



AGENDA ITEM NO: 3

CITY of CLOVIS

MEMO TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: April 18, 2024

SUBJECT: Consider items associated with approximately 246 acres of land located southwest of the intersection of Behymer Avenue and the Sunnyside Avenue alignment, within the Heritage Grove Urban Center. Great Bigland LP., owner; Wilson Premier Homes, Inc., applicant; Harbour and Associates, representative.

- a) Consider Approval - Res. 24-___, A resolution recommending that the City Council: (1) certify the Final Environmental Impact Report for the TM6343 Project; (2) adopt CEQA Findings of Fact and a Statement of Overriding Consideration; and (3) adopt a Mitigation Monitoring and Reporting Program.
- b) Consider Approval – Res. 24-___, GPA2021-003, A resolution recommending that the City Council approve a request to amend the land use element of the General Plan for the Development Area (approximately 71.54 acres) from the Medium Density land use designation to the Medium High Density land use designation.
- c) Consider Approval - Res. 24-___, R2021-006, A resolution recommending that the City Council approve a request to prezone the properties within the annexation area (246 acres) from the Fresno County AE-20 Zone District to the Clovis O, P-F, R-A, R-1, and R-1-PRD Zone Districts.
- d) Consider Approval - Res. 24-___, TM6343, A resolution recommending that the City Council approve a vesting tentative tract map for a 590-lot single-family planned residential.
- e) Consider Approval - Res. 24-___, PDP2021-001, A resolution recommending that the City Council approve a request to approve a planned development permit for a 590-lot single-family residential development.

- ATTACHMENTS:
1. Comment Letter – Marcus D. Magness
 2. Comment Letter – Rick and Stacy Andreasen
 3. Response to Comments
 4. Revised Condition of Approval
 5. Comments received on April 18, 2024

ADDITIONAL COMMENTS

Planning staff has received comment letters for the proposed TM 6343 Project being considered by the Planning Commission this evening. The comment letters are attached for the Commission's review and consideration. The City's consultant provided a response to the comments received prior to April 18, 2024, provided as attachment 3.

Additionally, Attachment 4 contains the revised condition number 17 of Attachment 4 of the staff report. The correction pertains to the street configuration of Baron Avenue.

GILMORE · MAGNESS · JANISSE
A PROFESSIONAL CORPORATION

April 12, 2024

JAMES O. DEMSEY (RETIRED)
ROBERT J. TYLER (1938-2012)
GERALD D. VINNARD (RETIRED)
DAVID M. GILMORE
MARCUS D. MAGNESS
WILLIAM H. LEIFER*
RYAN M. JANISSE
CHRISTOPHER E. SEYMOUR

*OF COUNSEL

VIA E-MAIL

Lily Cha-Haydostian
Senior Planner
City of Clovis | Planning Division
1033 Fifth Street
Clovis, CA 93612
559.324.2335
lilyc@ci.clovis.ca.us

Re: Tract Map 6343

Dear Ms. Cha-Haydostian:

I am one of the property owners within the area of the proposed annexation that is the subject of the EIR, general plan amendment, pre-zoning, vesting tentative tract map, and planned development permit set forth as item no. 3 to the Planning Commission agenda for its April 18, 2024 meeting. I received the notice the City of Clovis mailed to my home and this letter constitutes my written comments to each of the proposed action items found under agenda item 3.

Reduced Project Alternative/General Plan Amendment

Prior to the issuance of the EIR, I and my neighbors met with the City of Clovis planning personnel and with representatives of Wilson Homes. We were informed that the project would not require the installation of a signal light at the intersection of Behymer and Baron (i.e., at the corner of the property line for the first existing home and mere feet from that property owner's driveway. According to both City personnel and the developer, the only traffic control at that intersection would be a stop sign for the people traveling northbound on Baron who would then turn onto Behymer. We pointed out that the proposal creates an unsafe situation for both the existing property owners and for the people travelling northbound on Baron. We were informed that this didn't matter – that the City had already decided that Baron would be located as shown on the plan – the safety and concerns of the existing residents be damned. We now learn with the EIR that not only did the City and the developer misrepresent the facts, but that

STREET ADDRESS
7789 N. INGRAM AVENUE
SUITE 105
FRESNO, CALIFORNIA 93711

MAILING ADDRESS
POST OFFICE BOX 28907
FRESNO, CALIFORNIA 93729-
8907

EMAIL ADDRESS
MAGNESS@GMLLEGAL.NET

TELEPHONE
(559) 448-9800

FACSIMILE
(559) 448-9899

Attachment 1

00055-0000\784261.1

Lily Cha-Haydostian
April 12, 2024
Page 2

the only way to handle the level of traffic being generated by the project is to install signal lights, not just at Baron, but at the future Clovis Avenue intersection, the Fowler Avenue intersection, and the Minnewawa intersection.

Of course, these mitigation measures won't be installed, per the EIR for another 20 years and that until this happens, the EIR concludes that every morning and every evening, the people that live along Behymer are just going to have to live with unsatisfactory conditions. (See 8.3.1)

Section 1.3 of the EIR acknowledged that the property owners included in the proposed annexation attended the scoping session and raised concerns that the traffic impacts of the project needed to be addressed and that the project needed to include the improvements to mitigate the environmental harm caused by this project. Specifically called out, among other things, were the results to impacts on the narrow bridge on Behymer that crosses the Enterprise Canal, as well as the traffic impacts to the Behymer/Fowler and Behymer/Minnewawa intersections and the problems caused by constructing Baron Avenue.

The EIR found that Behymer Avenue at the intersections called out already operate at unsatisfactory levels of service with average daily trips of 3,720. The EIR also found that this project would generate an additional 5,564 daily trips. In other words, the projected traffic on Behymer Avenue between Sunnyside and Minnewawa is expected to be 9,284 average vehicle trips per day – meaning this project increases the traffic on Behymer by 150%. This and the mitigation measures proposed will not be implemented until 2046. And nowhere in the documents is any mention made to the work required to replace the existing bridge at Enterprise Canal – a bridge that is already being hit by vehicles multiple times each year.

In order for the developer to be allowed to construct 590 postage-stamp homes on the property it is acquiring, the planning commission must recommend and the City Council must approve a general plan amendment increasing the land use designation for that property from Medium Density Residential to Medium High Density Residential. But in so doing, the City of Clovis must throw away the planning philosophy that you

Lily Cha-Haydostian
April 12, 2024
Page 3

gradually change densities. Indeed, when the Heritage Grove Specific Plan was being considered, we were told that the City's plan was to place low density residential zonings next to our AE-20 zoned properties to avoid conflicts. While it deviated from this with the placement of medium density residential immediately adjacent to AE-20 zoning (which land use given the existing improvements constructed on our properties is not going to change within the foreseeable future). But with the requested change in the land use element, the City is throwing the baby out with the bathwater – allowing very inconsistent uses to abut each other (separated only by Baron Avenue).

But like much of society today, the project applicant proposes to overcome the forgoing problem by changing definitions. They propose that the City of Clovis not just annex our property (over our objections mind you), but change its land use to “very low density residential”. This is certainly going to negatively affect how we can use our property.

Further confusing the issues is the fact that the planning commission agenda states that the property within the annexation area be pre-zoned “Clovis O, P-F, R-A, R-1, and R-1-PRD” The zoning map included within the agenda package states that the area where the existing homes are located (including mine) be pre-zoned “VL”. Which is it?

In the EIR, the City sort of studied a “reduced project alternative” which provided that instead of developing at an 8.25 DU/Ac density, the project would be constructed using a 4.12 DU/Ac density. This yields 295 additional homes. Section 5.5 of the EIR states that this alternative is “viable” and Section 1.4.4, the EIR states that this alternative is feasible (required by CEQA). The EIR concluded that this alternative is better for the environment, resulting in better air quality, less noise, less impacts on public services, less impacts on public utilities and would reduce the volume of vehicle trips on the roads in the area. Interestingly, however, the proposed findings that the planning commission are asked to find include:

“The Environmentally Superior Alternative would be the Reduced Project Alternative. Overall, this alternative would lessen significant and less-than-significant environmental impacts or result in impacts similar to those associated with the

Lily Cha-Haydostian
April 12, 2024
Page 4

proposed project. The Reduced Project Alternative would partially achieve Project Objectives, as it would partially address the City of Clovis' future housing demand by providing a lower amount of visually attractive residential housing opportunities; partially meet local and regional housing demand by providing a single housing type, size and density; implement the City's General Plan Land Use Element goal to facilitate annexation of large areas of land; and provide integrated and planned infrastructure and logical phasing of public improvements in compliance with City Standards. **However, this alternative would also not be able to reduce the significant and unavoidable LOS and VMT impacts that were identified for the proposed project. As such, this alternative is rejected as infeasible.** (emphasis)

Amazingly, the "infeasibility" conclusion basically contends that if you can't reduce the environmental impact below the level of significance, there is no point trying to accomplish any reduction. That contention is antithetical to the purpose behind CEQA. It is also contrary to the EIR itself – which stated that the Reduced Project Alternative was both viable and feasible.

To conclude on this subject, the EIR should not be certified as drafted, the above-finding should not be made, and the requested general plan amendment to allow higher density development should be rejected. The EIR should be sent back for revision and the Reduced Project Alternative be adopted.

The Existing Homeowners Are Not in Favor of Annexation

The existing homeowners have been in communication and, thus far, it is the consensus that annexation is contrary to our interests and, therefore, we will protest it. Even assuming the City can at this late date clarify how it proposes to pre-zone our property, it makes more sense to deny the pre-zoning altogether.

Lily Cha-Haydostian
April 12, 2024
Page 5


The City/Developer Shift Project Costs to Existing Homeowners

In Section 3.3.6 of the EIR, the City/developer state:

“The eastern side of North Baron Avenue that is north of Basin BY will ultimately be built out with an approximately 20-foot-wide parkway, matching the Heritage Grove Neighborhood Boulevard Street section. However, this section of the parkway will not be constructed with Tract 6343 in order to minimize the impact on the adjacent rural residential property.”

The foregoing language is deceptive. It is phrased to appear to do the existing property owners a favor by not constructing improvements that are otherwise required on the east side of the new Baron Avenue. But what is left unsaid is that this is a cost that would ultimately be borne by the existing property owners in the very unlikely event that the existing homes are torn down and a subdivision similar to the one that the developer proposes is constructed in its place. What is also left unsaid is that this will leave a strip of land that is approximately 525' long and 20' wide completely unimproved and unmaintained. Finally, as a matter of public safety, it is likely that the existing homeowner whose property adjoins Baron will need to relocate his driveway from Behymer (immediately adjacent to the corner where 5,564 vehicle trips will pass daily) to Baron. Is that property owner going to be required to shoulder the cost of that relocation AND the roadway improvements alone? If the development is to be approved, whether as proposed or using the Reduced Project Alternative, it is the developer that must install all of the required improvements. That cost cannot be shifted to the existing homeowners.

Very truly yours,



Marcus D. Magness

Lily Cha

From: Rick Andreasen <ra@tamarchitects.com>
Sent: Tuesday, April 16, 2024 11:21 AM
To: Lily Cha
Subject: [External] Tract 6343

Follow Up Flag: Follow up
Flag Status: Flagged

The proposed approval of TM 6343 includes annexation of six (6) rural, fully improved homesites. As one of the owners in this block of homes we are opposed to inclusion in the annexation and the change of zoning from AE20. These homesites are a group that have no relevance to the proposed high density residential proposed by Wilson Homes.

Additionally, the lack of street improvements on the east side of the proposed Barton street will leave an unmanaged strip or no-mans-land. This “normal” exclusion from improvement follows that a small developer will at some time in the future, buy or some of these lots for a small R1 development. This rural island is improved with million dollar + homes that make such an endeavor economically infeasible. The only time that sufficient funding will be available during development for this funding is now. Our meeting with Wilson Homes indicated that curb and gutter, storm drainage, a narrow landscape strip (improved) and a block wall was the best solution to this frontage.

Finally, the city master planning for Heritage Grove recognized the existing and distinctive nature of these homesites by pushing the future alignment of Behymer improvements north to allow the existing north property lines, and resulting site improvements to remain.

Please register our opposition to these items with the Planning Commission and City Council.

Thank you,

Rick and Stacy Andreasen
4747 E. Behymer
559.908.5290



MEMORANDUM

DATE: April 18, 2024

To: Lily Cha-Haydostian, MPA, AICP, Senior Planner
City of Clovis

FROM: Kyle Simpson, Principal

SUBJECT: Errata to the Final Environmental Impact Report for Tract Map 6343

This Errata memorandum has been prepared to address two public comment letters regarding the Public Review Draft Environmental Impact Report (Draft EIR) for Tract Map 6343. These comment letters were received on April 12, 2024 and April 16, 2024, respectively, after the close of the public review period for the Draft EIR, and as a result, were not included in the Final Environmental Impact Report (Final EIR).

The Draft EIR was made available for public review from January 12, 2024 until March 4, 2024. A total of four comment letters were received during the public comment period and each comment letter was addressed in the Final EIR. In the Final EIR, written comment letters were grouped by the classification of the commenter, as follows: State agencies (A), and local agencies (B).

The comment letters were numbered consecutively following the A and B designations, and following the format below. The letters were numbered, and comments within each letter were numbered consecutively after the hyphen.

State Agencies A#-#
Local Agencies B#-#

Following the format of the Final EIR, the comment letters addressed herein have been grouped in a third category [i.e., organizations and interested parties (C)] and have been numbered according to the format included below.

Organizations and Interested Parties C#-#

In the following pages, the topic sections addressed in the comments and associated responses are enumerated to allow for cross-referencing of CEQA-related comments. To the extent text within the comment letters has not been numbered, it indicates that the text does not raise substantive environmental issues or relate to the adequacy of the information or analysis within the Draft EIR; therefore, no comment is enumerated, nor is a response required per California Environmental

Quality Act (CEQA) Guidelines Sections 15088 and 15132. In addition, when general support or opposition is given for the proposed project, that comment is noted but no further analysis is provided in the response, as the commenter is not questioning the adequacy of the information or analysis within the Draft EIR. However, it should be noted that comments related to the merits of the proposed project are considered by decision-makers taking action on the proposed project.

Section A of this memorandum identifies the comment letters being addressed. Section B includes a reproduction of each enumerated comment followed by responses to each comment. Each comment letter referenced in this memorandum is also attached with individual comments identified.

A. COMMENT LETTERS

This memorandum includes a reproduction of the comment letters received on the Draft EIR after the comment period, and individual comments within the comment letters are numbered consecutively.

The comment letters listed below were submitted to the City regarding the Draft EIR after the close of the public comment period.

LETTER C1

Gilmore Magness Janisse
Marcus D. Magness
April 12, 2024

LETTER C2

Rick and Stacy Andreasen
April 16, 2024

Responses to the comments included below were prepared with the assistance from Ambarish Mukherjee, Principal and Senior Transportation Planner at LSA. As a Principal and Senior Transportation Planner at LSA, Mr. Mukherjee specializes in travel demand modeling and public infrastructure projects and conducts traffic impact analyses for a wide variety of large and small projects including transit projects, residential development, mixed-use development, commercial and office projects, parking structures, roadway and circulation improvements, and General Plans and Specific Plans.

B. COMMENTS AND RESPONSES

LETTER C1

Gilmore Magness Janisse
Marcus D. Magness
April 12, 2024

Comment C1-1: I am one of the property owners within the area of the proposed annexation that is the subject of the EIR, general plan amendment, pre-zoning, vesting tentative tract map, and

planned development permit set forth as item no. 3 to the Planning Commission agenda for its April 18, 2024 meeting. I received the notice the City of Clovis mailed to my home and this letter constitutes my written comments to each of the proposed action items found under agenda item 3.

Response C1-1: This comment provides an introduction to the comment letter but does not provide specific comments on the adequacy of the analysis included in the Draft EIR. This comment is noted. No further response is necessary.

Comment C1-2:

Reduced Project Alternative/General Plan Amendment

Prior to the issuance of the EIR, I and my neighbors met with the City of Clovis planning personnel and with representatives of Wilson Homes. We were informed that the project would not require the installation of a signal light at the intersection of Behymer and Baron (i.e., at the corner of the property line for the first existing home and mere feet from that property owner's driveway. According to both City personnel and the developer, the only traffic control at that intersection would be a stop sign for the people traveling northbound on Baron who would then turn onto Behymer. We pointed out that the proposal creates an unsafe situation for both the existing property owners and for the people travelling northbound on Baron. We were informed that this didn't matter - that the City had already decided that Baron would be located as shown on the plan - the safety and concerns of the existing residents be damned. We now learn with the EIR that not only did the City and the developer misrepresent the facts, but that the only way to handle the level of traffic being generated by the project is to install signal lights, not just at Baron, but at the future Clovis Avenue intersection, the Fowler Avenue intersection, and the Minnewawa intersection.

Of course, these mitigation measures won't be installed, per the EIR for another 20 years and that until this happens, the EIR concludes that every morning and every evening, the people that live along Behymer are just going to have to live with unsatisfactory conditions. (See 8.3.1).

Response C1-2: This comment indicates the commenter's opinion that the proposed project's traffic would result in unsafe conditions for existing property owners living near the proposed project and other people traveling along Baron Avenue, the future North Clovis Avenue intersection, the North Fowler Avenue intersection, and the North Minnewawa Avenue intersection. This comment also expresses the commenter's concern that traffic improvements along project study intersections will not be implemented in a timely manner to address potential LOS impacts.

As discussed in Section 4.5, Transportation, of the Draft EIR, and the Transportation Impact Analysis (TIA) for the proposed project (included as Appendix G of the Draft EIR), proposed project traffic was evaluated under existing, near-term (2026), and cumulative (2046) plus project scenarios, which were developed using historical traffic counts for study area intersections and roadway segments for the existing scenario, by adding traffic volumes from approved and pending projects located near the study area and project traffic to existing traffic volumes for the near term scenario, and by using forecast volumes obtained

from the Fresno Council of Governments (Fresno COG) activity-based travel demand model (ABM) for the cumulative scenario.

The TIA determined that the project would generate or contribute to existing and projected LOS deficiencies under all plus project scenarios. However, these deficiencies would not occur all at once; they would occur over time through 2046 as the proposed project and other cumulative projects in the City are developed. The TIA also identifies that implementation of improvements listed in Table 9-A and Table 9-E of the TIA would ensure that all study intersections and roadway segments would operate at a satisfactory levels under all study scenarios. As shown in Table 9-A and Table 9-E of the TIA, specific improvements do not require implementation all at once; rather, improvements would need to be phased over time as deficiencies identified under existing, near term and cumulative scenarios, occur. Further, as identified in Table 9-H and Table 9-I of the TIA, the Project Applicant would be required to pay into the following funding mechanisms to contribute to the implementation of required improvements: Clovis Development Impact Fee (DIF) program, Clovis Operations program, and Fresno County Regional Transportation Mitigation Fee (RTMF) program. Where there is a funding mechanism (fee program) for the improvements, payment into the fee program would be considered sufficient project obligation to alleviate project-related operational deficiencies. The City of Clovis and Fresno County, the jurisdictions overseeing the aforementioned funding mechanisms for required improvements, would handle the timing of construction of individual improvements along potentially impacted intersections and roadway segments, ensuring that the needed improvements are implemented in a timely manner to address potential traffic impacts.

Additionally, as described in the TIA and Section 4.5, Transportation, of the Draft EIR, a Sight Distance Analysis conducted at project intersections determined that the proposed project intersections achieve adequate sight distances and have clear sight triangles for drivers to safely maneuver in and out of the project site. Further, per the Safe Routes to School Analysis included in the TIA, the proposed project would result in construction of sidewalks along the project frontage, as well as contribute to the Clovis DIF and the RTMF programs as applicable for improvements at roadway segments and intersections within the project study area, which would include the addition of sidewalks and/or bike lanes along segments and installation of signals at intersections with marked crosswalks and other safety improvements, contributing safe walking and biking routes from the project to nearby schools. Moreover, the proposed project would not include any sharp curves or other roadway design elements that would create dangerous conditions, and all project design features would need to comply with standards set by the City's General Plan and City Engineer, as well as undergo Clovis Fire Department (CFD) review and approval prior to issuance of building permits. As such, the proposed project would not result in unsafe conditions to people circulating through the study area roadway system, and required improvements for study area intersections and roadway segments would be implemented in a timely manner.

Comment C1-3: Section 1.3 of the EIR acknowledged that the property owners included in the proposed annexation attended the scoping session and raised concerns that the traffic impacts of the project needed to be addressed and that the project needed to include the improvements to mitigate the environmental harm caused by this project. Specifically called out, among other things, were the results to impacts on the narrow bridge on Behymer that crosses the Enterprise Canal, as well as the traffic impacts to the Behymer/Fowler and Behymer/ Minnewawa intersections and the problems caused by constructing Baron Avenue.

The EIR found that Behymer Avenue at the intersections called out already operate at unsatisfactory levels of service with average daily trips of 3,720. The EIR also found that this project would generate an additional 5,564 daily trips. In other words, the projected traffic on Behymer Avenue between Sunnyside and Minnewawa is expected to be 9,284 average vehicle trips per day - meaning this project increases the traffic on Behymer by 150%. This and the mitigation measures proposed will not be implemented until 2046. And nowhere in the documents is any mention made to the work required to replace the existing bridge at Enterprise Canal - a bridge that is already being hit by vehicles multiple times each year.

Response C1-3: This comment expresses the commenter's concern that improvements required along study area intersections and roadway segments would not be implemented in a timely manner to address project impacts. Further, the comment indicates the commenter's opinion that that the technical documents and analysis prepared for the Draft EIR do not mentioned what improvements would occur along the existing bridge on East Behymer Avenue that crosses the Enterprise Canal.

Refer to Response C1-2 above. The TIA determined that the project would generate or contribute to existing and projected LOS deficiencies under all plus project scenarios. However, these deficiencies would not occur all at once; they would occur over time through 2046 as the proposed project and other cumulative projects in the City are developed. As such, specific improvements do not require implementation all at once; rather, improvements would need to be phased over time as deficiencies identified under existing, near term and cumulative scenarios occur. The Project Applicant would be required to pay into the Clovis DIF program, Clovis Operations program, and RTMF program to contribute to funds that would pay for required improvements, which would alleviate project-related operational deficiencies. The City of Clovis and Fresno County, the jurisdictions overseeing the aforementioned funding mechanisms for required improvements, would handle the timing of construction of individual improvements along potentially impacted intersections and roadway segments, ensuring that the needed improvements are implemented in a timely manner to address potential traffic impacts.

Table 9-I of the TIA (Appendix G of the Draft EIR) lists improvements for study area roadway segments that would address deficiencies within the study area roadway system. This table indicates that the segment of East Behymer Avenue between North Minnewawa Avenue and North Clovis Avenue, and the segment of East Behymer Avenue between North Clovis Avenue and Baron Avenue would be converted into 2-Lane two-way-left-turn lane (TWLTL)

Collector to address the higher traffic volumes forecasted along these roadway segments under cumulative project scenarios. The segment of East Behymer between North Clovis Avenue and Baron Avenue contains the bridge that is referenced in this comment. This bridge will be expanded and converted into a 2-Lane TWLTL Collector along with the rest of the roadway segment to address projected traffic deficiencies.

Comment C1-4: In order for the developer to be allowed to construct 590 postage-stamp homes on the property it is acquiring, the planning commission must recommend and the City Council must approve a general plan amendment increasing the land use designation for that property from Medium Density Residential to Medium High Density Residential. But in so doing, the City of Clovis must throw away the planning philosophy that you gradually change densities. Indeed, when the Heritage Grove Specific Plan was being considered, we were told that the City's plan was to place low density residential zonings next to our AE-20 zoned properties to avoid conflicts. While it deviated from this with the placement of medium density residential immediately adjacent to AE-20 zoning (which land use given the existing improvements constructed on our properties is not going to change within the foreseeable future). But with the requested change in the land use element, the City is throwing the baby out with the bathwater - allowing very inconsistent uses to abut each other (separated only by Baron Avenue).

But like much of society today, the project applicant proposes to overcome the forgoing problem by changing definitions. They propose that the City of Clovis not just annex our property (over our objections mind you), but change its land use to "very low density residential". This is certainly going to negatively affect how we can use our property.

Response C1-4: As shown in Figure LU-2, Land Use Diagram, of the City of Clovis General Plan, the City of Clovis has identified that the proposed project and the proposed annexation area both belong within the City's Planning Boundary, which encompasses land that would be built out with buildout of the General Plan. Additionally, the same Figure LU-2 identifies that the existing properties referenced in this comment, located east of Baron Avenue, have a planned land use designation of VL- Very Low Density Residential. The Project Applicant is fulfilling the intent of the City's General Plan by including the proposed annexation area into the project, as this is consistent with what is envisioned for the General Plan Planning Area. However, the proposed project is not proposing a General Plan amendment for any other properties other than the project site. The City is responsible for the assigning General Plan Land Use Designations to all parcels within the City's Planning Area, including the existing properties located east of Baron Avenue, and this process does not have any relation to the proposed project.

The proposed project is indeed proposing a General Plan Amendment for the project site to change existing land use designation of the site from Medium Density Residential to Medium High Density Residential. The Project Applicant has coordinated with the City of Clovis to meet applicable requirements for the General Plan Amendment application, has paid all applicable fees, and has provided all required technical studies to support this amendment, all included within the analysis presented throughout the Draft EIR. The

commenter's opinions about the proposed general plan amendment for the project site and the proposed annexation are noted but do not address the adequacy or completeness of the Draft EIR, raise environmental issues, and do not request the incorporation of additional information relevant to environmental issues. As such, no further response is required.

Comment C1-5: Further confusing the issues is the fact that the planning commission agenda states that the property within the annexation area be pre-zoned "Clovis O, P-F, R-A, R-1, and R-I-PRD" The zoning map included within the agenda package states that the area where the existing homes are located (including mine) be pre-zoned "VL". Which is it?

Response C1-5: As previously discussed, the City's General Plan has assigned land use designations to all parcels located within the City's Planning boundaries. The land use patterns and areas identified are intended to provide the basis for more detailed land use districts, densities, requirements, and standards established in the City's Development Code. As such, each General Plan Land Use Designation has a corresponding zoning district that is compatible with planned land use districts outlined in the City's Development Code. Table LU-2 of the General Plan provides a full list of General Plan Land Use Designations and corresponding descriptions of typical uses located within each listed designation. Additionally, Table LU-3 of the General Plan shows the zoning districts that correspond to each General Plan Land Use Designation listed within the General Plan. This comment is noted but does not address the adequacy or completeness of the Draft EIR, raise environmental issues, and does not request the incorporation of additional information relevant to environmental issues. As such, no further response is required.

Comment C1-6: In the EIR, the City sort of studied a "reduced project alternative" which provided that instead of developing at an 8.25 DU/Ac density, the project would be constructed using a 4.12 DU/Ac density. This yields 295 additional homes. Section 5.5 of the EIR states that this alternative is "viable" and Section I.4.4, the EIR states that this alternative is feasible (required by CEQA). The EIR concluded that this alternative is better for the environment, resulting in better air quality, less noise, less impacts on public services, less impacts on public utilities and would reduce the volume of vehicle trips on the roads in the area. Interestingly, however, the proposed findings that the planning commission are asked to find include:

"The Environmentally Superior Alternative would be the Reduced Project Alternative. Overall, this alternative would lessen significant and less-than- significant environmental impacts or result in impacts similar to those associated with the proposed project. The Reduced Project Alternative would partially achieve Project Objectives, as it would partially address the City of Clovis' future housing demand by providing a lower amount of visually attractive residential housing opportunities; partially meet local and regional housing demand by providing a single housing type, size and density; implement the City's General Plan Land Use Element goal to facilitate annexation of large areas of land; and provide integrated and planned infrastructure and logical phasing of public improvements in compliance with City Standards. **However, this alternative would also not be able to reduce the significant and unavoidable LOS and VMT**

impacts that were identified for the proposed project. As such, this alternative is rei as infeasible. (emphasis).

Amazingly, the "infeasibility" conclusion basically contends that if you can't reduce the environmental impact below the level of significance, there is no point trying to accomplish any reduction. That contention is antithetical to the purpose behind CEQA. It is also contrary to the EIR itself - which stated that the Reduced Project Alternative was both viable and feasible.

Response C1-6: As described in the Findings and Statement of Overriding Considerations document for the proposed project, an alternative may be "infeasible" if it fails to achieve the lead agency's underlying goals and objectives with respect to the project. Thus, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors" of a project (*City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 401, 417).

Per Section 15126.6 of the State CEQA Guidelines, the EIR described a range of reasonable alternatives to the project that would "feasibly attain most of the project's basic objectives, while avoiding or substantially lessening any of the significantly adverse environmental effects of the project." However, the lead agency holds the final decision in respect to which alternative meets all of the lead agency's underlying goals and objectives with respect to the proposed project. Although the Reduced Project Alternative was identified to be the environmentally superior alternative in the EIR and Findings document, this alternative did not achieve avoidance or substantial reduction of the only significant and unavoidable impact that would occur as a result of the proposed project. Additionally, per Section 5.0, Alternatives, of the Draft EIR, the Reduced Project Alternative would not meet all project objectives. As such, after evaluating all relevant factors for the proposed project and alternatives, the City decided that the proposed project would provide the best balance for achieving the best possible environmental outcome while meeting all of the City's goals and objectives for the proposed project. As such, this comment is noted but does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.

Comment C1-7: To conclude on this subject, the EIR should not be certified as drafted, the above-finding should not be made, and the requested general plan amendment to allow higher density development should be rejected. The EIR should be sent back for revision and the Reduced Project Alternative be adopted.

Response C1-7: This comment provides a conclusion to one section of the comment letter and expresses the commenter's opposition to certification of the EIR, the Findings for the EIR, and the proposed General Plan Amendment. This comment also includes the commenter's opinion that the EIR should be revised that that the Reduced Project Alternative should be adopted. No further response is required.

Comment C1-8:**The Existing Homeowners Are Not in Favor of Annexation**

The existing homeowners have been in communication and, thus far, it is the consensus that annexation is contrary to our interests and, therefore, we will protest it. Even assuming the City can at this late date clarify how it proposes to pre-zone our property, it makes more sense to deny the pre-zoning altogether.

Response C1-8: This comment expresses the commenter's opposition of the proposed annexation, and pre-zoning for the project site. Please refer to Responses C1-4 and C1-5 above. This comment is noted but does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.

Comment C1-9:**The City/Developer Shift Project Costs to Existing Homeowners**

In Section 3.3.6 of the EIR, the City/developer state:

"The eastern side of North Baron Avenue that is north of Basin BY will ultimately be built out with an approximately 20-footwide parkway, matching the Heritage Grove Neighborhood Boulevard Street section. However, this section of the parkway will not be constructed with Tract 6343 in order to minimize the impact on the adjacent rural residential property."

The foregoing language is deceptive. It is phrased to appear to do the existing property owners a favor by not constructing improvements that are otherwise required on the east side of the new Baron Avenue. But what is left unsaid is that this is a cost that would ultimately be borne by the existing property owners in the very unlikely event that the existing homes are torn down and a subdivision similar to the one that the developer proposes is constructed in its place. What is also left unsaid is that this will leave a strip of land that is approximately 525' long and 20' wide completely unimproved and unmaintained. Finally, as a matter of public safety, it is likely that the existing homeowner whose property adjoins Baron will need to relocate his driveway from Behymer (immediately adjacent to the corner where 5,564 vehicle trips will pass daily) to Baron. Is that property owner going to be required to shoulder the cost of that relocation AND the roadway improvements alone? If the development is to be approved, whether as proposed or using the Reduced Project Alternative, it is the developer that must install all of the required improvements. That cost cannot be shifted to the existing homeowners.

Response C1-9: As described in Section 7.4.03 of the City's Municipal Code (Construction of curbs, gutters, sidewalks, and paving required: Permit applications), every person who constructs any buildings within a property in the City shall dedicate any necessary street area and provide for the construction of curbs, gutters, sidewalks, and paving on all public streets abutting the parcel of real property on which such construction is done. Such street

paving shall extend from the gutter to the center line of each abutting street or for a distance of eighteen feet from the gutter where such abutting street is not a full street. The developer is usually responsible for the cost of these improvements, unless one of the exceptions listed in Section 7.4.07 of the Municipal Code applies.

The proposed project would comply with the Municipal Code by dedicating a portion of the project site for the construction of Baron Avenue, and providing pavement, curb and gutters as applicable on the segment of Baron Avenue abutting the project parcel, specifically the segment of Baron Avenue between Perrin Avenue and Clovis Avenue. Please note that the Municipal Code specifies that improvements would need to occur from the gutter of the property to the center line of the abutting street, or where the abutting street to the parcel is not a full street, improvements are only expected for a distance of eighteen feet from the gutter. As such, the Project Applicant is not required to provide a curb and gutters along the side of Baron Avenue opposite to the project site frontage.

However, as described in Table 9-E of the TIA (Appendix G of the Draft EIR), the segment of Baron Avenue between Perrin Avenue and North Clovis Avenue will eventually be converted into a 2-Lane Divided Collector to meet projected cumulative traffic demands in the project area. This improvement is a planned circulation improvement that has been identified in Figure C-1 of the General Plan. The Project Applicant is required to pay into the Clovis DIF Program to contribute funding to implement this planned improvement, which will eventually result in the construction of any missing curbs, gutters and sidewalks along the Baron Avenue right-of-way.

Additionally, per Section 7.4.06 of the Municipal Code (Dedication of rights-of-way for certain streets), the City of Clovis would be required to compensate property owners for the costs of removing or relocating improvements in their properties that would be affected by construction of a public street. As such, this comment is noted but does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.

LETTER C2

Rick and Stacy Andreasen
April 16, 2024

Comment C2-1: The proposed approval of TM 6343 includes annexation of six (6) rural, fully improved homesites. As one of the owners in this block of homes we are opposed to inclusion in the annexation and the change of zoning from AE20. These homesites are a group that have no relevance to the proposed high density residential proposed by Wilson Homes.

Response C2-1: Please refer to Responses C1-4, C1-5, and C1-8 above. The Project Applicant is fulfilling the intent of the City's General Plan by including the proposed annexation area into the project, as this annexation is consistent with what is envisioned in the General Plan for the City's Planning Area. Additionally, the City has already established all General Plan

Land Use Designations in the Planning Area, as well as corresponding zoning districts, and the proposed project does not have influence over this process. As such, this comment is noted but does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.

Comment C2-2: Additionally, the lack of street improvements on the east side of the proposed Barton street will leave an unmanaged strip or no-mans-land. This “normal” exclusion from improvement follows that a small developer will at some time in the future, buy or some of these lots for a small R1 development. This rural island is improved with million dollar + homes that make such an endeavor economically infeasible. The only time that sufficient funding will be available during development for this funding is now. Our meeting with Wilson Homes indicated that curb and gutter, storm drainage, a narrow landscape strip (improved) and a block wall was the best solution to this frontage.

Response C2-2: Please refer to response C1-9 above. The proposed project would comply with the Municipal Code by dedicating a portion of the project site for the construction of Baron Avenue, and providing pavement, curb and gutters as applicable on the segment of Baron Avenue abutting the project parcel, specifically the segment of Baron Avenue between Perrin Avenue and Clovis Avenue. However, per stipulations of Chapter 7.4 of the Municipal Code, the Project Applicant is not required to construct improvements on the east side of the proposed Baron Avenue segment. However, as described in the TIA (Appendix G of this EIR), the segment of Baron Avenue between Perrin Avenue and Clovis Avenue will eventually be converted into a 2-Lane Divided Collector to meet projected cumulative traffic demands in the project area. This improvement is a planned circulation improvement that has been identified in Figure C-1 of the General Plan. The Project Applicant is required to pay into the Clovis DIF Program to contribute funding to implement this planned improvement, which will eventually result in the construction of any missing curbs, gutters and sidewalks along the Baron Avenue right-of-way.

Comment C2-3: Finally, the city master planning for Heritage Grove recognized the existing and distinctive nature of these homesites by pushing the future alignment of Behymer improvements north to allow the existing north property lines, and resulting site improvements to remain.

Please register our opposition to these items with the Planning Commission and City Council.

Response C2-3: This comment mentions that the City’s master planning for the Heritage Grove area pushed the future alignment of Behymer further north to allow the existing north property lines, and improvements within residences adjacent to Behymer to remain. This comment is noted but does not address the adequacy or completeness of the Draft EIR; raise environmental issues; and does not request the incorporation of additional information relevant to environmental issues. No further response is required.

This page intentionally left blank

ATTACHMENT

PUBLIC COMMENT LETTERS

This page intentionally left blank

GILMORE • MAGNESS • JANISSE
A PROFESSIONAL CORPORATION

April 12, 2024

JAMES O. DEMSEY (RETIRED)
ROBERT J. TYLER (1938-2012)
GERALD D. VINNARD (RETIRED)
DAVID M. GILMORE
MARCUS D. MAGNESS
WILLIAM H. LEIFER*
RYAN M. JANISSE
CHRISTOPHER E. SEYMOUR

VIA E-MAIL

Lily Cha-Haydostian
Senior Planner
City of Clovis | Planning Division
1033 Fifth Street
Clovis, CA 93612
559.324.2335
lilyc@ci.clovis.ca.us

Re: Tract Map 6343

Dear Ms. Cha-Haydostian:

I am one of the property owners within the area of the proposed annexation that is the subject of the EIR, general plan amendment, pre-zoning, vesting tentative tract map, and planned development permit set forth as item no. 3 to the Planning Commission agenda for its April 18, 2024 meeting. I received the notice the City of Clovis mailed to my home and this letter constitutes my written comments to each of the proposed action items found under agenda item 3.

C1-1

Reduced Project Alternative/General Plan Amendment

Prior to the issuance of the EIR, I and my neighbors met with the City of Clovis planning personnel and with representatives of Wilson Homes. We were informed that the project would not require the installation of a signal light at the intersection of Behymer and Baron (i.e., at the corner of the property line for the first existing home and mere feet from that property owner's driveway. According to both City personnel and the developer, the only traffic control at that intersection would be a stop sign for the people traveling northbound on Baron who would then turn onto Behymer. We pointed out that the proposal creates an unsafe situation for both the existing property owners and for the people travelling northbound on Baron. We were informed that this didn't matter – that the City had already decided that Baron would be located as shown on the plan – the safety and concerns of the existing residents be damned. We now learn with the EIR that not only did the City and the developer misrepresent the facts, but that

C1-2

STREET ADDRESS
7789 N. INGRAM AVENUE
SUITE 105
FRESNO, CALIFORNIA 93711

MAILING ADDRESS
POST OFFICE BOX 28907
FRESNO, CALIFORNIA 93729-
8907

EMAIL ADDRESS
MAGNESS@GMLLEGAL.NET

TELEPHONE
(559) 448-9800

FACSIMILE
(559) 448-9899



GILMORE · MAGNESS · JANISSE
A PROFESSIONAL CORPORATION

Lily Cha-Haydostian
April 12, 2024
Page 2

the only way to handle the level of traffic being generated by the project is to install signal lights, not just at Baron, but at the future Clovis Avenue intersection, the Fowler Avenue intersection, and the Minnewawa intersection.

C1-2

Of course, these mitigation measures won't be installed, per the EIR for another 20 years and that until this happens, the EIR concludes that every morning and every evening, the people that live along Behymer are just going to have to live with unsatisfactory conditions. (See 8.3.1)

Section 1.3 of the EIR acknowledged that the property owners included in the proposed annexation attended the scoping session and raised concerns that the traffic impacts of the project needed to be addressed and that the project needed to include the improvements to mitigate the environmental harm caused by this project. Specifically called out, among other things, were the results to impacts on the narrow bridge on Behymer that crosses the Enterprise Canal, as well as the traffic impacts to the Behymer/Fowler and Behymer/Minnewawa intersections and the problems caused by constructing Baron Avenue.

C1-3

The EIR found that Behymer Avenue at the intersections called out already operate at unsatisfactory levels of service with average daily trips of 3,720. The EIR also found that this project would generate an additional 5,564 daily trips. In other words, the projected traffic on Behymer Avenue between Sunnyside and Minnewawa is expected to be 9,284 average vehicle trips per day – meaning this project increases the traffic on Behymer by 150%. This and the mitigation measures proposed will not be implemented until 2046. And nowhere in the documents is any mention made to the work required to replace the existing bridge at Enterprise Canal – a bridge that is already being hit by vehicles multiple times each year.

In order for the developer to be allowed to construct 590 postage-stamp homes on the property it is acquiring, the planning commission must recommend and the City Council must approve a general plan amendment increasing the land use designation for that property from Medium Density Residential to Medium High Density Residential. But in so doing, the City of Clovis must throw away the planning philosophy that you

C1-4

GILMORE · MAGNESS · JANISSE
A PROFESSIONAL CORPORATION

Lily Cha-Haydostian
April 12, 2024
Page 3

gradually change densities. Indeed, when the Heritage Grove Specific Plan was being considered, we were told that the City’s plan was to place low density residential zonings next to our AE-20 zoned properties to avoid conflicts. While it deviated from this with the placement of medium density residential immediately adjacent to AE-20 zoning (which land use given the existing improvements constructed on our properties is not going to change within the foreseeable future). But with the requested change in the land use element, the City is throwing the baby out with the bathwater – allowing very inconsistent uses to abut each other (separated only by Baron Avenue).

C1-4

But like much of society today, the project applicant proposes to overcome the forgoing problem by changing definitions. They propose that the City of Clovis not just annex our property (over our objections mind you), but change its land use to “very low density residential”. This is certainly going to negatively affect how we can use our property.

Further confusing the issues is the fact that the planning commission agenda states that the property within the annexation area be pre-zoned “Clovis O, P-F, R-A, R-1, and R-1-PRD” The zoning map included within the agenda package states that the area where the existing homes are located (including mine) be pre-zoned “VL”. Which is it?

C1-5

In the EIR, the City sort of studied a “reduced project alternative” which provided that instead of developing at an 8.25 DU/Ac density, the project would be constructed using a 4.12 DU/Ac density. This yields 295 additional homes. Section 5.5 of the EIR states that this alternative is “viable” and Section 1.4.4, the EIR states that this alternative is feasible (required by CEQA). The EIR concluded that this alternative is better for the environment, resulting in better air quality, less noise, less impacts on public services, less impacts on public utilities and would reduce the volume of vehicle trips on the roads in the area. Interestingly, however, the proposed findings that the planning commission are asked to find include:

C1-6

“The Environmentally Superior Alternative would be the Reduced Project Alternative. Overall, this alternative would lessen significant and less-than-significant environmental impacts or result in impacts similar to those associated with the

GILMORE · MAGNESS · JANISSE
A PROFESSIONAL CORPORATION

Lily Cha-Haydostian
April 12, 2024
Page 4

proposed project. The Reduced Project Alternative would partially achieve Project Objectives, as it would partially address the City of Clovis’ future housing demand by providing a lower amount of visually attractive residential housing opportunities; partially meet local and regional housing demand by providing a single housing type, size and density; implement the City’s General Plan Land Use Element goal to facilitate annexation of large areas of land; and provide integrated and planned infrastructure and logical phasing of public improvements in compliance with City Standards. **However, this alternative would also not be able to reduce the significant and unavoidable LOS and VMT impacts that were identified for the proposed project. As such, this alternative is rejected as infeasible.**” (emphasis)

C1-6

Amazingly, the “infeasibility” conclusion basically contends that if you can’t reduce the environmental impact below the level of significance, there is no point trying to accomplish any reduction. That contention is antithetical to the purpose behind CEQA. It is also contrary to the EIR itself – which stated that the Reduced Project Alternative was both viable and feasible.

To conclude on this subject, the EIR should not be certified as drafted, the above-finding should not be made, and the requested general plan amendment to allow higher density development should be rejected. The EIR should be sent back for revision and the Reduced Project Alternative be adopted.

C1-7

The Existing Homeowners Are Not in Favor of Annexation

The existing homeowners have been in communication and, thus far, it is the consensus that annexation is contrary to our interests and, therefore, we will protest it. Even assuming the City can at this late date clarify how it proposes to pre-zone our property, it makes more sense to deny the pre-zoning altogether.

C1-8

GILMORE · MAGNESS · JANISSE
A PROFESSIONAL CORPORATION

Lily Cha-Haydostian
April 12, 2024
Page 5

The City/Developer Shift Project Costs to Existing Homeowners

In Section 3.3.6 of the EIR, the City/developer state:

“The eastern side of North Baron Avenue that is north of Basin BY will ultimately be built out with an approximately 20-foot-wide parkway, matching the Heritage Grove Neighborhood Boulevard Street section. However, this section of the parkway will not be constructed with Tract 6343 in order to minimize the impact on the adjacent rural residential property.”

The foregoing language is deceptive. It is phrased to appear to do the existing property owners a favor by not constructing improvements that are otherwise required on the east side of the new Baron Avenue. But what is left unsaid is that this is a cost that would ultimately be borne by the existing property owners in the very unlikely event that the existing homes are torn down and a subdivision similar to the one that the developer proposes is constructed in its place. What is also left unsaid is that this will leave a strip of land that is approximately 525' long and 20' wide completely unimproved and unmaintained. Finally, as a matter of public safety, it is likely that the existing homeowner whose property adjoins Baron will need to relocate his driveway from Behymer (immediately adjacent to the corner where 5,564 vehicle trips will pass daily) to Baron. Is that property owner going to be required to shoulder the cost of that relocation AND the roadway improvements alone? If the development is to be approved, whether as proposed or using the Reduced Project Alternative, it is the developer that must install all of the required improvements. That cost cannot be shifted to the existing homeowners.

C1-9

Very truly yours,



Marcus D. Magness

This page intentionally left blank

From: Rick Andreasen <ra@tamarchitects.com>
Sent: Tuesday, April 16, 2024 11:21 AM
To: Lily Cha <lilyc@ci.clovis.ca.us>
Subject: [External] Tract 6343

The proposed approval of TM 6343 includes annexation of six (6) rural, fully improved homesites. As one of the owners in this block of homes we are opposed to inclusion in the annexation and the change of zoning from AE20. These homesites are a group that have no relevance to the proposed high density residential proposed by Wilson Homes.

C2-1

Additionally, the lack of street improvements on the east side of the proposed Barton street will leave an unmanaged strip or no-mans-land. This “normal” exclusion from improvement follows that a small developer will at some time in the future, buy or some of these lots for a small R1 development. This rural island is improved with million dollar + homes that make such an endeavor economically infeasible. The only time that sufficient funding will be available during development for this funding is now. Our meeting with Wilson Homes indicated that curb and gutter, storm drainage, a narrow landscape strip (improved) and a block wall was the best solution to this frontage.

C2-2

Finally, the city master planning for Heritage Grove recognized the existing and distinctive nature of these homesites by pushing the future alignment of Behymer improvements north to allow the existing north property lines, and resulting site improvements to remain.

C2-3

Please register our opposition to these items with the Planning Commission and City Council.

Thank you,

Rick and Stacy Andreasen
4747 E. Behymer
559.908.5290

This page intentionally left blank

Dedications and Street Improvements

1. The applicant shall provide right-of-way acquisition or dedicate free and clear of all encumbrances and/or improve the following streets to City standards. The street improvements shall be in accordance with the City's specific plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the type, location, and grades of existing improvements.
 - a. Behymer Avenue – Along frontage, dedicate to provide right-of-way acquisition for 44.5' (existing 30') south of centerline and 24.5' (existing 20') north of centerline, and improve with curb, gutter, sidewalk, curb return ramps, streetlights, landscape strip, 43' (22.5' south + 20.5' north) of permanent paving, 3' paved swale on the north side of the street, and transitional paving as needed.
 - b. North Baron Avenue – Between Perrin Avenue and the ultimate southern limit of FMFCD Basin BY2, dedicate to provide right-of-way acquisition for 44.5' (exist 0') west of centerline and 44.5' (exist 0') east of centerline (centerline is on the eastern property line of the project parcel), and improve with curb, gutter, 6' sidewalk on both sides of the street, curb return ramps, street lights, landscape strip, 45' (22.5' east + 22.5' west) permanent paving, and transitional paving as needed.
 - c. North Baron Avenue – Along the ultimate FMFCD Basin BY2 frontage, dedicate to provide right-of-way acquisition for 44.5' (exist 0') west of centerline and 40.5' (exist 0') east of centerline (centerline is on the eastern property line of the project parcel), and improve with curb, gutter, 6' sidewalk on both sides of the street, drive approaches, curb return ramps, street lights, landscape strip, 45' (22.5' east + 22.5' west) permanent paving, and transitional paving as needed.
 - d. North Baron Avenue – Between the ultimate northern limit of the FMFCD Basin BY2 and Behymer Avenue, dedicate to provide right-of-way acquisition for 44.5' (exist 0') west of centerline and ~~40.5'~~ **25.5'** (exist 0') east of centerline (centerline is 25.5' west of the eastern property line of the project parcel), and improve with curb, gutter, 6' sidewalk on both sides of the street, curb return ramps, street lights, landscape strip, 45' (22.5' west + 22.5' east) permanent paving, and transitional paving as needed.
 - e. Perrin Avenue – Between North Baron Avenue and the western limit of TTM 6200, dedicate to provide right-of-way acquisition for 77' (exist 0') north of centerline and 19' (exist 0') south of centerline, and improve with curb, gutter, sidewalk, curb return ramps, street lights, landscape strip, 30' (18' north + 12' south) permanent paving, 3' paved swale on the south side of the street, and transitional paving as needed. The curb pattern on the north

side of Perrin Avenue includes a 10' meandering asphalt trail and a meandering decomposed granite trail.

- f. Perrin Avenue – Between the western limit of TTM 6200 and the western limit of this development, dedicate to provide right-of-way acquisition for 66' (exist 0') north of centerline and 30' (exist 0') south of centerline, and improve with curb, gutter, 10' sidewalk of the north side of the street, 6' sidewalk on the south side of the street, curb return ramps, street lights, landscaping and irrigation, 32' (16' north + 16' south) permanent paving, and transitional paving as needed. The curb pattern on the north side of Perrin Avenue includes a 10' meandering asphalt trail and a meandering decomposed granite trail.
- g. North Hammel Avenue – Dedicate to provide right-of-way acquisition for 30' (exist 0') east centerline and 30' (exist 0') west of centerline, and improve with curb, gutter, sidewalk, curb return ramps, street lights, landscaping and irrigation, 32' (16' east + 16' west') permanent paving. The curb pattern for the east side of the street shall include a 5' sidewalk. The curb pattern for the west side of the street shall include landscaping and an 8' meandering sidewalk outside of the FID Enterprise Canal easement.
- h. Gated Developments – Provide ample vehicle stacking area outside the travel lanes of the public streets that will allow vehicles to wait as vehicles are accessing the control panel to open the security gates. Design a turn-around to allow vehicles that cannot enter the complex to return to the street without backing the vehicle up. Provide the Solid Waste Division with remote controls that will allow access for all solid waste and recycling vehicles.
- i. Interior Public Streets – Dedicate to provide for 50' or 54' of right-of-way in conformance with the City policy on street widths, and improve with curb, gutter, 5' sidewalk adjacent to the curb, drive approaches, curb return ramps, streetlights, permanent paving, and all transitional paving as needed.
- j. Interior Private Streets – For two-way traffic with no parking on both sides, the minimum travel width shall be 25' with a clear width of 30'. For two-way traffic with parking on one side, the minimum travel width shall be 32'. For two-way traffic with parking on both sides, the minimum travel width shall be 36'.
- k. Cul-De-Sacs - dedicate to provide for 52' radius and improve with curb, gutter, sidewalk, streetlights, 43' permanent paving and all transitional paving as needed.

- l. Temporary Turnabouts – Dedicate to provide for a 48' radius and install 45' of permanent/temporary paving plus 3' paved swale at the north end of North Hamel Avenue.
- m. Design a traffic signal at Behymer and North Baron Avenues, install the portion of the traffic signal at the southwest corner and provide the necessary right-of-way for the southwest corner portion of the traffic signal in its ultimate location.
- n. The applicant shall relinquish all vehicular access to Behymer Avenue, Perrin Avenue, North Hammel Avenue and North Baron Avenue for lots that back or side on these streets.
- o. Community Corner Paseo – At the southwest corner of Behymer Avenue and North Baron Avenue, dedicate and provide for a community corner paseo per the Heritage Grove Design Guidelines.
- p. The applicant shall design accommodations for a future pedestrian bridge crossing over the Enterprise Canal along the western limits of the project.
- q. The applicant shall eliminate access to the existing pedestrian bridge over the Enterprise Canal.

Lily Cha

From: Aaron La Mattina
Sent: Thursday, April 18, 2024 10:32 AM
To: Lily Cha
Cc: David Merchen; Ryan Nelson; Renee Mathis
Subject: FW: [External] Public Comment for City Council

Hi Lily,

Please see the public comment below. Because of the issue with the packet for tonight's meeting, it was submitted to Admin instead of Planning.

Thanks!

From: Rebecca Simonian <rebeccas@ci.clovis.ca.us>
Sent: Thursday, April 18, 2024 10:16 AM
To: Aaron La Mattina <aaronlm@ci.clovis.ca.us>; Ryan Nelson <ryann@ci.clovis.ca.us>
Cc: Andrew Haussler <andrewh@ci.clovis.ca.us>
Subject: FW: [External] Public Comment for City Council

Good morning,

I believe this came to us in error since the PC agenda directs them to leave tonight's comments on our Council page, appears to be for tonight's PC meeting.

Thank you,
Rebecca

From: Public Comments <email@cityofclovisca.us>
Sent: Thursday, April 18, 2024 10:11 AM
To: Karey Cha <kareyc@ci.clovis.ca.us>; Andrew Haussler <andrewh@ci.clovis.ca.us>; Rebecca Simonian <rebeccas@ci.clovis.ca.us>
Subject: [External] Public Comment for City Council

Council Meeting Date: 2024-04-18

Item Number (put "0" if your comment is regarding an item not on the agenda): 0

Full Name: Steven Shoemaker

Email: 3oaksvineyardclovis@gmail.com

Comment: Reference proposed increased housing projects:

After having discussed the recharging of the aquifer that feeds the city of Clovis residents, and having a well that pulls from the same aquifer (we live in the County along Sunnyside Avenue) with Nathan Magsig; I have a few rhetorical questions for the council to consider before approving increased building north of Shepard.

1. Having to install a new pump two years ago in our well, we noted that the water level has receded over 50ft from when we purchased the property in 2006.
2. In talking with the City employees in a meeting with the County and City in the past, I have asked who actually knows what the water level is in the aquifer and how much is actually being provided by the percolation ponds on Sunnyside and Alluvial to restore the aquifer water levels in what amount of time? No one on the City Staff could answer the question except to say "it's being taken care of"; which you all know is not an answer.
3. The County is working to increase storage capacity at elevation to add to the aquifer feed; but it's not adequate yet.

4. This all leads to one question for the Council: is the timing appropriate to increase the number of houses that feeds off of the aquifer at this time; or would it be better to wait until more storage capacity at elevation has been created to ensure there is enough water to feed the population increase and to prevent "subsidence"?

All of us, both City and County, look to you the Council to oversee and manage the growth within the available resources; and trust that you are doing so; but without actual figures on aquifer water levels, percolation rates, and modification procedures for lean water years (drought), we are not yet confident that all is being done to protect our "Way of Life".

Thank you.

Supporting Files (2 Max.):

Date: April 18, 2024

Time: 10:10 am

Remote IP: 104.247.140.211