

Planning Commission

March 4, 2025



Information Packet

ITEMS

File ID 25-285

Consideration of an appeal regarding the denial of Variance Application No. P24-01598 requesting a variance from the maximum allowable height for a flagpole located at 3028 South Cherry Avenue on the southeast corner of East North and South Cherry Avenues. (Council District 3) - Planning and Development Department.

Contents of Supplement:

Supplemental Exhibit M – Comment Received from Public (03/04/2025)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the Commission after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the Planning Commission meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available online on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.



SIKH COUNCIL OF CENTRAL CALIFORNIA

'RECOGNIZE YE ALL THE HUMAN RACE AS ONE'

Guru Gobind Singh Ji

RE: Fresno City City Planning Commission Hearing Wednesday March 5th, 2025 6pm.

Dear Honorable Mayor Dyer,

We, the Sikh Council of Central California, are writing in full support of the Nanak Sar Gurdwara's request for a variance to install a 75-foot flagpole, known as the Nishan Sahib, at their newly constructed facility. This religious symbol holds deep significance for Sikhs worldwide, representing not only the faith but also the principles of equality, justice, and freedom.

The Nishan Sahib is an essential feature of every Gurdwara (Sikh temple), and its height traditionally matches or exceeds that of the Gurdwara itself. As such, this structure is not simply a flagpole, but a sacred emblem for the Sikh community, akin to the cross in Christianity. The flag serves as a beacon of faith, reminding both congregants and the wider community of the presence and values of the Sikh faith. It is also a unifying symbol for Sikhs, representing the global reach and unity of the community.


We are aware of the municipal code in Fresno City, which limits flagpoles to 25 feet in height. However, we respectfully ask the council to recognize that the Nishan Sahib is not a flagpole in the conventional sense. It is a religious and cultural symbol of great importance, and as such, we urge you to make special consideration for this variance request from Nanak Sar Gurdwara.

The placement of the Nishan Sahib will not only enhance the visibility of the Gurdwara but will also contribute positively to the religious and cultural diversity of Fresno. It is a reflection of the vibrant Sikh community that has long been a part of the city's social and cultural fabric.

We respectfully request that the City Planning Council take into account the unique cultural and religious significance of the Nishan Sahib when reviewing this request. Granting this variance would allow the Nanak Sar Gurdwara to uphold a central tenet of their faith and further enrich the city's diversity.

Thank you for your time and thoughtful consideration.

Sincerely,


Sikh Council of Central California

(Colonel Hardev S. Gill (Retel))
Member Sikh Council.

March 3rd, 2025



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ਸਤਿਗੁਰ ਵਡਾ ਕਰਿ ਸਾਲਾਹੀਐ ਜਿਸੁ ਵਿਚਿ ਵਡੀਆ ਵਡਿਆਈਆ॥



GURDWARA NANAK SAR

3060 South Cherry Avenue, Fresno, California • 93706 • USA • (559) 442-9323

Tax I.D. 77-0197420

ਗੁਰਦੁਆਰਾ ਨਾਨਕਸਰ

RE: The Gurdwara Nanak Sar; Variance Application No. P24-01590
For Permission To Install A 75 Foot Flag Pole At The New Gurdwara
Located At 3060 South Cherry Avenue, Fresno, CA 93706

Dear Honorable Mayor Dyer:

The Gurdwara Nanak Sar, a non-profit religious corporation, is completing a new Sikh Temple (Gurdwara) located at 3060 S. Cherry, Fresno, CA 93706 on its five (5) acre property. We have applied for variance to install a 75-foot tall flag pole to roughly match the height of the new Gurdwara building as Fresno Ordinance Sec. 15-2611 Other Signs, F. Flags (2) provides a 25-foot pole height limitation.

As you may have noticed from other Gurdwaras, our religion requires the prominent display of a flag-like religious symbol, known as the Nishan Sahib, on which is a displayed the symbol of our faith, the Khanda. Also, the pole itself is of religious significance and is encased in cloth. The flag is traditionally higher than the roof line of a Gurdwara. This is because it is used to signal to the public that the Gurdwara is a place of refuge, shelter, and meals to all those in need, whether members of our religion or not.

As set forth in the accompanying elevation drawings (Ex. 1), our Gurdwara is approximately seventy-five (75) feet in height. We are therefore requesting a variance so that our flag can be of roughly the same height. This height is substantially less than the spires, crosses, statutes, and other ornamentation on a variety of Fresno's other religious buildings. See, for example, pictures of St. John's Cathedral (Ex. 2), Cross City Christian Church (Ex. 3), the Peoples Church (Ex. 4), the Fresno California Temple of the Church of Jesus Christ of Latter-Day Saints (Ex. 5); and the Holy Trinity Armenian Apostolic Church (Ex. 6), etc.

The request to have our religious flag match the height of the Gurdwara is in conformity with the items delineated in the City of Fresno's Ordinance 15-5506:

a) *"There is exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the vicinity and the identical zoning classification and the granting of a variance will not constitute a granting of a special privilege inconsistent with the limitation on the property in the vicinity and identical zone classification."*



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As mentioned above, this religious flag is part of the development of a Gurdwara on a five-acre parcel. This is a unique area. The surrounding area is primarily industrial as the area is zoned IH (Heavy Industrial). Of course, allowing the Gurdwara to have a flag pole to match the height of the Gurdwara does not result in any "special privilege" or otherwise confer any value to the property or otherwise conflict with the other buildings in the area, which are large commercial developments such as Foster Farms, the Department of Motor Vehicles, Aramsco, All Star Garage Door, and Valley Iron. No views will be obstructed, as the five-acre parcel provides a great deal of set back from the neighboring properties and the roadway. We would also like to note that there were no objections made during the Public Notice period, where all neighbors within 1000 feet of the new construction were notified of the planned construction by the Nanak Sar Gurdwara.

b) *"The granting of the application is necessary to prevent a physical hardship which is not of the applicant's own actions or the application of a predecessor in interest."*

This factor seems more designed for zoning variances instead of a variance for a flag pole height limitation. In any event, without a variance, the Gurdwara will not be able to display its flag to the public per its religion's traditions and will not be able to signal to the public, in conformance with its principles, that it provides a 24 hour/seven day a week place of refuge, shelter, and meals to all persons in need, irrespective of their faith. By limiting the Gurdwara to a 25 foot flag pole, the Gurdwara's flag will be blocked from view by the surrounding large industrial buildings. Thus, a variance is necessary and appropriate to abate the effects of the surrounding buildings.

c) *"The granting of the application will not be detrimental or injurious to property or improvements in the vicinity, it will not be detrimental to the public health, safety, general welfare, or convenience, nor the preservation of conservation of open space lands."*

Allowing a 75 ft. flag pole in order to match the height of the Gurdwara's building, will not injure or otherwise be detrimental to any neighboring properties. As discussed above, the properties that surround the Gurdwara are large industrial facilities whose buildings are of significant heights, such as Foster Farms, Aramsco, All Star Garage Door, etc.; who would suffer no adverse effects by a flag pole matching the height of the



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Gurdwara's building. Similarly, a flag pole that matches the height of the Gurdwara building and is set back on the approximate middle of a 5-acre parcel, is not harmful to the public health, safety, general welfare, etc. and it will not interfere with traffic, or pose any other safety concerns. Further, whether it is 25 feet or the desired 75 feet, it will not be placed on any lands designated for open space.

d) *“The granting of the variance will be consistent with the general purposes and objectives of this Code, any applicable operative plans, the Fresno County Airport Land Use Compatibility Plan (as may be amended) adopted by the Fresno County Airport Land Use Commission pursuant to California Public Utilities Code Section 2160-21679.5, and of the General Plan.”*

Again, this factor seems to be directed for zoning variance and not a request for a flag pole to match the height of a Gurdwara building. Nevertheless, allowing the Gurdwara to have a flag pole that matches the height of its Gurdwara is permissible according to the Code and Fresno's General Plan, is not inconsistent with the surrounding buildings and property uses, and does not pose a danger to any aircraft. **Indeed, such a variance would further the objectives of the Fresno General Plan (dated 12/18/2014) which specifies one of its purposes is to promote a vibrant community, its religion institutions, and to “meet the religious needs of the community.”** Further, another important goal of the General Plan is to *“17. Recognize, respect, and plan for Fresno's cultural, social, and ethnic diversity, and foster an informed and engaged citizenry.”* Also, as the property is zoned IH (Heavy Industry); such a designation is expressly designed to *“accommodate the broadest range of industrial use ...,”* none of which will be impacted by the desired religious structure (Nishan Sahib). Thus, this factor also weighs heavily in favor of granting the variance so that the Gurdwara flag may match the buildings' height.

Please let me know if you have any questions or concerns,

Gurdwara Nanak Sar,

Gurdev S. Muhar, President

Date: *03-03-25*

cc: Members of the Gurdwara Nanak Sar

Gurdev S. Muhar

PRESIDENT

GURUDWARA NANAK SAR

3060 S. CHERRY AVE

FRESNO, CA 93706

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The Khanda symbol is an intricate amalgamation of three elements: the central double-edged sword, two curved swords or Kirpans, and a circular element called the Chakkar. Each component holds specific meanings that resonate with Sikh teachings.

1. The Central Khanda (Double-Edged Sword)

Represents divine knowledge and God's authority.

Signifies the power to discern truth from falsehood and righteousness from evil.

2. The Two Kirpans (Curved Swords)

Reflect the concepts of Miri (temporal power) and Piri (spiritual authority).

Miri emphasizes the importance of engaging in worldly responsibilities and justice.

Piri underlines spiritual devotion and submission to divine will.

Together, they stress the balance between worldly obligations and spiritual growth, reminding Sikhs to harmonize these aspects in their lives.

3. The Chakkar (Circle)

A perfect circle, symbolizing eternity and the infinite nature of God, who is without beginning or end.

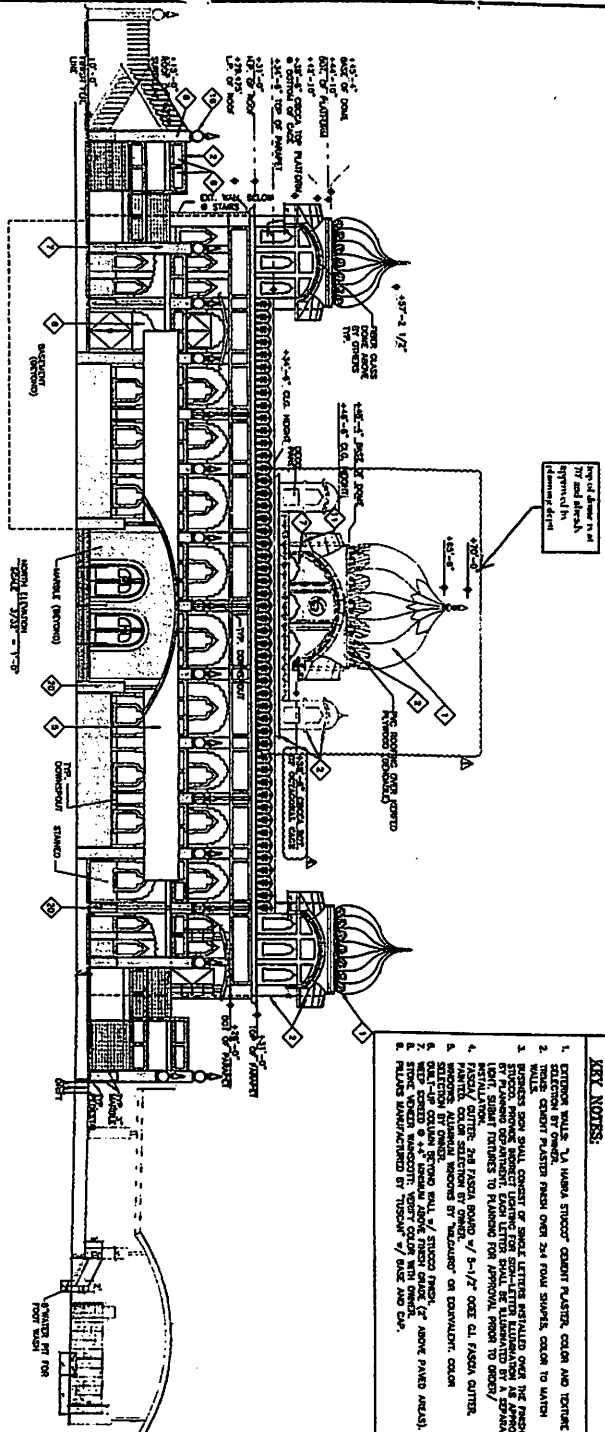
Represents the cyclical nature of life and time, underscoring the transience of humane existence.

The Khanda holds an essential place in Sikh rituals and daily practices, reinforcing its significance as a living symbol of the faith.

The Khanda serves as a powerful identifier of Sikhism in the global landscape, especially among the Sikh diaspora.

As Sikh communities have spread across the world, the Khanda has become a prominent symbol of their identity. It serves to unit Sikhs globally, reinforcing their shared heritage and values. Displayed on flags, the Khanda is a source of pride and recognition for Sikhs in multicultural societies.

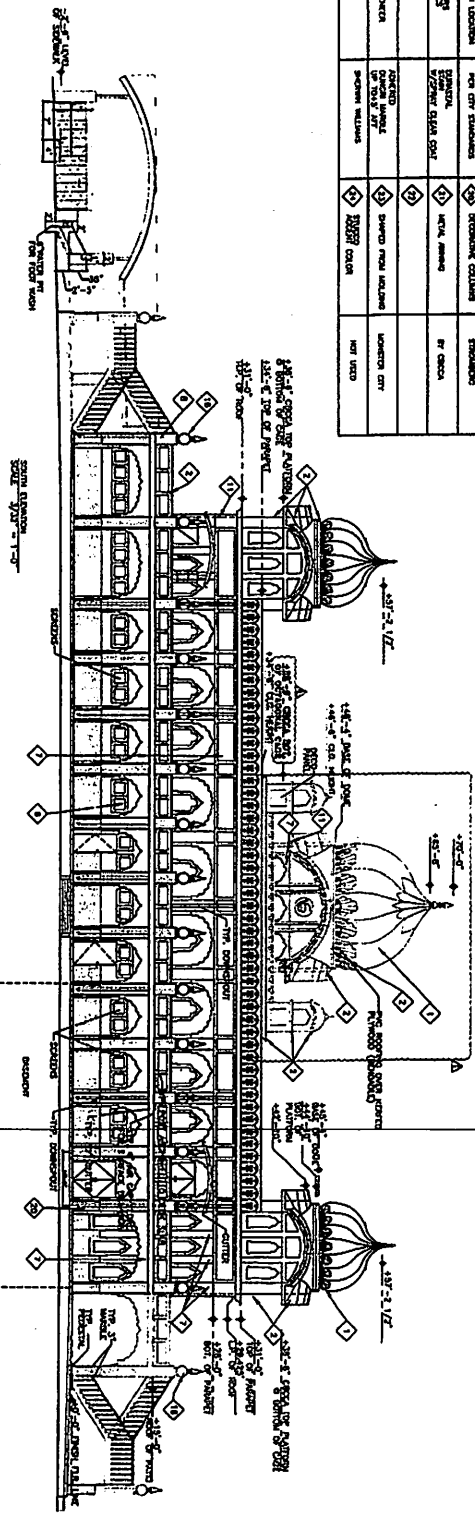
Exhibit (1)



Key of drawing to be approved by Planning Dept.

- KEY NOTES:**
1. EXTERIOR WALLS SHALL BE STUCCO. COGNATE PLASTER, COLOR AND TEXTURE TO BE DETERMINED BY ARCHITECT.
 2. THERE SHALL BE A 1/4" GAP BETWEEN PLASTER AND STUCCO.
 3. STUCCO SHALL BE APPLIED OVER A 1/2" SAND BED.
 4. PLASTER SHALL BE APPLIED OVER A 3/4" SAND BED.
 5. EXTERIOR WALLS SHALL BE PAINTED WITH AN ALUMINUM FLAKE PAINT.
 6. EXTERIOR WALLS SHALL BE PAINTED WITH AN ALUMINUM FLAKE PAINT.
 7. PLASTER SHALL BE APPLIED OVER A 3/4" SAND BED.
 8. PLASTER SHALL BE APPLIED OVER A 3/4" SAND BED.

| EXTERIOR ELEVATIONS LEGEND | | |
|----------------------------|----------------|------------------|
| SYMBOL | DESCRIPTION | REMARKS |
| (Symbol) | EXTERIOR WALLS | TO BE STUCCO |
| (Symbol) | ROOFING | TO BE DETERMINED |
| (Symbol) | WINDERS | TO BE DETERMINED |
| (Symbol) | DOORS | TO BE DETERMINED |
| (Symbol) | WINDOWS | TO BE DETERMINED |
| (Symbol) | PLASTER | TO BE DETERMINED |
| (Symbol) | PAINT | TO BE DETERMINED |
| (Symbol) | WOOD | TO BE DETERMINED |
| (Symbol) | METAL | TO BE DETERMINED |
| (Symbol) | GLASS | TO BE DETERMINED |
| (Symbol) | CONCRETE | TO BE DETERMINED |
| (Symbol) | ASPHALT | TO BE DETERMINED |
| (Symbol) | GRASS | TO BE DETERMINED |
| (Symbol) | PAVING | TO BE DETERMINED |
| (Symbol) | LANDSCAPING | TO BE DETERMINED |



- GENERAL NOTES:**
1. EXTERIOR WALLS SHALL BE STUCCO. COGNATE PLASTER, COLOR AND TEXTURE TO BE DETERMINED BY ARCHITECT.
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- STUCCO NOTES:**
1. STUCCO SHALL BE APPLIED OVER A 1/2" SAND BED.
 2. STUCCO SHALL BE APPLIED OVER A 1/2" SAND BED.
 3. STUCCO SHALL BE APPLIED OVER A 1/2" SAND BED.
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 5. STUCCO SHALL BE APPLIED OVER A 1/2" SAND BED.



New [redacted] Gurdwara

Space for
New Pole

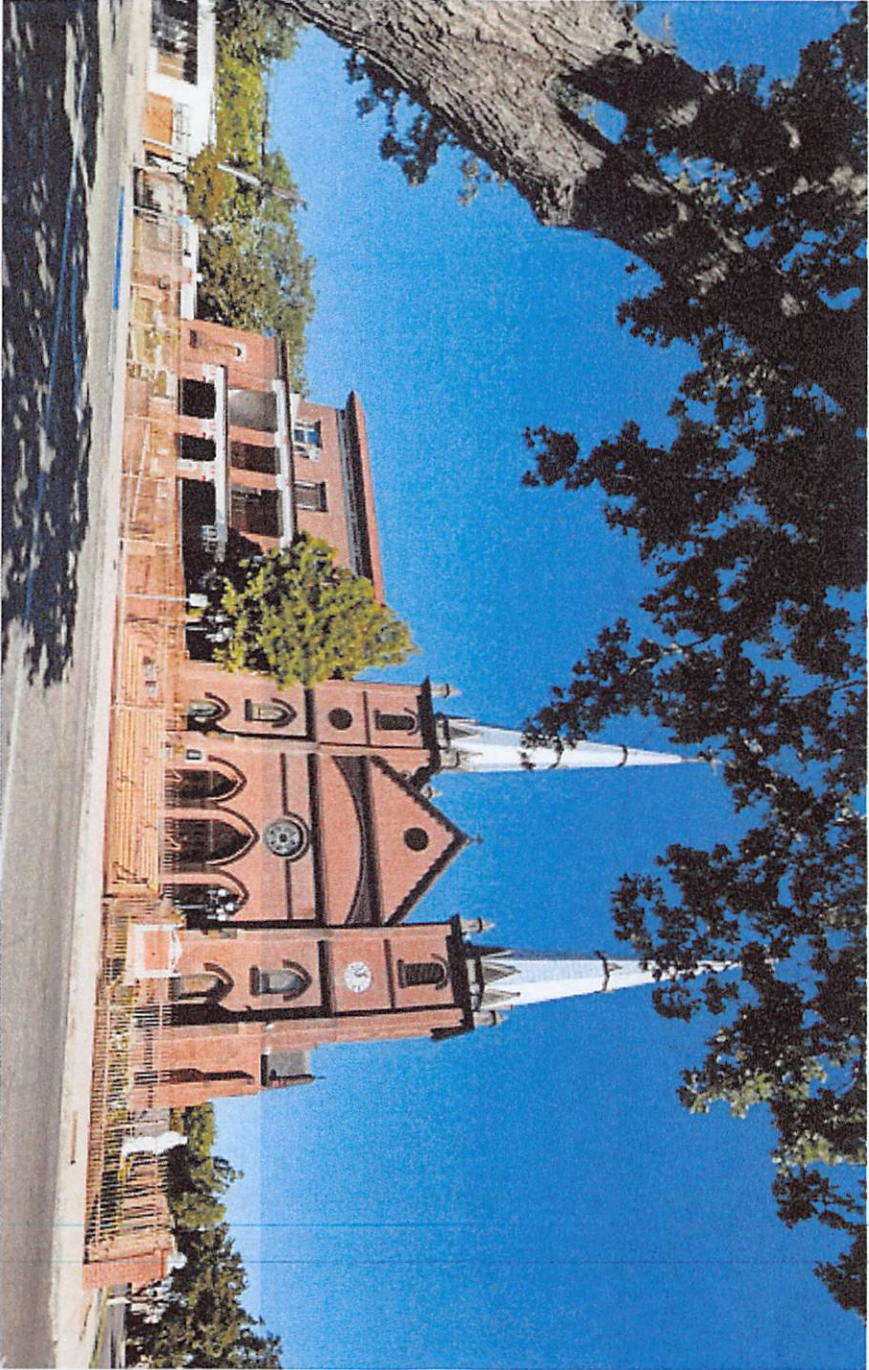


Exhibit (2)



Exhibit (3)

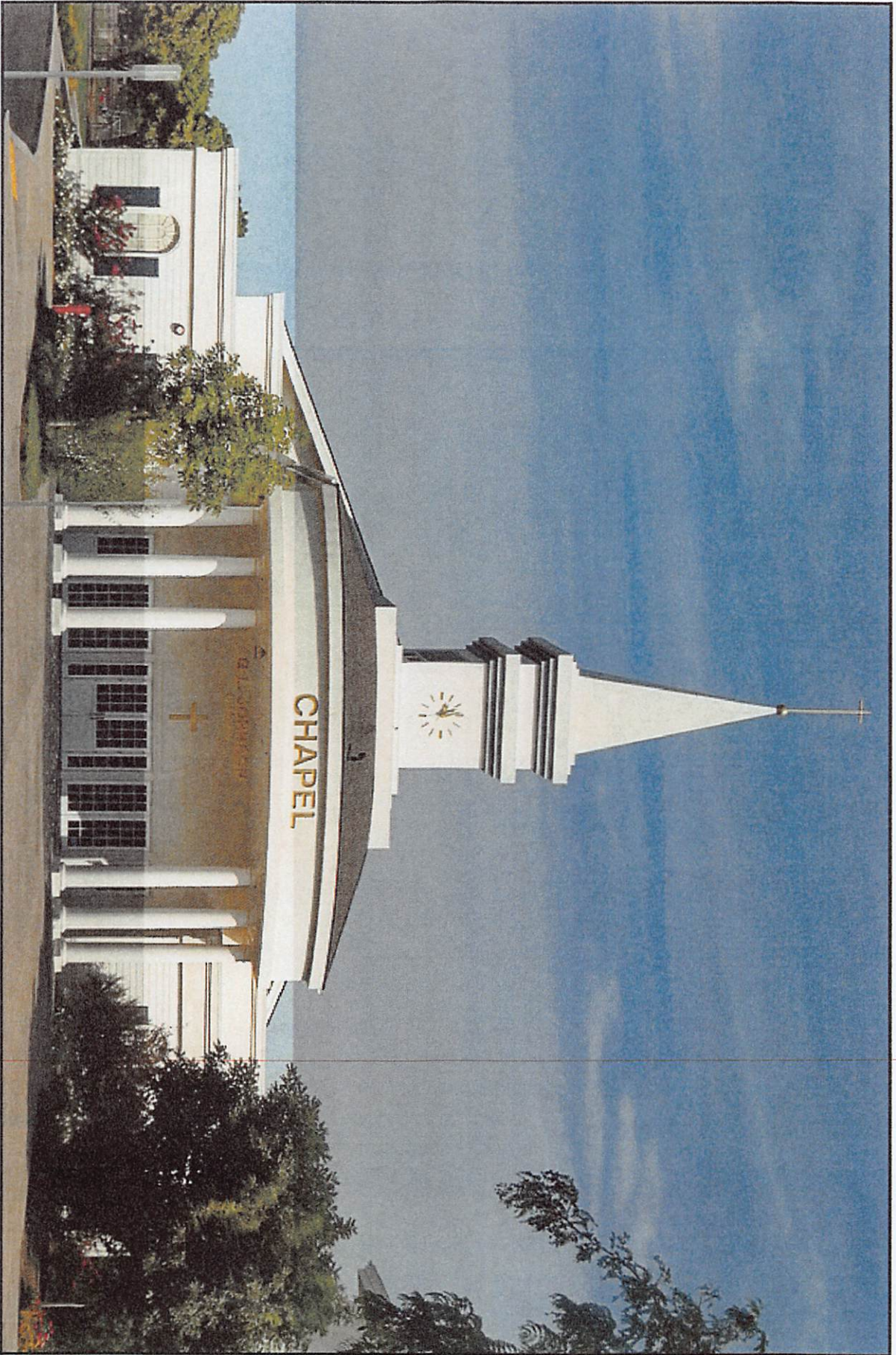


Exhibit (4)

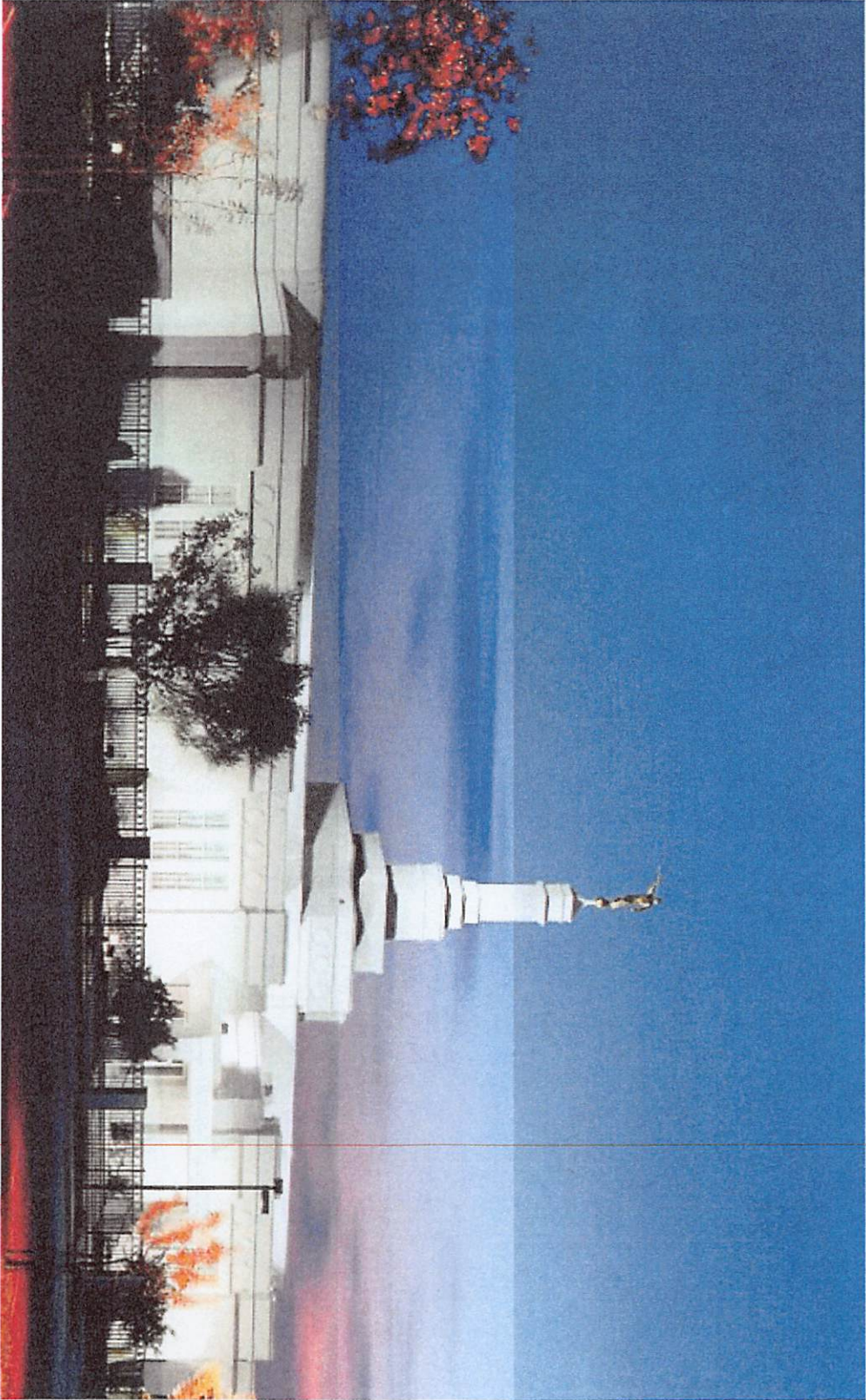


Exhibit (5)



Exhibit (6)