



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

March 11, 2019

Gurdip Singh
2616 Robinwood Avenue
Clovis CA 93611

Dear Applicant:

Subject: Resolution No. 12758 - Variance Application No. 4060

On February 14, 2019, the Fresno County Planning Commission approved your above-referenced project with modified Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

The approval of this project will expire one year from the date of approval. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Variance.

If you have any questions regarding the information in this letter please contact me at tkobayashi@fresnocountyca.gov or 559-600-4224.

Sincerely,

Thomas Kobayashi, Planner
Development Services and Capital Projects Division

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Enclosure

cc: Nick Sahota



Inter Office Memo

DATE: February 14, 2019

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12758 - VARIANCE APPLICATION NO. 4060

APPLICANT: Gurdip Singh

OWNER: Gurdip Singh & Sharnjit Gill

REQUEST: Allow a ten-foot-high masonry wall along the south property line (maximum of six feet allowed) on a 0.36-acre parcel in the C-1 (Neighborhood Shopping Center) Zone District.

LOCATION: The subject parcel is located at the southeast corner of Shields Avenue and Sierra Vista Avenue, within a County island in the City of Fresno (4706 E. Shields Avenue) (Sup. Dist. 3) (APN 447-061-01).

PLANNING COMMISSION ACTION:

At its hearing of February 14, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Delahay to deny Variance No. 4060.

This motion failed on the following vote:

VOTING: Yes: Commissioners Abrahamian, Delahay, and Burgess

No: Commissioners Chatha, Eubanks, Hill, Lawson and Vallis

Absent: Commissioner Ede

Abstain: None

A subsequent motion was made by Commissioner Vallis and seconded by Commissioner Chatha to approve the Variance request with a modified wall height of eight (8) feet, and adopt the required Findings for approval of a Variance, stating that Finding 1 could be made on the basis that homelessness is a prevalent issue in the area; Finding 2 could be made that a

RESOLUTION NO. 12758

Variance is necessary to address the preservation of the right to a secure business and property; and Finding 3 could be made because the additional wall height will not be detrimental to the public welfare and will be beneficial for the customers' sense of security. The motion to approve Variance No. 4060 was made subject to the Conditions of Approval listed in the Planning Commission Staff Report, with the addition of a condition limiting the wall to eight feet in height. All Conditions of Approval including the additional condition are listed in Exhibit B.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Vallis, Chatha, Burgess, Eubanks, Hill and Lawson
	No:	Commissioners Abrahamian and Delahay
	Absent:	Commissioner Ede
	Abstain:	None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By: 
William M. Kettler, Manager
Development Services and Capital Projects Division

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NOTE: The approval of this project will expire one year from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Variance.

Attachments

EXHIBIT A

Variance Application No. 4060

Staff: The Fresno County Planning Commission considered the Staff Report dated February 14, 2019, and heard a summary presentation by staff.

Applicant: The Applicant's representative did not concur with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- The purpose of the wall is due to the homeless population and crime that is prevalent in the area, and to provide security for customers and the business.
- The wall will not affect the neighbors because it is adjacent to an alleyway.
- We will meet all County standards, including building and structural requirements.
- The property has been vacant and the owner is currently building a convenience store and laundromat on the site.
- We agree to limit the wall height to eight feet.

Others: No other individuals presented information in support of or in opposition to the application.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

TK:ksn

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**Variance Application No. 4060
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan and elevations as approved by the Planning Commission, with a modification limiting the height of the masonry wall to a maximum of eight (8) feet.
Conditions of Approval reference required Conditions for the project.	
Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	If construction is allowed, plans, permits and inspections will be required.
2.	<p>The Fresno Metropolitan Flood Control District (FMFCD) requires:</p> <ul style="list-style-type: none"> • No on-site retention of storm water runoff is required provided the developer can verify to the County of Fresno that runoff can be safely conveyed to the Master Plan inlet(s). • Drainage from the site shall be directed to Shields Avenue and/or Sierra Vista Avenue. • No surface runoff shall be directed toward the alley. • In an effort to improve storm water runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system. • The District encourages, but does not require, roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff. • Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wastewater can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas servicing or fueling vehicles are specifically subject to the requirements.
3.	The block wall should include a 10' x 10' corner cutoff at the alley approach so as to provide line of sight for vehicles exiting the alleyway.
4.	Any work within the road or alley right-of-way requires an encroachment permit from the Road Maintenance and Operations Division.
5.	The redevelopment of this corner, Sierra Shopping Center, is currently underway per Site Plan Review (SPR) No. 7933; an As-Built drawing is required and should reflect the change in wall height.
6.	An engineered drawing, calculations and a building permit are required for the wall.