

FRESNO COUNTY AIRPORT LAND USE COMMISSION Action Summary

Date: Thursday, October 5, 2020
Time: 2:00 p.m.
Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

1. **CALL TO ORDER**

A meeting of the Fresno County Airport Land Use Commission (ALUC) was called to order by Chairman Duarte at 2:18 p.m. This meeting was held via ZOOM due to the Covid-19 Pandemic.

ROLL CALL

PRESENT: **Commissioners:** Daniel Yrigollen, Bill Darnell, Ron Duarte
Proxies: Dwight Kroll

ABSENT: **Commissioners:** Sal Quintero, Nathan Magsig, Bob Beck, Ray Remy
Proxies: Mark Davis, John Krikorian, Mary Fast

OTHERS ATTENDING:

Brenda Veenendaal, Fresno COG
Braden Duran, Fresno COG Staff
Lindsay Beavers, Fresno County Counsel
Jeremy Shaw, County of Fresno

Rickey Caperton, City of Clovis
Patrick Murphy
Adam Caracci, Raising Canes

No public was present.

2. **Action/Discussion Items**

A. Action Summary of the August 3, 2020, ALUC Meeting (Brenda Veenendaal)

A motion was made by Commissioner Darnell and seconded by Commissioner Yrigollen to approve the August 3, 2020, Fresno County Airport Land Use Commission Action Summary. A vote was called for and the motion carried.

B. City of Clovis – Sierra Pavilions Shopping Center Proposed Actions (Braden Duran)

Braden Duran reported on this item. The City of Clovis, on behalf of applicant Patrick Murphy, was asking for a Land Use Determination by the ALUC for General Plan Amendment GPA2020-003, Conditional Use Permit CUP2020-003, and Site Plan Review SPR2020-004 for a property located at the northwest corner of Shaw and Cole Avenues in the City of Clovis.

The application pertains to ± 1.07 acre of leased property within a greater ±6.5-acre parcel on the corner, as part of the Sierra Pavilions Shopping Center. The applicant was requesting a text amendment to the Shaw Avenue Specific Plan and a conditional use permit to allow for a ±3,316 square-foot drive-thru use (Raising Cane's Chicken Fingers) on the subject property. The project included the demolition of the existing structure on the site (currently a Pier 1 Imports retail store). The maximum permitted height would be below 25 feet for the project, if approved. A categorical exemption was expected to be filed for this project to satisfy California Environmental Quality Act (CEQA) Guidelines.

The site was located within Zone 6, the Traffic Pattern Zone (TPZ), of the Fresno Yosemite International Airport. The ALUCP restrictions on density and open land for the TPZ are not expected to be an issue for this project. Other prohibited land uses in the TPZ included high intensity uses, as well as hazards to flight.

Other Development Conditions Included:

- Airport disclosure notice
- Airspace review required for objects >100 feet tall

The Project applicant filed with the FAA for a No Hazard Determination on September 11, 2020 (Aeronautical Study Number: 2020-AWP-10632-OE).

This project did not fall under any noise contours as defined by the ALUCP.

No study result as of yet from the FAA. This is still a work in progress.

Commissioner Kroll asked if it was okay for him to participate on this item being that he was a former City of Clovis worker. the Clovis item. Counsel said there was no conflicts of interest and would not have a quorum if he did not participate.

A motion was made by Commissioner Yrigollen and seconded by Commissioner Darnell to approve a Conditional Finding of Consistency for the General Plan Amendment GPA2020-003, Conditional Use Permit CUP2020-003, and Site Plan Review SPR2020-004 as proposed by the City of Clovis. A vote was call for and the mtion carried.

C. County of Fresno -- Variance at 527 N. Temperance Avenue in the County of Fresno. (Brenda Veenendaal)

Brenda Veenendaal reported on this item. The County of Fresno, on behalf of applicants Aurelio and Naomi Gonzalez were seeking approval of a variance to allow creation of three 2.5 +/- acre and a 5.0 +/- acre parcels from a 12.99 +/- acre parcel in the AE-20 Zone District without public road frontage. The subject parcel is located at 527 N. Temperance Avenue in the County of Fresno which sits within the 60-64 CNEL noise contour of Fresno Yosemite International Airport as defined by the ALUCP.

Table 3B of the Fresno County ALUCP states that residential, agriculture and livestock farming, animal breeding, animal shelters and kennel uses withing CNEL 60-64 are conditionally compatible. This means that land use and related structures are permitted, provided that sound insulation was provided to reduce interior noise levels from exterior sources to CNEL 45 dB or lower. All other uses land uses and related structures are compatible without restrictions.

The site is also located within Zone 6, the Traffic Pattern Zone (TPZ), of the Fresno Yosemite International Airport. The ALUCP restrictions on density and open land for the TPZ are not expected to be an issue for this project. Other prohibited land uses in the TPZ included high intensity uses, as well as hazards to flight.

Other Development Conditions Included:

- Airport disclosure notice
- Airspace review required for objects >100 feet tall

The Commissioners had no comments or concerns regarding the variance.

A motion was made by Commissioner Kroll and seconed by Commissioner Duarte to approve a Finding of Consistency for a variance at 527 N. Temperance Avenue in the County of Fresno. A vote was called for and the motion carried.

D. City of Clovis – Clovis/Dakota Business Complex (Braden Duran)

Braden Duran reported on this item. The City of Clovis, on behalf of applicant Don Pickett & Associates, Inc., was asking for a Land Use Determination by the ALUC for Rezone application R2020-003 for ± 30 acre property located near the Northeast corner of Clovis and Dakota Avenues in the City of Clovis.

The applicant was requesting to rezone the property from the C-2 (Community Commercial), M-1 (Light Industrial), M-2 (Heavy Industrial), and R-2 (Multifamily Medium-High Density Residential) Zone Districts to the C-M (Commercial and Light manufacturing) Zone District. This action was necessary to make future improvements to the site. While this application was rezoned only at this time, the applicant has future improvement plans that included the construction of approximately 49 buildings totaling approximately 390,000 square-feet over the course of 5 to 10 years, depending on market conditions.

The C-M Zone District permits building heights up to 75 feet per the City of Clovis Municipal Code; however, the applicants conceptual plans indicated a maximum height of roughly 25 feet.

To satisfy the California Environmental Quality Act (CEQA) Guidelines, the City of Clovis prepared an Initial Study Mitigated Negative Declaration (ISMND) that was circulated for public review in June and July 2020.

The site is located within Zone 6, the Traffic Pattern Zone (TPZ), of the Fresno Yosemite International Airport. The ALUCP restrictions on density and open land for the TPZ are not expected to be an issue for this project. Other prohibited land uses in the TPZ included high intensity uses, as well as hazards to flight.

Other Development Conditions Include:

- Airport disclosure notice
- Airspace review required for objects >100 feet tall

The Project applicant filed with the FAA for a No Hazard Determination on September 16, 2020 (Aeronautical Study Number: 2020-AWP-10761-OE).

This project did not fall under any noise contours as defined by the ALUCP.

A motion was made by Commissioner Darnell and seconded by Commissioner Yrigollen to approve a Conditional Finding of Consistency for the Rezone application R2020-003 as proposed by the City of Clovis. A vote was called for and the motion carried.

H. ALUCP Amendment Process Clarification and Possible Initiation (Brenda Veenendaal)

Brenda Veenendaal reported on this item. During the August 2020 ALUC meeting the Commissioners directed staff to contact each airport to collect a list of any/all issues, concerns or modifications that airports may have regarding the current ALUCP. Staff discussed each item with the ALUC at the meeting.

The Commissioners agreed that it would be good to begin moving forward on the ALUCP amendment.

ALUC directed staff to move forward in communication with the consultant, to develop a contract for approval at their next meeting.

ALUC legal counsel is going to research a question asked of her regarding approving a project subject to adoption of the amendment.

3. Public Presentations

This portion of the meeting is reserved for persons wishing to address the ALUC on items within its jurisdiction but not on this agenda. **Note: Prior to action by the ALUC on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.**

None

4. Other Business

A. Items from Members

None

B. Items from Staff

Brenda Veenendaal briefed the Commissioners on the Fresno COG's RTP Transportation Needs survey.

1. Upcoming meetings (regular schedule)

- December 7, 2020

Adjournment:

A Motion was made by Commissioner Darnell and seconded by Commissioner Kroll to adjourn the meeting at 2:59 pm. A vote was called for and the motion carried.