



Inter Office Memo

DATE: April 13, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12642 - INITIAL STUDY APPLICATION NO. 6749 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3421

APPLICANT: Francisco Nunez

OWNER: Romelia Nunez

REQUEST: Allow a High-Intensity Park consisting of a horse racing facility including concession stands and mobile food vendors on 11.32 acres of land in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the southeast corner of Althea Avenue and Cambria Avenue, approximately 13 miles west of the nearest city limits of the City of Firebaugh (49993 W. Althea Avenue) (Sup. Dist. 1) (APNs 004-130-25, 004-130-26, 004-140-23, 004-140-24, 004-140-25, 004-140-26).

PLANNING COMMISSION ACTION:

At its hearing of April 13, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Borba and seconded by Commissioner Lawson to adopt the Mitigated Negative Declaration prepared for the project, adopt the required Findings for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3421, subject to the conditions of approval listed in the Staff Report with the inclusion of additional conditions to require security to be contracted with the Fresno County Sheriff's Department or equivalent, and require a large animal veterinarian to be within a 15-minute drive of the park on each event day.

RESOLUTION NO. 12642

This motion failed on the following vote:

- VOTING: Yes: Commissioners Borba, Lawson and Ede
- No: Commissioners Abrahamian, Chatha, Mendes and Vallis
- Absent: Commissioners Eubanks and Woolf
- Abstain: None

A subsequent motion was made by Commissioner Abrahamian and seconded by Commissioner Mendes to deny Unclassified Conditional Use Permit No. 3421.

This motion passed on the following vote:

- VOTING: Yes: Commissioners Abrahamian, Mendes, Chatha, Ede and Vallis
- No: Commissioners Borba and Lawson
- Absent: Commissioners Eubanks and Woolf
- Abstain: None

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

By:  _____
 William M. Kettler, Manager
 Development Services Division

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Attachments

EXHIBIT A

Initial Study Application No. 6749
Unclassified Conditional Use Permit Application No. 3421

Staff: The Fresno County Planning Commission considered the Staff Report dated April 13, 2017, and heard a summary presentation by staff.

Applicant: The Applicant did not concur with the Staff Report. She described the project and offered the following information:

- There is a \$1 million dollar insurance policy that will cover the proposed horse racing events.
- The proposed horse racing events are family oriented; on Halloween I have trick-or-treaters at the ranch.
- The compadres want to get together and they love their animals.
- The history of law enforcement issues with the horse racing events have been a series of misunderstandings.
- Gambling is not allowed at the horse racing events.
- We have a permit to sell beer (and no off-site alcohol is allowed) at events.

Others: One other individual presented information in support of the application stating that gambling is not allowed at horse racing events, and also asserted that the Applicant would work with the Sheriff's Department to deal with issues such as intoxicated patrons.

Lieutenant John Reynolds with the Fresno County Sheriff's Department spoke in opposition to the application citing a history of arrests and illegal activities suspected to be connected with unpermitted horse racing events hosted at the subject property.

Correspondence: No additional letters were presented to the Planning Commission in support of or in opposition to the application.

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County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

May 24, 2017

Francisco Nunez
3321 Aramis Drive
San Jose CA 95127

Dear Applicant:

Subject: Resolution No. 12642 - Initial Study Application No. 6749 and Unclassified
Conditional Use Permit Application No. 3421

On April 13, 2017, the Fresno County Planning Commission denied your Unclassified
Conditional Use Permit. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the
Planning Commission's decision is final.

If you have any questions regarding the information in this letter please contact me at
dchambers@co.fresno.ca.us or 559-600-4204.

Sincerely,

Derek Chambers, Planner
Development Services Division

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Enclosure