

# CLOVIS CITY COUNCIL MEETING

OCTOBER 9, 2000

7:00 P.M.

## COUNCIL CHAMBER

Meeting called to order by Mayor Armstrong  
Flag Salute led by Councilmember Wynne

Roll Call: Present: Councilmembers Flores, Waterston, Wynne, Mayor Armstrong  
Absent: Councilmember Stearns

### CONSENT CALENDAR

Motion by Councilmember Wynne, seconded by Councilmember Flores, that the items on the Consent Calendar be approved, including the waiver of the reading of the ordinances. Motion carried.

- a) Approved - Minutes for the September 5, 11, and 18, 2000 Council meetings.
- b) Adopted - **Ordinance 00-25** - R00-13, Rezoning property located at the northwest corner of Fowler Avenue and Tollhouse Road from the C-P (Administrative and Professional Office) and M-2 (General Manufacturing) Zone Districts to the C-M (Commercial and Light Manufacturing) Zone District. Evelyn I. Ford, Trustee of the Ford Family, owner; George Beal, applicant.
- c) Adopted - **Ordinance 00-26** - R00-14, Rezoning property located on the south side of Fourth Street between Russell Avenue and Tollhouse Road from the R-1 (Medium Density Single Family Residential minimum lot size 6,000 square foot) Zone District to the P-F (Public Facility) Zone District. City of Clovis, owner/applicant.
- d) Approved - Adoption of the 2000 Master Municipal Service Plan Update.
- e) Approved - Renewal of Clovis 500 Club annual card room permit.
- f) Approved - **Resolution 00-130** - Amending the Fiscal Year 2000-2001 Stageline Transit Budget allocating Local Transportation Funds from Fiscal Year 1999-2000 for the purchase of transit dispatching software.
- g) Approved - Bid Award - Peach Avenue Water Main Project between Sierra Avenue and State Route 168 to Scheidt, Haydon and Hall, Inc., in the amount of \$96,625.00.
- h) Approved - Final Acceptance - 2000 Slurry Seal Project #00-11.
- i) Approved - Authorize the placement of a recently hired employee at Step "C" of the Building Inspector salary range, pursuant to Section 5.A of City Resolution 867.
- j) Approved - **Resolution 00-131** - Delegation of authority regarding Business and Professions Code Section 23800(e), Alcoholic Beverage Licensing, to the Clovis Police Chief.

### CONSIDERED - THIRD GENERAL PLAN AMENDMENT CYCLE FOR 2000

*GPA00-7, A request to amend the Northwest Area Specific Plan and the Clovis General Plan to redesignate approximately 5.6 acres of property located at the southeast corner of Peach and Herndon Avenues from Office to Commercial. Frances Fruguglietti and Kenneth and Ellyn Faulkner, owner; Michael H. Johnson, applicant; Ron Yamabe of Yamabe and Horn Engineering, representative.*

City Planner Dwight Kroll presented a report on General Plan Amendment 00-7 (GPA00-7). Dwight Kroll indicated that staff was concerned regarding the broader variety of commercial land uses that might occur under a general Community Commercial land use designation that could generate a higher level of off-site impacts to the adjacent residential neighborhood and recommended a Mixed Use designation preserving the current designation but allowing a special

use designation of new car sales and associated facilities. Michael H. Johnson, 1155 Automall Drive, Lancaster, CA, applicant, spoke in support of the request. Brian Heryford, 1884 Ellery Avenue, spoke in support of the request. Vicki Marsh, 779 N. Fordham; Morris Horton, 357 W. Fremont; Tamara Fields, 260 West Fremont; Glen Marsh, 779 N. Fordham; all local residents, spoke in opposition to the request due to their concerns about increased traffic, noise, negative impact on their property values, and possible increased criminal activity they believe could happen with such uses as a new car dealership. Discussion by the Council. The Council, by consensus, with Councilmember Stearns absent, approved GPA00-7, to amend the Northwest Area Specific Plan and the Clovis General Plan to redesignate approximately 5.6 acres of property located at the southeast corner of Peach and Herndon Avenues from Office to Mixed Use subject to the conditions contained in Exhibit "A" of the staff report. Mayor Armstrong indicated that the final vote would be cast at the continued hearing on October 16, 2000.

*GPA00-9, A request to redesignate approximately 4.47 acres of land located at the southwest corner of Nees and Temperance Avenues from Mixed Use (Mixed Use Area 36) to Commercial. Temperance/Nees Partners, owner; George Beal, applicant.*

City Planner Dwight Kroll presented a report on General Plan Amendment 00-9 (GPA00-9). Dwight Kroll indicated that the Planning Commission and staff were recommending denial of this General Plan Amendment. Dwight Kroll indicated that the policies governing commercial development in this area were adopted in the Herndon-Shepard Specific Plan and this request was in conflict with these policies. George Beal, applicant, 5816 East Shields Avenue, Suite 101, Fresno, spoke in support of the request. Mr. Beal provided Council with a 1995 market feasibility study; a letter from Farid Assemi, Granville Homes, dated March 6, 2000, to the Clovis City Council; and a letter from the Clovis Unified School District (CUSD), dated May 10, 1995; and a map of the subject area, all used as supporting documentation for his request. Darryl Gillis, property owner, 9170 N. Stonebridge, spoke in favor of the request. Mr. Gillis provided an artist rendition of the proposed site fully developed and photographs of adjacent canal and neighborhood used as supporting documentation for the request. Michael Jennings, Construction Manager for applicant, 1891 San Gabriel, spoke in support of the request. Marsha Pope, local resident, 2350 Houston; Martin Britz, local resident, 2474 Nees, (Mr. Britz provided Council with a copy of correspondence from CUSD to the City of Clovis dated June 1, 1990 regarding the Districts opposition to GPA 89-17 proposed change from neighborhood park to neighborhood commercial for the property located at the southeast corner of Nees and Temperance Avenues); William Noble, 1120 North Temperance, owner of the 1.13 acre parcel south of the subject property, all spoke in opposition to the request because of their concerns with having a convenience store with fuel sales and eating establishment near their neighborhood and the associated impact it may have on their lifestyle due to aesthetics, noise, lighting, and increased traffic. The Council, by consensus vote, voted 22 with Councilmember Stearns absent, for a technical denial of GPA00-9, a request to redesignate approximately 4.47 acres of land located at the southwest corner of Nees and Temperance Avenues from Mixed Use (Mixed Use Area 36) to Commercial. Mayor Armstrong indicated that Councilmember Stearns may listen to the record and cast a vote at the continued hearing on October 16, 2000.

APPROVED - INTRODUCTION - **ORDINANCE 00-27** - R00-17, A REZONE OF APPROXIMATELY 5.6 ACRES LOCATED AT THE SOUTHEAST CORNER OF PEACH AND HERNDON AVENUES FROM THE R-A (LOW DENSITY SINGLE FAMILY RESIDENTIAL MINIMUM LOT SIZE 24,000 SQUARE FOOT) ZONE DISTRICT TO THE C-2 (COMMUNITY COMMERCIAL). FRANCES FRUGUGLIETTI AND KENNETH AND ELLYN FAULKNER, OWNERS; MICHAEL H. JOHNSON, APPLICANT; RON YAMABE OF YAMABE AND HORN ENGINEERING, REPRESENTATIVE

APPROVED - **RESOLUTION 00-132** - CUP2000-17, UPHOLDING THE APPEAL OF THE PLANNING COMMISSION DENIAL AND APPROVING A CONDITIONAL USE PERMIT FOR AUTOMOBILE SALES AT THE SOUTHEAST CORNER OF PEACH AND HERNDON AVENUES. FRANCES FRUGUGLIETTI AND KENNETH AND ELLYN FAULKNER, OWNERS; MICHAEL H. JOHNSON, APPLICANT; RON YAMABE OF YAMABE AND HORN ENGINEERING, REPRESENTATIVE

City Planner Dwight Kroll presented a report on the rezone request and request to appeal the Planning Commission denial of a conditional use permit. Michael H. Johnson, 1155 Automall Drive, Lancaster, CA, applicant, spoke in support of the request. Brian Heryford, 1884 Ellery Avenue, spoke in support of the request. Vicki Marsh, 779 N. Fordham; Morris Horton, 357 W. Fremont; Tamara Fields, 260 West Fremont; Glen Marsh, 779 N. Fordham all spoke in opposition to the request due to their concerns about increased traffic, noise, negative impact on their property values, and possible increased criminal activity they believe could happen with such uses as a new car dealership. Discussion by the Council. Motion by Councilmember Wynne, seconded by Councilmember Flores, that the Council adopt a Negative Declaration pursuant to CEQA guidelines, and a "De Minimis" finding pursuant to the requirements of the

California Department of Fish and Game Code Section 711.4 and that the Council approve the introduction of Ordinance 00-27, to rezone approximately 5.6 acres located at the southeast corner of Peach and Herndon Avenues from the R-A (Low Density Single Family Residential minimum lot size 24,000 square foot) zone district to the C-2 (Community Commercial). Motion carried with Councilmember Stearns absent. Discussion by the Council. Motion by Councilmember Flores, seconded by Councilmember Waterston, that the Council, by Resolution 00-132, consent to and uphold the appeal of the Planning Commission denial of a conditional use permit for automobile sales at the southeast corner of Peach and Herndon Avenues and approve CUP2000-17. Motion carried with Councilmember Stearns absent.

ADJOURNMENT

Mayor Armstrong adjourned the meeting of the Council to October 16, 2000.

Meeting adjourned: 8:51 p.m.

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Mayor

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City Clerk