing covered parking stalls will remain. The property has split zoning: R-1-AH/cz (*Single Family Residential, horses permitted/conditions of zoning*) and R-M/cz (*Residential Modifying/conditions of zoning*).

The applicant was not present for the meeting. The Committee had questions regarding ingress/egress off of the common street, amount of parking required and whether one of the units must be owner occupied.

Gonzalez moved and Nachtigall seconded the motion to recommend approval of the project; motion carried (M/S/C, vote 2-0-0).

b. Conditional Use Permit Application No. C-10-134-ABCUP was filed by Jorge Valdovinos on behalf of Oscar Zamora and pertains to 0.73 acre of property located on the west side of South Clovis Avenue between East Kings Canyon Road and East Inyo Avenue. The applicant requests authorization to establish a State of California Alcoholic Beverage Control Type 41 license (*restaurant – sale of beer and wine for consumption on the licensed premises*) at the Mariscos Colima full service restaurant. The property is zoned C-2 (*Community Shopping Center*).

The applicant explained he is proposing to sell beer at an existing approx. 1,300 square foot seafood restaurant. The applicant explained he has another restaurant that sells beer and there have been no problems there. The Committee asked questions whether the building can be expanded and whether hard liquor will be sold.

Johnston moved and Nachtigall seconded the motion to recommend approval of the project with the recommendation that no hard liquor or wine be sold; motion carried (M/S/C, vote 2-0-0).

3. COMMITTEE COMMENTS
4. PUBLIC COMMENTS
5. UNSCHEDULED MATTERS
6. ADJOURNMENT

Bonique Salinas

From: Fresno Development Services
Sent: Friday, April 30, 2010 1:42 PM
To: Bonique Salinas
Subject: FW: Maintenance CFD and S-10-024, Commercial Bldg

From: Joe Paff
Sent: Thursday, April 22, 2010 2:36 PM
To: Fresno Development Services
Subject: RE: Maintenance CFD and S-10-024, Commercial Bldg

There are NO COMMENTS for CFD Maintenance for this CUP.

From: Fresno Development Services
Sent: Friday, April 09, 2010 6:08 PM
To: Randy Dobbins; Mark Hudson; Doug Hecker; Michael Carbajal; Robert Diaz; skahl@co.fresno.ca.us; glallen@co.fresno.ca.us; jgardner@co.fresno.ca.us; Terry Cox; Colleen Beasley; ceqa@valleyair.org; jshields@fresnoirrigation.com; Christopher Preciado; Vivian.Bourbonnais@fresnounified.org; Heidi Heltne; gef5@pge.com; ajs4@pge.com; dwo4@pge.com; Joe Paff; cathy.s.gilles@usps.gov
Cc: Bonique Salinas
Subject: Request for Comment - S-10-024, Commercial Bldg

Routing Partners:

You have been identified as the best contact to provide your department/agency's review and comments for the subject project (Conditional Use Permit Application No. C-10-). Please click the following link and download an electronic copy of the project package for review.

Project Address: 2419 S Maple Avenue
APN: 480-251-06

<http://m3.fresno.gov/upload/files/16404570/S-10-024.pdf> (click on bookmarks to navigate).

Our preferred method of receiving your comments is via email directly to Bonique Salinas, the planner assigned to this project, who can be reached at Bonique.Salinas@fresno.gov. You can also return comments to Routing@fresno.gov. We look forward to receiving your responses electronically and hearing any comments/suggestions you may have. If you do not have any comments, please communicate a "no comment" response.

Our goal is to continuously improve the quality and completeness of our Applications so that your review is more efficient and consequently your comments are more informed.

Two additional comments: It is not necessary to also send a hard copy of your comments, and it would help us if you could name any attachments with the entitlement number and agency name (e.g., C-10-26 Fire Department).

Thank you.

Joann Zuniga

Exhibit I

Environmental Assessment No. S-10-024/V-10-05

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. S-10-024/V-10-005**

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: Naser Salem
Platinum Engineering Solutions, Inc.
10648 North Highway 41
Madera, CA 93638

PROJECT LOCATION: 2419 South Maple Avenue; located on northeast corner of South Maple and East Eugenia Avenues; APN: 480-251-06

PROJECT DESCRIPTION: Site Plan Review Application No. S-10-024 is a request to construct a 2-story, 4,750 square-foot commercial building (first floor 4,536 square feet, second floor 214 square feet) for a market/grocery store with delicatessen, a laundromat (open 7 days a week from 7 a.m. to 9 p.m.), and 2 upper floor office suites. Variance Application No. V-10-005 is a request to reduce the number of required parking stalls from 26 to 11. The proposed project also includes a minor deviation request to reduce the street side yard landscape setback by 15% (requires public art).

This project is exempt under Section 15332/Class 32 of the State of California CEQA Guidelines.

EXPLANATION: Class 32 consists of projects characterized as in-fill development meeting the conditions described in this Section which are as follows: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value, as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

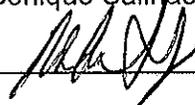
The above described project is consistent with the land use designated for the site by the Roosevelt Community Plan and the 2025 Fresno General Plan. The conditions of approval for this project will ensure that the project complies with all applicable plan policies as well as the applicable zoning regulations. The subject site is located within the City of Fresno and is on property that is approximately 0.33 acres in size. The subject site has no value, as habitat for endangered, rare or threatened species and the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. In addition, the project was routed to the appropriate utility and public service providers and it has been confirmed that the site can be adequately served by all required utilities and public services. Thus, the project complies with all conditions described in Section 15332/Class 32 of CEQA Guidelines.

No adverse environmental impacts will occur as a result of the proposed project.

Date: September 10, 2010

Prepared By: Bonique Salinas, Planner III

Submitted By: _____


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