



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-B
COMMISSION MEETING 10-01-14

APPROVED BY


DEPARTMENT DIRECTOR

October 1, 2014

FROM: MIKE SANCHEZ, Assistant Director
Development Services Division 

THROUGH: SOPHIA PAGOULATOS, Supervising Planner
Development Services Division 

BY: LAUREN FILICE, Planner III
Development Services Division

SUBJECT: CONSIDERATION OF AN APPEAL OF DIRECTOR ACTION APPROVING
CONDITIONAL USE PERMIT APPLICATION NO. C-14-002 AND
ENVIRONMENTAL FINDING FOR ENVIRONMENTAL ASSESSMENT NO. C-
14-002 FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF
FRUIT AND OLIVE AVENUES

RECOMMENDATION

Upon consideration of staff evaluation, it can be concluded that proposed Conditional Use Permit Application No. C-14-002 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. C-14-002 dated August 20, 2014, a determination that the proposed project is exempt from CEQA through a Class 1 and Class 32 Categorical Exemption.
2. DENY the appeal and UPHOLD the action of the Development and Resource Management Department Director approving Conditional Use Permit Application No. C-14-002 subject to the following:
 - a. Development shall take place in accordance with the Conditions of Approval detailed in the approval letter for Conditional Use Permit Application No. C-14-002 dated August 26, 2014.

EXECUTIVE SUMMARY

Conditional Use Permit Application No. C-14-002 was filed by Surjit Singh and pertains to 2,000 square feet of tenant space within an existing 0.3-acre shopping strip located on the southwest corner of North Fruit and West Olive Avenues. The applicant proposes to open Tower Beer & Wine convenience store with sale of beer and wine in an existing tenant space within an existing shopping strip building. The owner of the proposed convenience store (Surjit Singh) has a pending ABC Type 20 alcohol license (package store selling beer and wine for consumption off the premises). The Tower Beer & Wine convenience store is proposed in a 2,000 square foot tenant space within an existing building. The Development and Resource

Management Department Director approved the subject conditional use permit application on August 26, 2014. In accordance with the Special Permit Procedure of the Fresno Municipal Code, a notice of granting of the conditional use permit application was mailed to property owners (and others) within 550 feet of the subject site. In response to this notice, six appeal letters were received, with one hundred eighty four (184) signatures (Exhibit C).

PROJECT INFORMATION

PROJECT	Conditional Use Permit Application No. C-14-002 is a request to establish a premise for a State of California Alcoholic Beverage Control ABC Type 20 alcohol license (<i>package store selling beer and wine for consumption off the premises</i>), within a proposed 2,000 square foot convenience store. The convenience store is proposed in a tenant space within an existing shopping strip building.
APPLICANT	Surjit Singh
LOCATION	Located near the southwest corner of Fruit and Olive Avenues
SITE SIZE	± 0.3 acre shopping strip
LAND USE	Existing - Commercial/neighborhood Proposed No Change -
ZONING	C-5 (<i>General Commercial</i>)
PLAN DESIGNATION AND CONSISTENCY	C-5 (<i>General Commercial</i>) zone district is consistent with the Neighborhood Commercial planned land use pursuant to Figure 8-2 of the Tower District Specific Plan consistency matrix.
ENVIRONMENTAL FINDING	Staff has determined that the proposed project is exempt from CEQA through a Class 1 and Class 32 Categorical Exemption, dated August 20, 2014.
PLAN COMMITTEE RECOMMENDATION	The project was routed to District 3 Implementation Committee for review, however no comments were received.
STAFF RECOMMENDATION	Staff recommends approval of Conditional Use Permit Application No. C-14-002 subject to the Conditions of Approval detailed in the approval letter dated August 26, 2014.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Neighborhood Commercial	C-5 (General Commercial)	Cigar Store & Auto Parts Store
South	Residential, Medium-Low	R-1 (Single-Family Residential)	Residential, single-family homes
East	Neighborhood Commercial	C-5 (General Commercial)	Single-family home & Commercial
West	City-Owned Parcel	C-5 (General Commercial)	City water facility

ENVIRONMENTAL FINDING

The proposed project was determined to be exempt from CEQA by the Development and Resource Management Department on August 20, 2014 through a Class 1 and Class 32 Categorical Exemption. No further environmental assessment is needed. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project. The California Environmental Quality Act (Public Resource Code Section 21000 et seq.) permits a public agency to determine whether a particular project is exempt from CEQA. A determination of a Categorical Exemption, Section 15301/Class 1 and Section 15332/Class 32 of California CEQA Guidelines was made and Environmental Assessment No. C-14-002 (Categorical Exemption) was completed for this project.

The C-5 (*General Commercial*) zone district is consistent with the Neighborhood Commercial planned land use pursuant to Figure 8-2 of the Tower District Specific Plan consistency matrix. Further, the request to allow a Type 20, State of California, ABC license to sell beer and wine for consumption off the premises where sold, is consistent with the existing C-5 zone district, subject to obtaining a conditional use permit.

BACKGROUND / ANALYSIS

Conditional Use Permit Application No. C-14-002 is a request to establish a Type 20, State of California, ABC license to sell beer and wine for consumption off the premises where sold, within an existing 2,000 square foot proposed convenience store. The convenience store is proposed in tenant space within an existing building where other businesses include a boutique, beauty salon and an insurance office. The Development and Resource Management Department Director approved the subject conditional use permit application on August 26, 2014. In accordance with the Special Permit Procedure of the Fresno Municipal Code, a notice of granting of the conditional use permit application was mailed to property owners (and others)

within 550 feet of the subject site. In response to this notice, six (6) appeal letters were received with one hundred eighty four (184) signatures (Exhibits C).

Proposed Use Allowed Pursuant to a Conditional Use Permit

Pursuant to Fresno Municipal Code (FMC) 12-221.3.B.2, the retail sale of alcohol for off-site consumption is permitted in the C-5 (*General Commercial*) zone district subject to a conditional use permit. In addition to having beer and wine within the convenience store, the applicant is also proposing to sell convenience products. No fortified liquor or pornographic material will be sold.

Conditions of approval require improvements to the parking lot and landscaping for the shopping center. The parking lot will be re-striped to improve traffic flow and upgrades include inclusion of a handicapped parking stall and walkway. Street trees and additional on-site landscaping will be installed to improve the appearance of the site.

Alcoholic Beverage Control Regulations

In addition to obtaining a conditional use permit from the City of Fresno, the applicant is required to obtain a license from the Alcoholic Beverage Control in order to sell alcohol. The Alcoholic Beverage Control has not yet issued a license to the applicant allowing the sale of alcohol, as the Applicant is currently submitting the application materials. The Alcoholic Beverage Control awaits the decision on the conditional use permit application prior to making its recommendation on the issuance of the ABC license.

After researching the Alcohol and Beverage Control database, it was determined that the applicant had yet to submit a license application. A discussion with the applicant regarding the ABC Permit status identified that the Applicant assumed the Use Permit must be obtained prior to submitting the ABC permit application. To remedy this error, the applicant recently contacted the Alcoholic Beverage Control in order to submit an application to obtain a license.

Calls for Service

The proposed new business location (441 West Olive Avenue) is currently vacant, and there are no recent police calls regarding the said location. For the shopping center where the use is proposed, there were zero calls for service. However, according to the City's Crime Watch map, recent service calls in the greater vicinity of the project site, generally bounded by McKinley Avenue on the north, Belmont on the south, Palm on the east and West on the west, include:

W. Belmont and N. Fruit, *4 blocks south* – 1 breaking & entering.
N. Arthur and E. University, *7 blocks northeast* – 1 theft
East Dudley and N. Ferris, *7 blocks southwest* - 1 vehicle theft

Other Liquor Sales in the Project Vicinity

Within one mile of the project site (generally bounded by McKinley Avenue on the north, Belmont on the south, Palm on the east and West on the west) Bal's Liquors at 638 West Olive, is closing due to a re-location due to its proximity to the proposed High Speed Train. There are

four (4) other businesses selling beer and wine, each within approximately 1 mile of the project site, including:

- Northeast: Mikes Liquors at 1544 N. Palm and McKinley (0.9 mile)
Southeast: Quick Food Store at 249 E. Belmont and Palm (0.9 mile)
- Southwest: Parkway Liquor at 545 Belmont and West (1.29 mile)
Northwest: Squire Liquors at 1568 N. West and McKinley (1 mile)

Fresno Unified School District

The subject project was routed to the Fresno Unified School District (FUSD) for comment. The comment received from FUSD was that the Muir Elementary School is located over 2,650 feet from the proposed convenience store. FUSD response on the project is subject to the Alcohol Beverage Control Act and the Fresno Police Departments review and support of the project with regards to the concentration and use of alcohol-related business in close proximity to school sites. Six hundred feet is the distance the ABC uses in which a license can be refused if a project is located within that distance from a school. FUSD support of the project is dependent on the Alcohol Beverage Control and Fresno Police Department support of the project. Since these entities support this project, then FUSD is in support of the project.

District 3 Plan Implementation Committee

The project was electronically routed to District 3 Plan Implementation Committee, however no comments were received.

Tower District Specific Plan Design Review Committee

The project was reviewed by the Tower District Specific Plan Design Review Committee who approved the project with 2 votes.

ANALYSIS OF THE APPEAL LETTERS

There were six (6) appeal letters received in response to the Notice of Granting issued for the project. The appeal letters were received from a surrounding property owner (Exhibit C). The appeal letters contain one hundred eighty four (184) signatures in support of the appeal.

Below is an analysis of the issues raised in the appeal letters dated, 2014 (Exhibit C).

- Issue #1:** Numerous residents in the area have objected to the approval of the CUP. Specifically the concern is with the high volume of transients in the area and various related offenses (vandalism, trespassing and thefts). The primary concern is that a liquor sales establishment in the neighborhood will attract those vagrants who abuse alcohol and increase vagrancy and criminal activity in the area.

Response:

The Fresno Police Department has reviewed and approved the project with conditions. Police conditions include that the applicant shall install a video camera system that records with a time and date stamp that records for a minimum of one week at a time. Cameras are to be located indoors at the cash register and at four outdoor locations and must be color, lighted and weatherproof.

Issue #2: The appellants have concerns regarding the safety of residents and possible increase in crime that can occur with sales of alcoholic beverages.

Response:

The Fresno Police Department, in their conditions dated July 22, 2014, requires the owners to take responsibility for their property. "Frequent" (as defined as 3 calls for service for every 2) responses by the Fresno Police Department arising out of or relating to the operation or management of the real property owned or controlled by the permittee causing any combination of the following: violent criminal acts, illegal consumption of intoxicants in public view, or any other activities set forth in the FMC section 10-708(g) may result in the recommendation to the Director of Development and Resource Management to commence proceedings to revoke the conditional use permit for violation of the Management of Real Property Ordinance. Police Department conditions also require that the establishment not allow alcoholic beverages to be consumed outside the building premises. If alcoholic beverages are consumed on the exterior portion of adjacent property, the applicant shall immediately report such consumption to the Fresno Police Department.

Further, a search of the City's Crime Watch program indicated that there were no recent criminal activities at other liquor stores located within a half-mile of the project site.

Issue #3: The appellants have concerns that the proposed liquor store is in the midst of a quiet neighborhood.

Response:

The Fresno Police Department, in their conditions dated July 22, 2014, requires employees that sell alcoholic beverages to complete the "Leadership and Education in Alcohol and Drugs (LEAD)" training as administered by Department of Alcoholic Beverage Control or complete equivalent training acceptable to ABC. The Police Department conditions also require that the establishment not allow alcoholic beverages to be consumed outside the building premises. If alcoholic beverages are consumed on the exterior portion of adjacent property, the applicant shall immediately report such consumption to the Fresno Police Department.

Issue #4: The appellants have concerns that there will be on-site consumption of food or liquor at the new location.

Response:

The applicant, in the submitted operational statement, states that food products will not be produced on the premises at this time. The CUP is for a retail food and liquor store and not approved as a restaurant. Food service and dining is not included, nor approved as part of the CUP. Malt and wine-cooler beverages may not be sold singly, with malts to be in 6-packs and wine coolers in 4-packs. Consumption of liquor is prohibited and violations to the conditions set forth by the Fresno Police Department may cause the CUP to be revoked.

Response to the Appeal by the Project Applicant

In response to the appeal letters received for the project, the applicant requested staff to allow operation of the convenience store without the sale of beer and wine. A convenience store is allowed by right in the C-5 zone district, and staff is in agreement. The applicant submitted a list of 91 neighborhood signatures on a petition that states "*the proposed location (441 W. Olive Ave.) will be the most convenient and safe location in our neighborhood for a mini-mart with permission to sell beer and wine*" with the application materials. An additional 11 letters and 423 signatures were submitted in support of the project.

NOTICE OF PLANNING COMMISSION MEETING

The Development and Resource Management Department mailed notices of this Planning Commission hearing to surrounding property owners (and others) within 550 feet of the subject property (Exhibit E).

CONDITIONAL USE PERMIT APPLICATION REVIEW FINDINGS

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

Findings per Fresno Municipal Code Section 12-405-A-2	
a. <i>All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,</i>	
Finding a:	Conditional Use Permit Application No. C-14-002 will involve no physical changes on the site, other than upgrades to interior areas, and no increased occupancy load. Adequate space on site does exist to accommodate the parking for the proposed convenience store use, as well as yards, walls, fences, and recycling areas. Landscaping upgrades are required as a condition of project approval.

<p>b. <i>The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,</i></p>	
<p>Finding b:</p>	<p>The subject site is bordered by two arterial streets (West Olive and North Fruit Avenue). Adjacent streets have been previously assessed to ensure that permitted uses would not have significant impacts on traffic. The proposed project is consistent with uses allowed within the Neighborhood Commercial Plan Designation and the C-5 zone district.</p>
<p>c. <i>The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The third finding shall not apply to uses which are subject to the provision of Section 12-306-N-30 of the FMC.</i></p>	
<p>Finding c:</p>	<p>Approval of Conditional Use Permit Application No. C-14-002 would not be detrimental to those properties in the vicinity or detrimental to public welfare, with Conditions of Approval imposed. All plan policies and standards required by the Fresno Municipal Code have been applied to the proposed project as applicable to ensure compatibility with those surrounding land uses and to prevent any detriment to public welfare. Proposed alcoholic beverage sales must comply with state and federal regulations for such uses, as well as all standard Police Department requirements for security, video surveillance, loitering, and property management. Grocery sales must comply with state regulations for such uses, as well as standard Environmental Health requirements for food facilities.</p>

Conclusion

In conclusion, given that all mandated conditional use permit findings required pursuant to Section 12-405-A-2 of the Fresno Municipal Code can be made for Conditional Use Permit Application No. C-14-002, and given that the project meets all requirements of a Class 1, and Class 32 Categorical Exemption and is thus exempt from CEQA, staff recommends that the Planning Commission deny the appeal 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 and List of Signatures dated September 6, 2014
 - Exhibit D: Noticing Map (550-foot radius)
 - Exhibit E: Approval Letter/Conditions of Approval dated August 26, 2014
 - Exhibit F: Operational Statement dated June 12, 2014
 - Exhibit G: Site Plan (Exhibit A within conditions of approval)
 - Exhibit H: Elevations (Exhibit E within conditions of approval)
 - Exhibit I: Comments from Responsible Agencies
 - Exhibit J: Environmental Assessment No. C-14-002, dated August 20, 2014
 - Exhibit K: List of Signatures of Neighbors in Support of Project

EXHIBIT A

EXHIBIT A



Vicinity Map

CONDITIONAL USE PERMIT
NO. C-14-002

PROPERTY ADDRESSES

441 West Olive Avenue



Not To Scale

DEVELOPMENT AND RESOURCE
MANAGEMENT DEPARTMENT

Subject Property

APN: 450-183-01

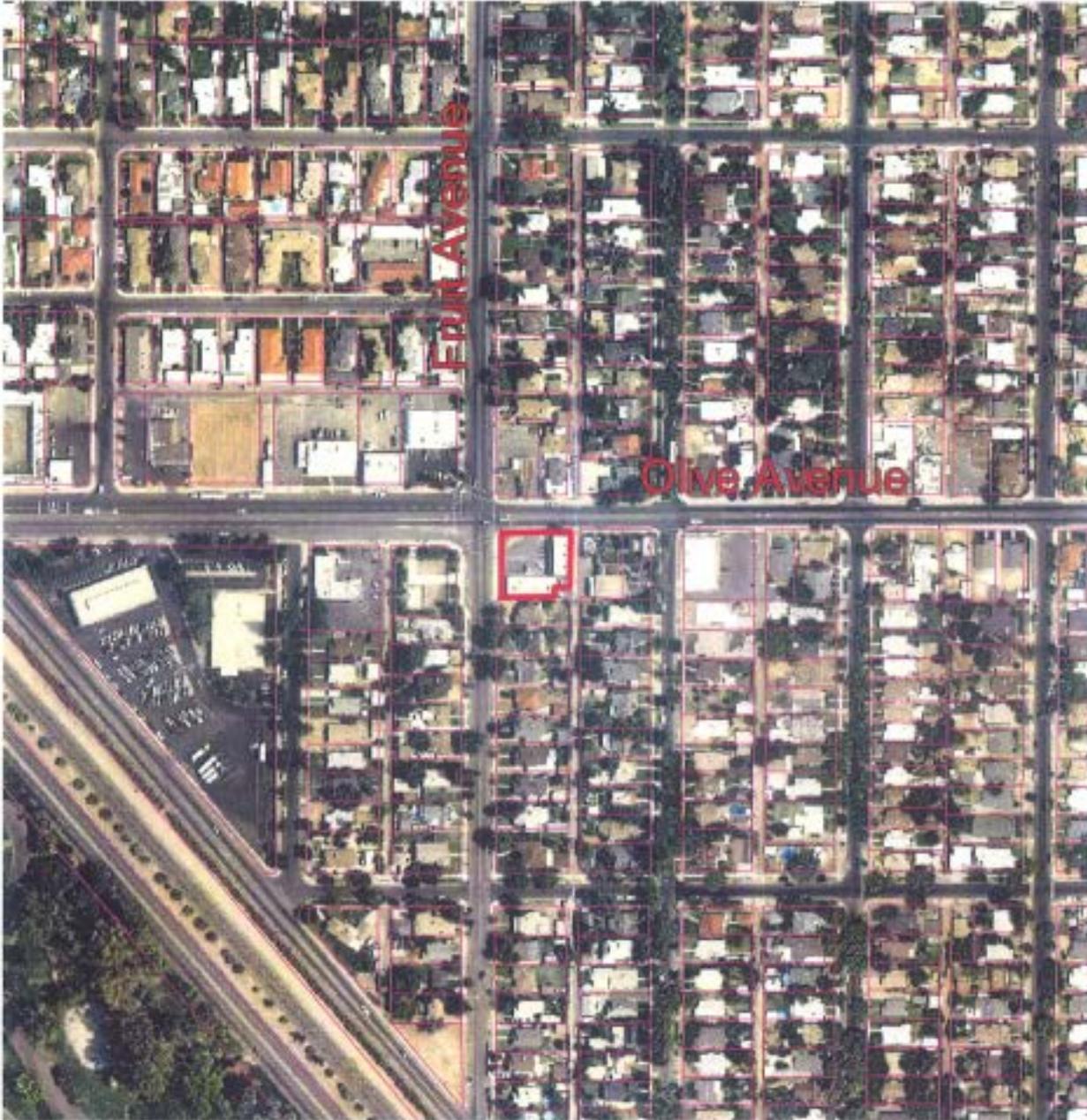
Plan Areas: Neighborhood Commercial

Zoning: C-5 (General Commercial)

By: L. Filice, September 23, 2014

EXHIBIT B

EXHIBIT B



Aerial Photo

441 West Olive Avenue

EXHIBIT C

September 6th, 2014

The importance of this letter is immeasurable. If this wine and beer store is approved to open at 441 W. Olive Ave., it will be detrimental to my business. Currently there is a high volume of transients in the area. These people are gathering recyclables and scrap metal to fuel an addiction that is partially the reason that they became homeless.

The gate has been cut open on three different occasions. All three times my shed door was broken and valuable items were stolen. For four and a half years, the police have been called numerous times by me, my mother, my neighbors, my boyfriend and my clients. Lately things have been especially bad. The bars of the fence that surrounds my property have been pried off to turn into the recycle center. Two weeks ago, they went as far as bringing tools to unscrew the door off of my shed. The business adjacent to ours has had both air conditioners removed from the roof, as well as all of the electrical wiring.

Anything that tilts, tips or rocks has a sensor that is directly connected to my alarm system. The alarm system is the second approach I have taken. My first system was monitored by Sonitrol. We had beams throughout the yard and sensors on all doors and windows. The alarm went off so much that we could not afford the false alarm charge or the fear of making the wrong judgment call in determining if it was actually a false alarm. I have spent over three thousand dollars installing a system through Lowe's that I can monitor myself through my cell phone. When a sensor goes off, my cell phone is immediately notified. I have to jump in my car and rush to see what the issue is. This is very dangerous, but it has become my only option at this point. Having a beer & wine facility open from 6:00am- 11:00pm would significantly add to the current problems of vagrancy and safety in the area.

These transients have destroyed things that took months to build, create or purchase, just to go and buy a beer or get their next fix. The drugs and alcohol are bringing down the Tower District. The last thing this area needs is any establishment fueling the fire.

Please let our voices be heard. We work and live in this area and would like to see a change for the better. The only path we can take to preserve the work we have done thus far is to better the area by making wise choices. The addition of any facility selling beer or wine in our area is not wise or beneficial to the positive growth in our community.

Sarah Girardi

owner operator @ Possibilities



RECEIVED
CITY OF FRESNO

SEP - 9 2014

DEVELOPMENT & RESOURCES
MANAGEMENT DEPARTMENT
COMMUNITY SERVICES
PLANNING DIVISION

September 4, 2014

Planning Department
City of Fresno

Re: Proposed opening of Tower Beer and Wine

To Whom it May Concern:

I am a co-tenant on the lease at Pawsibilities Dog Spaw at 403 West Olive Avenue. In the past four years there has been an increasing number of incidents involving gang members, drunk and high people causing problems at and around my daughter's place of business.

People have slept in her front entry way and spat upon the sidewalk. They have torn off the iron welded bars to gain entry into her back area and to sell the metal for scrap. They have tried to jump her fence to get in.

The proposed opening of Tower Beer and Wine will further harm this area and will certainly cause more problems than exist right now. The Tower District residents are passionate about improving the area and making it a safer place.

The area has numerous full liquor stores and wine and beer stores in the immediate area:

1. Full liquor store at McKinley and Fruit
2. Full liquor store at Belmont and Fruit
3. Full liquor store at Palm and Belmont
4. Full liquor store at McKinley and West
5. Two beer and wine stores on Olive between Fruit and Palm, one at Palm and Olive, one at Fruit and Palm, two at Fruit and Clinton.

Nothing good is offered by another business of this kind. People who live in the area are already within easy walking distance of a number of stores offering alcohol and groceries. What it will do, by being open until eleven P.M., will be to bring people to our neighborhood late at night, when it would otherwise be quiet for the evening, with most businesses closing much earlier. As it is, there are too many people wandering in this area, since the homeless camps were closed by the city, with no alternatives provided.

I strongly oppose the approval of this business in our immediate area, and urge the city to deny the request to open Tower Beer and Wine.

Mary Jane Girardi
Mary Jane Girardi

DATE: SEPTEMBER 8, 2014
TO: CITY OF FRESNO
LAUREN FILICE
RE: COUNCIL ITEM NO. C-14-002
ATTENTION, CITY OF FRESNO CITY COUNSEL

I am writing on behalf of Pawsabilitys Dog Groomer, owner Sara Girordia, at 493 W. Olive Avenue, Fresno, Ca. 93728.

My concern is a Beer and Wine store that wants to open at the corner of Olive Avenue and Fruit Avenue in Fresno.

I use Pawsabilitys Dog Groomers for our dogs monthly for the past four years, the last year I have seen drunks passed out on the sidewalk and homeless pushing carts and asking for money. They are establishing a residence and relief themselves in the alleyways.

Allowing this beer and wine store permission to go in will only create and attract more crime and unwanted people to this area and endanger her customers and business. Her business has been vandalized and burglarized in the past several times.

There is already a liquor store at Fruit and McKinley and many others in the Tower area.

Roding Park is just down the street and this will attract more homeless to the park.

The image shows two handwritten signatures in black ink. The signature on the left is more compact and stylized, while the signature on the right is larger and more legible, clearly showing the name 'Paul Robles'.

Meredith Robles / Paul Robles

361 West Ave.

Fresno, Ca. 93705

To Whom It may concern

I am a regular customer at
Pawsubilities. I oppose a liquor store
going in by them. It would add to
traffic and more problems for the Tower
District. Please listen to we concerned
citizens who live in and support local
businesses.

Thank you.

Suzanne Hawkins

9.5.1A

To whom it may concern
I've been going to Possibilities
for five years. Having a liquor store
in the area would only add to
the ongoing destruction & theft
and loitering in the area.
Not to mention the safety in
the evenings. I should object
to the opening of Tower Wine & Beer

Thank you
Marlene Summers
1382 N Thore
486-4461

Altha Lang
5541 Columbia Dr N
Fresno, CA 93727
559 348-7992

9/5/14

TO whom it May Concern,

I do business and attend art activities in Tower and through the neighborhood.

I object strongly on the opening the liquor store at Fruit and Olive.

Thank you

Altha Lang

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

**NOTICE OF GRANTING OF SPECIAL PERMIT
CONDITIONAL USE PERMIT APPLICATION NO. C-14-002**

NOTICE IS HEREBY GIVEN that the Director of the Development and Resource Management Department, in accordance with Special Permit Procedures of the Fresno Municipal Code, Section 12-406, has approved Conditional Use Permit Application No. C-14-002 for property located at 441 E. Olive Avenue, located on the on the southeast corner of Olive Avenue and Fruit Avenue. proposed authorization to open a mini-mart with sale of beer and wine, in 2,000 square feet of space at 441 West Olive Avenue. The proposal includes the sale of beer and wine, for which a separate Type 20 (*sale of beer and wine for consumption off-premises*) Alcoholic Beverage Control (ABC) Permit is required. Hours of operation for the mini-mart are from 6 a.m. to 11 p.m. The proposed project was determined to be exempt from CEQA by the Development and Resource Management Department on August 20, 2014 through a Class 32, 15332 Categorical Exemption. The subject site is zoned C-5 (*General Commercial*) district.

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

1. Development shall take place in accordance with the Conditions of Approval contained in the approval letter dated August 26, 2014.*

*This document is available for public review at the Development and Resource Management Department, 2600 Fresno Street, 3rd Floor, Fresno, California 93721 or by contacting the Department at the number listed below.

The Special Permit will not become effective until 15 days from the date the permit is granted in order to allow time for any interested parties to file an appeal.

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

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

September 10, 2014

For additional information regarding this project, contact Lauren Filice, Development and Resource Management Department, 2600 Fresno Street, Fresno, California 93721-3604, by phone at (559) 621-8070 or via e-mail at Lauren.Filice@fresno.gov.

**DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
Jennifer Clark, Director**

Dated: August 26, 2014

Assessor's Parcel No. 450-183-01

Petition to Oppose the Opening of Mini-Mart

441 E. Olive

We, the undersigned, oppose the establishment of any business with a license to sell liquor such as beer, wine, or alcohol on the Southeast corner of Fruit and Olive. Within the vicinity of the square block bordered by McKinley/Olive, Fruit /Palm, we already have 7/11, A-Z market, Mike's Liquor, Handi Shop, Sunrise, Circle K, General Dollar Store , and Bal's , all of whom sell alcohol on the premises and operate as mini-marts or small grocers.

If we allow this mini-mart to move to the location of 441 East Olive, it will undoubtedly increase our crime rate, as it will draw the homeless element from the Roeding Park area. While the mini-mart may be convenient, there are a handful of stores within walking distance that already service our area.

Another point to opposition of this store is that the population in the surrounding neighborhoods cannot support another business of this kind, causing other already operating stores to lose business and possibly close. The last thing the Tower needs is more vacant business buildings. We can all attest to the deterioration of the block of Olive from Fruit to Palm in the past 10 years.

I seek your support to block the opening of this mini-mart and the increased crime it will bring to our area. If we are to save the Tower District, we need to pull together and, as citizens who live here, change the direction of the planning and development of our area. I urge you to sign this petition today. This will be presented to the City of Fresno in an effort to save our neighborhoods.

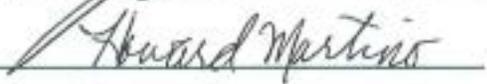
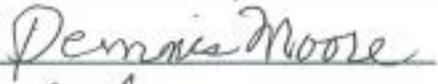
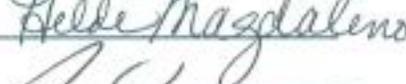
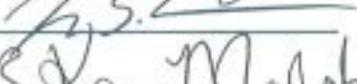
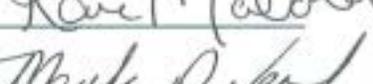
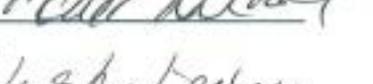
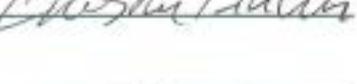
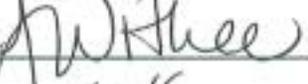
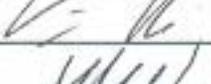
	PRINT NAME	ADDRESS	SIGNATURE
1.	Margaret Williams	1240 N. Arthur	Margaret Williams
2.	Robbie Carter	1240 N. Arthur	Robbie Carter
3.	Leah Metcalf	1264 N. Arthur.	Leah Metcalf
4.	Annellee Boese	1281 N. ARTHUR	Annellee Boese
5.	Loreen Leslie	1281 N. Arthur	Loreen Leslie
6.	J. C. Carter	1333 N. Arthur	J. C. Carter
7.	Lupe de la Torre	1333 N. Arthur Ave	Lupe de la Torre
8.	Opvie Hedrington	1345 N. Arthur	Opvie Hedrington
9.	NON STANLEY	1379 N. ARTHUR	NON STANLEY
10.	MIKE KANDARIAN	1475 N. ARTHUR	MIKE KANDARIAN
11.	Jasw Schmitt	1495 N. Arthur	Jasw Schmitt
12.	Marc Gonzalez	1443 N. Vagedes Ave	Marc Gonzalez
13.	Robin Molhel	1412 N. Vagedes Ave.	R Molhel
14.	Joe Sanchez	1404 N. VAGEDES	Joe Sanchez
15.	Ellen Sharp	1368 N. Vagedes	Ellen Sharp
16.	Justin Tyler	1314 N. Vagedes	Justin Tyler
17.	Lance Weldon	1311 N. Vagedes	Lance Weldon
18.	NANCIE F. JENSEN	1305 N. VAGEDES	Nancie F. Jensen
19.	Paul J. Cullison	1291 N. Arthur	Paul J. Cullison
20.			

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PRINT NAME

ADDRESS

SIGNATURE

- | PRINT NAME | ADDRESS | SIGNATURE |
|-----------------------------|--------------------|---|
| 1. Nicole Rattice | 1223 N. Arthur Ave |  |
| 2. Howard Martino | 1235 N. Arthur |  |
| 3. Dennis Moore | 1235 N. Arthur |  |
| 4. Angela Moreno | 1245 N. Arthur |  |
| 5. Arista Avador | 1275 N. Arthur |  |
| 6. Tally Muller | 1291 N. Arthur |  |
| 7. Jim Ransay | 1320 N. Arthur |  |
| 8. Hildegard Magdalena | 1354 N. Arthur |  |
| 9. Ron Morse | 1366 N. ARTHUR |  |
| 10. Karen Malcher | 1378 N. ARTHUR |  |
| 11. Mark Riebel | 1378 N ARTHUR |  |
| 12. Chester Bonheim | 1384 N. Arthur |  |
| 13. Tom Alvarado | | |
| 14. Tom Alvarado | 1426 N. ARTHUR |  |
| 15. Martha Alvarado | 1426 N. Arthur |  |
| 16. Jennifer Withee | 1436 N ARTHUR |  |
| 17. James Kirk | 1482 N. Arthur |  |
| 18. Nora Henderson | 1482 N. Arthur |  |
| 19. Vinson Borell | 1492 N. Arthur |  |
| 20. Jim WINDER | 1484 N. VAGEDES |  |

- 21. MYRNA S. BOOP 1433 N. VAGEDES Myrna S. Boop
- 22. Deborah 1433 N. Vagedes Deborah
- 23. ~~Leg Lucio 1434 N. Vagedes~~
- 24. Paul Johnson 1424 N. Vagedes Ave. Paul Johnson
- 25. Marchelle McGrew 1387 N. Vagedes Ave Marchelle McGrew
- 26. ~~Javel Gunn 1375 N. Vagedes Ave~~
- 27. ~~Javel Gunn 1386 N. VAGEDES~~
- 28. Kris Nasse 1322 N. Vagedes Kris Nasse
- 29. Heidi Cantwell 1305 N. Arthur Ave. Heidi Cantwell
- 30. Pauline Lopez 1258 N Arthur
- 31. James Gathright 1251 N. Arthur Fresno, CA
- 32. Paul D Castro 1251 N Arthur Ave Fresno
- 33. Carey Thomson 1261 N. Arthur Carey Thomson
- 34. Mary Jane Girardi 403 W. Olive Ave. Mary Jane Girardi
- 35. _____
- 36. _____
- 37. _____
- 38. _____
- 39. _____
- 40. _____
- 41. _____

PRINT NAME ADDRESS Signature

MEMBER OF THE FRESNO GEM & MINERAL SOCIETY

- | | | |
|--------|--------------------------------------|---------------------|
| 21. | EDDIE LEEPER | Eddie Leeper |
| 22. | Irene ^o Nielsen | Irene E Nielsen |
| 23. | Pamela L Wilson | Pamela L. Wilson |
| 24. | Brandy Knorr | Brandy L Knorr |
| 25. | Alta Lynn | |
| 26. | Susan Oliver | Susan Oliver |
| 27. | Charly Charlyn Oliver | Charlyn Oliver |
| 28. | Lynn Pierce | Lynn Pierce |
| 29. | JUDY HANSEN | Judy Hansen |
| 30. | Leticia Kerker | Leticia Kerker |
| 31. | Jacqueline Jay Line Jacob | Jacqueline Jacob |
| 32. | RON COVERT | Ron Covert |
| 33. | IDA COVERT | Ida Covert |
| 34. | ROBERT KEPPER | Robert Kepper |
| 35. | Kenneth Dones | Kenneth A. Dones |
| 36. | Waybrent Whalen Jr. | Waybrent Whalen Jr. |
| 17 37. | Art K | |
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1. CAROLYN SUE EARL 1228 N. Vagedes Ave Carolyn Sue Earl
2. Diane Dunn 1386 N. Vagedes ~~Diane Dunn~~
3. Steve Sullivan 1525 N. Vagedes Steve Sullivan
4. Daniel Porraz 1555 N. Vagedes Daniel Porraz
5. JOHN RIOS 1583 N. VAGEDES John Rios
6. Clark Coccol 1545 No Vagedes Clark Coccol
7. Pearl Coccol 1595 N. Vagedes Pearl Coccol
8. Shannon Bickford 1573 N. Arthur Shannon Bickford
9. Michael Bickford 1573 N. Arthur Michael Bickford
10. Bob McMary 1379 N Arthur Bob McMary
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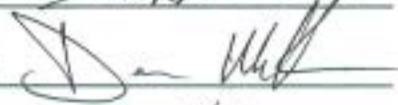
1. FRED L. SAVALA 1234 N. Vagedes Fred Savala
2. KAREN PHAKERY 1242 N. VAGEDES
3. Pam Rowse 1248 N. VAGEDES Pam Rowse
4. JANE L. BERKLEY 1276 N. VAGEDES Jane L. Berkley
5. Myra N. Coble 1284 N. Vagedes Myra N. Coble
6. Donald H. Gregory 1295 N. Vagedes Donald H. Gregory
7. Mury A. Stubblefield 1279 N. Vagedes Mury A. Stubblefield
8. Stephen Stubblefield 1275 N. Vagedes Stephen Stubblefield
9. CARMEN NAVXRO 1241 N. Vagedes Carmen Navxro
10. CAROLYN MERCER 1229 N. Vagedes Carolyn Mercer
11. Jasika McConaughy 1344 N. Roosevelt Ave Jasika McConaughy
12. Rosa Alvarez 1344 N. Roosevelt Ave Rosa Alvarez
13. ERNEST PRIES E VASSAR AVE. 737 Ernest Pries
14. Mary Pries E. Vassar 737 MARY PRIES
15. Guillermo Rodea Jr. 1329 N. Lucerne Guillermo Rodea Jr.
16. Wei Beal 1521 N. Vagedes Wei Beal
17. Shelli Quay 1319 N. Van Ness Shelli Quay
18. Thad Mummert 1501 N. Echo Av Thad Mummert
19. Sergio Kay Lewis Reed 4370 N. Teilmeier Rd Sergio Kay Lewis Reed
20. Gabrielle Burton 855 E Cortland Gabrielle Burton

21. William Siegfried 1581 N. Echo ~~William Siegfried~~
22. Jordan Zickatoose 1347 N. Scifford ~~Jordan Zickatoose~~
23. Keiko Chinn 154 W. TWIN FRESNO, CA ~~Keiko Chinn~~
24. Stephen Mays Jr 906 W. Primrose Ave ~~Stephen Mays Jr~~
25. Jacqueline Ruiz 1839 N. Echo Ave ~~Jacqueline Ruiz~~
26. Lindsey Murdoch 906 N. Wilson ~~Lindsey Murdoch~~
27. Robert L. Boro 666 E. Home Ave ~~Robert L. Boro~~
28. Michael Parola 1328 N. Wishon ~~Michael Parola~~
29. Susan Rocha 1496 N. San Pablo ~~Susan Rocha~~
30. John M. Rocha 1496 N. San Pablo ~~John M. Rocha~~
31. Zack Dootson 1265 N. Echo ~~Zack Dootson~~
32. David Northrop 1319 N. Van Ness ~~David Northrop~~
33. Jodi Abston 754 E. Pine Ave ~~Jodi Abston~~
34. JEFF QUINONES 213 E. NORMAL ~~Jeff Quinones~~
35. John Fernandez 803 E Normal ~~John Fernandez~~
36. Rachel Dominguez 234 W. Harvard ~~Rachel Dominguez~~
37. Cathy Beed 234 W. Harvard ~~Cathy Beed~~
38. Robert Lynn 437 E. Fedon ~~Robert Lynn~~
39. Brian Avocis 2929 N. Harrison Ave ~~Brian Avocis~~
40. Amber Grubb 724 E. Hedges Ave. ~~Amber Grubb~~
41. Chris Bilhu 1039 N. Farris Ave ~~Chris Bilhu~~

Name

address

signature

- 42. Brian Anderson 1262 N College Ave 93728 
- 43. ~~Dennis Edinger~~
Dennis Edinger 605 E. McKinley Ave
- 44. Tom Rathrick 1376 N Linden 
- 45. ~~Dave Malone~~
Dave Malone 643 E Spruce Ave 
- 46. Kelsey Duncan 950 N Thorne Ave Kelsey Duncan
- 47. Barbara Carlisle 1465 N. Wishon Ave BARBARA CARLISLE
- 48. James L. Pius 1465 N. WISHON AVE JAMES L. PIUS
- 49. Mylee Briggs 1212 N. Van Ness 
- 50. Chris T. Mendes 1264 N. Van Ness Ave. 
- 51. DL Reynolds 1270 N. Linden Ave David Casey Reynolds
- 52. Mary Kandise Garcia 1585 N VAN NESS AVE 
- 53. Whitney Cotton 651 E. PERAZA WAY 93704 
- 54. Patrick Myhr 1078 E. Clinton Fresno CA 93704 
- 55. Kevin Garyes 751 E. Pine Fresno CA 93704
- 56. Kristin Ekwall 540 E Brown, Fresno 93704 
- 57. Shawna Robbins 1375 N San Pablo Fresno 93728 
- 17 58. Jennifer DiPasquale 1125 N. Vayedes ave 93728
- 59.
- 60.

PRINT NAME

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1. ~~Aram Gegaregin~~ 1122 N. Vagedes ~~Aram Gegaregin~~
2. Aram Gegaregin 1122 N. Vagedes Aram Gegaregin
3. Anthony Hernandez 1109 N. Vagedes Anthony Hernandez
4. Ginger Lawson 974 N. Vagedes Ginger Lawson
5. Wes Beal 1021 N. Vagedes Wes Beal

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I object to the project NO. C-14-002
 regarding the opening of Tower
 Beer & Wine Store located on Fruit & Olive

- | | | | | |
|----|--|--------------------|-------------|--------------------------------|
| 23 | Connie Salas | 969 N. Vagedes | Fresno CA | 93728 |
| 24 | Caru Salas | 969 N. Vagedes | Fresno, Co. | 93728 |
| 25 | Donald Spencer | 951 N Vagedes | Fresno CA | 93728 |
| 26 | LINDA PEREZ | 949 N VAGEDES | FRESNO CA | 93728 |
| 27 | Evelyn Baptista | 947 N. Vagedes | Fresno, Ca | 93728 |
| 28 | Eric Gamales
408-3906 | 915 N. Vagedes | Fresno CA | 93728 |
| 29 | Ron Kujelma | 835 N Vagedes | Fresno CA | 93728 |
| 30 | Brandon Halston
524-273-4458 | 120 W Holland | Elvis CA | 93612 526-370 |
| 31 | Joe Suarez | 926 N. Vagedes ave | Fresno | 93728 |
| 32 | Chris | 926 N Vagedes | Fresno, | 93728 |
| 33 | Joe Seyura | 1032 N VAGEDES | FRESNO | 93728 |
| 34 | María Luján | 1352 N. El Capitan | Fresno | 93722 |
| 35 | Michael Luján | 1392 N. El Capitan | Fresno | 93722 |
| 36 | Deandra Galoi | 104 E. Sierra AVE | Fresno | 93710 |
| 37 | Linda Chavez | 5657 N Wheeler A | Fresno | 93722
wbrs@annise
market |
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1 object to the project NO. C-14-002
regarding the opening of Tower Beer
3 wine store on olive 3 Fruit

- 1 Colleen A. Hugemoch 492-9180
- 2 ~~Benito Soto~~ 346-7455 1005 N. VAGEDAS 346-7455
- 3 ~~Benito Soto~~ 1024 N. FRUIT AVE - 93728
- 4 Buddie Zink 1030 N. Fruit ave - 93728 Buddie Zink
- 5 Robert ~~Le~~ 1038 N Fruit Ave 93728
- 6 Mary ~~Gay~~ 1106 N. Fruit AVE 93728
- 7 Jennifer Nolas 1114 N Fruit 93728-
- 8 Nelson ~~Swartz~~ 1124 N fruit 93728 (559) 709-8120
- 9 Sharm Garrett 1040 N. Vagedas 93728 237-0356
- 10 APT 36559 SPARTA AVE 93636 (559) 313-3361 MAILMAN (559)
- 11 J. Coffman 1109 N Vagedas Ave Fris. 93728 917-0374
- 12 Barbara Chevron 956 N. Fruit 93728
- 13 Anton ~~Gonzalez~~ 1012 N fruit
- 14 Jacinto ~~Garcia~~ 1038 N fruit
- 15 Joe ~~Gurley~~ 1122 N Fruit
- 16 Amy Charles 1105 N. Fruit Ave 93728 (530-609) 4078
- 17 Terri Huddleston 1045 N Fruit Ave 93728 559-268-9746
- 18 Debbie Kascak 1045 N Fruit Ave 93728 559-268-974
- 19 Angel. Suarez 955 N Fruit
- 20 Claude Gonzalez 945 N. Fruit Ave 93728 559-470-13.
- 21 KHEM SUSON 930. N. Fruit ave 93728
- 22 JOHNNY + LAURA SCRIVNER 946 N. FRUIT AVE 559-237-651

I object to the project NO.C-14-002 regarding the opening of Tower Beer & Wine Store located on Fruit & Olive

70	Aletha Lang Lang	5541 Columbia Dr. N	Fresno 93727	Customer
71	Jarajane Hawkins	Supra Hawkins	2915 N Vagades 93705	Customer
72	Venessa Rogers	Venessa Rogers	779 7412	Customer
73	MARLENE SUMMERS		1512 Rail Ave 93611	Employee
4 74	382 N THORNE 486-4461		676-2260	

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184 signatures

EXHIBIT D



Address List Map, c:\gisdm5\automap\addrlist.mxd, Tue Sep 23 16:27:14 2014





DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
DEVELOPMENT SERVICES DIVISION

PROOF OF SERVICE BY MAIL

SUBJECT: NOTICE OF GRANTING CUP C-14-002

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I am an employee of the City of Fresno.

On August 26, 2014 I served the attached notice pursuant to Section 12-401-C-2 of the Fresno Municipal Code on the persons named thereon or attached thereto by placing a true copy thereof with postage thereon fully prepaid in the United States mail. I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on July 25, 2014 at FRESNO CITY HALL.



Lauren Filice, Planner III

Attachments: 1. Legal Notice
2. Property List
3. E-mails to/from John DeLucia

EXHIBIT E



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

Development and Resource Management Department
Jennifer K. Clark, AICP, Director

August 26, 2014

Please reply to:
Lauren Filice
(559) 621-8070

Mr. Surjit Singh
Inder3306@gmail.com
Sent via email only

**SUBJECT: SPECIAL PERMIT NO. C-14-002 AT 441 WEST OLIVE AVENUE
APN: 450-183-01**

Dear Mr. Singh:

The Development and Resource Management Director, on August 21, 2014, approved Conditional Use Permit Application No. **C-14-002**, which proposed authorization to open a mini-mart with sale of beer and wine, in 2,000 square feet of space at 441 West Olive Avenue. The proposal includes the sale of beer and wine, for which a separate Type 20 (*sale of beer and wine for consumption off-premises*) Alcoholic Beverage Control (ABC) Permit is required. Hours of operation for the mini-mart are from 6 a.m. to 11 p.m. The proposed project was determined to be exempt from CEQA by the Development and Resource Management Department on August 20, 2014 through a Class 32, 15332 Categorical Exemption. The approval of this project is subject to compliance the following Conditions of Approval:

CONDITIONS OF APPROVAL

PART A – ITEMS TO BE COMPLETED

The following items are required prior to [issuance of building permits] [commencement of land use activity]:

Planner to check
when completed

1. Development shall take place in accordance with Exhibit A dated July 7, 2014 with modifications, if any, as requested in the conditions listed below. Transfer all comments and conditions on Exhibit A to the corrected exhibit and **submit to Planner at least 15 days prior to issuance of building permits/certificate of occupancy.**

2. **Comply with the requirements of the Fresno Police Department (FPD) dated July 22, 2014 for hours of operation and the following:**
1) Fresno Municipal Codes, 2) State and Federal laws, 3) ABC education, 4) video cameras, 5) sale of malt and wine-cooler alcoholic beverages, 6) wine alcohol by volume, 7) non-refrigerated alcoholic beverages, 8) property responsibility, 9) revocation of Conditional Use Permit, 10) posting of hours of operation and address, 11) posting property, and 12) ensure that

employees comply with FPD conditions.

Please provide proof that these requirements have been met prior to issuance of building permits/certificate of occupancy.

3. County of Fresno Department of Public Health comments dated June 27, 2014 include the following requirements:
- 1) submit complete food facility plans and specifications,
 - 2) apply for an obtain a permit to operate a food facility,
 - 3) prior to operation, obtain a license to sell alcoholic beverages.
- Please provide proof that these requirements have been met prior to issuance of building permits/certificate of occupancy.**
4. Development Department, Building and Safety Services require that plans, permits and Change of Occupancy forms be submitted prior to operation. **Please provide proof that these requirements have been met prior to issuance of building permits/certificate of occupancy.**
5. Property taxes shall be paid to date for all development projects prior to final approval of an entitlement permit. Provide proof that property taxes have been paid to date to Planning prior to final approval of this Use Permit.

PART B – OTHER REQUIREMENTS

1) Planning/Zoning/Environmental Compliance Requirements

- a) Property development standards and zoning requirements are contained in the attached "Property Development Standards Checklist" prepared for Conditional Use Permit Application No. C-14-002 and dated July 22, 2014. Any future revisions to the proposed project shall comply with these conditions.
- b) Development and operation shall take place in accordance with the attached "General Notes and Requirements for Entitlement Applications" as applicable.
- c) Development shall take place in accordance with the policies of the 2025 Fresno General Plan, Fresno High-Roeding Community Plan, Tower District Specific Plan, and with the commercial neighborhood planned land use designation.
- d) Development shall take place in accordance with the C-5 (General Commercial) zone district and all other applicable sections of the Fresno Municipal Code.
- e) Exercise of the special permit shall take place in accordance with all city, county, state and federal laws and regulations.
- f) Development shall comply with all prior special permits on the property, specifically Site Plan Review No. S-6832 and S-8317, and any applicable conditions of zoning and use for Conditional Use Permit Application No. C-14-002.
- g) This special permit is granted, and the conditions imposed, based upon the attached Exhibit O (Operational Statement) dated June 12, 2014. The Operation Statement is material to the

issuance of this special permit. Unless the conditions of approval specifically require operation inconsistent with the Operation Statement, a new or revised special permit is required if the operation of this establishment changes or becomes inconsistent with the Operation Statement. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the special permit or any other enforcement remedy available under the law.

2) City and Other Services

Development shall take place in accordance with the attached memoranda and letters from City of Fresno Departments and Partner Agencies:

- a. City of Fresno Police Department memo dated July 22, 2014
- b. City of Fresno Public Works, Traffic & Engineering memo dated July 7, 2014
- c. City of Fresno Fire Department memo dated July 2, 2014
- d. Fresno County Department of Public Health, Environmental Health Division memo dated June 27, 2014
- e. Fresno Unified School District memo dated June 24, 2014

3) Miscellaneous Requirements

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

APPEALS

A notice indicating the Development and Resource Management Department Director's approval of this project was mailed to nearby property owners on August 26, 2014, commencing a 15 day comment/appeal period. Should an appeal be received, it shall be scheduled to be heard before the Planning Commission.

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

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

If you wish to appeal the decision, a written request must be received at the Development and Resource Management Department by **September 9, 2014**. The written request should be addressed to Jennifer Clark, Director, and include the application number referenced above.

BACKCHECK PROCESS

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

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

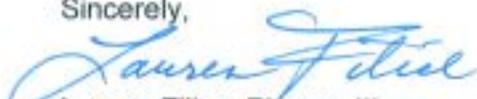
Copies of the final approved site plan, elevations, landscaping, and irrigation plans stamped by the Development Services Division must be submitted for unstamped copies of the same in each of the sets of construction plans submitted for plan check prior to the issuance of building permits.

EXPIRATION DATES

The exercise of rights granted by this special permit must be commenced by **August 26, 2018** (four years from the date of approval). There is no extension. All improvements must be installed prior to the operation of the proposed use.

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

Sincerely,


Lauren Filice, Planner III

Development Services Division

Enclosures: Exhibit A;
Comments from Partner Agencies & Departments
Conditions of Zoning for the C-5 (General Commercial) zone district
General Notes and Requirements for Entitlement Applications
Property Development Standards Checklist, prepared 7/22/14
Categorical Exemption, Class 32, Section 15332 dated 8/20/14

CC: Property Owner
JAF

EXHIBIT F

OPERATIONAL STATEMENT - C-14-002

RE: MINI MART WITH "OFF-SALE" BEER WINE LICENSE, 441 W OLIVE AVENUE, SUITE 105, 106

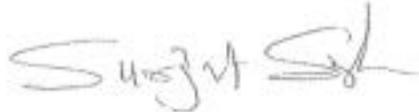
Above referred retail business is being proposed in an existing single story strip retail complex. Existing businesses include an Insurance Company Office, Boutique, Salon and Barber Shop. The proposed business is compatible with the existing land uses.

Mini Mart with Off-Sale Beer Wine License complies with the Existing Zoning as well as consistent with City's General Plan. The Project Site is generally suitable for the type, intensity and density of the proposed use. The proposed use is not detrimental to public health, safety, convenience and welfare

The proposed hours of operation are from 6.00 am to 11.00 pm, during all week days catering to the daily needs of neighborhood

Should you have any questions, please contact.

Sincerely,



(Surjit Singh)

Ph: 559-266-1930

Email:Contact@Continentaldc.com

ABC TYPE 20

EXHIBIT G

EXHIBIT H

EXHIBIT I

Tower District Specific Plan Design Review Committee Project Record

Project Information

Date: 8/7/14
 Location: 441 W. Olive Ave APN: _____

Project Description

Agenda Date: 8/7/14

Existing: cup vacant building

Proposed: Tower Beer & Wine cup

Contractor/Contact: _____

Phone Number: _____

Zoning/Plan Designation: _____

Tower District Specific Plan Design Review Committee Recommendation

On 8/7/14, the Committee recommended approval of the project, subject to the following conditions:

The Committee recommends the project **not be approved**, for reasons listed above.

The Committee takes **no action** at this time, for reasons listed above.

VOTING RECORD:

DATE OF FINAL ACTION:	Clifton	Schmidt	Soza	Berg	Mintz	Vacant	Vacant
YES	✓	✓					
NO							
ABSENT							

Signature of Chair: Michael Clifton

Date: 8/7/14



DISTRICT 6 PLAN IMPLEMENTATION COMMITTEE

PROJECT REVIEW August 4, 2014

Project Record

PROJECT INFORMATION, Agenda Item 4.b

Conditional Use Permit Application (CUP) No. C-14-054 was filed by Bryan Sassano of S.I.M Architects, on behalf of the Roman Catholic Diocese of Fresno. The application pertains to 355 East Champlain Drive (also addressed as 9722 North Friant Road), comprising 7.5± acres on the southeast corner of East Champlain Drive and North Friant Road (APN 401-830-20). The application proposes to construct Phase III of the Holy Spirit Church Campus, adding a 5,004 sq. ft. chapel on the west side of the church sanctuary; a 13,560 sq. ft. remodel of the quad wit new steel trellises, modified landscaping, and plaza concrete; and an 874 sq. ft. addition to the storage building adjacent to the physical plant facility on the south side of the complex. The property is planned for Public Facility/Church use in the Woodward Park Community Plan and the 2025 Fresno General Plan. It is zoned R-1-C/UGM (*Single Family Residential District/Urban Growth Management Area*), which allows religious facilities by conditional use permit.

COMMITTEE RECOMMENDATION

APPROVE APPROVE WITH CONDITIONS DENY NO ACTION

	Forrest	Brown	Engleman	McLoughlin	Sidhu	Vecchiarelli	Walker
Motion/ Second	<i>Forrest</i>						<i>[Signature]</i>
Approve	<i>FF</i>	<i>SB</i>	<i>RRE</i>	<i>Chen</i>			<i>[Signature]</i>
Deny							
Abstain							
Absent					✓	✓	

COMMITTEE CONDITIONS / COMMENTS

[none]

Staff Liaison: *Sandra L Brock* Date *8/4/14*



DATE: July 7, 2014

TO: Lauren Filice
Development and Resource Management Department

FROM: Jairo Mata, Engineer I
Public Works Department, Traffic and Engineering Services Division

SUBJECT: Conditions of Approval for **C-14-002**
ADDRESS: **441 West Olive Avenue**
APN: **450-183-01**

PUBLIC IMPROVEMENT REQUIREMENTS

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

Repair all damaged and/or off grade off-site concrete street and alley improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600. Pedestrian paths of travel must also meet current ADA regulations. All existing sidewalks in excess of 2% maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.

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

All improvements shall be constructed in accordance with the City of Fresno, Public Works Department Standard Drawings and Specifications. The performance of any work within the public street right of way (including pedestrian and utility easements) requires a **STREET WORK PERMIT prior** to commencement of work. When preparing Street Plans and/or Traffic Control Plans, contact (Randy Schrey) at (559) 621-8807, **10 working days** in advance, to make sure that sidewalks or an approved accessible path remain open during construction. Submit construction plans for all required work, in a single package, to the City of Fresno's, Traffic and Engineering Services Division. All work shall be reviewed, approved, completed and accepted **prior** to obtaining a certificate of occupancy. Utility poles, street lights, signals, etc. shall be relocated as determined by the City Engineer.

All survey monuments within the area of construction shall be preserved or reset by a person licensed to practice Land Surveying in the State of California.

Off-Street Parking Facilities and Geometrics

1. Off-Street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawing(s) P-21, P-22, P-23.
2. Install **30"** state standard "STOP" sign(s) at location(s) shown. Sign shall be mounted on a **2"** galvanized post with the bottom of the sign **7'** above ground; located behind curb and immediately behind a major street sidewalk.
3. Provide parking space directional arrows at beginning and end of aisles as noted on **Exhibit "A"**.

Trip Generation: This development will generate the following Average Daily Trips (A.D.T.), based upon the code(s) of the Institute of Transportation Engineers' Trip Generation Manual shown below:

Description/ ITE code	Size	ADT	AM Peak Hour	PM Peak Hour
Convenience Market / 852	1800 ft. ²	590	56	62

Traffic Signal Mitigation Impact (TSMI) Fee: This project shall pay all applicable TSMI Fees at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual. Contact the Public Works Department, Frank Saburit at (559)621-8797.

Fresno Major Street Impact (FMSI) Fees: This entitlement is in the **Infill Area**; therefore pay all applicable City-wide regional street impact fees. Contact the Public Works Department, Frank Saburit at (559) 621-8797.

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

Prior to resubmitting a corrected exhibit, provide the following information on the site plan:

A. General Requirements

1. **Parcel of Record:** Identify the entire parcel at the time of permits and a legal description.
2. **Property Lines:** Check, verify, and show property lines and dimensions accurately.

B. Offsite Information:

1. **Street Improvements and Furniture:** Identify existing and proposed curb, gutter, traffic signals, utility poles, etc.
2. Obtain an **encroachment permit** for private improvements within public property or remove and resubmit revised site plan.

C. Onsite Information:

1. **Parking Lot:**
 - a. **Stalls:** Identify the **2'** vehicular overhang adjacent to continuous curbing. No obstructions shall be within the **2'** overhang.
 - b. **Curbs and Wheel Stops:** Identify **6"** high
 - c. **Disability signage:** Not to be within the **2'** vehicular overhang
 - d. **Paving:** Identify paving to comply with Public Works Standards P-21,P-22, P-23

Questions relative to these conditions may be directed to Jairo Mata at 559 621-8714
Jairo.Mata@fresno.gov , in the Public Works Department, Traffic and Engineering Services
Division



July 22, 2014

Tower Beer & Beer Market
Attn: Surgit Singh- Applicant

Conditional Use Permit No. C-14-002
441 W. Olive Ave
A.P.N. 450-183-01

Dear Mr. Singh,

The City of Fresno has reviewed the application of the property development at 441 W. Olive Ave which, among other things, requests authorization to relocate an existing State of California Alcoholic Beverage Control Type 20 liquor license (*Package Store – beer and wine for consumption off the premises where sold*) to a new building to be constructed . The property is zoned C-5, (General Commercial), which permits retail stores, and, also, the retail sales by those stores of alcoholic beverages, subject to conditional use permit. The Fresno Police Department's primary concern with the application is the propensity of the premises to potentially generate calls for police service.

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

1. All applicable provisions of the Fresno Municipal Code are complied with and the site of the proposed use is adequate in size and shape to accommodate the use, including, all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,
2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,
3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. This third finding shall not apply to uses which are subject to the provisions of Section 12-306-N-39 of the Fresno Municipal Code (Regulating Adult Businesses).

The conditions are established to ensure public safety, and to minimize any impact for the surrounding area. This Conditional Use Permit allows for the retail sale of alcoholic beverages for off-site consumption pursuant to an Alcoholic Beverage Control Department Type 20 License,

which, if approved by Department of Alcoholic Beverage Control, authorizes the sale of beer and wine for consumption off the premises where sold (minors are allowed on the premises). We understand from the Operational Statement that the applicant intends to operate this establishment between the hours of 6:00 a.m. to 11:00 p.m., daily.

We request the following conditions be included as Conditions of Approval for Conditional Use Permit Application No. C-14-002. These conditions shall maintain an environment that is least likely to generate public complaints and calls for service.

The Fresno Police Department is *not* in opposition of this Conditional Use Permit, *provided* the applicant agrees to the listed conditions. If the following conditions are not included as conditions of approval of CUP No. C-14-002, the Fresno Police Department shall oppose the approval of this Conditional Use Permit, and shall appeal such approval to the Planning Commission. Therefore, we request that you provide Detective Jaime Campos with notice of the Director's decision regarding this Conditional Use Permit as well as a complete copy of the conditions of approval, should the Director approve the Conditional Use Permit.

Requested Conditions of Approval:

1. Fresno Municipal Codes

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

FMC 9-502 (Amusement Devices - Permit Required)

FMC 9-1803 (Hours of Operation Billiard Hall)

FMC 9-1804 (Restriction on Attendance of Minors in Billiard Rooms)

FMC 9-1805 (Minors allowed: Family Billiard Rooms)

FMC 10-105 (Noise Ordinance)

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

- It shall be 8.5x11 inches in size, to be provided for by the City.
- This posting shall be made available to City officials upon request.
- Additionally, the address of each facility shall be posted in compliance with all City codes.

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

2. State and Federal Law

The applicant shall comply with all applicable state, federal, and local law, including but not limited to the following California Business and Professions Code sections and the California Department of Alcoholic Beverage Control rules:

BP 24048 (Required to Post ABC License on Premises)BP 25612.5 (Loitering, Open Alcoholic Beverage Containers, Consuming Alcoholic Beverages on Premises, Exterior Lighting, Litter

Removal, Graffiti Removal, Signs and Barriers in Windows and Doors, Public Phones Blocked From Incoming Calls, Areas to Display Harmful Matter, Required Copies of Operating Standards Available for Public Viewing)

BP 25665 (Minors Remaining in Public Premises)

ABC Act Rule 106 (No Buy One Get One Free Drinks)

ABC Act Rule 107 (No One Under 21 Allowed Signs Posted)

ABC Act Rule 139 (Interior Lighting Required for Identification of Patrons)

3. ABC Education

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

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

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

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

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

"Frequent" as used in this subsection means police response is occurring more than 1.50 times the average number of such responses for property of a similar size in character in the same Policing District established by the police chief. (See FMC Section 10-708(g).)

4. Video Camera

Prior to exercising any privileges granted by CUP No. C-14-002--ABCUP, the applicant must install a fully functional color digital video camera system ("System") that meets the following requirements:

- (1) the System must continuously record, store, be capable of playing back images and be fully functional at all times, including during any hours the business is closed. The System must be maintained in a secured location inside of the business.
- (2) The System shall have the correct date and time stamped onto the image at all times.
- (3) The camera storage capacity should be for at least one week (seven calendar days). Such cameras must be capable of producing a retrievable and identifiable image that can be made a permanent record and that can be enlarged through projection or other means.
- (4) Digital video recorder must be capable of storing at least seven days of real-time activities.
- (5) The System shall be capable of producing a CD or digital playback feature and may be subject to surrender to an authorized representative of the Fresno Police Department within 24 hours of the initial request relating to a **criminal investigation only**.
- (6) The interior of the business must have at least one camera placed to focus on each cash register transaction to include the clerk, as well as the customer waiting area. There should be at least one camera focused on the entrance and the camera view should clearly show an image of the color coded height tape installed on the inside of the door jamb.
- (7) There shall be four (4) exterior cameras placed so as to record activities in the primary customer parking areas of the business. These cameras should be of sufficient quality to be able to identify persons and vehicles using the business parking lot.
- (8) All interior cameras shall record in color.
- (9) All exterior cameras shall record in color and have automatic low light switching capabilities to black and white. Exterior cameras should be in weatherproof enclosures and located in a manner that shall prevent or reduce the possibility of vandalism.

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

5. Sale of Malt and Wine-Cooler Alcoholic Beverages

- (1) Malt liquor or malt beverage products must be sold in manufacturer pre-packaged, multi-unit quantities of no less than six (6). This shall include all sizes of containers.
- (2) Wine cooler products must be sold in manufacturer pre-packaged, multi-unit quantities of no less than four (4).
- (3) Single sales of any other beer product, of any size, is permitted.

6. Wine Alcohol By Volume

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

7. Non-Refrigerated Alcoholic Beverages

Non-refrigerated 'hard' liquor or 'distilled spirits' shall be placed with the cashier's area or shall be located either in a locked cabinet or other locking shelving system, with access controlled either manually, by the use of remote-controlled locking devices, or by other appropriate and acceptable locking devices approved, in writing, by the Fresno Police Department. During the hours between midnight and 2:00 a.m., the cabinet or shelving system shall be locked and opened only after an authorized employee has verified that the customer seeking to purchase items within the cabinet or shelving system is of 'legal age'.

8. Property Responsibility

Frequent responses by the FPD arising out of or relating to the operation or management of the real property owned or controlled by the permittee causing any combination of the following: animal disturbances, violent criminal acts, illegal consumption of intoxicants in public view, gaming activities, and juvenile disturbances, or any of the other activities set forth in the Fresno Municipal Code section 10-708(g) may result the commencement of CUP revocation proceedings pursuant to FMC, section 12-405-E. In addition to recommending the commencement of revocation proceedings, the FPD may pursue any of the other remedies set forth in FMC, section 10-710, including assessing fines against the proprietor for the violations of the Management of Real Property Ordinance.

'Frequent' is defined by FMC Section 12-326-H-1-a.

- The establishment shall not allow any loitering on building premises or any adjacent property under its ownership or control.
- The establishment shall not allow any gambling on building premises or any adjacent property under its control.
- There shall be no amusement devices or Billiard tables maintained upon the premises without the proper permits issued through the City of Fresno Business Tax Division.

9. Revocation of Conditional Use Permit

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

10. Posting hours of operation and address

- The owner or proprietor or applicant shall be responsible to conspicuously post the hours of operation near the entrance of the establishment.

- It shall be 8.5x11 inches in size, to be provided for by the City.
- This posting shall be made available to City officials upon request.
- Additionally, the address of each facility shall be posted in compliance with all City codes.

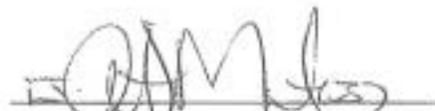
11. Posting Property

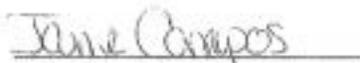
The applicant shall post the property with the appropriate Fresno Municipal Code signs advising that consumption of alcoholic beverages, gambling, trespassing, or loitering is in violation of municipal ordinances. The applicant shall send a letter to the Fresno Police Department, signed and dated by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

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

- 12. The establishment shall ensure that all employees are aware of and comply with these conditions. The establishment shall have each employee sign a written acknowledgment that he/she has reviewed and understood each of these conditions. The written acknowledgement shall be maintained by the establishment and made available to the Fresno Police Department upon reasonable request.**


Sgt. Joe Martin
Southwest Investigations


Lt. Anthony Martinez
Southwest District Commander


Det. Jaime Campos
Southwest POP Detective.



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

Development and Resource Management Department
Jennifer K. Clark, AICP, Director

July 22, 2014

Please reply to:
Lauren Filice
(559) 621-8070

Surjit Singh
4380 West San Jose, #104
Fresno, CA 93722
contact@continentaldc.com

SUBJECT: CONDITIONAL USE PERMIT REVIEW APPLICATION NO. C-14-002 FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF W. OLIVE AND N. FRUIT AVENUES

Ms. Singh:

Your project has been reviewed for application completeness and technical correctness. The attached comments from the various department/agencies (including Development Services) constitute the correction list. This list is developed based upon city plans, zoning, standard specifications and drawings (City of Fresno), and comments from other agencies.

1. Transfer all red line notes, etc., shown on all original exhibit(s) dated June 12, 2014, to revised exhibit(s). Submit the revised exhibit(s) for further review. Please also review the other comments and revise the site plan and/or Operational Statement accordingly. Please submit the revised exhibit(s) (4 full-size and 2 reduced-sized copies).
2. Please note that comments/conditions from a few agencies (Police, ABC, Council District 3 and Tower District Design Review Committee) have not been completed, once these are received, they will be forwarded to you. Comments from the Police Department are vital to project approval, as these contain conditions applicable to the operation of your project. Contact Jaime Campos of the Fresno Police Department at (559) 621-6144 or online at Jaime.Campos@fresno.gov.

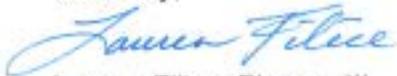
In order for staff to complete the analysis of your application in a timely manner, please submit all requested documents by August 12, 2014 (21 days).

Staff can proceed with processing your application upon receipt of revised exhibit(s) which depict all necessary corrections, notes, etc., and any other necessary documents. Notwithstanding any unforeseen issues, once a technically correct site plan has been received, your project may be completed within approximately 30-45 days.

Please note that this correction packet and related comments do not represent approval of the project. Additional requirements may become necessary as further information becomes available regarding the proposed project.

If you have any questions regarding this letter, please contact Lauren Filice, Planner III at (559) 621-8070 or Lauren.Filice@fresno.gov.

Sincerely,



Lauren Filice, Planner III
Development Services,
Development and Resource Management Department

Attachments: 2 copies of Exhibit A with red-line corrections, dated June 6, 2014
Comments from the various department/agencies
Comments from Development Services



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

Development and Resource Management Department
 Jennifer K. Clark, Director

**Project Comments from the Development Services Division
 July 22, 2014**

PROJECT DESCRIPTION

Conditional Use Permit Application No. C-14-002 was filed by Surjit Singh to establish a Mini-Mart in a 1,800 square foot portion of an existing commercial center located at 441 West Olive Avenue, to include the off-sale of beer and wine with a Type 20 ABC License.

APN: 450-183-01

ADDRESS: 441 WEST OLIVE AVENUE

GENERAL INFORMATION

ZONING pursuant to Section 12.217 of the Fresno Municipal Code (FMC)

Existing	C-5 (<i>General Commercial</i>)
Requested	N/A
Pending	N/A

PLANS

Community Plan	Fresno High/Roeding Community Plan
Specific Plan	Tower District Specific Plan
Redevelopment	Inner City, Enterprise Zone, Urban Core Enhancement (R1)

PREVIOUS ACTIONS

Applications	S-8317 S-6832
Covenants/ Easements	Easement for public street purposes to City of Fresno. Easement for public pedestrian walkway to City of Fresno. Covenant entitled "Hazardous Substances Certificate and Indemnity".
Development Agreements	Agreement between owner and City of Fresno to remove sign to be installed within OPL.

TRACT MAP or LOT SPLIT

TRDAD - Parcel in lots 44-48, Block 12 Roeding's Addition

PROPERTY DEVELOPMENT STANDARDS

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

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

USE PERMITTED

A grocery store is allowed by-right in the C-5 (General Commercial) zone district pursuant to Section 12.221.1.B.27, of the Fresno Municipal Code (FMC). The sale of alcoholic beverages, subject to the provision of Subsection 12-306-N-32 and 12-326, requires a conditional use permit.

LOT AREA - Section 12-221.5 Property Development Standards, the following shall apply to all land structures in the C-5 District, while the Tower District Design guidelines allow for adjustment (as applicable):			
Required	A. No requirement. / Tower = not to exceed 1 acre.		
Proposed	13,068 square feet / 0.3 acre site		
LOT DIMENSIONS			
Required	B-1. Width. No requirements. / Tower = 50-75 feet not greater than 200'. B-2. Depth. Each lot shall have a minimum depth of one hundred fifty (150) feet. / Tower = 100-150 feet deep.		
Proposed	126 feet wide x 122.9 feet deep conforms to Tower District requirements.		
DWELLING UNIT DENSITY			
Permitted	C. None, except pursuant to a Mixed Use conditional use permit.		
Proposed	N/A		
BUILDING HEIGHT			
Permitted	D.1. No building or structure erected in this District shall have a height greater than thirty-five (35) feet.		
Proposed	Single-story (12 feet)		
YARDS E.1. General Yard Requirements:			
a. All required yards shall extend the full width or depth of the lot and shall be open from the ground to the sky, except as provided in Subsection 12-105-L-4, Section 12-105-Y(yard) and the exceptions of Subsection 12-216.5-E-5 (C-P District).			
b. The first ten feet of a required yard abutting a street shall be landscaped and maintained in accordance with Subsection 12-306-N-24.			
c. Except as provided in subdivision b, above, all yards may be used for parking, loading, or access to parking or loading.			
Required Building Setback		Proposed Building Setback	
Front (Olive)	10 feet	Front	7 feet = existing non-conforming
Interior Side	None	Interior Side	None
Street Side (Fruit)	10 feet	Street Side	10 feet
Rear	10 feet when abutting residential uses	Rear	10 feet
Required Landscaping Setback		Proposed Landscaping Setback	
Front	10 feet	Front	10 feet at corner – none at building
Interior Side	None	Interior Side	none
Street Side	10 feet	Street Side	10 feet
Rear	None	Rear	none

Landscape Setbacks per 12-306-24.j. Except where more restrictive requirements are provided elsewhere by this Code, or by an adopted community or specific plan or redevelopment plan or policy, at the time of development or major modification in an office, commercial or industrial district which has frontage or a boundary adjacent to a major street, or which has a boundary or local street that is also the boundary of property zoned or planned for residential use, the property owner or developer shall provide and maintain a landscaped area along the frontage or boundary adjacent to the major street, or along and parallel to the major or local street that is the boundary of the property zoned or planned for residential use. The landscaped area shall be at least ten feet wide, extend the entire distance of the street frontage or boundary, and be approved by the Director. The landscaping in such landscaped area shall be designed, installed, and maintained in accordance with the official landscaping standards established by the Parks and Recreation Director from time to time.

SPACE BETWEEN BUILDINGS	
Main Buildings	F. No requirements
Accessory Buildings	N/A
Garages	N/A

LOT COVERAGE –	
Permitted	G. No requirements.
Proposed	42%, as indicated on site plan and existing

FENCES, HEDGES, WALLS	
Required	H. All fences, hedges and walls shall conform to the provisions of Section 12-306-H.
Proposed	Existing wall at rear shown as 3' high running 20' from Street, 5' high for 40 feet, then 6' high for 41 feet to a 6' high wood fence for 25' to meet with side property line.

OFF-STREET PARKING – Pursuant to Section 12-221.5-I., the provisions of the "C-6" District, Section 12-222.5-I, shall apply. However the **Tower District Design Guidelines**, Policy E.1 allows that minimum amount of parking should be at least 40% of that required by C-5 zone (1sf:1sf) unless use falls into special use category (grocery).

Required	<p>1. The following off-street parking requirements shall apply:</p> <p>a. For all uses, except a grocery store and supermarket, there shall be at least one (1) square foot of off-street parking area for each one (1) square foot of floor area, provided, however, that if such use falls into any of the special uses in the General Conditions, Section 12-306-I-2, such General Conditions shall apply.</p> <p>Other uses have 3400 square feet of area, calculated as $3400/370 = 9.189$, $10/.40 = 4$ spaces</p> <p>b. For a <u>grocery store</u> there shall be at least two (2) square feet of off-street parking area for one (1) square foot of floor area or fraction thereof.</p> <p>Convenience Store calculated as $1,800 \text{ square foot}/370 (2) = 9.729$ or <u>10 spaces</u></p> <p>Therefore, a minimum of 14 spaces are required.</p> <p>2. This required parking area shall be provided as in the "C-4" District, Section 12-220.5-I-2, which shall apply. Design standards for onsite parking shall be:</p> <p>a.ii. Parking spaces shall <u>meet the size requirements of a compact stall.</u></p> <p>iii. <u>Provide 50% parking lot shading</u> or provide substantiated data satisfactory to the Director demonstrating that existing conditions (tall buildings etc.) meet the intention of parking lot shading requirement.</p> <p>3. Vehicular access shall be provided from any frontage other than the primary frontage, where available.</p> <p>4. Driveways located on the same project site shall be a minimum of <u>200</u> linear feet apart from each other (cross-access easements or shared parking facilities may be necessary).</p> <p>3. The provisions of the General Conditions, Section 12-306-I-1 and 3, shall apply (attached).</p>
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Proposed	12 at front, 2 off side alley = <u>14 parking stalls shown on site plan</u> Re-number parking stalls 16 and 17 and shown on site plan as spaces # 13 and 14.
ACCESS – per Section 12-221.5, the provisions of the "C-6" District, Section 12-222.5-J, shall apply.	
Required	J. There shall be adequate vehicular access from a dedicated and improved street, service road, or alley.
Proposed	Access exists to parking lot from Olive and Fruit and to additional parking from Alley.
<p>OUTDOOR ADVERTISING OUTDOOR ADVERTISING per Section 12-221.5-K, The provisions of the "C-1" District, Section 12-217.5-K, shall apply.</p> <p>1. The following signs may be permitted, subject to approval of a Shopping Center Master Sign Program pursuant to <u>Section 12-1708</u> or a sign permit application pursuant to Section 12-1707, and subject to the following limitations:</p> <p>b. Directional signs with a maximum area of twenty-four square feet and a height of eight feet related to the location of buildings or activities on the property on which the signs are located. Directional signs with an area of six square feet or less or those required as a condition of special permit approval for the development are permitted without issuance of a sign permit.</p> <p>c. One free standing sign advertising any permitted nonresidential use, other than an automobile service station, for each six hundred linear feet or less of street frontage. On any street frontage greater than six hundred feet, one sign will be allowed for each additional six hundred feet of frontage or portion exceeding three hundred linear feet. Such sign shall comply with the following regulations:</p> <ol style="list-style-type: none"> (1) The sign may contain thereon the name of the buildings, occupants or groups thereof. (2) No individual sign shall exceed eighty square feet in area or twenty feet in height. (3) The sign shall not be blinking, flashing, rotating or animated and shall have a geometrical shape such as a rectangle, square, circle, triangle, pentagon, hexagon, octagon, regular polygon, trapezoid or ellipse. Lights used to illuminate the sign shall be installed to concentrate the illumination on the sign and to minimize glare upon a public street or adjacent property. (4) A freestanding sign shall be installed so that its display is visible primarily from the traffic on the street on which the sign has frontage. <p>d. Signs indicating the name and nature of the occupancy or the name and address of the building or the name and address of the owner (hereinafter called "Occupancy signs"). These signs shall be placed on an exterior wall or facade of the building, or suspended from the underside of an exterior building surface, with a minimum clearance of eight feet from the bottom of the sign to the walkway, according to the following regulations:</p> <ol style="list-style-type: none"> (1) The total area of all occupancy signs mounted on, hanging from or parallel with any exterior wall or facade of any occupancy shall not exceed ten per cent of the total area of said exterior wall or facade. (2) No portion of an occupancy sign may extend above the maximum height of the building on which it is placed. (3) The total area of occupancy signs permitted for any exterior wall or facade of any occupancy need not be less than forty square feet. (4) Occupancy signs may be attached to an exterior wall or facade in which there is located a customer entrance to said occupancy or which faces a parking area serving said occupancy, or which faces a public street other than a local residential street. (5) Occupancy signs shall be lighted only in accordance with the provisions of Section 12-217.5-K-c-3. <p>e. Signs designated by governmental agency indicating authorized testing services available on the premises, signs indicating credit cards accepted, and signs indicating trading stamps offered, subject to the following regulations:</p> <ol style="list-style-type: none"> (1) Such signs shall be located adjacent to each other in a single assemblage, the total combined area of which shall not exceed twenty square feet. (2) One such assemblage shall be allowed on each street frontage. (3) Each assemblage shall be located flat against an exterior wall or facade of the building, canopies excluded, and may not extend above or beyond said wall or facade. (4) Such signs shall be of durable construction and shall be affixed to the building. No portable signs shall be permitted. (5) Such signs shall be illuminated only in accordance with the provisions of Section 12-217.5-K-1-c(3). <p>g. One free-standing monument sign, having a maximum area of thirty-two square feet and a height of five feet, in addition to any other permanent, free-standing signs permitted in this district, for each detached structure, other than</p>	

an automobile service station, which is located within fifty feet of a major street and included in a planned, integrated shopping center.

h. A maximum of four free-standing permanent flagpoles, not to exceed twenty-five feet in height and conforming to Section 12-1710(h), may be permitted for each planned, unified development.

i. All free-standing signs shall be set back a minimum of forty-five feet from any rear or interior side property line which adjoins a residential district. Signs may be installed within street setback areas provided that no part of the sign overhangs a parking lot, vehicle maneuvering area, private or public sidewalk or public right of way. The provisions of Section 12-306-N-9 shall apply to any signs placed in a utility or landscape easement.

j. No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "DANGER," or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic. No red, green or amber lights or illuminated signs may be placed in such position that they reasonably can be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.

k. All signs shall conform to the provisions of Article 17 of Chapter 12 (**see attached**).

Tower District Design Guidelines Section III-J Signs – Signage should be architecturally incorporated into the building. Signs should be mounted in locations that respect the building and should not cover windows, etc. For buildings with multiple tenants, a Master Sign Program shall be approved.

Signs have been placed in windows at the shopping center and shall be removed prior to approval of this permit.

Permitted	Signs allowed per 'Master Sign Program' for shopping center.
Proposed	None at this time – A separate Sign Permit is required. Existing on-site window signage does not comply with Article 17 of Chapter 12 of the FMC (attached) and shall be removed prior to approval of this permit.

LOADING SPACES per 12-217.5-L, the provisions of Section 12-306-L shall apply: 1. Every hospital, institution, hotel, **commercial building**, industrial building, or apartment building hereafter erected or established, when occupied by a use which involves pick-up and delivery of materials (other than normal solid waste collections) from trucks and tractor-trailers weighing more than two tons, shall provide and maintain loading spaces as provided in this section. When a special permit procedure is initiated pursuant to 12-406-A or a Certificate of Occupancy for a change of use is sought pursuant to 12-313, the application shall include a statement, signed by the property owner or authorized agent, describing the type and frequency of expected deliveries to the site.

e. Loading spaces shall be not less than twelve feet in width and forty feet in length, and shall have fourteen feet of vertical clearance. Loading spaces need not be marked on an exterior paved area if the facility has equivalent interior loading area which is kept accessible for expected delivery vehicles.

Required	2.b. 0 to 3,000 square feet of floor area – No loading spaces is required.
Proposed	None, with none required.

TREES (On-Site) per Section 12-306-N.24.c. Landscaping provided in conjunction with any use requiring a site plan shall be generally designated on the site plan. Prior to the issuance of any building permit, a detailed landscape planting, irrigation, and grading (when a landscape mound is proposed) plan shall be submitted to a scale of not less than one inch equalling forty feet, which shall show the location, size, and variety of all plantings, water supply, contours and similar designations as the Director may require for sufficient clarity to indicate the nature and extent of the work proposed.

g.(3) Planting. Except for driveways and as otherwise provided by this Code all required yards shall be landscaped. Each residential parcel of land or lot shall have a minimum of one medium-sized tree (30—60 feet at maturity) for each required parking space, plus one medium sized tree for each residential unit. Each commercial and industrial parcel of land or lot shall have a minimum of one medium-sized tree for every two parking spaces. Two small trees (15—30 feet at maturity) shall be counted as one medium-sized tree. All present and future tree planting and shrub planting shall conform to the corner cut-off provisions of Sections 13-227 and 13-228 of this Code. **TREES (Street)** per Section 12-306-N.24. j. Except where more restrictive requirements are provided elsewhere by this Code, or by an adopted community or specific plan or redevelopment plan or policy, at the time of development or major modification in an office, commercial or industrial district which has frontage or a boundary adjacent to a major street, or which has a boundary or local street that is also the boundary of property zoned or planned for residential use, the property owner or developer shall provide and maintain a landscaped area along the frontage or boundary adjacent to the major street, or along and parallel to the major or local street that is the boundary of the property zoned or planned for residential use. The landscaped area shall be at least ten feet wide, extend the entire distance of the street frontage or boundary, and be approved by the Director. The landscaping in such landscaped area shall be designed, installed, and maintained in accordance with the official landscaping standards established by the Parks and Recreation Director from time to time.

Tower District requires a minimum of 15-gallon size trees be planted.

Required	<p>On-Site: 1 tree for each 2 parking spaces required = 14 spaces/2 = <u>7 trees required.</u></p> <p>Street: 1 tree per 60 feet of frontage is 126'+122.9'= 248.9/60= 4.148 or <u>5 trees required.</u></p> <p>7 on-site trees + 5 Street trees = 12 trees required.</p>
Proposed	<p>None – 1 tree exists along building adjacent to Olive Avenue.</p> <p>Does not comply with Code – show trees on site plan.</p> <p>A Landscape Plan will be required as a condition of project approval.</p>

TOWER DISTRICT REQUIREMENTS:

III-F Facade Elements 5. Bulkheads – All buildings should implement a 1 to 4 foot high treatment on the bulkhead wall of the building façade. Bulkhead tiles should be ceramic.

11. Cladding Materials – Brick, stone and stucco are most appropriate. Wood, vinyl, aluminum or other materials are not appropriate.

The base of wall, below windows has been altered from the original materials to 'T-1-11' wood siding and painted, which is not allowed. Replace T-1-11 with tile, brick, stone or stucco.

SUMMARY AND OTHER COMMENTS /REQUIREMENTS

A. Miscellaneous

- (1) 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. **This requirement has not been met. Please call out the tree species for each tree depicted on the site plan.**
- (2) See the attached General Notes and Requirements for Entitlement Applications for additional general notes and requirements.

(3) The environmental review for the proposed project has not been completed. The initial study for the proposed project is in process but cannot be completed until the above noted issues have been resolved.. **Additional information as requested in this packet is needed before the initial study can be completed.**

(4) Project compliance with Tower District Specific Plan requirements is required, as discussed in the Parking section above, and below.

B. Local Plans and Policies

(1) 2025 Fresno General Plan

- Subject to General Plan Design Guidelines (attached)

(2) Fresno High/Roeding Community Plan

- It is recommended that a specific plan be formulated concerning the topic of strip commercial development. A plan of this scope should develop alternate solutions to typical issues such as signs, outdoor storage, parking, access, and congestion, while not limiting its applicability to a single geographic area.

The Tower District Specific Plan was drafted to address scattered commercial development and lack of adequate commercial services in the Fresno High/Roeding Community Plan area. The project is considered infill of an existing shopping center.

(3) Tower District Specific Plan

- The TDSP identifies commercial uses as the center of the neighborhood, where buildings have no front or side setbacks. Commercial uses along the Olive Avenue corridor are recognized as important to the Tower District's success, goals being to ensure that new development in these critical areas remains pedestrian-oriented and attractive.

Continued use of existing commercial spaces along Olive Avenue is promoted and encouraged by the Specific Plan, when the proposed development is in conformance with Tower District Design Guidelines. Measures to address project compliance with building design, parking, landscaping etc. have been addressed and included above.

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

*Parking Regulations 12-306-I
Sign Regulations ART 17, CH 12*

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
CONDITIONAL USE PERMIT APPLICATION NO. C-14-002 - ABCUP

Fire Department

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

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit Application No. C-14-002-ABCUP was filed by Surjit Singh and pertains to 0.3 acre of property located on the southeast corner of West Olive and North Fruit Avenues. The applicant requests authorization to establish a State of California Alcoholic Beverage Control Type 20 liquor license (*sale of beer and wine for consumption off the premises where sold*) for the Tower Beer & Wine Mini Mart. The property is zoned C-5 (*General Commercial*).

APN: 450-183-01

ZONING: C-5

ADDRESS: 441 West Olive Avenue

DATE ROUTED: June 23, 2014

COMMENT DEADLINE: July 7, 2014

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

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

REQUIRED CONDITIONS OF APPROVAL:

APPROVED AS SUBMITTED.

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

REVIEWED BY: DAVID POLANCO, FIRE INSPECTOR IF 621-4150 7.2.14
Name and Title Telephone Number Date



FIRE DEPARTMENT

Date: July 2, 2014

To: JOANN ZUNIGA, Development Services Coordinat
Development and Resource Management Department

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

Subject: Conditional Use Permit Application No. C-14-002-ABCUP (441 W Olive Ave) was filed by Surjit Singh and pertains to 0.3 acre of property located on the southeast corner of West Olive and North Fruit Avenues. The applicant requests authorization to establish a State of California Alcoholic Beverage Control Type 20 liquor license (*sale of beer and wine for consumption off the premises where sold*) for the Tower Beer & Wine Mini Mart. The property is zoned C-5 (*General Commercial*).

Other

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



June 27, 2014

County of Fresno

DEPARTMENT OF PUBLIC HEALTH
DAVID POMAVILLE, DIRECTOR

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

LU0017697
2602

Dear Ms. Zuniga:

PROJECT NUMBER: C-14-002 ABCUP

Conditional Use Permit Application No. C-14-002-ABCUP was filed by Surjit Singh and pertains to 0.3 acre of property located on the southeast corner of West Olive and North Fruit Avenues. The applicant requests authorization to establish a State of California Alcoholic Beverage Control Type 20 liquor license (*sale of beer and wine for consumption off the premises where sold*) for the Tower Beer & Wine Mini Mart. The property is zoned C-5 (*General Commercial*).

APN: 450-183-01

ZONING: C-5

ADDRESS: 441 West Olive Avenue

Recommended Conditions of Approval:

- Prior to issuance of building permits, the applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- Prior to operation, the applicant shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- Prior to the sale of alcohol, the applicant shall obtain their license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.

REVIEWED BY:

Kevin Tsuda

Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, ou=Fresno County
Department of Public Health,
ou=Environmental Health Division,
email=Ktsuda@co.fresno.ca.us, c=US
Date: 2014.06.27 14:55:37 -0700

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

(559) 600-3271

cc: Casagrande, Tolzmann, Day- Environmental Health Division (CT 21.00)
Surjit Singh, Applicant (contact@continentaldc.com)



Facilities Management & Planning

BOARD OF EDUCATION

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

SUPERINTENDENT

Michael E. Hanson

June 24, 2014

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

**SUBJECT: CONDITIONAL USE PERMIT NO. C-14-002-ABCUP
441 W. OLIVE AVE.**

Dear Ms. Zuniga,

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

The existing 'Tower Beer & Wine Mini Mart' located at 441 West Olive Avenue is requesting authorization to establish a State of California Alcoholic Beverage Control Type 20 (*sale of beer and wine for consumption off the premises where sold*) alcohol license. It is located within approximately 2,650 feet from Muir Elementary School.

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

The Fresno Unified School District levies a commercial/industrial development fee of \$0.51 per square foot. However since no new square footage will be constructed, no development fee would be charged.

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

Sincerely,

Lisa LeBlanc, Executive Officer
Facilities Management and Planning

LL:hh

c: Juan Garcia, Principal, Muir Elementary School

EXHIBIT J

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. C-14-002 ABCUP**

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: Surjit Singh
4380 W. San Jose #104
Fresno, CA. 93722

PROJECT LOCATION: 441 West Olive Avenue, located (APN: 450-183-01)

PROJECT DESCRIPTION: Conditional Use Permit Application No. C-14-002-ABCUP requests authorization to establish a State of California Alcoholic Beverage Control Type 20 (*ON SALE BEER & WINE – OFF- PREMISES*) *Authorizes the sale of beer and wine only for consumption off the licensed premises. Malt liquor and Wine Cooler may not be sold singly but in 6 or 4-packs respectively. Single sales of any other beer product of any size are prohibited. Minors are not allowed to purchase alcoholic beverages (warning signs required) for the proposed "Tower Beer and Wine" store in an existing building.*

This project is exempt under Sections 15301/Class 1 and 15332/Class 32 of the State of California CEQA Guidelines.

EXPLANATION: Section 15301/Class 1 exempts the licensing of existing public or private structures or facilities, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

The proposed project will occupy a lease space in an existing strip mall building.

Section 15332/Class 32: The conditional use permit application is consistent with the general, community, and specific plan planned land use designation of *General Commercial* planned land use and conforms to all applicable policies. The site area is less than five acres, is completely surrounded by urban uses, and does not contain any significant value as habitat for endangered, rare, or threatened species. The subject site is adequately served by all required utilities and public services.

The proposed project is consistent with the exemption because the project is requesting licensing for alcoholic beverage sales and the establishment of a mini-mart, Tower Beer and Wine, which is permitted in the existing C-5 zone district subject to a conditional use permit. No adverse environmental impacts would occur as a result of the proposed project. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

Date: August 20, 2014

Prepared By: Lauren Filice, Planner III

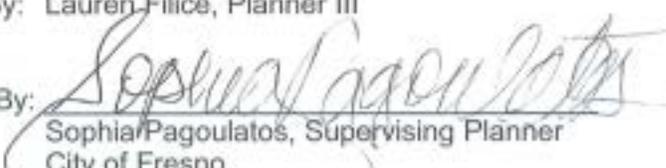
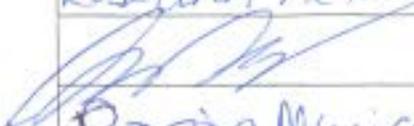
Submitted By: 
Sophia Pagoulatos, Supervising Planner
City of Fresno
Development and Resource Management Department
(559) 621-8070

EXHIBIT K

TO

THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

NAME	ADDRESS
Carolina Ulloa	1106 N. Fruit Ave, Fresno CA
Jennifer Noble	1114 N Fruit Fresno CA 93728
Christin Holford	6542 N. Orchard st Fresno, CA 93710
Emily L Allen	2007 E Austin Way Fresno Ca 93726
Rose Ann Vela	1111 N. Fruit Ave, Fresno, CA 93728
	111 N Fruit Ave Fresno CA 93728
Rosie Mucias	1015 N. Fruit Ave Fresno CA 93728
Cassandra Valdez	1025 N. Fruit Ave Fresno, CA 93728
Tim Smith	961 N Fruit Ave, CA 93728
Roy Sims	1832 N Fruit Ave. CA 93728
Samirgo Avendaño	916 N Fruit Ave CA 93728
Jesse Pakfox	1015 N. Fruit Ave CA 93728
John Robertson	962 N Fruit Ave 93728
Catherine Fipps	316 W. Olive Ave. 93728

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

NAME	ADDRESS
Delona Callahan	1344 N Fruit ave
Jennie Rangel	535 W. Hammond Ave
TERESA ESPINOSA	535 W. Hammond Ave
Maryjane Martin	1304 N Fruit Ave
Lance Weldon	1311 N. Vagedes
Karolina Olivera	1520 N Vagedes
Leslie Bryson	1387 N. Vagedes
Tommy Hight	1387 N. Vagedes
	1387 N. Vagedes
Drew Dun	1386 N VAGEDES.
Tianni Young	1256 N. Vagedes Ave
JESSE GENTILIN	1215 N. VAGEDES AVE
Loretta Storks	417 N College Ave
Ken Whitmore	617 N. College Ave

14

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

NAME	ADDRESS
Ruby Nanda	1304 N Fruit Ave
Erica Quintana	Hammond
Javier Godinez	614 W Hedges Ave
Espinoza	222 W OLIVE
Francisco	315 W Thorne Ave
Danny Robles	1315 N FRUIT AVE
Daniel RASKA	931 N ARTHUR
CODY RASKA	931 N ARTHUR
Abbie Carter	1240 Arthur
Anthony Smith	925 N. FULTON ST.
↑ NEW ARM	1304 N Fruit Ave
Jessie Gomez	845 W Echo
Jesus Lopez	1753 N. WOODSON AVE.

**TO
THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
CITY COUNCIL**

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

NAME	ADDRESS
GREG GARMAN	1032 N CARRUTH
Manfin Walden	1222 N Arthur
Lance Weldon	1311 N. Vagedes Ave.
David Neel-Mein	601 W. Hammond Ave.
Patricia Nicholas	1032 N. CARRUTH
Steven Perle	939 N. Van Ness #9
Alex Reyes	1493 N. Harrison C.A. 95728
Kathy Jasso	535 W HAMMOND Av. 93728
Joe Day	1122 N. Fruit
Chris Nicholas	1032 N CARRUTH
Stacy Sura	1465 N. Vagedes Fresno Ca
KATHY FINNEGAN	330 W. OLIVE FRESNO
Serina Gonzalez	1122 N Fruit Ave 93728
Nicole Patli	1225 N. Arthur Ave 95728

TO
 THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
 CITY COUNCIL

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

NAME	ADDRESS
BRETT MATTINGLY	845 N SAFFORD FRESNO 93728
R. GORDON	845. N. SAFFORD FRESNO 93728
Eric Lopez	1559. N Delno Fresno, 93728
MELISSA KIENTZ	1368 N. THORNE, FRESNO 93728
Bernardo Arteaga	1106 N. Fruit Ave, Fresno CA, 9
Matt Noble	1114 N Fruit Ave Fresno CA 93728
J	
Sven Johnson	961 N Fruit Ave, CA 93728
Maria Ramirez	916 N Fruit
Alexis Macias	1015 N. Fruit, CA 93728
Edward Macias	1015 N Fruit CA 93728
Jacob Martin	316 W. Olive Ave 93728
Scott Jones	1248 Hughes 93728

**TO
THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
CITY COUNCIL**

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

NAME	ADDRESS
Gilbert Mieres	1226. N. Fruit Av. 93728
MARK HADLEY	633 E Brown Ave
chet Berglund	545 W. Floradoca 93728
Steve Weinstein	1223 W Arthur 93724
Laura Medina	510. W. Hammond #5 93728
Donna Medina	510 W. Hammond #5 93728
David Allen	819 W. Cambridge Apts 93705
Marina Delacruz	651 E. Clinton 93704
Adrienne Campos	1274 N. Adoline Ave, 93728
Samantha Lombardi	1028 N Adoline Ave 93728
Jose Gutierrez	1122 Fruit 93729
Jim Manrique	635 Hammond 93728
Johnny Rice	1035 Hammond 93728
MONIQUE MCAN	533 Hammond 95728

*Applicant's
sister
signature
removed*

*NOT
VALID*

12

TO
 THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
 CITY COUNCIL

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

NAME	ADDRESS
Gil Nieves	1226 N. Fruit Ave 93728
Don	1234 . Fruit Ave R 93728
Frank	823 Hamard. 93728
Rachael	722 Hamard
Robert Cruz	925 Farris Fresno 93762
Jason Hays	1102 Delno 93728
R. P.	1110 Caluth Ave. 93728
Brydgett Seich	1436 Fruit Ave. 93728
Paul Gomez	1362 N. Fruit Ave. R 93728
Chris Thompson	164 Delno Fresno CA 93728
Kristina Manankil	838 W. Floradava Ave. F, CA 93728
Tita Rolofson	946 N. San Pablo - Fresno 93728

12

91 Signatures

EXHIBIT K-2

**Letters and Signatures of Support
Submitted in Response to the Appeal**

Dianne Taylor-Snow

To: City of Fresno/Planning Commission/City Council
From: Dianne Taylor-Snow
Re: Permit to open a new business

To Whom it may concern:

It has come to my attention that Mr. Singh is applying for a permit to open a new business "Tower - Beer & Wine Store" located at 441 W. Olive Avenue, Fresno, CA 93728.

I have conducted business with Mr. Sing and his wife for many years and find them to be honest, upstanding people. I believe that this new venture would be run with the pride and honesty they have demonstrated in our community over the years. It is also my belief that an order of neat appearance would enhance the area.

Kindly consider a positive vote for this new venture.

Yours sincerely,



Dianne Taylor-Snow
32285 W. Dudley Avenue
Fresno, CA 93722
Telephone: (559) 288-2443
E-mail: dtaylorssnow@yahoo.com

enc: 1

To whom it may Concern,

My name is Heath Stoebeling, I Live at 1265 N. Vagedes. I have Been Doing Business with Mr. Singh and His wife For 3 years. Mr. Singh is a honorable person. He Keeps His store grounds Clean. and Run's His business the Same way. Me and family are all for the Beer wine and Deli. The Deli will help the Elderly and Disabled who have no transportation. He's willing to deliver to those in need. For those who are looking for Employment, this can help them too.

Heath Stoebeling

554 - 217 - 3991



SEPTEMBER 15, 2014

TO WHOM IT MY CONCERN :

THE IDEA OF HAVING A "CORNER" MARKET IN THE NEIGHBORHOOD IS VERY EXCITING AND CERTAINLY WELCOME FOR ME.

THE FOLKS WHO OWN AND OPERATE "THE SMOKE SHOP" OBVIOUSLY CARE ABOUT THE AREA. THEY HAVE DONE A WONDERFUL JOB IMPROVING THE EXTERIOR OF THEIR SHOP BY PAINTING THE BUILDING AND REPAIRING THE PARKING LOT.

I WALK DOWN TO THEIR SHOP 2 OR 3 TIMES A WEEK AND HAVE NEVER ENCOUNTERED ANY UNDESIRABLE ELEMENT.

MY HOPE IS THAT THESE FINE PEOPLE ARE GIVEN THE OPPORTUNITY TO OPEN THEIR NEW STORE.

KATHY FINNEGAN
330 W. OLIVE AVE.
FRESNO
441-1484

To who it may concern.

Dear Mrs. Dig I have been in this area all of my life. We have never had an opportunity for a Grocery Store, it would be a great asset to have & be able to shop close to home.

Thank You

In ad- vance

Corinne B. Rodriguez

943. W. Arthur.

Fresno Ca. 93728

(559) 702- 2732

To whom this may concern,

09/14/2014

This letter is in regards to the possibility of having a beer and wine convenient store at the corner of Fruit and Olive in Fresno CA.

I am the neighbor of A-1 smoke shop and I have lived here for the past 10 years and I rightfully can say I have seen this intersection at its worst. I believe having a convenient store would be practical rather than having a empty building which attract the homeless and crime. The idea of having a beer and wine convenient store would take wasted space.

The owners of A-1 smoke shop have brought back to our community by occupying the corner with the smoke shop. With having the corners occupied would attract more of travelers for the possible speed rail that's subjected to run through the area. My name is Gilbert and I agree with having the beer and wine convenient store on the corner of Olive & Fruit in Fresno California.

To whom it may concern:

I have known Mr. Singh for approximately 1 year. I've visited his store, they are very nice. I really feel that that this neighborhood ~~would~~ could use a corner store. I would feel safe shopping there. I never see people loitering or causing messes like at other neighborhood stores.

Thank you,

Rose Ann Vella
1111 N Fruit Ave
Fresno, 93728

sept 12, 2014

I No the own of the store
for 5 years he a very nice Guy
No trouble at stores or around
the stores

Roger Heary

to the planning people and city council of Fresno;
I have been long business with this
store for a long time and they are
very nice, responsible people and treat
customers very well.

Paul Johnson
1424 N. Verdugo Ave
Fresno 93728

To Whom It MAY Concern
We would love to have a
Grocery Beer & Wine Store
in our Neighborhood
And thank you for letting
us have a chance to have
our own stores where
we can deal with
many walks of life and
we appreciate you! (frankly)

Ruben Rosas
960 N. FRUIT AVE
FRESNO CA 93728

To Whom it May Concern:

It would be a very good thing to have a store at Olive and Fruit, because I am disabled and it would be very nice to have a store there. The people whom wants to establish the store very nice, and it would help the community

Thank You

Timothy D. Beuster

Sept 11, 2014

In dealing with Mr Singh, and all that I have observed, has always been, honest and always been kind and courteous above and beyond. I believe beyond any doubt, Mr Singh being able to open another business in the Lower District would be a plus for this area.

Signed & Dated

9-11-14

L. E. Bonley

TO
 THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
 CITY COUNCIL

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

NAME	ADDRESS
1) Maria F. Garcia	570 W. OLIVE FRESNO, CA. 93728
2) Frank 1240 Broadway Fresno 93710	1240 Broadway Fresno 93710
3) Manuel Solis	636 N. Divisadero 93721
4) Peggy Sue Bailey	370 W. Glenn Fresno
5) Rick DeToro	4556 E. EUGENIA
6) Jan	1151 W-MCKINLEY #7
7) Andy Wilk	2817 E McKenzie
8) David Arreda	1829 E. PASO #2
9) Melinda	19 N. Harrison 93728
10) Montgomery	1525 N. CRESCADINE
11) Montgomery	226 N. Florence
12) Montgomery	1021 N. Adoline
13) Montgomery	4975 N. WEST AVE
14) RICKY	371 W. Glenn Fresno

TO
 THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
 CITY COUNCIL

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

	NAME	ADDRESS
15)	Claudia Moreno	1122 N Arthur.
16)	Thom Oston	2519 16th Ave
17)	Smith	901 N Fruit - Ave.
18)	Wilson Parks	430 N Fruit - Ave
19)	Bourgeois K.	930 N Fruit - Ave
20)	MacGraw	
21)	Boyer	
22)	Andy Lee	1225 N. FARRIS 93228
23)	Ann Marie Esch	644 Hedges
24)	Johnny Rios	644 Hedges
25)	Jordan Gillespie	4145 E. Olive Apt B
26)	Jeff Novak	930 N. Arthur
27)	Jeem Cha	425 W. Michigan Ave
28)	Ruby Ray	12608 N. Fruit 93722 9702633

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

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	NAME	ADDRESS
29.)	Bobby Martinez	1711 N. ARTHUR Fresno 93705
30.)	Simon Martinez	1711 N. ARTHUR Fresno 93705
31.)	Normal Brown	1005 N. Wilson Ave. Fresno 93728
32.)	Robert Garcia	123 W. VINE
33.)	Robert Garcia	5570 N. West Fresno
34.)	Paul Noble	530 N. Weber Fresno
35.)	John Garcia	958 N. ARTHUR Fresno 93708
36.)	Juan Espinoza	3293 E. Lamona. Ave.
37.)	Paul Johnson	1424 N. Vagueler Ave.
38.)	Paul Garcia	603 W. Hammond Ave Fresno CA
39.)	Ed Bonley	179 W. Olive #25 Fresno CA 93728
40.)	DANIEL ST LOUIS	1040 N PLEASANT FRESNO CA 93728
41.)	Sharon Paulson	1336 N. FRUIT 93728
42.)	Tom Beust	534 W. Hammond Fresno

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

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	NAME	ADDRESS
43)	ARNOLD LOPEZ	310 N. DURANT
44)	WYATT B	545 W FLORADORA
45)	KRIS LOPEZ	1229 N. HARRISON
46)	George Sost	1385 N. Fenger
47)	Jesse Sdu	1232 N. Harrison
48)	David Garcia	704 E. Clinton
49)	KILARIO	133, W ELDON AVE.
50)	Lynn DeQuenas	929 N. Adeline Ave, Fresno CA 93728
51)	Self RETA	941 W DAKOTA 129
52)	MOSES YBARRA	1123 W. VASSAR
53)	Lyle M. Bastet	348 W Eden Ave
54)	D. V.	1560 N San Pablo
55)	Art Taylor	1536 W Thomas
56)	Desiree Carbaya	2009 N. Fenger 93704

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

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	NAME	ADDRESS
57.)	Rachel Walker	523 W. Hammond Ave 93728
58.)	PETER CARDENAS	5337 N. CONCESSA AVE FRESNO CA 93723
59.)	HOW COLEMAN	1260 W FIRAFORVA
60.)	DEAN GIST	1274 N FRUIT AVE FRESNO, CA 93728
61.)	John J. Conner	530 W Glorada #238 93728
62.)	Jama Bailey	1012 W 1st Fresno ca 93705
63.)	George Ede	1385 N Fruit St
64.)	Crystal D. Ym	624 W Hammond
65.)	Dianne Taylor-Snow	3285 W. Dudley, Fresno 93722
66.)	Yanki McLean	1295 N. Fruit Ave 93728
67.)	DEAN GIST	1274 N FRUIT AVE FRESNO, CA 93728
68.)	Annette Santiago	1022 N. Carruth Fresno 93728
69.)	Celia Hahn	1022 N. Carruth Fresno 93728
70.)	Ray Ede	1386 N Fruit Fresno

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

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	NAME	ADDRESS
71.)	Frank Sones	1314 N Thorne Ave 93704
72.)	Ralph A. Burciaga	1545 N West-Mckinley
73.)	Eric J. Joffe	1500 N. Del Rio #206 93708
74.)	Guillermo Krauthammer	922 N Arthur
75.)	Molly Van Antwerp	140 W. San Jose #132
76.)	Tony Lee Sheffield	140 W San Jose #132
77.)	Michelle Davis	511 W. Hammond Ave.
78.)	Jeremy Hall	1431 N Palm
79.)	Howard Malan	3147 W Olive Ave SP Fresno Co 93722
80.)	Steve Sherwood	1516 N. Angeles 93728
81.)	David Alcantar	1245 W Weldon
82.)	Noel Gonzalez	5552 n tenth #104 93701
83.)	David	Arthur Ave
84.)	Tracy Matlock	525 N. Harrison Ave.

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

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	NAME	ADDRESS
85)	Eugenio Murillo	1555 N. Fruit Ave
86)	Austin McCullough	4204 N. BARCUS
87)	Bo Ringhage	534 W. University
88)	Nicole Greenham	208 W. Dakota Ave #113
89)	Indria Overton	948 N. ARTHUR AVE
90)	John MacFrey	1234 W University Ave.
91)	Connie Bowles	1156 Brooks Fresno
92)	Christy Gault	438 W. FRANKLIN AVE FRESNO, CA 93706
93)	Jose Luis O	622 E. Shields A. 93704
94)	VAN K	630 FRUIT AVE
95)	Michael Turner	3328 N. MARKS #122 93722
96)	Devon Souis	4923 N. DUNG 93726
97)	TT	424 N Fruit 93726
98)	Adrian Norengo	912 W Thorne 93728

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

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	NAME	ADDRESS	
99)	Penny Weinstein	1223 N Arthur Ave	93728
100)	Tomie Martinez	2808 E Simpson	93703
101)	Gilbert Cortes	14479 W Chardonnay Ave	
102)	Narain Gonzalez	14664 W El Mar Ave	
103)	Jorge Fernandez	636 W Hammond Ave	
104)	Joe Gay	1122 N. Fruit	
105)	Mike Cruz	3056 W Pico Ave	93722
106)	Mike Rudy	1416 E Everglade	
107)	KATHY FINOEGATO	330 W, OLIVE AVE.	
108)	Cris Hernandez	4125 E Monte 4125 E. Monte (to)	
109)	Roger LEARY	105 E OLIVE	
110)	Luke Duran	5643 W Home	
111)	Steve Weinstein	1223 N Arthur Ave Fresno Ca	93728
112)	Stephen T. Duran	1047 N. Fulton ST #3, Fresno Ca	93728

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

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	NAME	ADDRESS	
113)	SHARON GARRETT	1040 N. Vagedes	93728
114)	Vani Maldonado	525 W. Weldon	93705
115)	Soe Olivas	2326 N Se (A ^v)	93722
116)	Michael Brocklyson	749 Hammond	93728
117)	Nathaniel Lavigne	4131 N. Blythe	93722
118)	Eli Silva	1020 N. Thorne	93728
119)	Peg BOLT	625 W. Hedges	93728
120)	Sal Arellano	700 South Granada	
121)	Steve Bivitt	1767 N. Kono	431-1012
122)	DAWIEL RASLER	931 N ARTHUR	93728
123)	CODY RASLER	931 N ARTHUR	93728
124)	James F Martinez	412 N Valencia St	93701
125)	Hecoma Akus	214 N Hedges	93705

TO
 THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
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	NAME	ADDRESS
126)	CINDY SIMMONS	4449 N LAFAYETTE AVE FRESNO, CA 93705
127)	Vivian Vahly	4449 N. Hamilton Fresno Ca 93745
128)	John Nichols	1474 N Fruit Fresno Ca 93728
129)	Pam L Trammell	945 N. Van Ness Ave Fresno 93728
130)	CHARLES BEARDEN	938 W. FLORADORA AVE FRESNO 93728
131	Edward Garcia	2103 N Arthur Ave Fresno 93705
132	John Thomas	1438 W. Olive Ave Fresno CA 93711
133	Lena Hornberger	1325 N Goddard St Fresno
134	F & P Rappaport	1441 N - Goddard St Fresno
135	Melissa Reed	1003 N Arthur Ave Fresno CA
136	Matthew Reed	1005 N Arthur Ave Fresno CA
137	John Watson	1415 Bed. Ave Clovis CA
138	Barbara Smith	817 W. PARKWAY DR FRESNO CA
139	Rich. Atkins	1007 N Tammison Fresno CA

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
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	NAME	ADDRESS
140	Kelly Ho Bart	3178 Montecello Ave Fresno 93706
141	Andri Deltoro	1028 W Sierra
142	Dayton Holden	908 N Fruit Fresno
143	Ken W Haeber	718 N Parkway
144	STEVEN BAYSON	833 N. ADCLIFE FRESNO 95728
145	Richard Lan	843 W. Woodward
146	Katria Garcia	843 W. Woodward Fresno 93706
147	Patience Jop	3933 E. Buckingham Way Fresno CA 93726
148	Ferrando Chavez	1257 N. Vagedes Fresno CA
149	Robert Willie	1253 Correnan Fresno. CA
150	Cary Cunniff	2105 N Reed
151	Spaul Rojas	625. W. Cambridge
152	Wendy King	3428 N. MIAMI Fresno (93712)

TO
 THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
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	NAME	ADDRESS
153)	Robert Stephen Flamingo	120
154)	Shawn edon	956 North Fruit Ave
155)	Robert Castillo	124? N. Fruit Ave
156)	Rayra Elena Peal	218 E. Olive Fresno 93728
157)	Arturo Hernandez	1480 N. Delno #210
158)	Kenn Lopez	556 Hammond dr
159)	Demetri Vargas	- - -
160)	Vivian Penaywell	533 W Hammond
161)	Nonique McAnn	533 W Hammond
162)	Stanor Person	1719 W. OLIVE
1	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX
163)	Chris Flores	1819 W. Olive
164)	Adalberto O Rodriguez	1480 N. Delno Ave. 115
165)	Jay [Signature]	3207 W. SHIELDS AVE 93722

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

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	NAME	ADDRESS
166.)	Hannah Moore	628 N THORNE B# FRESNO CA.
167.)	Bill Evans	1394 N. Esther way Fresno
168.)	Jason McLaughlin	1394 N Esther way Fresno
169.)	Michael Chapp	3269 W Church Fresno
170.)	Joc Desjardis	755 S MARK
171.)	E. MORALES	1024 N FRUIT 93728
172.)	Lyn Dawson	1550 W Ashlan 242
173.)	Daniel Gamardo	122 N. San Pablo 93701
174.)	Edgar Garcia	14480 E. Terrace Springs #1
559273-95	Sheryl King	533 W. Hammond. Fresno CA 93728
175.)	Victor DePaul	1626 E. White Ave 93728
176.)	Steve Rogers	2134 E PARKS Fresno CA
178.)	Khong . Douangdara .	fresno.
179.)	Mitch Blevy	20-1844 miles

TO
 THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
 CITY COUNCIL

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	NAME	ADDRESS
180.)	Armando Reyes	1114 W Swift Ave Fresno
181.)	John King	510 W Olive Fresno
182.)	Garry Skully	1492 E. LASALLE
183.)	Dean Martin	1403. Fruit Fresno
184.)	Vito Roca	977. W Adeline Fresno
185.)	Robert Fisher	25503 W. Jefferson Tranquillity
186.)	Damon Barber	992 N. Helbert
187.)	Arienne Perez	3422 E. Brown Fresno
188.)	Brianne Graham	488 E. Fremont Ave. Fresno
189.)	Justin Tyler	1314 N. Vagedes
190.)	Ann Red	344 ROY Fresno
191.)	Anthony Beuster	534. W. Hammond
192.)	Dill Jackson	1450 N Palm 93728
193.)	SAM Cook	1450 N PALM 93728

TO
 THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
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	NAME	ADDRESS
194.)	April Valero	827 N. Thorne 93128
195.)	Jolanday Gill	Honest Fresno
196.)	Michael Cruz	Fresno
197.)	Verlone Lili	2527 E Andrews ^{MC} Fresno CA 93206
198.)	Jalisco Meloy	14224 E. VINO. Reedley CA.
199.)	John Franco	1511 N. Domo Ave Fresno
200.)	Connie Bowles	1576 N. Brooks Fresno
201.)	MART Ginter	1342 E pine Ave 93656
202.)	George Smith	2742 N Hughes Ave.
203.)	Taylor Smith	1287 N. Calaveras St.
204.)	Corinne Rodriguez	943 N. Arthur Fresno Ca.
205.)	George Madrid	943 N. Arthur Fresno Ca.
206.)	Tony 207d	143 N. North E
207.)	Mark Parente	855 N. Weber

TO
 THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
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	NAME	ADDRESS
208.)	Jesse Dominguez	114 W. OLIVE AVE
209.)	Don Costa	694 W UNIVERSITY FRESNO CA
210.)	Dani Soto	3456 E. BUTLER
211.)	Alfonso	1352 N. Fruit
212.)	Guily Jimenez	3333 N. VANNUCK
213.)	Campana	1002 N. THOMAS AVE
214.)	Campana	1020 E HARVARD
215.)	Bruno Serrano	2809 PLASANT 93728
216.)	Schiller	1027 N. WILSON 93728
217.)	Hector R	585 S. MADISON AVE
218.)	Pat B.	17619 Rd. 26 Madera ca.
219.)	Mankam	1016 N. Carruth
220.)	Costa	1015 N. Fruit FRESNO CA 93728
221.)	Emanuel Martinez	926 E. Jensen AVE

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

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	NAME	ADDRESS
222.)	Gonzalo Martinez	926 E JENSEN AVE.
223.)	Kelly Osburn	1546 N Tielman
224.)	Harley Mallow	1546 N Tielman
225.)	Cliff Osburn Cliff Osburn	553 Hurt Ave
226.)	Carol Osburn Carol Osburn	819 W Cambridge Apt 5
227.)	Michael Carrigan	4655 W Pine Ave
228.)	Missy Fobles	103 South Hughes.
229.)	Maurice Feltis	4685 W. Clanton Ave
230.)	Dan Z R	931 N ARTHUR
231.)	CODY Z R	931 N ARTHUR
232.)	Richard Langz	3884 N. Woodson Ave.
233.)	Cynthia Smit	624 W Hammond
234.)	Donald Smit	624 W. Hammond
235.)	Rudy Osborn	614 W Cambridge Ave

Fres

TO

THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
CITY COUNCIL

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

~~226)~~

	NAME	ADDRESS
226.)	KEVIN ROSS	611 N. VANNESS Fresno CA
227.)	Tracy Matlock	525 N. Harrison Fresno CA
228.)	Alex Reyer	1493 N. Harrison Fresno
229.)	OSCAR VALE	1493 N. HARRISON Fresno
230.)	Andrew Utkin	628 W. Hammond Fresno
231)	Jay Jhon	1431 N Palm Fresno
232.)	Jorge Valdez	1192 N. Fruit Ave
233.)	John Torres	6324 N. Constance Fresno
234.)	Sharon Janett	1040 n. Vagades 93728
235.)	Jerry Woodson	87 E. Olive #204 Fresno, CA 93728-
236.)	Jane L. Stahl	4025 N. Fruit #112, Fresno 93705
237.)	Mark Kell	2508 Rottweiler Fresno, CA 93705
238.)	Frank Rojas	1404 B st.
239.)		

TO
 THE ZONING ADMINSTRATOR/ PLANNING COMMISSION/
 CITY COUNCIL

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NO

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NAME	ADDRESS
<i>[Signature]</i>	915 W. Pine Fresno 93728
<i>[Signature]</i>	122 N. Fruit Fresno Ca
<i>[Signature]</i>	1374 N. Arthur Fresno
<i>[Signature]</i>	1020 N. Thorne ave
<i>[Signature]</i>	1033 N. Echo
Robert Guerrero	623 N. Echo. 93728
Cody Rosser	931 N. Arthur 93728
Mike Folders	1240 N Arthur 93728
Acc Walford	920 N Fruit 93728
Danielle Mitchell	1385 N. Teulman 93728
Howard Martinis	1235 N. Arthur ave 93728
Anthony Sorondo	4110 W. Norwich 93722
John Holmg	770 W. Piave

TO
 THE ZONING ADMINISTRATOR/ PLANNING COMMISSION/
 CITY COUNCIL

We, the undersigned, are residing in the vicinity of proposed location of Tower - Beer & Wine Store @ 441 West Olive Avenue . We came to know that use permit application for a Mini Mart including off-sale Beer and Wine license is requested in the city. Considering the future expansion plans in this area, the proposed location will be the most convenient & safe location in our neighborhood, for a Mini Mart with permission to sell Beer & Wine.

NO	NAME	ADDRESS
254	PAUL JUVET	1453 N. WILSON
255	Adam Bruce	1352 N. Fruit Ave ⁴⁹²⁻¹⁴⁴⁴
256	John Alvarado	1524 N. Arthur Ave. 93728
257	Stephanie Young	1219 N Echo 93728
258	Russ Scheidt	1729 Arthur 93705
259	Michael Elam	1259 Palm 93728
559515-0192 260	Kathy Jasso	535 W. HAMMOND AVE 93728
261	Rene Martinez	1562 N Wilson 93728
262	Donna Ann	2639 W Olive 93728
263	Judy E Moya	1378 N. Millbrook Ave Fresno 93728
264	Terry Johnson	105 E Olive FRESNO
265	Denisha Murphy	1609 N. College Ave Fresno 93728
266	Angelina Reducio	1435 E Belgravia Apt C Fresno 93706
267	Joseph Cole	1435 E Belgravia Apt C Fresno 93706

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	NAME	ADDRESS
268)	Serena Interiano	2212 E Tyler 93701
269)	DANIEL MITCHELL	3344 N. MIAMI 93721
270)	Michael Thornton	1526 E Home 93728
271)	Samantha Herrera	1398 N Adeline Ave 93728
272)	Nitzamar Maldonado	5124 W. Bedford 93728
273)	Zel Xiang	4202 W Fagan Drive Apt 5T
274)	Alicia Pettigrew	1380 Wilson 93728
275)	Jeremy Hau	1431 N Palm Fresno 93728
276)	DANIEL WOOD	p.o. box 16298 93755
277)	Amy Casias	912 N Weber 93728
278)	Virginia Riccardi	" " "
279)	MARK Miller	998 N. Wilson 93728
280)	Rene Penetta	595 El Paso Ave
281)	Karrie Sanders	1311 N. Wagedas Ave 93728

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	NAME	ADDRESS
282)	Meryl of Arnold	726 HAZELWOOD FR
283-	Therese Gustaf	3 E Olive Fresno Ca 93728
284-	Tyler Caspo	27902 Goldblill de NeCastaic, CA 91384
285-	Nick Costales	1038 N. Fruit Fresno, CA 93728
286-	FRANK RIVAS	1042 N FRUIT FRESNO CA 93728
287	DANIEL CRIADO	1132 E KENLEWOOD AVE 93728
288	Catherine Fipps	316 w. Olive Ave 93728
289	Mateo Garza	1108 15th Fresno Ca 93706
290	Michelle Gomez	2810-N-VAN NELL Fresno CA
291	Chris Cunningham	2412 Deane Fresno Ca
292	Valeria Mesa	2412 Deane Fresno Ca
293	Ann Layne	310 N 9th St Apt 201
294-	Nathanie Martinez	909 N THORNE. 93728
295-	PATTY KENNEDY	5803 W SHAW

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	NAME	ADDRESS
296-		1720 E. NADRAS Rd Fresno CA 93725
297	Carina ZAVEN	510 W HAMMOND AVE 1 FRESNO CA 93728
298-	Richard Vadrola	510 W HAMMOND AVE FRESNO CA 93728
299-	Donna Stett	General Delivery Permit #16474
300-	Donnetta Wright	121 N Elbe # B 93701
301-	Kim [unclear]	310 W. Belmont
302-	Jacob [unclear]	714 E Garland
303-	Steve [unclear]	14-15 E PALO ALTO
304	Marco A. Garcia	624 N. Farris 93728
305	Loa HERNANDEZ	227 E. HEDGES 93728
306-		624 W Hedges
307-		624 W. Hedges Ave.
308	Robert Thomas	3766 Abby Fresno, e
309	Richard FRANKS	438 W. FRANKLIN

TO
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	NAME	ADDRESS
310 -	VADA POWLES	438 W. FRANKLIN
311.	Royce Gomez	510 W. Olive Ave.
312	MANUEL BUCCIAT	910 N Weber
313	Scott Jones	1246 W Hughes 93728
314	Sheppora Hood	919 N Weber
315	Relia Newwood	1824 Fulton St #508 Fresno 93721
316	Michelle Crouch	2750 N. Valentine Ave Fresno 93722
317	Paul K Nolek	530 N Weber #23
318	Stephanie Lewis	312 N. Calaveras 93701
319	Georgia Bethene	1480 N Deha #119 93728
320	Gay Barton	1219 N Echo Ave
321	Betty Marshall	513 W. Hedges Ave (559) 519-4032
322	Sierra Davis	2310 S. Woodland St.
323	MaryAnn	6102 W Paulina

TO
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NO	NAME	ADDRESS
333	Joaquin Aguirre	205 N. Blackstone #302
334	Vanessa Gonzalez	1124 N. Vagedes ave
335	Candina W. Carter	1112 N. Vagedes Ave. Fresno, Ca
336	Sean Carter	1112 N. Vagedes Ave. Fresno, Ca
337	Anthony Hernandez	1104 N Vagedes Ave Fresno, Ca
338	Andrea Perez	1040 N. Vagedes Fresno, CA
339	Arturo Ramirez	910 N. Fruit 93728
340	Manuel Morales	916 . N. Fruit 93728
341	Michael Sampedro	916 . N. Fruit 93728
342	Christina Stanley	938 N. Vagedes
343	CARMEN Colmenar	836 N. Vagedes 93728
344	Haidi Flores	830 N. Vagedes 93728
345	Marin Lorausti	830 N Vages 93728
346	Juan Floren	830 N Vages 93728

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	NAME	ADDRESS
347	Barbara Baptista	947 N. Vagedes FRESNO, CA 93728
348	Hannah Castro	985 N. Vagedes Fresno, CA 93728
349	Wes Beal	1021 N. Vagedes FRESNO CA 93728
350	TISH COOKSEY	1109 N. VAGEDES, FRESNO 93728 NO ALCOHOL
351	RICARDO LUNA	410 W Olive 93728
352	ELIZABETH JENSEN	1225 Vagedes 93728
353	Ted Chapman	1257 N. Vagedes 93728
354	Kristina Strebliug	1265 N. Vagedes 93728
355	Tianni Young	1256 N Vagedes 93728
356	JANE BERKLEY	1276 N. VAGEDES 93728
357	Jack Hart, Jr.	1269 N. Vagedes 93728
358	Donal L. Gregory	1295 N. Vagedes 93728
359	MANNIE JENSEN	1305 N. VAGEDES Av.
360	DONALD WELDON	1311 N. VAGEDES AVE 93728

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	NAME	ADDRESS
361	Lance Weldon	1311. N. Vagedes
362	Gloria Krapp	1317 N Vagedes 93728
363	Joshua Neulinger	1367 N Vagedes 93728
364	Richard Davis	1345 N. Vagedes 93728
365	[Signature]	1417 N. Vagedes 93728
366	Rydia Ortiz	1394 N. Vagedes 93728
367	Monica Figueroa	1376 N. Vagedes 93728
368	LARIES STREAS	1563 N. VAGEDES 93728
369	Thomas Shipley	1387 - N. Vagedes
370	Sally Armas	1354 N. Vagedes 93728
371	Jessie Sandaniel	1330 N. Vagedes 93728

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	NAME	ADDRESS
372	Keith Woodard	Fresno
373	Almarada Wilson	1232 W DELNO AVE FRESNO CA 93728
374	CC King	11
375	Mike Golding	921 N. Thorne Ave Fresno 93728
376	Luis Rodriguez A	445 GLENN AVE Fresno 93701
377	Arnestina Soto	445 N. Glenn Ave Fresno 93701
378	Richard Oban	530 Fedora 93728
379	Michelle Ortizeros	234 W. Olive Fresno 93728
380	Tishia Austin	3351 W. Holland Fresno CA 93722
381	Donald Pareda	1228 N ESTHER WAY 93728
382	Rebecca Hill	234 W Olive Fresno CA 93728

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	NAME	ADDRESS
383	Genac Beck	726 W. Hammond Ave Fresno CA 93728
384	Boale Smith	624 W. Hammond
385	Joseph	746 W. Hammond
386	Joseph	757 W. Hammond Ave
387	Luci Sanchez	227 W. Hammond Ave
388	Angela Rodriguez	775 W. Hammond Ave
389	Jeanette Rodriguez	1234 N. Delno Ave.
390	Victor Villanueva	1234 N. Delno Ave
391	Arthur Ortiz	1236 N. Delno Ave
392	Carlos Ortiz	5255 N. Fresno Apt # 101
393	Rudeca Santos	1236 N. Delno Ave.
394	Rayna Perez	627 W. Hammond Ave
395	Joseph	625 W. Hammond Ave.
396	Joseph Neville	617 W. Hammond

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No	NAME	ADDRESS
397	Keith Boncales	510 W Hammond Apt. 1
398	Monica Zamora	510 W Hammond
399	Cristina Pineda	510 W. Hammond APT. 4
400	MARIA RIVERA	534 W Hammond ave
401	Maria Madrigal	542 W. Hammond Ave.
402	Sandra Garcia	542 W. Hammond Ave.
403	JESUS BRAVO	544 W. HAMMOND AVE
404	Lakel Meyer	604 W Hammond Ave
405	Tracy Miller	604 W Hammond Ave
406	Bang Thomas	604 W. Hammond Ave
407	Shirley Frumpp	614 W Hammond
408	Cesar Rodriguez	616 W. Hammond Ave
409	Cheri Garcia	706 W. Hammond Ave
410	Kelly Lewis	724 W. Hammond Ave

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	NAME	ADDRESS
411	Cathy Neville	617 W. Hammond 93728
412	Josh Spagnuolo	607 W. Hammond Ave. 93728
413	Nick Spagnuolo	607 W. Hammond Ave. 93728
414	David Neal-Mejia	601 W. Hammond Ave 93728
415	Bill Spagnuolo	607 W. Hammond Ave. 93728
416	Hacht Walker	523 W. Hammond Ave 93728
417	Fred SILVA	603 W. Hammond Ave 93728
418	Julian Rocha	603 W. Hammond Ave 93728
419	Dawn Houston	549 W Hammond Ave 93728
420	Jimmy Lee	529 HAMMOND 93728
421	P.D. [unclear]	513 W. Hammond 93728
422	[unclear]	1127 Waverly Ave 93706
423	[unclear]	88 E Olive Fresno Ca 93728