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

April 21, 2021

Please reply to:
Jose Valenzuela
(559) 621-8070

Bill Robinson
Sol Development & Associates
bill@soldevelopment.com
(Sent via email only)

**SUBJECT: CONDITIONAL USE PERMIT APPLICATION NO. P20-02834 LOCATED AT
2020 WEST SHAW AVENUE (APN: 415-070-15S)**

Dear Mr. Robinson:

The City of Fresno Planning Commission, on April 21, 2021, approved Conditional Use Permit Application No. P20-02834, pertaining to ± 0.46 acres of vacant property. The approval was granted for the authorization to establish a California Alcoholic Beverage Control (ABC) Type 20 alcohol license which authorizes the sale of beer and wine for consumption off the premises where sold for an approved $\pm 3,011$ square-foot convenience store and service station.


The proposed project was determined to be exempt from the California Environmental Quality Act (CEQA) by the Planning and Development Department on April 21, 2021 through a Class 32 Categorical Exemption. The approval of this project is subject to compliance with 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 or certificate of occupancy:

Planner to check when completed		
<input type="checkbox"/>	1.	Development shall take place in accordance with Exhibits, A-1 and E-1 dated August 21, 2020. Transfer all red line notes, comments, conditions, etc. to the corrected exhibit(s) and submit to planner prior to sign off.
<input type="checkbox"/>	2.	Comply with the Cancel and Transfer requirements outlined in FMC 15-2706-S, prior to the issuance of alcohol license.
<input type="checkbox"/>	3.	Comply with the Fresno Police Department requirements listed in the attached memo dated September 9, 2020, prior to the issuance of

		occupancy.
	4.	Prior to issuance of building permits , the applicants will be required to 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.

PART B – OTHER REQUIREMENTS

1) Planning/Zoning/Environmental Compliance Requirements

- a) Development and operation shall take place in accordance with the attached “Notes and Requirements for Entitlement Applications” as applicable.
- b) Development shall take place in accordance with the policies of the Fresno General Plan, Bullard Community Plan, and with the Corridor/Center Mixed-Use planned land use designation.
- c) Development shall take place in accordance with the CMX (*Corridor/Center Mixed-Use*) zone district, and all other applicable sections of the Fresno Municipal Code.
- d) Development shall comply with FMC 15-2755, Service Stations.
- e) Development shall comply with FMC 15-2706, Alcohol Sales.
- f) Comply with the operational statement submitted for the proposed project dated August 21, 2020.

2) City and Other Services

Development shall take place in accordance with the attached memoranda and letters from the following City of Fresno Departments and partner agencies:

- Fresno Police Department/Northwest Division dated September 9, 2020;
- Fresno Unified School District dated August 24, 2020;
- County of Fresno Department of Public Health dated August 27, 2020.

3) Miscellaneous Requirements

- a) Building plans and permits are required.
- b) 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.
- c) Approval of this site plan 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 Development Permit process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this site plan or subsequent amendments or revisions.

BACKCHECK PROCESS

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

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 to set up an appointment to sign off 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 substituted 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

The exercise of rights granted by these special permits must be commenced by **April 21, 2024**, (three years from the date of approval). An extension of up to one additional year may be granted, provided that the findings required under FMC Section 15-5013-A.1 are made by the Director. All required 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,

Jose Valenzuela, Planner
Development Services Division

Enclosures: A-1 and E-1 dated August 21, 2020
Comments from Partner Agencies & Departments

Job Address File: 2020 West Shaw Avenue