

**CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT
NEIGHBORHOOD NOTICE FOR**

CONDITIONAL USE PERMIT APPLICATION NO. P19-00974

Please Note: You are receiving this notice because you live within 1,000 feet of a property that has requested a special permit for a use described below. For this type of permit, the Fresno Municipal Code requires that the City give notice to surrounding property owners to give you the opportunity to express concerns or appeal the permit. Further information is provided below. If you have no concerns regarding the permit, no response is needed.

NOTICE IS HEREBY GIVEN that the Director of the Planning and Development Department, in accordance with Common Procedures of the Fresno Municipal Code, Section 15-5007, will take action on the applications below:

Application Type and Number:	Conditional Use Permit Application No. P19-00974
Applicant:	Joseph Sharp, SAC Wireless
Location:	3199 East McKinley Avenue; Located on the north side of East McKinley Avenue between North First Street and North Second Street.
Application Description:	The applicant proposes the construction of a 60-foot-high monopine telecommunication tower located at the Mayfair Self Storage parking lot.
Zone District:	CC (<i>Commercial-Community</i>)
Protest Deadline:	August 12, 2019 at 5:00 p.m.

All documents (including the application and environmental determination) related to this project are available for public review at the Planning and Development Department, 2600 Fresno Street, 3rd Floor, Fresno, California 93721 or by contacting the Department at the number listed below. Documents are available for viewing during normal business hours (Monday-Friday, 8 a.m.-5 p.m.).

In the event you wish to protest the possible approval of this project, you may do so by filing a written protest with the Director prior to 5 p.m. on August 12, 2019. The protest must include the appellant's interest in, or relationship to, the subject property and specific reason(s) why the appellant believes the project should not be approved. Failure to object to the approval and state said reasons prior to the decision shall potentially bar any later court challenge to the project approval.

ANY WRITTEN protest of the potential approval must be submitted to this office prior to close of business on:

August 12, 2019

If you wish to be notified of the project approval, please submit a request in writing to the Planner listed below by the date noted above. Once the Director takes action there will be a 15 day appeal period. Unless otherwise specified in governing state or federal law, all appeals shall be filed with the Director in writing, **along with a \$30.00 appeal hearing fee**, within 15 days of the date of the action, decision, CEQA determination, motion, or resolution from which the action is taken.

For additional information regarding this project, contact **Kao Vang, Planner I**, Planning and Development Department, 2600 Fresno Street, Fresno, California 93721-3604, by phone at (559) 621-8058 or via e-mail at Kao.Vang@fresno.gov. *Si necesita información en Español, comuníquese con McKencie Perez al teléfono (559) 621-8066 or email Mckencie.perez@fresno.gov. Yog xav paub ntxiv, thov hu rau Kao Vang ntawm (559) 621-8058 los yog xav ntawv rau tws email Kao.Vang@fresno.gov.*

Planning and Development Department
Jennifer K. Clark, AICP, Director

Dated: 8/2/2019

Assessor's Parcel No(s). 446-274-18

**SEE MAP ON REVERSE SIDE
Planning and Development Department
2600 Fresno Street, Room 3043 · Fresno, CA 93721 · Phone (559) 621-8277 · Fax (559) 498-1026**

**CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT
NOTICE OF ACTION GRANTING SPECIAL PERMIT**

CONDITIONAL USE PERMIT APPLICATION NO. P19-00974

NOTICE IS HEREBY GIVEN that the Director of the Planning and Development Department, in accordance with Special Permit Procedure of the Fresno Municipal Code Section 15-5009, has approved Conditional Use Permit Application No. P19-00974 filed by Casey Ogata-Tran, SAC Wireless o/b/o Verizon Wireless on behalf of Tc Property Management Ltd, for property located at 3199 East McKinley Avenue; Located on the north side of East McKinley Avenue between North First Street and North Second Street. Conditional Use Permit P19-00974 requests authorization to construct a 60-foot high mono-pine telecommunication tower located at the Mayfair Self Storage parking lot within an enclosed area 18' x 30'. The area is currently zoned CC (Commercial Community). The special permit has been granted subject to the following conditions:

Development shall take place in accordance with the Conditions of Approval, dated 8/16/19.*

*This document is available for review at the Development and Resource Management Department, located at 2600 Fresno Street, 3rd Floor, Fresno, California 93721.

Conditional Use Permit Application No. **P19-00974** was granted subject to the following findings:

Findings per Fresno Municipal Code Section 15-5306	
A Conditional Use Permit shall only be granted if the decision-maker determines that the project as submitted or as modified conforms to all of the following criteria. If the decision-maker determines that it is not possible to make all of the required findings, the application shall be denied.	
<i>a. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Code and all other chapters of the Municipal Code;</i>	
Finding a:	The proposed use, communication facility, is a permitted use throughout the City when proposed in compliance with the code and Policies and Procedures Issue No. 33 – Wireless Telecommunication Facilities.
<i>b. The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted;</i>	
Finding b:	The proposed use, pending compliance with Conditions of Approval, has been found to be consistent with the McLane Community Plan, the Fresno Yosemite-International Airport Land Use Compatibility Plan and the General Plan.
<i>c. The proposed use will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements;</i>	
Finding c:	The proposed use, pending compliance with Conditions of Approval, follows all regulations of the Policies and Procedures Issue No. 33 which establishes procedures to promote quality and consistency in approval of communication facilities. The proposed project proposes a mono-pine tower, which will screen the tower and equipment from the view of neighboring properties.
<i>d. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity; and,</i>	
Finding d:	The design, location, size, and operating characteristic of the proposed activity, pending compliance with Conditions of Approval, are compatible with the existing land uses in the area which is mainly uses for commercial and residential.
<i>e. The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.</i>	
Finding e:	The type, density, and intensity of the proposal are suitable for the site. The communication facility is comprised of a 540 square-foot lease space in a parking area outside of a personal storage consisting of 4.4 acres. The lease area is adequately served by emergency access, utilities and services.

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.

NOTE: A Notice of Intent to Take Action was sent to surrounding property owners pursuant to the requirements of Section 15-5007 of the Fresno Municipal Code on 8/2/19.

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, specific reason(s) why the appellant believes the decision or action should not be upheld, **and an appeal hearing fee of \$30.00. The fee is required prior to accepting the appeal, as required by Section 15-5017-A.1 and established by Master Fee Schedule.**

ANY WRITTEN must be submitted to this office prior to close of business on 9/2/2019 12:00:00 AM.

For additional information regarding this project, contact *Kao Vang, Planner Planner II*, Planning and Development Department, 2600 Fresno Street, Fresno, California 93721-3604, by phone at 559 621-8058 or via e-mail at Kao.Vang@fresno.gov. *Si necesita información en Español, comuníquese con McKencie Perez al teléfono (559) 621-8066 or email Mckencie.perez@fresno.gov.*

Buffered at:1000 Feet, Legal Notices, Owners
44627418

