



CITY OF MENDOTA

"Cantaloupe Center of The World"

February 26, 2021

Brenda Veenendaal
Fresno County Airport Land Use Commission
2035 Tulare Street, Suite 201
Fresno, CA 93721
Via email to: brendav@fresnocog.org

Subject: Updated request for determination of ALUCP consistency for *Application No. 21-01, the Left Mendota II, LLC Commercial Cannabis Project* in the City of Mendota, Fresno County, CA

Dear Brenda:

At its regular meeting on February 1, 2021, the Fresno County Airport Land Use Commission considered a request from the City of Mendota and Left Mendota II, LLC to make a finding of consistency with the 2018 Fresno County Airport Land Use Compatibility Plan for City Application No. 21-01, which proposes new commercial cannabis activities on APN 013-280-29.¹ At that meeting, the Commission raised several concerns about the project and requested additional information and clarification, ultimately deciding to continue the item to its April 4, 2021 meeting. Since that time, the applicant has considered the Commission's input and has provided clarifying information and revised the proposal accordingly. A revised site plan is attached, and other specific concerns and questions brought up by the Commissioners are addressed below. The City wishes to impress upon the Commissioners that the project requires additional approvals from both the Mendota Planning Commission and the Mendota City Council in the form of a conditional use permit and a development agreement, in addition to review under the California Environmental Quality Act (CEQA). Conditions of compatibility imposed by the ALUC will be incorporated into either the City's CEQA review, conditions of project approval, or both, as appropriate. If in the future the applicant wishes to revise the project as approved, that will require further action by the City as well as a new request for compatibility from the ALUC. Please consider the following:

1. The applicant has determined that the project remains viable without use of the land within Zone 1. The proposal has been revised to indicate that the area within Zone 1 will remain vacant.
2. The previous site plan indicated that the areas of the property within Zones 2 and 6 would contain "future greenhouse development with airport approval." Those notes have been removed. There is no proposal for greenhouse development or construction of any structures on the property. For future reference, it remains understood that no development will be allowed within Zone 1.
3. The applicant proposes to construct chain link security fencing along the Marie Street frontage. There is an existing six-foot-high chain link fence between the subject site and the private properties to the northwest and southeast and an existing eight-foot-high chain link fence with

¹ Please note that the address of 999 Marie Street as previously stated was a placeholder; on February 3, 2021 the City issued a letter to the United States Postal Service establishing 1111 Marie Street as the site address.

three-strand barbed wire between the subject property and the airport as identified on the City's 2011 Airport Layout Plan.

4. The project proposes outdoor cultivation of cannabis in potted rows with five-foot separation. The pots will be standard five- to seven-gallon plastic nursery pots with flexible drip irrigation tubing.

Additional concerns that we believe were addressed prior to or at the February 1 meeting but may bear inclusion here include:

1. The level of detail required for the site plan. The City maintains an exhaustive list of items that are generally included on a site plan. However, the subject proposal includes no structures, no impervious surface, no parking area, no landscaping, and only minimal improvement (new fencing along with security cameras and security lighting to be located on existing and proposed fencing at 7- to 8-foot height). Accordingly, the site plan as accepted by the City (and as provided to the ALUC) reflects the very basic nature of the project.
2. A statement within the original operational statement: "Applicant shall not be held responsible for any violations of tenants." The corresponding concern related to enforcement of the requirements set forth to receive a Finding of Consistency and who would be held responsible for violations. The applicant included that language in an effort to prevent the City from going after the applicant later if a lessee (for example) is in violation of any conditions or requirements placed on the project. That intent notwithstanding, the property owner is ultimately responsible for correcting any violations. As is the case with all projects approved by the City, the conditional use permit language will expressly state that violations of conditions or requirements, whether those of the City or another public agency, may result in fines, penalties, or revocation of the CUP. As mentioned above, the ALUC's consistency findings and requirements will be included in the CUP conditions, as part of the development agreement, or as CEQA mitigation measures as applicable. The City is the enforcer.

Given the above information, the City again requests that the ALUC make a finding of compatibility with the 2018 ALUC for City of Mendota Application No. 20-21. Please feel free to contact me with any questions or comments at 559.449.2700, 559.917.9302, or at joneal@ppeng.com. Thank you.

Respectfully,



Jeffrey O'Neal, AICP
City Planner

Attachments: Revised Site Plan

EXHIBIT A

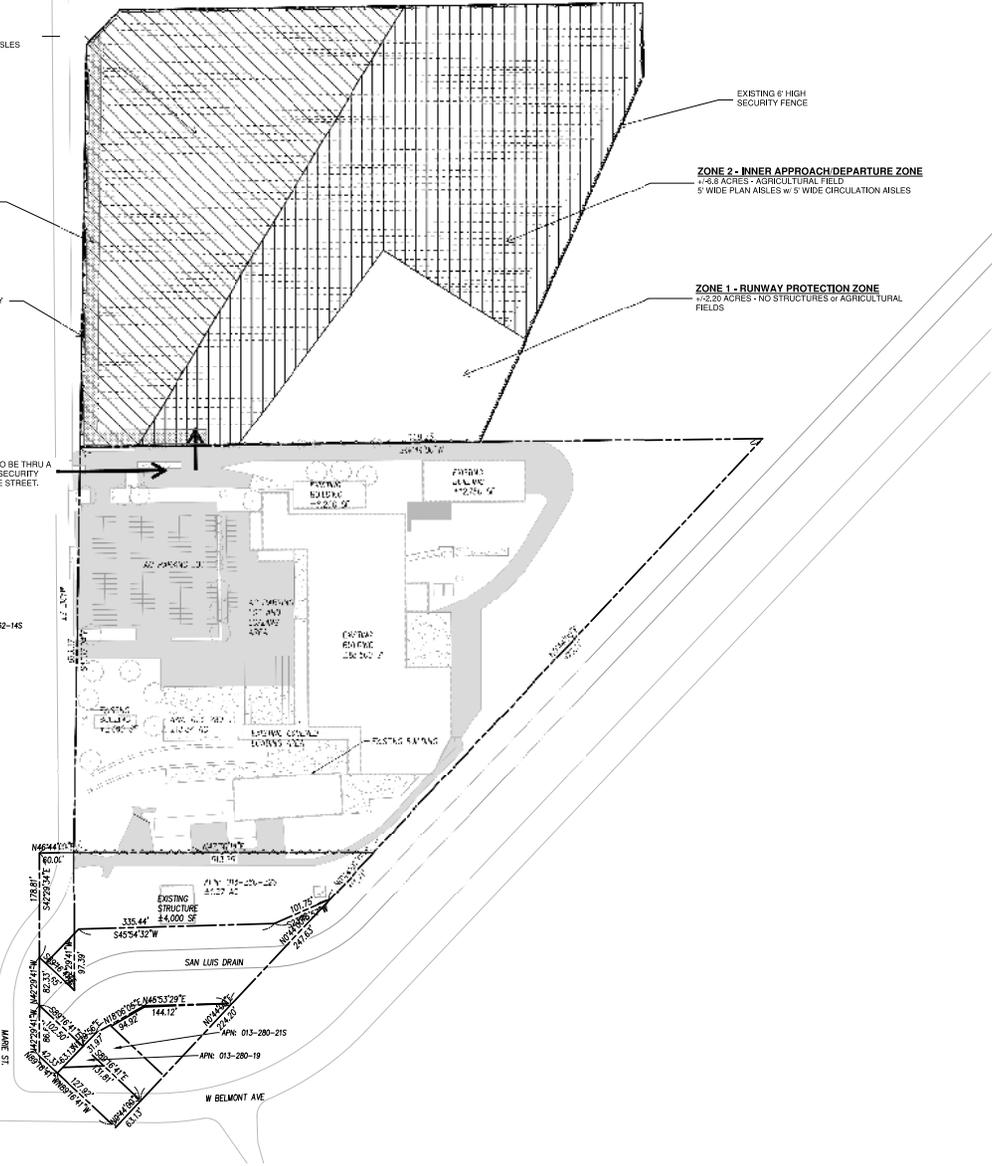
ZONE 6 - TRAFFIC PATTERN ZONE
 +/-3.5 ACRES - AGRICULTURAL FIELD
 5' WIDE PLAN AISLES w/ 5' WIDE CIRCULATION AISLES

20' WIDE UNPAVED
 ACCESS ROAD

SITE TO BE ENCLOSED
 WITH 7' HIGH SECURITY
 FENCE

ACCESS TO THE SITE TO BE THRU A
 SHARED ACCESS AND SECURITY
 POINT WITH 1269 MARIE STREET.

APN 013-162-145



VICINITY MAP

EXISTING & PROPOSED ZONING DISTRICT: M-1 LIGHT MANUFACTURING

PARCELS: APN 013-280-29

SITE ADDRESS: 1111 MARIE STREET, MENDOTA, CALIFORNIA



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CUP SITE PLAN

LEFT MENDOTA II, LLC
 1111 MARIE STREET, MENDOTA, CALIFORNIA

THIS SITE PLAN IS BASED ON RECORD INFORMATION AND CREATED FROM AN ORTHO
 RECTIFIED AERIAL PHOTO. IT SHALL BE UTILIZED FOR ILLUSTRATIVE PURPOSES ONLY.

01/07/2021
 SCALE 1" = 100'
 DRAWN BY: WY