



Inter Office Memo

DATE: January 26, 2017
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12624 - INITIAL STUDY APPLICATION NO. 7121 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3530

APPLICANT/
OWNER: Robert Bagdasarian

REQUEST: Allow a High-Intensity Park (event facility) on a 40-acre property in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of Greenwood Avenue, between Central Avenue and American Avenue, approximately one quarter-mile southwest of the nearest city limits of the City of Sanger (4276 S. Greenwood Avenue) (SUP. DIST. 4) (APNs 332-061-52S, 332-061-53S).

PLANNING COMMISSION ACTION:

At its hearing of January 26, 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. 3530, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12624

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Borba, Lawson, Abrahamian, Chatha, Eubanks, Hill, Mendes, Pagel and Woolf
	No:	None
	Absent:	None
	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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- NOTE:
1. The Commission's action is final unless an appeal is filed with the Clerk to the Board of Supervisors within 15 days of the Planning Commission's action.
 2. The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study Application No. 7121
Unclassified Conditional Use Permit Application No. 3530

- Staff: The Fresno County Planning Commission considered the Staff Report dated January 26, 2017, and heard a summary presentation by staff.
- Applicant: The Applicant concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information:
- State Drinking Water permitting has been completed for the existing winery and proposed High-Intensity Park.
 - An acoustical analysis was prepared for the proposed High-Intensity Park which confirms that the use can be operated in compliance with County Noise Standards.
 - There is existing landscaping comprised of trees located along the western property line which is irrigated by a drip irrigation system.
 - The proposed building will provide restroom facilities; however, the primary purpose of the proposed building is barrel storage.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: Seven letters in support of the application were presented to the Planning Commission by the Applicant, and no letters in opposition of the application were presented to the Planning Commission.

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EXHIBIT B

Mitigation Monitoring and Reporting Program
Initial Study (IS) Application No. 7121 / Unclassified Conditional Use Permit (CUP) Application No. 3530
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	Prior to occupancy, the developer of the High-Intensity Park operation shall provide an irrigation system and drought-tolerant landscaping along the west side of the proposed outdoor assembly area. Said landscaping shall be maintained in a healthy condition and shall consist of trees and shrubs of adequate size and density to provide visual screening of the outdoor assembly area from Greenwood Avenue. If the amount of landscaping provided to satisfy this requirement is equal to or greater than 500 square feet, the developer of the High-Intensity Park operation shall comply with California Code of Regulations Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO).	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing
*2.	Aesthetics	All outdoor lighting shall be hooded and directed as to not shine toward adjacent properties and roads.	Applicant	Applicant/PW&P	Ongoing
*3.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant	Ongoing
*4.	Geology and Soils	The septic system proposed for the High-Intensity Park use shall be designed and installed in accordance with California Well Standards, California Plumbing Code, and the Yamabe & Horn Engineering, Inc. Sewage Feasibility Analysis Report dated September 13, 2016, or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division. As per California Well Standards, the horizontal separation distance between any watertight septic tank or subsurface	Applicant	Applicant/PW&P/ Fresno County Department of Public Health	Ongoing

		leaching field and water wells is 100 feet. Any changes in the proposed project may require additional review to ensure adequacy of the septic system's capacity to serve the proposed changes.			
*5.	Geology and Soils	The septic system proposed for the High-Intensity Park use shall not be used as a septic dumpsite. No portable toilet waste, recreational vehicle (RV) or septic pumping vehicle shall empty the contents of their septic holding tanks into the septic system designed for the High-Intensity Park use.	Applicant	Applicant/PW&P/ Fresno County Department of Public Health	Ongoing
*6.	Noise	The acoustical analysis submitted for the project indicates operations of the High-Intensity Park use shall comply with Fresno County Noise Ordinance. In concurrence with the Applicant's operational statement, all amplified microphone use and/or sound amplification shall cease by 10:00pm.	Applicant	Applicant	Ongoing
*7.	Transportation/ Traffic	Operation of the proposed High-Intensity Park use shall be in conformance with the Traffic Management Plan prepared for said use by Yamabe & Horn Engineering, Inc.	Applicant	Applicant	Ongoing

Conditions of Approval

1. Development and operation shall be in substantial conformance with the approved Site Plan, Floor Plan, Elevation Drawings and Operational Statement, except as modified by the Conditions of Approval and Site Plan Review.
2. Prior to issuance of Building Permits, a Site Plan Review (SPR) shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, and lighting.
3. Prior to completion of the Site Plan Review (SPR) for the High-Intensity Park, proof shall be submitted by the Applicant/Operator that a Wastewater Discharge Permit or Permit Waiver has been obtained from the California Regional Water Quality Control Board for the existing winery operation located on the 1.00-acre Life Estate identified as APN 332-061-53S.
4. Prior to issuance of Building Permits, the owner of the subject property shall enter into a Covenant with the County of Fresno acknowledging that the property owner is aware of the Fresno County Right-to-Farm Notice (Fresno County Ordinance Code Sections 17.04.100 and 17.72.075).

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

Notes

- The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.**
1. 10-foot by 10-foot corner cutoffs shall be maintained for sight distance purposes at any driveway accessing Greenwood Avenue.

Notes

2.	An Encroachment Permit shall be required from the Road Maintenance and Operations Division for any work performed within the County right-of-way.
3.	Plans related to construction and development of the project prepared by a licensed design professional shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits, and necessary inspections.
4.	Any additional run-off generated by development cannot be drained across property lines, and must be retained on site per County Standards.
5.	A Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal.
6.	Mobile food vendors proposed to operate at the High-Intensity Park shall obtain operational permits from the Environmental Health Division of the Fresno County Department of Public Health.
7.	The proposal shall comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project shall be approved by the Fresno County Fire Protection District prior to issuance of Building Permits by the County.
8.	This proposal requires a public water system classified as a Transient Non-community Water System which requires permitting by the State Water Resources Control Board, Division of Drinking Water. The Applicant shall submit a permit application, technical report, and application fee to the State Water Resources Control Board, Division of Drinking Water prior to construction and operation of the required water system. As a public water system, the Applicant must be able to demonstrate adequate technical, managerial and financial capacity to operate and maintain the water system in compliance with all State and federal regulations. An assessment of the technical, managerial and financial capacity of the proposed water system shall be included with the permit application submitted to the State Water Resources Control Board, Division of Drinking Water. The Applicant shall also demonstrate to the State Water Resources Control Board, Division of Drinking Water that the well proposed to provide drinking water meets drinking water standards.
9.	This proposal may be subject to the following San Joaquin Valley Unified Air Pollution Control District (Air District) Rules: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations).



County of Fresno

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

February 13, 2017

Robert Bagdasarian
4276 S. Greenwood Avenue
Sanger CA 93657

Dear Applicant:

Subject: Resolution No. 12624 - Initial Study Application No. 7121 and Unclassified
Conditional Use Permit Application No. 3530

On January 26, 2017, the Fresno County Planning Commission approved your Unclassified Conditional Use Permit with Conditions. 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.

The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year.. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

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