
From: Kourtney Medlin <Kourtney@dplds.com>
Sent: Monday, August 31, 2020 3:28 PM
To: BOSComments
Cc: Kobayashi, Thomas; Dirk Poeschel
Subject: RE: CUP 3632 Board Hearing September 1, 2020 Item No. 7 Submittal
Attachments: Revised Operational Statement.pdf

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

Good afternoon Clerk,

Please use the attached operational statement for the presentation, rather than the one I emailed to you earlier. The operational statement attached is revised and reflecting the later date.

Thank you!!

*Kourtney S. Medlin, Planner
Land Development Services, Inc.
923 Van Ness Avenue, Suite 200
Fresno, CA 93721
Office: 559-445-0374
Fax: 559-445-0551
Email: kourtney@dplds.com*

I want to reassure our clients that we are still open and operational with full staff. Some of our team members are working remotely from home and others are at the office. We are actively working on our clients projects. Be well and stay safe.

From: Kourtney Medlin
Sent: Monday, August 31, 2020 1:59 PM
To: BOScomments@fresnocountyca.gov
Cc: Kobayashi, Thomas <tkobayashi@fresnocountyca.gov>; Dirk Poeschel <dirk@dplds.com>
Subject: CUP 3632 Board Hearing September 1, 2020 Item No. 7 Submittal

Good afternoon Clerk,

Please see the attached revised operational statement, letters of support, letter from the Coalinga City Manager, and video exhibits depicting traffic visibility for CUP 3632. The CUP will be heard tomorrow, September 1st, 2020, as Item No. 7.

If you have any questions or concerns, please do not hesitate to contact our office.

Thank you so much for all your assistance,

*Kourtney S. Medlin, Associate Planner
Land Development Services, Inc.
923 Van Ness Avenue, Suite 200
Fresno, CA 93721
Office: 559-445-0374
Fax: 559-445-0551
Email: kourtney@dplds.com*

I want to reassure our clients that we are still open and operational with full staff. Some of our team members are working remotely from home and others are at the office. We are actively working on our clients projects. Be well and stay safe.

**Coalinga Swap Meet
Conditional Use Permit No. 3632 Operational Statement**

**Revised June 10, 2020
(Changes are in bold)**

Applicant: Mr. Luis Bravo
3251 N. Marks Ave,
Fresno, CA 93703

**Property Owner/
Project Operator:** Mr. Rito Gutiérrez
Gutiérrez Properties, LLC
195 W. Elm Ave.
Coalinga, CA 93210

Representative: Dirk Poeschel Land Development Services, Inc.
923 Van Ness Ave., Suite 200
Fresno, CA 93721

APN: 073-090-20S

Zoning: AE-40 (Exclusive Agriculture)

Area: 78.18 +/- acres

Plan Area: Agriculture

Location: 23436 W. Jayne Ave.
Coalinga, CA 93210

REQUEST

Approve Conditional Use Permit No. 3632 to allow an agricultural commercial center consisting of an approximately 6 +/- acre flea market with related improvements on a 78.18 +/- acre parcel.

BACKGROUND

1. Nature of Operation –what do you propose to do? Describe in detail.

To provide a place for people who want to sell or barter merchandise such as used goods, collectibles, antiques, etc. in a family atmosphere. Merchandise will be sold in designated areas or under a tent provided by the specific vendor. Snacks, drinks, and beer will be sold in a custom food truck that will meet all county

codes and standards. Temporary canopies and shades will be provided by vendors.

2. Operational time limits:

The flea market will be open on the weekends only (Friday, Saturday and Sunday), from 5.00 AM to 10.00 PM. Vendors will arrive at 5AM or thereafter with customers arriving no earlier than 6AM. **The site will close with all sales activities terminating by 9pm with the site vacated by 10 pm.**

Alcohol can only be purchased from 11AM to **8:00PM**. No off-site sale of liquor will occur.

Alcohol sales will not occur during the first year of operation. If after the one year period there have been no unreasonable complaints about the project, alcohol can be sold on the premises as originally permitted as described above.

3. Number of customers or visitors:

500 per day. The applicant will contract with the California Highway Patrol to provide an off-duty, uniformed officer to assist with traffic management as required.

4. Number of employees:

There will be a total of 5 employees that will work Friday, Saturday, and Sunday. Some incidental site maintenance may occur during the week.

5. Service and delivery vehicles:

An estimated 100 vendors with small cargo vans or light duty trucks with merchandise for sale.

6. Access to the site:

The site is adjacent to W. Jayne Avenue, a public road.

7. Number of parking spaces for employees, customers, and service/delivery vehicles.

There will be 200 parking spaces. The surface on the parking area is compacted dirt with overlay of grinded gravel to prevent dust.

8. Are any goods to be sold on-site? If so, are these good grown or produced on-site or at some other location?

Used goods, collectibles, antiques, etc. will be sold. Merchandise will be sold in designated areas or under a tent provided by the specific vendor. Snacks, drinks, and beer will be sold in a custom food truck that will meet all county codes and standards.

9. What equipment is used?

None.

10. What supplies or materials are used and how are they stored?

Restroom sanitation supplies will be stored in the restrooms.

11. Does the use cause an unsightly appearance?

No.

12. List any solid or liquid wastes to be produced.

Refuse and recycling bins will be provided in a refuse enclosure.

13. Estimated volume of water to be used (gallons per day).

Water will be provided from existing well in good condition. 300 gallons are estimated to be used per day.

14. Describe any proposed advertising including size, appearance, and placement.

A 4' x 8' sign will be put in front of the entrance to the flea market.

15. Will existing buildings be used or will new buildings be constructed?

There are no existing buildings on the site. Both men and women ADA restrooms will be constructed. Future 100'x200' canopy is proposed to be built in the next 2 years.

16. Explain which buildings or which portion of buildings will be used in operation.

None.

17. Will any outdoor lighting or an outdoor sound amplification system be used?

There will be a new 200 Amp 3 phase 120-240 breaker panel installed for outdoor lighting. There will be no amplified music.

18. Landscaping or fencing proposed?

A security fence surrounding the flea market and proposed green open area fronting W. Jayne Ave.

19. Any other information that will provide a clear understanding of the project or operation.

The facility will be operated by the property owner and his family. Security and safety are very important to create a family atmosphere. Professional security services will be hired, as necessary.

In accordance with recommendations from the Fresno County Sheriff's office, to deter the sale of stolen property, the applicant will institute screening of all vehicles entering the site.

In accordance with recommendations from the Fresno County Sheriff's office, the applicant will also implement measures to prevent the sale or receipt of stolen property occurring on site.

The applicant will welcome any unannounced visitation by the sheriff for enforcement matters.

20. Identify all Owners, Officers and/or Board Members for each application submitted.

Mr. Rito Gutiérrez
c/o Gutiérrez Properties, LLC
195 W. Elm Ave.
Coalinga, CA 93210



CITY OF COALINGA
The Sunny Side of the Valley

April 13, 2020

To Whom It May Concern,

Please accept this letter of recommendation on behalf of Mr. Rito Gutierrez, a local business owner with several businesses located within the City of Coalinga.

During the last five years that I have known Mr. Gutierrez, he has always worked very hard to bring in new services to the City that add value to the community. He is very accessible, easy to work with, and he supports local community events and City efforts.

If you have any questions or concerns, I can be reached at (559) 935-1533 extension 111 or via email at mtrejo@coalinga.com.

Thank you.

Sincerely,

Marissa Trejo
City Manager

March 5, 2020

Flea market is 23436 W Jayne Ave

To whom it may concern,

The business plan that Rito came in to discussed regarding building a site that individual sellers could bring in an open flea market form and local residence could have the chance to purchase sounded like something that could do well.

I do believe that in this area with limited retail it would serve not only Coalinga but Huron and Avenal as well.



James Jacobs
Loan Officer
Cell 559-286-5003
195 Elm Street Sult 104
Coalinga Ca 93210
Office 559-934-1175 Fax 559-934-1195
Broker CA DRE # 01819505
NML# 255421/1850

Vice Chairman
City of Coalinga Planning Commission



Hanford Branch
MAC A0858-011
200 West 7th Street
Hanford, CA 93230

Tel: 559 582 4444
Fax: 559 582 1767

March 5, 2020

Re: Jose Rito Gutierrez Gomez
2016 Yale Ave
Coalinga CA, 93210

To Whom It May Concern:

This letter is verification that the Customer listed above has the following deposit account that was opened on 06/12/2002:

Consumer Checking account 556930147

Routing Number 121042882

If you have any questions, please call me at (559) 582-4444.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joanne Toledo", written in dark ink.

Joanne Toledo

Service Manager

Together we'll go far



March 5, 2020

To whom it may concern,

I would like to take the time to express my thoughts regarding the proposed project at 23436 W. Jayne Ave. Coalinga, Ca. 93210, as a Flea Market location.

I am a Real Estate Broker in Coalinga Ca. Fernandez Real Estate has sold property to Mr. Gutierrez through out the past fifteen years. I am and continue to be surprised by Mr. Gutierrez, vision and commitment to The City of Coalinga and it's surrounding communities.

Mr. Gutierrez has always purchased properties with the community in mind. His thought process has always been how can he improve the property. How can he create jobs, how can purchasing a particular property benefit the community? How can he help keep those in need.

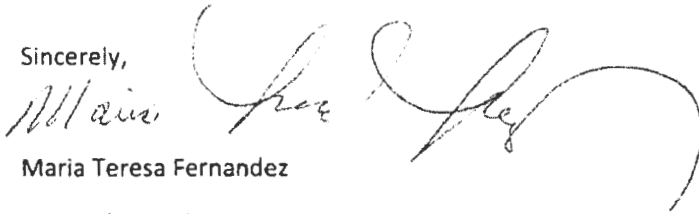
The City of Coalinga is currently lacking recreational locations for the community and commerce. A Flea Market location in Coalinga is a great idea. The surrounding communities Huron, Avenal, Greenfield and all living in the in between area would benefit from having a Flea Market nearby.

Having a place for local vendors to show case home made items other than the local annual carnival and Christmas boutique would be giving them a way to increase business for themselves.

The location is outside of city limits and centrally located from the communities mention above and would not create a disturbance to the City's residential zone. In fact the location is ideal for those traveling on I-5 that need to take a break from driving long distances.

In my opinion I would look forward to having the Flea Market here with in driving distance. Many like myself that prefer not to drive to the big City of Fresno and or Hanford if not necessary.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maria Teresa Fernandez", written in black ink.

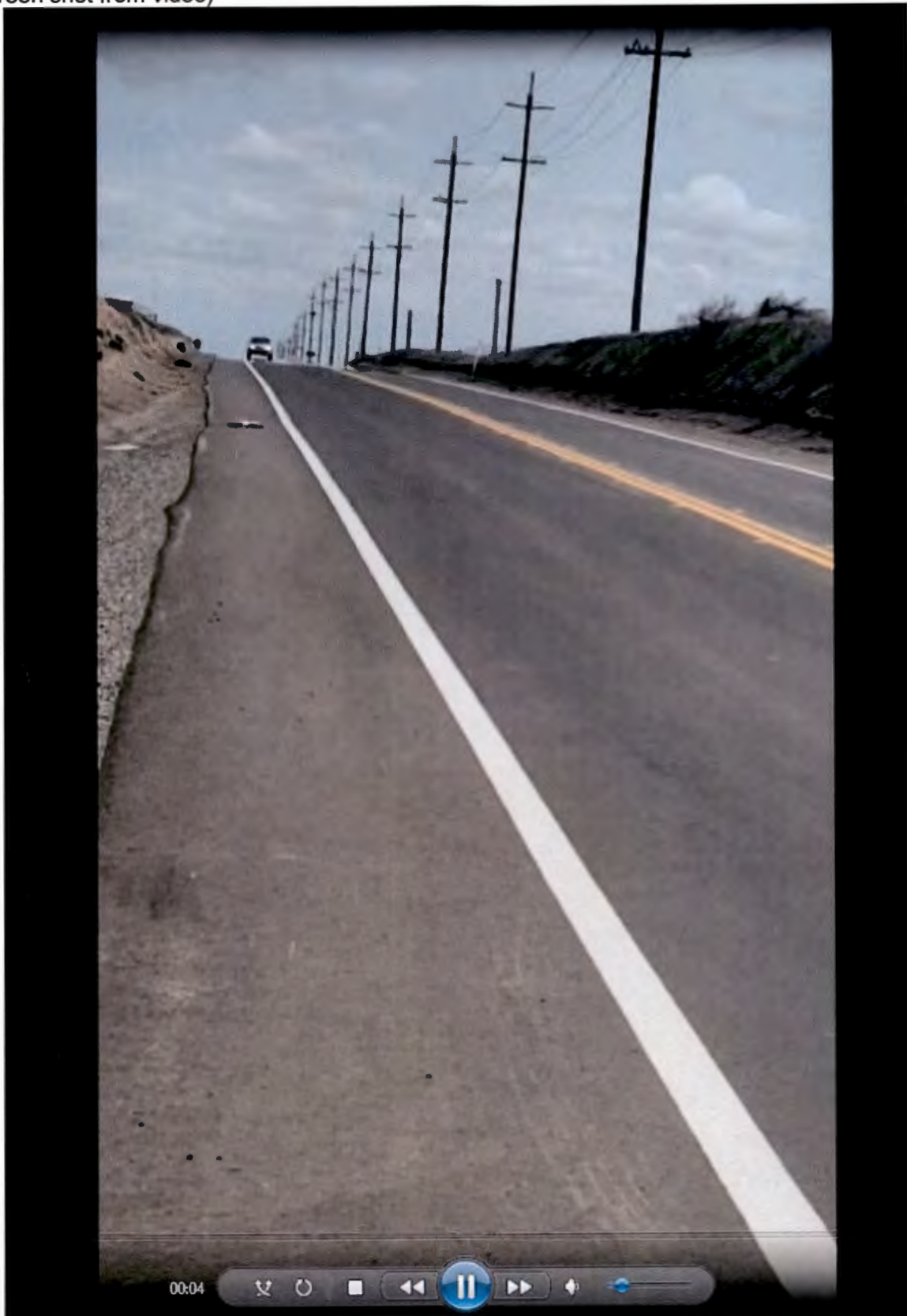
Maria Teresa Fernandez

Fernandez Real Estate
390 Coalinga Plaza
Coalinga, Ca. 93210

Traffic coming from Coalinga (West)
(screen shot from video)



Traffic coming from Freeway 5 (East)
(screen shot from video)



From: Carl Refuerzo <crefuerzo@wtjlaw.com>
Sent: Monday, August 31, 2020 4:50 PM
To: BOSComments
Cc: Kobayashi, Thomas
Subject: September 1, 2020 Board of Supervisors Meeting - Board Agenda Item #7

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

Re: Board Agenda Item 7: Opposition to Appeal of Planning Commission's denial of Classified Conditional Use Permit, Application No. 3632

Date of Hearing before the Board of Supervisors: September 1, 2020.

This Opposition is submitted on behalf of our client, Rain, LLC, a landowner/farmer near the proposed site. The denial of the CUP by the Planning Commission should be affirmed:

1. Potential use and value of neighboring properties would be diminished due to the aesthetics, traffic, alcohol sales and noise associated with the project.
2. Risk to both person and property will be impacted by the flea market.
 - A. Farm equipment will be vulnerable to theft and quick disposal at the flea market.
 - B. Increase in traffic poses a safety risk due to the frequent use of the roads by farm equipment.
 - C. This area is a habitat corridor for endangered species. The Staff Report does not adequately address the threat to endangered species.
 - D. Valley Fever has been reported in or near the location of the project. The Staff Report does not address risks posed by the project in an area where Valley Fever is prevalent. The parking lot will be dirt and gravel.
3. Services similar to those proposed for the flea market could be better accommodated in Coalinga, which is located near the site.
4. The proposal does not adequately address the safety concerns posed by the sale of alcohol. The proposal states that the sale of beer will be limited to one beer per customer, but is void of any explanation as to how this limitation will be enforced.
5. Other than the applicant, there was no testimony or other support of the application.

Regards-



Carl R. Refuerzo
Attorney

559-753-2559 (Direct)
crefuerzo@wtjlaw.com

8050 N. Palm, Suite 110
Fresno, CA 93711
559-753-2550 (Phone)
559-753-2560 (Fax)
www.wtjlaw.com

Proof of Service by Mail

(Code of Civil Procedure § 1013a)

I, Lisa Craft, declare as follows:

1. I am over 18 years of age and not a party to the matter connected with this proof of service.
2. I am employed by the County of Fresno in the office of the Clerk of the Board of Supervisors, at 2281 Tulare Street, Room 301, in Fresno, California 93721.
3. On August 12, 2020, I served the attached Notice of Hearing before the Board of Supervisors of the County of Fresno for the **INITIAL STUDY APPLICATION NO. 7568** and **CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3632** filed by **LUIS BRAVO** on behalf of **RITO GUTIERREZ**.
4. I served the documents by enclosing them in an envelope and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
5. The envelopes were addressed and mailed to each of the owners at their addresses, as shown on the current Fresno County Assessment Roll and on the property list compiled from said rolls, as set forth on the attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 12th day of August, 2020 in Fresno, California.



Deputy, Clerk of the Board

The original proof of service, including the list of persons and their addresses to whom notice was mailed, is maintained by Public Works staff.



County of Fresno

BOARD OF SUPERVISORS

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District Four

Vice Chairman
Steve Brandau
District Two

Brian Pacheco
District One

Sal Quintero
District Three

Nathan Magsig
District Five

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Clerk

NOTICE OF PUBLIC HEARING

DUE TO THE CURRENT SHELTER-IN-PLACE ORDER COVERING THE STATE OF CALIFORNIA AND SOCIAL DISTANCE GUIDELINES ISSUED BY FEDERAL, STATE, AND LOCAL AUTHORITIES, THE COUNTY IS IMPLEMENTING CHANGES FOR ATTENDANCE AND PUBLIC COMMENT AT ALL BOARD OF SUPERVISORS MEETINGS UNTIL FURTHER NOTICE. PLEASE SEE NOTES BELOW FOR MORE INFORMATION ON HOW TO SUBMIT WRITTEN COMMENTS.

Notice of hearing before the Board of Supervisors of the County of Fresno on **INITIAL STUDY APPLICATION NO. 7568** and **CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3632** filed by **LUIS BRAVO** on behalf of **RITO GUTIERREZ**, pursuant to Board of Supervisors direction.

Notice is hereby given that the Board of Supervisors of the County of Fresno has set this hearing for **Tuesday, the 1st day of September, 2020**, at the hour of **9:00 A.M. (or as soon thereafter as possible)**, in the **Board of Supervisors Chambers**, Room 301, Hall of Records, 2281 Tulare St., Fresno, California, as the time and place for holding a public hearing on the following matter:

Allow a flea market with related improvements on an approximately six-acre portion of a 78.18-acre parcel in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District. The project is located on the north side of W. Jayne Avenue approximately 2,556 feet west of its intersection with El Dorado Avenue and 6.4 miles east of the nearest city limits of City of Coalinga (23436 W. Jayne Avenue, Coalinga) (Sup. Dist. 4) (APN 073-090-20S). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7568, and take action on Classified Conditional Use Permit Application No. 3632 with Findings and Conditions.

Please see map on reverse side

For more information contact **Ejaz Ahmad**, Department of Public Works and Planning, 2220 Tulare Street (corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone **(559) 600-4204**, email **eahmad@FresnoCountyCA.gov**.

The full text of this Public Hearing will be available on the Fresno County website <https://fresnocounty.legistar.com/Calendar.aspx> under the September 1, 2020 meeting at the Meeting Details link by Wednesday, August 26, 2020.

NOTES:

- Anyone may testify, please share this notice with your neighbors or anyone you feel may be interested.
- The Board of Supervisors will also accept written testimony such as letters, petitions, and statements. In order to provide adequate review time for the Board of Supervisors, please submit these documents to the Clerk of the Board prior to the hearing date.

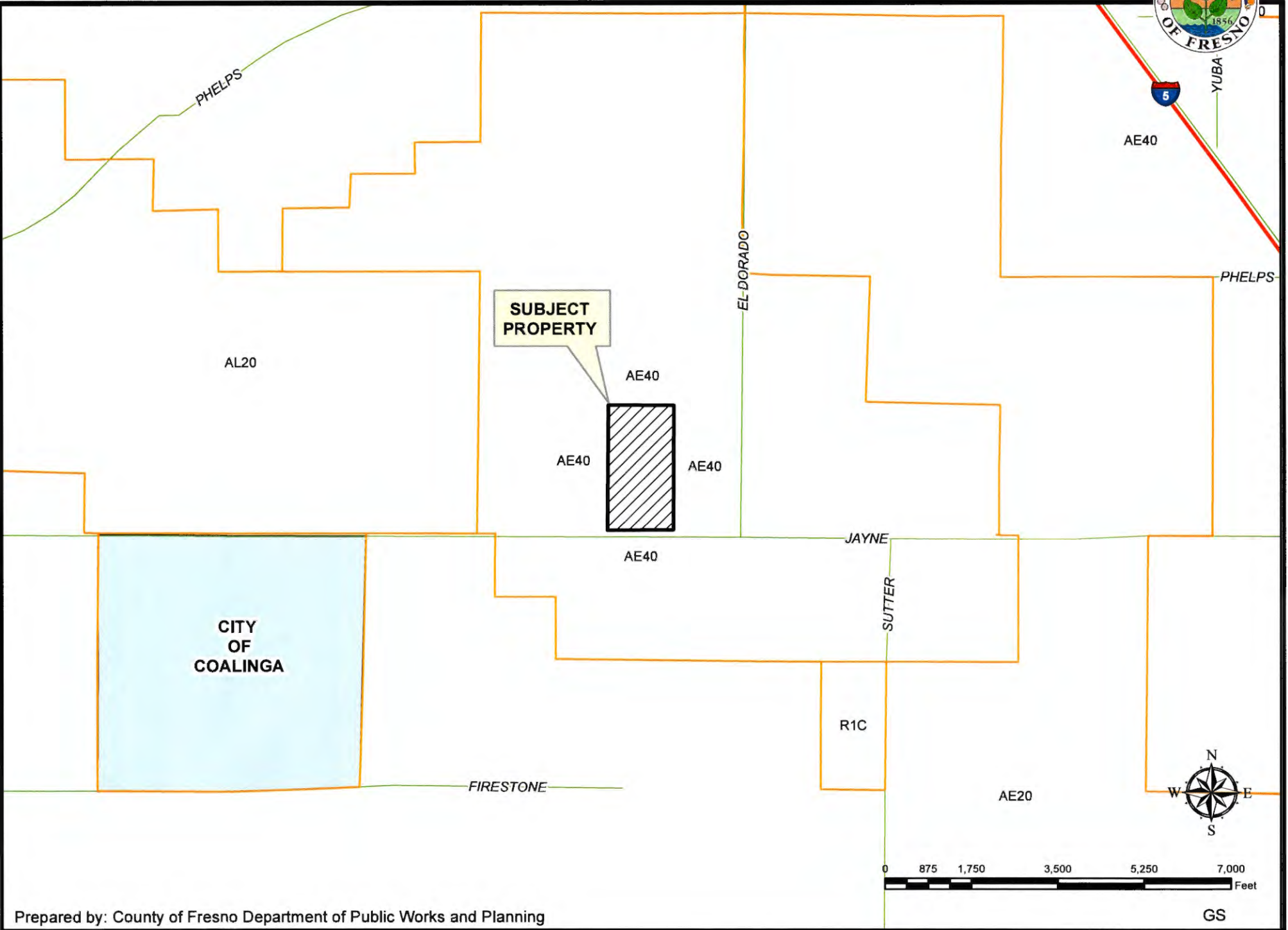
- If at some later date you challenge the final action on this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

DATED: August 12, 2020

BERNICE E. SEIDEL
Board of Supervisors

By Rose Cruff, Deputy

EXISTING ZONING MAP



(15)

CUP 3632 9SurPOs 1320ft	Addr1	Addr2	Addr3
CALIFORNIA RESOURCES PRODUCTION CORP	27200 TOURNEY RD #200	SANTA CLARITA CA 91355	
CHEVRON USA INC	P O BOX 1392	BAKERSFIELD CA 93302	
GUTIERREZ PROPERTIES LLC	195 W ELM #A	COALINGA CA 93210	
MECCHI DAVID TRS	5110 WORMAN RD	AHWAHNEE CA 93601	
MOUREN WILLIAM J FARMING INC	35244 OIL CITY	COALINGA CA 93210	
OLIVAS JOHNNY & EDNA F	40399 S EL DORADO	COALINGA CA 93210	
PLAINS EXPLORATION & PRODUCTION	ATTN PROP TAX DEPT	P O BOX 1392	BAKERSFIELD CA 93302
TUG LP	11102 AVE 264	VISALIA CA 93277	
VIOLETTE JUDITH O TRUSTEE	160 CAPRI ST	MORRO BAY CA 93442	
Rito Gutierrez	195 W. Elm Avenue	Coalinga CA 93210	
Luis Bravo	3251 N. Marks Avenue	Fresno Ca 93722	
CHRIS ACREE, DUMNA WO WAH	262 N. GLENN AVENUE	FRESNO, CA 93701	
LABORERS INTL UNION OF N. AMERICA, LOCAL UNION 294	1939 HARRISON STREET	SUITE 150	OAKLAND, CA 94612
ROBERT LEDGER, DUMNA WO WAH	2191 W. PICO AVENUE	FRESNO, CA 93705	
Land Development Services, Inc.	c/o Dirk Poeschel, AICP	923 Van Ness Ave., Suite 200	Fresno, CA 93721