



Inter Office Memo

ATTENTION: FOR FINAL ACTION OR MODIFICATION TO OR ADDITION OF CONDITIONS, SEE FINAL BOARD OF SUPERVISORS' ACTION SUMMARY MINUTES

DATE: July 18, 2024

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: Resolution No. 13047 – Initial Study No. 8307, General Plan Amendment Application No. 566, Amendment Application No. 3850, Variance Application No. 4140, and Tentative Tract Map Application No. 6420

APPLICANT: Elegant Estates, LLC

OWNER: Vintage on the Bluff, LLC

REQUEST: Amend the General Plan land use designation of a 15.24-acre parcel and a 21.18-acre parcel from Agriculture to Rural Residential; and

Approve an Amendment Application rezoning parcels from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the R-R (Rural Residential, two-acre net minimum parcel size) Zone District; and

Approve Tentative Tract Map No. 6420 for a 16-lot residential development with an exception for private road width and minimum centerline road curve radius per County Ordinance Code 17.72.333-A; and

Approve a Variance to waive the public road frontage requirement and the 4 to 1 lot depth to lot width ratio requirement for the lots.

LOCATION: The subject parcels are located on the southeast corner of Friant Road and Willow Avenue, approximately 1,870 feet north of the City of Fresno boundary (APN: 579-060-37; 55) (12760 and 12762 N. Friant Road) (Sup. Dist. 2).

PLANNING COMMISSION ACTION:

At its hearing of April 25, 2024, the Commission considered a request by the Applicant to continue the item to a date uncertain to allow time for neighborhood meetings and making changes to the proposed project. However, during public presentation portion of the meeting a member of the public requested to speak and submitted a letter to the Commission which cited

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that the staff report contains outdated General Plan policies and requested those policies to be replaced with current policies.

A motion was made by Commissioner Abrahamian and seconded by Commissioner Arabian to continue the item to a date uncertain as requested by the applicant to allow time for additional neighborhood meetings and the sharing of information with area residents as well as making changes to the project specifically adding restrictions and requirements relating to water, landscaping, fencing, and lighting.

The motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Arabian, Borchardt, Chatha, Hill, Quist, Woolf
	No:	None
	Absent:	Commissioners, Carver, Zante
	Abstain:	None

At its hearing of July 18, 2024, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Borchardt and seconded by Commissioner Whelan to adopt the Mitigated Negative Declaration for the project, based on Initial Study No. 8307, adopt the recommended Findings as described in the staff report, and approve General Plan Amendment Application No. 566, Amendment Application No. 3850, Variance Application No. 4140, and Tentative Tract Map Application No. 6420.

The motion failed (technical denial) on the following vote:

VOTING:	Yes:	Commissioners Borchardt, Whelan, Arabian, Hill
	No:	Commissioners Carver, Chatha, Quist
	Absent:	Commissioners Abrahamian, Zante
	Abstain:	None

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

By: 
 Chris W. Motta, Manager
 Development Services and Capital Projects Division

Attachments

EXHIBIT A

Initial Study No. 8307
General Plan Amendment Application No. 566
Amendment Application No. 3850
Variance Application No. 4140
Tentative Tract Map Application No. 6420

Staff: The Fresno County Planning Commission considered the Staff Report dated July 18, 2024, and heard a summary presentation by staff.

Applicant: The Applicant and his representatives concurred with the Staff Report and the recommended Conditions. They described the project and offered the following information to clarify the intended use:

- The project site has been an irrigated pasture for the past 50 years.
- We have followed the Fresno County hydro-geological standards for water well testing for the project; wells were tested in the area at 90 feet depth; the higher aquifer is at 75 feet. The wells across the street below Friant Road elevation draw from a lower aquifer at 450 feet.
- The bluff on the property is 90 feet higher than Friant Road. At 450 feet depth from bluff is a bedrock and water level below bedrock is 180 feet deep; most wells on the tract will tap into this aquifer.
- Our project is water neutral and will conserve water by using artificial turf, recharging septic tank effluent, and by capturing stormwater runoff.
- We have responded to the opposing party's geologist comment on our hydro-study; the comments are based on State's standards for community water system while our project utilizes individual well permitted by County. Also, we have met with neighbors and to accommodate their concerns have reduced the number of proposed lots from 18 to 16.
- The project was coordinated with the Fresno Metropolitan Flood Control District.
- As most lots consist of the bluff; homes will be built on top of the bluff with the bottom of the bluff remaining in natural state; our modified fencing and lighting requirements are included in the project's Operational Statement.
- We will have CC&R's (Covenants, Conditions, and Restrictions) for the project; water conservation will be implemented through a Covenant as part of the CC&R's.
- The project will pay for its pro-rata share for improvements at Friant Road and Willow Avenue.
- The three existing wells on the property will be abandoned or be utilized for fire suppression purposes.

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- A certified biologist has conducted a site survey; the survey report was provided to the California Fish & Wildlife and the US Fish & Wildlife but received no comments from them.

Others:

No individuals presented information in support of the project.

Four individuals presented information in opposition of the applications by indicating that:

- American badgers were sighted in the area, the data used for the hydro-study is stale, the property is affected by erosion and landslides, onsite water storage is needed for fire sprinkler, and the project's closeness to Friant Road and Willow Avenue poses a traffic hazard.
- The groundwater level in the area has been dropping since 2022, the project will impact viewscales, and the amount of anticipated stormwater collection for conservation purposes should be investigated.
- Property owners in the area have re-drilled wells due to drop in the groundwater level, a community water well could be a better option than individual wells, and water conservation should be monitored.
- The hydro-study is not reliable, the project will not be water neutral without reliable data backing it up, bio-studies shall not be conducted until prior to the project approval, viewscales should be studied, choosing the location of a housing pad shall be up to the homeowners, a new hydro-study should be conducted for the proposed 16 lots, wells between 200 to 400 feet deep belonging to 30 homeowners within four-miles have gone dry, all project-related issues should be resolved between the developer and property owners, and the project may require an Environmental Impact Report..

Correspondence:

The Planning Commission was presented with two letters opposing the applications. The first letter, accompanying a response from the applicant, indicated that the project would add to the declining water table in the area and the intersection of Friant Road and Willow Avenue shall be signalized to minimize traffic accidents. The second letter highlighted issues relating to water impacts, aesthetics, and biological resources.

No other correspondence was received in support of or opposition to the project.

CWM:ea:jp

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