



Inter Office Memo

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

DATE: December 16, 2021

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: Resolution No. 12920 - Initial Study No. 7664, Classified Conditional Use Permit Application No. 3655

APPLICANT/
OWNER: Daulat Sandhu

REQUEST: Allow a Rural Commercial Center consisting of a convenience store/fast-food restaurant and a gasoline fueling facility (fuel island canopy with gasoline pumps) and related improvements on an approximately 1.78-acre portion of a 4.99-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northwest corner of W. Belmont and N. Cornelia Avenues approximately 2,190 feet south of the nearest city limits of the City of Fresno (APN: 312-390-13) (5064 W. Belmont Avenue) (Sup. Dist. 1).

PLANNING COMMISSION ACTION:

At its hearing of December 16, 2021, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Zante and seconded by Commissioner Hill to deny the Classified Conditional Use Permit No. 3655 citing that Finding No. 4 relating to the project consistency with General Plan Policy LU-E, Criteria c. d. and f cannot be made because of an existing commercial use being within two miles of the project site.

EXHIBIT A

Initial Study No. 7664
Classified Conditional Use Permit Application No. 3655

- Staff: The Fresno County Planning Commission considered the Staff Report dated December 16, 2021 and heard a summary presentation by staff.
- Applicant: The property owner and his representative disagreed with the Staff Report and staff's recommendation. They described the project and offered the following information to clarify the intended use:
- We bought the property with a single-family residence five to six years ago; the house was destroyed by fire.
 - We wanted to build single-family homes on the property; however, the area was found to be unsafe for residential development.
 - The project will allow the local population to buy food, fuel and other merchandise without having to drive a long distance.
 - We will not be selling beer or wine on the property (at least for now).
 - We contacted 20 to 30 neighbors, mostly living within two miles of the project site, and they are in favor of the project.
 - The project will be provided with a curb, gutter and sidewalk to improve the intersection of Belmont and Cornelia Avenue.
 - Belmont Avenue is in good condition and can handle traffic generated by the project.
 - The project will add improvements to the area and will generate sales tax.
 - The project was intended to connect to City of Fresno water and sewer services, but due to Fresno Irrigation District's inability to provide water to the area until year 2035, the project will be served by a new onsite septic system and well.
 - The onsite ponding basin was designed to accommodate storm water runoff from proposed and future development on the property; the project site will not be utilized for truck parking.

RESOLUTION # 12920

Others: No other individuals presented information in support of the application.

Seven individuals from the surrounding area presented information in opposition to the project citing that:

- The project is not needed in a rural residential area; similar commercial establishments already exist within two miles of the project site.
- The roads serving the site are in poor condition and cannot accommodate additional traffic generated by the proposal.
- The property owner did not discuss the proposed project with other property owners in the area.
- The property owner has failed to remove graffiti from a mobile home on the property; graffiti is an eye sore for the area.
- Should this be approved, the area will be impacted by exhaust at the fueling facility, noise, graffiti, vandalism, theft, increased vehicle headlights, and illumination at the project site, all of which will decline the property value in the area.
- The project will attract homeless people and will increase vandalism in the area.
- Water consumption by the project will impact the groundwater table which already has dropped 60 feet since 1994.
- Unattended trash from the business operation will litter roadways and neighboring properties.

Correspondence: A signed petition was presented to the Planning Commission in support of the application; however, the petition did not define reasons for the support.

Several letters were presented to the Planning Commission in opposition to the application citing that similar commercial uses are located within two miles of the project site; the project will attract more commercial uses in the area, and the project will lead to greater noise, additional traffic, congestion and vehicle exhaust, increased water usage, and crime in the area; there also was an on-line petition in opposition to the application that included 40 names.