



Inter Office Memo

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

DATE: July 26, 2018

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12726 - INITIAL STUDY APPLICATION NO. 7359, AMENDMENT APPLICATION NO. 3825, and GENERAL PLAN AMENDMENT APPLICATION NO. 552

APPLICANT: Fresno Humane Animal Services

OWNER: WESCLO, LP

REQUEST: Amend the County General Plan designation for two adjacent parcels totaling 4.15 acres from Rural Residential to Limited Industrial and rezone the subject parcels from the R-R(nb) (Rural Residential, Neighborhood Beautification Overlay) Zone District to an M-1(c) (Light Manufacturing, Conditional) Zone District to allow an animal hospital/shelter and associated uses related to an animal hospital and shelter.

LOCATION: The subject property is located on the east side of North Grantland Avenue between North Parkway Drive and West Tenaya Avenue, and approximately 180 feet southwest of the City of Fresno (SUP. DIST. 1) (APN 504-081-02S/03S).

PLANNING COMMISSION ACTION:

At its hearing of July 26, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Burgess to recommend to the Board of Supervisors adoption the Mitigated Negative Declaration prepared for Initial Study Application No. 7359; approval of General Plan Amendment Application No. 552 and Amendment Application No. 3825; and direct the Secretary to prepare a resolution recommending that the proposed changes to the County General Plan and approval of the proposed rezone are consistent with the Fresno County General Plan, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

VOTING: Yes: Commissioners Abrahamian, Burgess, Delahay, Hill and Vallis
 No: Commissioners Chatha, Ede, Eubanks and Lawson
 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 and Capital Projects Division

WMK:ksn
G:\4360Devs&Pin\ADMIN\BOARD\Board Items\2010-2019\2018\9-11-18\GPA 552 and AA 3825\Attachment A AA 3825 GPA 552 Reso.docx

Attachments

EXHIBIT A

Initial Study Application No. 7359
General Plan Amendment Application No. 552
Amendment Application No. 3825

Staff: The Fresno County Planning Commission considered the Staff Report dated July 26, 2018, and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- The project will be limited to a single use and will be a state-of-the-art animal hospital and shelter.
- The services will include a spay and neuter program, animal vaccinations, drop-off location for deceased animals, and pet adoption center.
- We held a community meeting and there were 40 members of the public in support and one in opposition.
- The facility will be fenced and secured; there will be no odors; and deceased animals will be stored in a cold box for weekly collection and removal.

Others: Eight individuals, representing the neighborhood and animal service providers spoke in favor of the application:

- The facility is needed and is welcomed in my neighborhood.
- This is an accessible location, near the freeway, and people do not want to go to an out-of-the-way location to adopt a pet.
- The shelter will be designed to mitigate noise and odor; the noise from the adjacent freeway is louder than the proposed facility; and animals will be kept inside at night.
- Any animals that are dumped at the facility after hours, will be captured and taken in by the shelter operators; animal dumping is a countywide issue.
- The shelter operators will provide education programs to the community regarding proper animal treatment, care, and laws.

Three individuals, representing the neighborhood spoke in opposition to the application:

- I am concerned dead animals will be left out causing odors and disease; the dead animals will draw coyotes to the neighborhood; and animals will be dumped at the site.
- This type of facility does not belong in a residential neighborhood or near a school; and the City of Fresno is planning a different use for this site.
- The facility will bring extra traffic to the neighborhood, which already has heavy traffic.

No other individuals presented information in support of or in opposition to the application.

Correspondence: Three letters were presented to the Planning Commission in opposition to the application citing concerns with land use compatibility, traffic, noise, odor, health and safety, and animal dumping should the proposal be approved.

Mitigation Monitoring and Reporting Program
Initial Study Application No. 7359, General Plan Amendment Application No. 552, and Amendment Application No. 3825
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Landscaping, consisting of trees and shrubs, shall be planted and maintained along the Grantland Avenue frontage of the project. A detailed landscape plan, prepared by a licensed Landscape Architect, shall be submitted for review and approval as part of the mandatory Site Plan Review process for this project. All landscaping shall be planted prior to final occupancy of the development. The landscaping and the irrigation system shall be maintained as long as the facility is in operation.	Applicant	Applicant/ Public Works and Planning	Prior to final occupancy
2.	Aesthetics	All lighting shall be hooded and directed as to not shine toward adjacent property and public streets.	Applicant	Applicant/ Public Works and Planning	Ongoing
3.	Hydrology and Water Quality	The project shall connect to the City of Fresno sewer and water services.	Applicant	Applicant/ Public Works and Planning/ City of Fresno Public Utilities Department	Prior to final occupancy
4.	Transportation/ Traffic	The project shall add transition paving between Tenaya Avenue and the southern project boundary and north of the project based on a 45 MPH speed as recommended in the Traffic Impact Study.	Applicant	Applicant/ Public Works and Planning	Prior to final occupancy
5	Transportation/ Traffic	The project shall implement a Class II Bike Lane facility along its frontage on Grantland Avenue as recommended in the Traffic Impact Study.	Applicant	Applicant/ Public Works and Planning	Prior to final occupancy

*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.

Conditions of Approval	
1.	The M-1 (Light Industrial) uses allowed on the property shall be limited to Animal Hospitals and Shelters, subject to the Property Development Standards in Section 843.5 except as modified for building height and setbacks below.
2.	No buildings or structures shall have a height greater than 35 feet.
3.	On-site development shall provide front-yard (Grantland Avenue) landscaping. The Requirements of Section 820.5-E, (Rural Residential Zone District, Yards) shall apply for the front-yard, side-yard, and rear-yard setbacks for development in this M-1(c) Zone District.
4.	Prior to development, the project shall construct all street frontage improvements along the project frontage of Grantland Avenue, per City of Fresno standards, including any dedications of required right-of-way for those improvements.
5.	<p>Fresno Irrigation District (FID) Facility (Epstein No. 48 Pipeline) partially exists on the project site and shall be protected prior to any County approval action on any grading and drainage plans, or construction and landscaping plans; the County shall route said plans to FID for review and comment. The County shall consider FID input with the intent to ensure that proposed development will not endanger the structural integrity of the pipeline or result in drainage patterns that could adversely affect the on-site FID facilities. FID easements shall be shown on all plans submitted to the County for review.</p> <ul style="list-style-type: none"> a) Footings and retaining walls shall not encroach into the FID easement and all soil and stockpile shall be kept outside of the easement. b) Large earthmoving equipment (paddle wheel scrapers, graders, and excavators) shall be prohibited within the FID easement. c) Prior to development, the Project Developer shall coordinate with FID concerning Note No. 15 listed under "Notes" which addresses Agreement No. 143033 recorded on December 10, 1979 (Book 7427, Page 961). Prior to issuance of final occupancy, the Project Developer shall provide evidence to the County that the terms of this Agreement have been satisfied through either pipeline replacement as stipulated, or entering into a revised agreement between FID and the property owner to supersede the 1979 Agreement with new terms satisfactory to both the Project Developer and FID.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.
2.	A grading permit or voucher is required for any grading that has been done without permit and any grading proposed with this application. Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.

Notes	
3.	Any work done within the right-of-way to construct a new driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
4.	Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
5.	If not already present, on-site turnarounds are required for vehicles leaving the site to enter the Arterial road in a forward motion so that vehicles do not back out onto the roadway.
6.	If not already present, 10' x 10' corner cutoffs will need to be improved for sight distance purposes at the driveway onto Grantland Avenue.
7.	The property is subject to the provisions of the Fresno County Parcel Map Ordinance. For more information, contact the Department of Public Works and Planning, Development Engineering Section at (559) 600-4022.
8.	The proposed development encompasses two legal lots; a parcel merger of said lots is required in order to conform to all zoning requirements, prior to development.
9.	A Site Plan Review will be required to be submitted to and approved by the Fresno County Department of Public Works and Planning prior to the issuance of any permits in the M-1 Zone District.
10.	The subject site will be required to pay the Fresno Metropolitan Flood Control District drainage fees at the time of any development based on the fee rates in effect at that time. Current drainage fees for development are estimated to be \$54,410.
11.	The Fresno Metropolitan Flood Control District (District) requires that the storm drainage patterns for the development conform to the District's Master Plan. The District will need to review and approve all improvement plans for any proposed construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area. Construction requirements will be addressed with future entitlements on the property that may include street reconstruction.
12.	The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability the Fresno Metropolitan Flood Control District to operate and maintain the canal or pipeline.
13.	Construction activity, including grading, clearing, grubbing, filling, excavation, development or redevelopment of land that results in a disturbance of one (1) acre or more of the total land area, or less if part of a larger plan of development or sale, must secure a storm water discharge permit in compliance with the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System regulations (CFR Parts 122-124, Nov. 1990). The permit must be secured by filing a Notice of Intent for the State General Permit for Construction Activity with the State Water Resources Control Board. The notice must be filed prior to the start of construction.

Notes	
14.	As part of the mandatory Site Plan Review Process, new development on this parcel shall be submitted to the San Joaquin Valley Unified Air Pollution Control District to determine if an Indirect Source Review application is required.
15.	<p>Fresno Irrigation District's (FID's) active Epstein No. 48 pipeline runs northwesterly and traverses the north and eastern portions of the subject property, in a 40-foot-wide perpetual and exclusive easement, recorded November 21, 1979 as Document Number 143033, Official Records of Fresno County, and crosses Grantland Avenue approximately 100 feet north of the subject property. The southern 15 feet of this easement is on the subject property. The terms of this Agreement include, but are not limited to:</p> <ul style="list-style-type: none"> a) FID's right of ingress to and egress from the easement over and across the real property of the Owners in a covenant and agreement that no building, fence or other structure shall be constructed, and no trees, vines or shrubs shall be planted or maintained upon the easement without the consent of FID. b) Should the property described in the Agreement, be developed in either commercial or residential use, the existing 48" inside diameter irrigation pipeline shall be replaced, at the Property Owner's expense, with a 48" inside diameter, rubber gasketed reinforced concrete pipeline as may be required by FID.
16.	All abandoned wells and septic systems located on the property shall be destroyed by a licensed contractor under permit by the County of Fresno.

MM:ksn

G:\4360Devs&Pin\PROJSEC\PROJDOCS\AA\3800-3899\3825 - See GPA 552\SRVAA 3825 GPA 552 MMRP (Ex 1).docx

EXHIBIT "C"

ATTACHMENT
TO
AGENDA ITEM

FISCAL IMPACT STATEMENT

Initial Study Application No. 7359
General Plan Amendment Application No. 552
Amendment Application No. 3825

Listed below are the fees collected for the land use applications involved in this Agenda Item:

Initial Study Application	\$ 5,151.00 ¹
General Plan Amendment Application	\$ 3,500.00 ²
Amendment Application	\$ 6,214.00 ²
Public Health Department Review	<u>\$ 1,180.00³</u>
Total Fees Collected	<u>\$ 16,045.00</u>

¹ Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.
² Review and research, engaging with reviewing departments and multiple agencies, staff's analysis, Staff Report and Board Agenda Item preparation, public hearings before County Planning Commission and County Board of Supervisors.
³ Review of proposal and associated environmental documents by the Department of Public Health, Environmental Health Division.