

CITY of CLOVIS

AGENDA • PLANNING COMMISSION

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2340 <u>www.cityofclovis.com</u>

February 22, 2024 6:00 PM Council Chamber

In compliance with the Americans with Disabilities Act, if you require special assistance to access and/or participate in this Planning Commission meeting, please contact the Planning Division at (559) 324-2340 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council Chamber.

The Clovis Planning Commission meetings are open to the public at the physical address listed above. There are numerous ways to participate in the Planning Commission meetings: you are able to attend in person; you may submit written comments as described below; you may participate by calling in by phone (see "Verbal Comments" below); and you may view the meeting which is webcast and accessed at www.cityofclovis.com/planning-commission-agendas.

Written Comments

- Members of the public are encouraged to submit written comments at: <u>www.cityofclovis.com/planning-commission-agendas</u> at least two (2) hours before the meeting (4:00 p.m.). You will be prompted to provide:
 - Planning Commission Meeting Date
 - Item Number
 - Name
 - Email
 - Comment (please limit to 300 words or 3 minutes)
- Please submit a separate form for each item you are commenting on.
- A copy of your written comment will be provided to the Planning Commission noting the item number. If you wish to make a verbal comment, please see instructions below.
- Please be aware that any written comments received that do not specify a particular agenda item will be marked for the general public comment portion of the agenda.
- If a written comment is received after 4:00 p.m. on the day of the meeting, efforts will be made to provide the comment to the Planning Commission during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to the Planning



Commission during the meeting. All written comments received prior to the end of the meeting will be made part of the record of proceedings.

Webex Participation

• Reasonable efforts will be made to allow written and verbal comment from a participant communicating with the host of the virtual meeting. To do so, a participant will need to chat with the host and request to make a written or verbal comment. The host will make reasonable efforts to make written and verbal comments available to the Planning Commission. Due to the new untested format of these meetings, the City cannot guarantee that these written and verbal comments initiated via chat will occur. Participants desiring to make a verbal comment via chat will need to ensure that they accessed the meeting with audio transmission capabilities.

Verbal Comments Made by Telephone or Webex

- If you wish to speak to the Commission on the item by telephone, you must contact the City Planner, Dave Merchen, at (559) 324-2346 no later than 4:00 p.m. the day of the meeting.
- You will be asked to provide your name, phone number, and your email. You will be emailed
 instructions to log into Webex to participate in the meeting. Staff recommends participants log
 into the Webex at 5:30 p.m. the day of the meeting to perform an audio check.
- All callers will be placed on mute, and at the appropriate time for your comment your microphone will be unmuted.
- You will be able to speak to the Planning Commission for up to five (5) minutes.

* * * *

CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

1. Planning Commission Minutes for the meeting of January 25, 2024.

COMMISSION SECRETARY COMMENTS

PLANNING COMMISSION MEMBER COMMENTS

PUBLIC COMMENTS - This is an opportunity for the members of the public to address the Planning Commission on any matter within the Planning Commission's jurisdiction that is not listed on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic. Anyone wishing to be placed on the Agenda for a specific topic should contact the Planning Division and submit correspondence at least 10 days before the desired date of appearance.

PUBLIC HEARINGS - A public hearing is an open consideration within a regular or special meeting of the Planning Commission, for which special notice has been given and may be required. When a public hearing is continued, noticing of the adjourned item is required as per Government Code 54955.1.

Consider Approval - Res. 24-___, CUP2020-006A, A request to approve a conditional use permit to allow for three temporary modular office buildings at 1265 N. Minnewawa Avenue. The Well Community Church, owner, Russel F. Taylor, applicant and representative.

Staff: Liz Salazar, Assistant Planner

Recommendation: Approve

3. Consider Approval - Res. 24-____, CUP 2023-010, Adopting Class 2 and Class 32 Categorical Exemptions from further environmental review under CEQA and a request to approve a conditional use permit to allow a drive-through restaurant in conjunction with an office/retail building located at 10 W. Bullard Avenue. Kavaso Investments LLC & Berzerker LLC, owner; Vermeltfoort Architects, Inc, applicant.

Staff: Liz Salazar, Assistant Planner

Recommendation: Approve

ADJOURNMENT

MEETINGS & KEY ISSUES

Regular Planning Commission Meetings are held at 6 P.M. in the Council Chamber. The following are future meeting dates:

March 28

April 18

May 23

* * * *

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the City of Clovis Planning Division, located in the Planning and Development Services building, between 8:00 a.m. and 4:00 p.m. Monday through Friday. In addition, such writings and documents may be posted on the City's website at www.cityofclovis.com.

CLOVIS PLANNING COMMISSION MINUTES January 25, 2024

A meeting of the Clovis Planning Commission was called to order at 6:00 p.m. by Chair Antuna in the Clovis Council Chamber.

Flag salute led by Commissioner Hebert

Present: Commissioners Bested, Hatcher, Hebert, Hinkle, Chair Antuna

Absent: None

Staff: Dave Merchen, City Planner

George Gonzalez, Senior Planner McKencie Perez, Senior Planner Joyce Roach, Planning Technician II Sean Smith, Supervising Civil Engineer

Sarai Yanovsky, Civil Engineer

Matt Lear, City Attorney

MINUTES - 6:02

ITEM 1 – APPROVED.

Motion by Commissioner Hinkle, seconded by Commissioner Bedsted, to approve the December 14, 2023, minutes. Motion carried by unanimous consent.

<u>COMMISSION SECRETARY - 6:03</u>

None.

PLANNING COMMISSION MEMBERS COMMENTS - 6:03

None.

PUBLIC COMMENTS - 6:03

None.

PUBLIC HEARINGS

ITEM 1A – 6:04 – APPROVED - **RES. 24-01**, A RESOLUTION TO RECOMMEND THE CITY COUNCIL ADOPT AN ENVIRONMENTAL FINDING OF A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT 2023-002 AND REZONE 2023-002; ITEM 1B – APPROVED - **RES. 24-02**, **GPA2023-002**, A RESOLUTION TO RECOMMEND THE CITY COUNCIL APPROVE AN AMENDMENT TO THE GENERAL PLAN TO RE-DESIGNATE THE SUBJECT PROPERTY FROM THE LOW DENSITY RESIDENTIAL (2.1-4.0 DWELLING UNITS PER ACRE) AND OPEN SPACE DESIGNATIONS TO THE HIGH DENSITY RESIDENTIAL (15.1-30.0 DWELLING UNITS PER ACRE) DESIGNATION; AND ITEM 1C – APPROVED - **RES. 24-03**, **R2023-002**, A RESOLUTION TO RECOMMEND THE CITY COUNCIL APPROVE A REZONE OF THE SUBJECT PROPERTY FROM THE R-A (SINGLE-FAMILY RESIDENTIAL VERY LOW DENSITY) ZONE DISTRICT TO THE R-3 (MULTIFAMILY HIGH DENSITY) ZONE DISTRICT.

Motion by Commissioner Hatcher, seconded by Commissioner Bedsted, for the Planning Commission to approve **Resolution 24-01**, a resolution recommending that the City Council adopt an environmental finding of a Mitigated Negative Declaration for General Plan Amendment 2023-002 and Rezone 2023-002. Motion carried by unanimous consent.

Motion by Commissioner Hatcher, seconded by Commissioner Bedsted, for the Planning Commission to approve **Resolution 24-02**, a resolution recommending that the City Council approve an amendment to the General Plan to re-designate the subject property from the Low Density Residential (2.1-4.0 DU/Ac) and Open Space designations to the High Density Residential (15.1-30.0 DU/Ac) designation. Motion carried by unanimous consent.

Motion by Commissioner Hatcher, seconded by Commissioner Hinkle, for the Planning Commission to approve **Resolution 24-03**, a resolution recommending that the City Council approve a rezone of the subject property from the R-A (Single-Family Residential Very Low Density) Zone District to the R-3 (Multifamily High Density Residential) Zone District. Motion carried by unanimous consent.

ADJOURNMENT AT 7:02 P.M. UNTIL the Planning Commission meeting on February 22, 2024.

Alma Antuna, Chairperson



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: February 22, 2024

SUBJECT: Consider Approval - Res. 24-___, CUP2020-006A, A request to

approve a conditional use permit to allow for three temporary modular office buildings at 1265 N. Minnewawa Avenue. The Well Community

Church, owner, Russel F. Taylor, applicant and representative.

Staff: Liz Salazar, Assistant Planner

Recommendation: Approve

ATTACHMENTS: 1. Res. 24- , CUP2020-006A

2. Site Plan, Elevations and Landscape plan

3. Applicant's Operational Statement

4. Correspondence from Commenting Agencies

5. Addendum to Mitigated Negative Declaration

CONFLICT OF INTEREST

Dave Merchen, City Planner resides within 1000 feet of the Project site and has recused himself from involvement.

RECOMMENDATION

Staff recommends that the Planning Commission approve Conditional Use Permit (CUP) 2020-006A, subject to the conditions of approval listed as **Attachment 1A**.

EXECUTIVE SUMMARY

As shown in **Figure 1** below, the applicant is requesting approval of a conditional use permit on a ±0.8-acre portion of ±53 total acres of property for the temporary use of modular office buildings at 1265 N. Minnewawa Avenue. Although the site plan review process is reviewed administratively at the Staff level, a conceptual site plan has been provided as **Attachment 2** for informational purposes. Approval of this use permit will allow the applicant to use temporary modular buildings for a total of five years.

FIGURE 1 Project Location



BACKGROUND

General Plan Designation: L (Low Density Residential)

Existing Zoning:
 R-A (Single-Family Residential Very Low Density)

• Specific Plan Designation: Herndon-Shepherd Specific Plan

Total Project Area: ±53 acres
 Limits of Project Location: ±0.8 acres

Limits of Project Location:Adjacent Land Uses:

North: Single-Family Residential

East: Rural Residential

South: Single-Family ResidentialWest: Buchanan High School

Previous Entitlements: Associated with the southern ±23 acre portion of the

Total Project Area - R2020-005, CUP2020-006, &

SPR2020-008

On March 25, 2021, the Planning Commission approved CUP2020-006 that allowed for the development of The Well Church Community Church on a portion of property located at the northeast corner of N. Minnewawa and Nees Avenues. CUP2020-006 specifically approved development within a ±23-acre portion to allow a total of three structures associated with the church use. Expansions to the previously approved church related use require an amendment to CUP2020-006.

PROPOSAL AND ANALYSIS

The applicant is requesting approval of this conditional use permit for the use of three new temporary modular office buildings for five years. The five-year timeframe will begin from date of final occupancy for the first temporary modular building. **Attachment 2** shows the placement of the three proposed modular buildings. Remaining agriculture packing operations located adjacent to the limits of the Project location which are considered a legal non-conforming use, will continue and will not be included as part of the current request of CUP2020-006A.

EXISTING SITE

CUP2020-006 approved the church campus, which includes a 27,087 square foot sanctuary building, a 25,069 square foot classroom building and a 17,500 square foot multi-purpose building with a parking area consisting of 489 parking stalls. The church is currently operating within two buildings on the southern portion of the ±53-acre parcel, a third building is currently in construction. Any expansion of church uses that were not included in CUP2020-006 requires an amendment to the use permit and site plan review; therefore, the current request of CUP2020-006A is being considered.

Proposed Modular Buildings

The applicant is requesting this conditional use permit for the use of temporary modular buildings for the purpose of office space in association with the church operations. These temporary office buildings will operate Monday-Friday 8:00 a.m. to 5:00 p.m. The applicant is proposing the use of these buildings for a five-year duration period. A condition of approval has been added to memorialize the sunset date for the use of these structures. All buildings will need to be removed at the end of the five-year term, which will begin the day of occupancy approval of the first modular building. If use of these buildings is still required after the end of the five-year term, it is recommended that these structures be modified to the satisfaction of the Planning and Development Services Department and treated as permanent structures. This includes, but is not limited to, required Planning Division entitlements, the installation of permanent foundations and utilities, the architectural treatment of the buildings to match the main building, and paying all required development fees.

Modular Buildings and Use

Temporary modular structures have been approved for use in the past for churches in the City. Typically, permanent modular structures have been conditioned to be placed on a permanent foundation and architecturally integrated with other structures on the subject site or the surrounding area. To encourage architectural compatibility, temporary structures have been required to be painted to match the existing improvements on the property. This requirement has been added as a condition of approval for this use permit.

Circulation & Parking

Temporary modular building requests do not typically require the applicant to modify or change the number of parking stalls as it will not intensify the existing use. The church campus requires a total of 489 parking spaces to remain based on the established minimum parking requirement per the following:

- One space per 40 sq. ft. of sanctuary area (14,500 sq. ft.)
- One space per 45 sq. ft. of seating area (4,647 sq. ft.)

5.4 spaces for every 1,000 square feet of coffee house area (4,655 sq. ft.)

Compatibility with Adjacent Land Uses

To the north, south and east of the subject property is single-family residential and to the west is Buchanan High School. According to Table 2-2 in Section 9.10.020 of the Clovis Municipal Code (CMC), churches are a permitted use in the R-A zone district with approval of a conditional use permit. The existing church campus has been conditioned to comply with the CMC including specific time limitations to outdoor music. The proposed temporary modular office buildings will not change the existing operational characteristics of the church use; therefore, will not have a negative impact on the existing conditions of the area.

Review and Comments by Agencies

The Project was distributed to all City Divisions as well as outside agencies, including Caltrans, Clovis Unified School District, Fresno Irrigation District, Fresno Metropolitan Flood Control District, AT&T, PG&E, and the San Joaquin Valley Air Pollution Control District.

Comments received are attached (**Attachment 4**) only if the agency has provided concerns, conditions, or mitigation measures. Routine responses and comment letters are placed in the administrative record and provided to the applicant for their records.

California Environmental Quality Act (CEQA)

A Mitigated Negative Declaration was initially prepared for the church campus for Conditional Use Permit 2020-006, Rezone 2020-005, and Site Plan Review 2020-008. An addendum to the that Mitigated Negative Declaration has been prepared for the proposed project in accordance with Section 15164 of the CEQA Guidelines. According to Section 15164, subdivision (b) of the State CEQA Guidelines, an addendum to a mitigated negative declaration is the appropriate environmental document when "some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent negative declaration have occurred." The findings in support of the addendum are outlined in **Attachment** 5.

Section 15164, subdivision (d) of the State CEQA Guidelines states that the decision-making body for a project where an addendum has been prepared shall consider the addendum prior to making a decision on the project. Formal adoption of the addendum is not required. The resolution recommended for approval confirms the Planning Commission's consideration of the addendum.

The City published notice of this public hearing in *The Business Journal* on Wednesday, February 7, 2024.

REASON FOR RECOMMENDATION

CUP2020-006A is consistent with the goals and policies of the General Plan, Herndon-Shepherd Specific Plan, Clovis Municipal Code, and the R-A (Single-Family Residential Very Low Density) Zone District. Based on the findings, Staff is recommending that the Planning Commission approve CUP2020-006A, subject to the conditions of approval listed as **Attachment 1A**.

Conditional Use Permit 2020-006A

The findings to consider when making a decision on a conditional use permit application include:

1. The proposed use is conditionally allowed within and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of this Development Code.

The subject Project is allowed within the R-A Zone District with an approved conditional use permit. The Project will be in compliance with applicable provisions, development standards and subject to the conditions of approval. This Project will undergo site plan review (SPR) to further ensure that the site layout and development standards are met. During the SPR review process, the height, setbacks, parking standards, and aesthetics will be reviewed to ensure that applicable standards are met.

2. The proposed use is consistent with the General Plan and any applicable Specific Plan.

This Project is consistent with the 2014 Clovis General Plan and the Herndon-Shepherd Specific Plan. The underlying General Plan land use designation of Low Density Residential would remain unchanged and the proposed use is acceptable within that designation, according to the 2014 Clovis General Plan.

3. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.

Although the proposed temporary modular offices are not homes, they are a part of the existing church campus which is considered a neighborhood and community serving use. The existing church campus complements the surrounding area and would not be out of the ordinary as it relates to the character of a neighborhood. Further, the Project would maintain the general circulation pattern of the existing area.

4. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.

The Project will occupy and operate within the existing site, which is physically suitable in size and shape and has the infrastructure in place to support the temporary use.

5. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

The Project would comply with all applicable public health standards. Further, the site is considered infill since it is substantially surrounded by other urban uses where

utilities already serve the general area. Although modifications and/or upgrades may be required to the existing infrastructure, the overall site can be adequately served. Details and final approval will occur during engineering review and if approved, the Project moves forward. This review would ensure utility services are sufficient to accommodate the Project and impose conditions for upgrades as needed.

6. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and there would be no potential significant negative effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless findings are made in compliance with CEQA.

As identified above under the "California Environmental Quality Act (CEQA)" section of this staff report, an addendum to the previously adopted Mitigated Negative Declaration was prepared. The Project will be required to implement applicable mitigation measures identified by the Mitigated Negative Declaration initially prepared for the project. Therefore, the Project has been reviewed in compliance with CEQA.

ACTIONS FOLLOWING APPROVAL

If approved, the Project will continue with site plan review.

NOTICE OF HEARING

Property owners within 300 feet notified: 79

Prepared by: Liz Salazar, Assistant Planner

Reviewed by:

McKencie Perez Senior Planner

RESOLUTION 24-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING CONDITIONAL USE PERMIT 2020-006A FOR THE ADDITION OF THREE TEMPORARY MODULAR OFFICE BUILDINGS AT 1265 N. MINNEWAWA AVENUE FOR A FIVE-YEAR TERM

WHEREAS, Russel F. Taylor (Applicant & Representative), 410 Park Creek Drive, Clovis, CA 93611, applied for Conditional Use Permit 2020-006A for the addition of three temporary modular office buildings on a ±0.8 acre portion of ±53 total acres of property located at the northeast corner of N. Minnewawa and Nees Avenues in the City of Clovis ("Property"); and

WHEREAS, the City published a notice of the public hearing in *The Business Journal* on Wednesday, February 7, 2024, mailed public notices to property owners within 300 feet of the Property area on Monday, February 5, 2024, more than ten (10) days prior to said hearing; and

WHEREAS, a duly noticed public hearing was held on February 22, 2024; and

WHEREAS, an addendum to a previously adopted Mitigated Negative Declaration has been prepared for the proposed Project in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, which specifies that an addendum is appropriate in instances when "some changes or additions are necessary but none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent negative declaration have occurred"; and

WHEREAS, the Planning Commission considered the proposed Project and the addendum outlined in the staff report and elsewhere in the Administrative Record, which determined the Project meets the requirements of Section 15164 (Addendum to an EIR or Negative Declaration) of the CEQA Guidelines; and

WHEREAS, the Planning Commission has had an opportunity to review and consider the entire Administrative Record relating to the Project, which is on file with the Department, and reviewed and considered those portions of the Administrative Record determined to be necessary to make an informed decision, including, but not necessarily limited to, the staff report, the written materials submitted with the request, and the verbal and written testimony and other evidence presented during the public hearing, and the conditions of approval attached as **Attachment A** to this Resolution, which are incorporated herein by this reference.

NOW, THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE PLANNING COMMISSION RESOLVES AND FINDS AS FOLLOWS:

- 1. CUP2020-006A is hereby approved with incorporation of the conditions of approval as set forth in **Attachment A** to this Resolution.
- 2. The Project satisfies the required findings for approval of a conditional use permit, as follows:
 - a. The proposed use is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of this Development Code.
 - b. The proposed use is consistent with the General Plan and any applicable specific plan.

Attachment 1

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- c. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.
- d. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
- e. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.
- f. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA).
- The Planning Commission has considered the Addendum to the previously adopted Mitigated Negative Declaration and finds that the Project does not trigger any of the conditions described under CEQA Guidelines section 15162 and is in compliance with CEQA Guidelines section 15164.
- 4. The basis for the findings is detailed in the February 22, 2024 staff report, which is hereby incorporated by reference, the entire Administrative Record, as well as the evidence and comments presented during the public hearing.
- The Planning Commission could not make the findings necessary for approval of CUP2020-006A without the conditions of approval set forth in **Attachment A** to this Resolution.

The foregoing resolution was adopted by the Clovis Planning Commission at its reeting on February 22, 2024 upon a motion by Commissioner, second mmissioner, and passed by the following vote, to wit:	
ES: DES: SENT: STAIN:	
ANNING COMMISSION RESOLUTION NO. 24	
Alma Antuna, Chair	
TEST:	

Renee Mathis, Secretary

CONDITIONS OF APPROVAL CUP2020-006A

<u>PLANNING DIVISION CONDITIONS</u> (Liz Salazar, Division Representative – (559) 324-2338)

- 1. Conditional Use Permit 2020-006A allows for the installation of three temporary modular office buildings in association with the Well Community Church located at 1265 N. Minnewawa Avenue.
- 2. Placement and use of the temporary modular buildings is not to exceed five years from date of occupancy of the first structure.
- All modular structures shall be removed after the five-year term limit. If use of the buildings is still required after the end of the five-year term, these structures shall be modified to the satisfaction of the Planning and Development Services department and treated as permanent structures.
- 4. A separate Site Plan Review (SPR) and approval shall be required prior to the construction of any structures and/or prior to any site modifications and shall comply with development standards prescribed for the R-A (Single-Family Residential Very Low Density) Zone District, and other applicable standards as determined by the Planning Division during the SPR review process.
- 5. The proposed modular buildings shall be architecturally harmonious with the existing multi-purpose church building and existing modular structures subject to approval during the Site Plan Review.
- 6. All signs for this use shall comply with the Clovis Sign Ordinance and require separate sign permits.
- 7. Any exterior music and/or outdoor speaker systems shall conform with the City's noise standards.
- 8. The applicant shall consult with the City of Clovis Building Division on any building code requirements. All conditions of this Conditional Use Permit shall be addressed prior to operation of the facility.
- 9. All conditions of approval for Conditional Use Permit 2020-006A and subsequent amendments shall be incorporated into this project approval.

POLICE DEPARTMENT

(Michael Sweeten, Department Representative (559) 324-3494) (Sean Obrien, Department Representative (559) 324-3468)

- 10. If surveillance cameras are installed, footage shall be retained for a minimum of 30 days. Video shall be made available to the Clovis Police department upon request pursuant to a criminal investigation.
- 11. The sidewalks and parking lot shall be reasonable illuminated to enhance public safety and deter criminal activity.
- 12. The property must be maintained and cared for in a manner that increases public safety and complies with the Clovis Municipal Code and all other applicable City codes. Including, but not limited to, all lighting, gates and fences shall be maintained and in working order, any landscaping, and walkways shall be kept clean and free of debris and other hazards.
- 13. The site owner shall maintain all structures and adjoining fences/walls and keep them free of graffiti. All forms of graffiti shall be removed within 48 hours.
- 14. The applicant shall require compliance with all criminal and administrative state, county, and city laws by the applicant and their employees within the designated use and within 100 feet of the use. The applicant shall make reasonable efforts to report to law enforcement known violations of criminal laws by patrons within the use and within 100 feet of the use.
- 15. If the building is alarmed, a 24-hour responsible party with name and contact information shall be maintained with the Clovis Police Department.

COUNTY OF FRESNO DEPARTMENT OF ENVIRONMENTAL HEALTH DIVISION (Kevin Tsuda, FID Department Representative – (559) 600-3327)

16. The applicant shall refer to the attached Department correspondence. If the list is not attached, please contact the Department for the list of requirements.

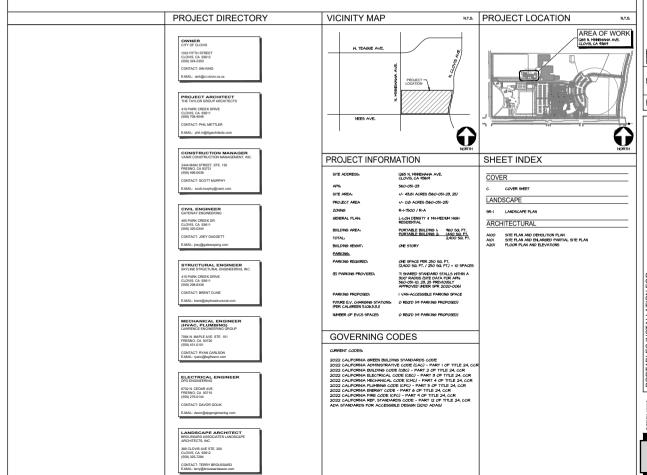
FRESNO IRRIGATION DISTRICT (Jeremy Landrith, FID Department Representative – (559) 233-7161)

17. The applicant shall refer to the attached Fresno Irrigation District correspondence. If the list is not attached, please contact the District for the list of requirements.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (Anthony Zaragoza, FMFCD Department Representative – (559) 456-3292)

18. The applicant shall refer to the attached FMFCD correspondence. If the list is not attached, please contact the District for the list of requirements.

PROPOSED NEW CONSTRUCTION: THE WELL CHURCH PORTABLES 1265 N. MINNEWAWA AVE. CLOVIS, CA 93619







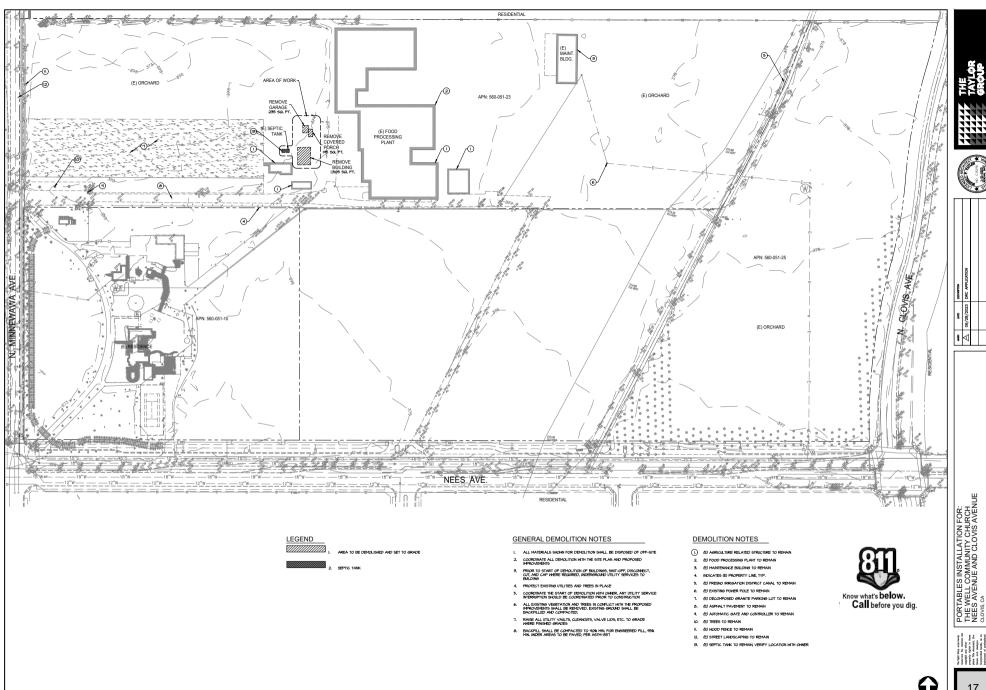


PORTABLES INSTALLATION FOR: THE WELL COMMUNITY CHURCH NEES AVENUE AND CLOVIS AVENUE CLOVIS, CA

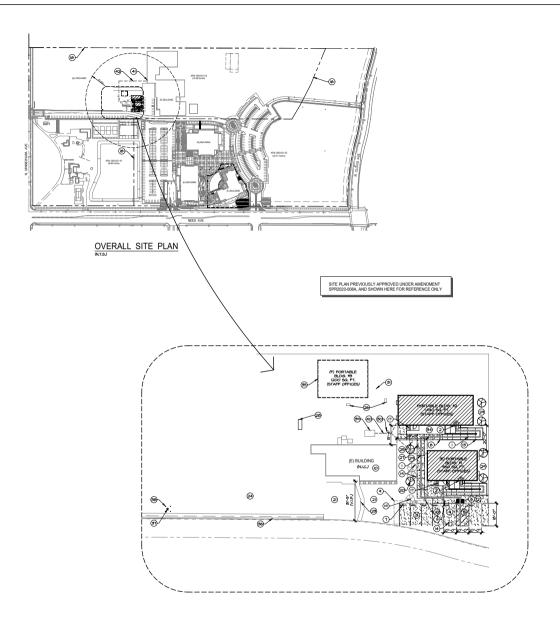
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SCALE: I* = 60'-0"



ENLARGED PARTIAL SITE PLAN



PROJECT INFORMATION

SITE ADDRESS 1265 N, MINNEWAWA AVE. GLOVIS, GA 93619 560-051-23

SITE AREA: +/- 43.61 ACRES (560-051-23, 25) PROJECT AREA +/- O.B ACRES (560-051-23) ZONING R-I-7500 / R-A

GENERAL PLAN L-LOW DENSITY & MH-MEDIUM HIGH RESIDENTIAL BULDING AREA

BULDING HEIGHT.

PARKING: PARKING REGURED:

ONE SPACE PER 250 SQ. FT. (2,400 SQ. FT. / 250 SQ. FT.) = 10 SPACES

I VAN-ACCESSIBLE PARKING SPACE

FUTURE E.V. CHARGING STATIONS: O REQID (41 PARKING PROPOSED) (PER CALIGREEN 5.106.5.3.1) NIMPER OF PVCS SPACES

KEYNOTES

PARKING PROPOSEDA

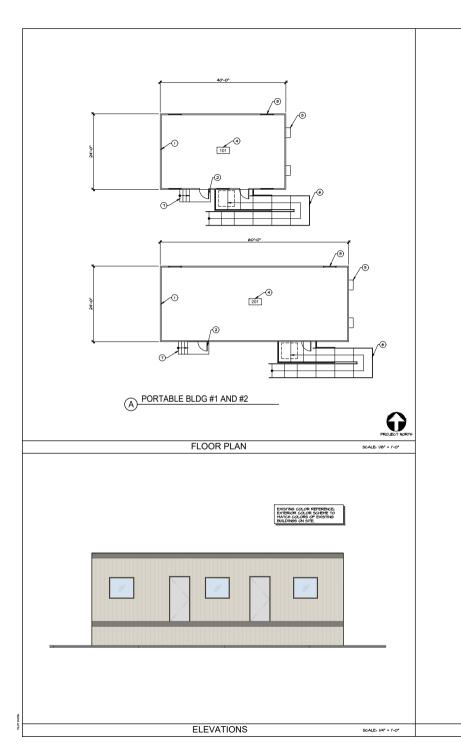
- 2. ACCESSIBLE BULDING ENTRANCE
- 3. (E) PARKING STALL PER CITY OF CLOVIS STANDARDS,
- (N) VAN-ACCESSIBLE PARKING STALL W ACCESS AISLES. PAINT INTERNATIONAL SYMBOL OF ACCESSIBILITY
- 5. (N) ACCESSIBLE AISLE W 4" PAINTED WHITE STRIPES
- 6. INDICATES (N) ACCESSIBLE WARNING SURFACE
- 7. INDICATES (E) CONCRETE WHEEL STOP
- 4. (E) COVERED PARKING CARPORT
- IO. (E) BUILDING (NJ.C.)
- II. (N) PARKING SIGN FOR ACCESSIBLE SPACES
- INDICATES PAVEMENT FLUSH WITH (N) ACCESSIBLE WARNING SURFACE
- INDICATES (N) ADA RAMP BY VENDOR; VERIFY SELECTION WITH OWNER
- 14. (N) INTERNATIONAL SYMBOL AND ACCESSIBLE STALL SIGN
- IS. (E) SITE LIGHTING
- 16. LANDSCAPING; SEE LANDSCAPE PLANS
- IT. INDICATES (N) STEPS/LANDING BY VENDOR; VERIFY SELECTION WITH OWNER
- IB. INDICATES (E) PROPERTY LINE 14. (E) TREE
- 20. (N) TREE
- 21. (N) TURF
- 22. (E) LANDSCAPING
- 23. (E) WALKHAY 24. (E) 6RAVEL AREA
- 25. (E) COMMUNICATIONS PULL BOX
- 26. (E) ELECTRICAL PULL BOX
- 27. (E) PLUMBING VALVE
- 26. (E) PROPANE TANK
- 24. (N) CRUSHED STONE MULCH, SEE LANDSCAPE PLAN SO. (E) PIPE TO BE REMOVED
- 31. (E) CONDUIT PIPE
- 32. NOT USED 38. NOT USED
- 34. (N) LANDSCAPING
- 35. (N) LOCATION OF POSSIBLE ADDITIONAL PORTABLE
- 36. DRIVEWAY LEVEL WITH GRADE BEYOND (NO CURB)
- 31. (N) PROPOSED LOGATION FOR FIRE HYDRANT
- 36. (N) VEHICLE IMPACT PROTECTION POSTS, PER CLOVIS FIRE DEPARTMENT STANDARD #1.7
- 34. (E) APPROXIMATE LOCATION OF EXISTING SEPTIC TANK
- 40. PROPOSED CONNECTION TO EXISTING SEPTIC TANK
- 41. (E) ELECTRICAL MAIN SWITCH GEAR
- 42. PROPOSED CONNECTION TO EXISTING ELECTRICAL MAIN SWITCH GEAR



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18

SITE PLAN





B PORTABLE BLDG - FRONT ELEVATION



© PORTABLE BLDG - RIGHT ELEVATION



D PORTABLE BLDG - BACK ELEVATION



E PORTABLE BLDG - LEFT ELEVATION

KEYNOTES

- INDICATES WALL, TYP.
 INDICATES DOOR, TYP.

- 2. INDICATES DODR, TYP.
 3. INDICATES WINDOW, TYP.
 4. INDICATES ROOM MARK, TYP.
 5. INDICATES AC UNIT INCLIDED MY PORTABLE.
- 6. INDICATES ADA RAMP BY VENDOR; VERIFY SELECTION W/ OWNER
- 1. INDICATES STEPS/LANDING BY VENDOR; VERIFY SELECTION W OWNER

GENERAL NOTES

I. ALL ACCESSIBILITY-RELATED ITEMS TO COMPLY W CBC CHAPTER IIB
AND 2010 ADAS

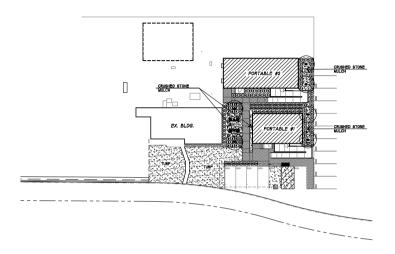






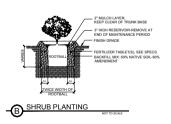
PORTABLES INSTALLATION FOR: THE WELL COMMUNITY CHURCH NEES AVENUE AND CLOVIS AVENUE CLOWS. CA

AGENDA ITEM NO. 2.

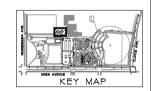


SYM	SIZE	BOTANICAL NAME / COMMON NAME	COMMENTS	WATER	QTY
TRE	Es				_
*	15 GAL	OLEA EUROPAEA WILSONII' / WILSON OLIVE	STANDARD	V. LOW	6
SHR	UBS				
СН	1 GAL	CHONDROPETALUM TECTORUM / CAPE RUSH	9 o.c.	LOW	37
s	15 GAL	LAURUS NOBILIS / BAY LAUREL	4º 0.C.	LOW	24
0	5 GAL	OLEA EUROPAEA 'MONTRA' / LITTLE OLLIE	3 O.C.	V. LOW	52
Ln	1 GAL	SALVIA LEUCANTHA 'SANTA BARBARA' / MEXICAN BUSH SAGE	9 O.C.	LOW	31
GRO	UNDCO	VERS			
ZZ.	3/8" CR	USHED STONE MULCH, COLOR: CALIF. GOLD WITH META	L EDGE		
	TURP (H	YDROGEED) BERMUDA			
	- ROOT B	ARRIER - SEE NOTE BELOW			
2) ROC CURB CITY	UB AND TR OT BARRIER & HARDSCA STD. P-17.	EE PLANTING PER CITY STANDARD DETAILS. S (DOX2" PANELS) TO BE INSTALLED @ ALL TREES WITH PE (HARDSCAPE TO INCLUDE CRUSHED ROCK PATHS & EAS TO HAVE 3" WALK-ON BARK			









ANDSCAR POUSSARO	e lin
P. 013/12	

				1	0-18-23
BROUSSARD	REVISIONS DATE APPROVED	APPROVALS	APPROATO (NITH)	CITY OF CLOVIS . FANCES	AND
ASSOCIATES landscape architects 389 Clovis Ave., Suite 200		CONSTRUCTION WANGEMENT PLANNING	\equiv	LANDSCAPE PLAN @ PORTABLE BLDG'S	PROJECT NO PR 2020-01
Clovis, CA 93612 T 559-325-7284 F 559-325-7286		UTILITIES FRIES BULLONG	\equiv	SITE PLAN REVIEW	SHEET NO. SR-1
				т.	TG181475

The Well Portables Installation Operational Statement:

The portables will serve as temporary office spaces for the Well Church leaders during normal business hours (8 A.M. -5 P.M. Monday-Friday).

DEPARTMENT OF PUBLIC HEALTH Environmental Health Division

November 29, 2023

Liz Salazar, Assistant Planner City of Clovis Planning and Development Services Department 1033 Fifth Street Clovis, CA 93612

2604

LU00022450

Dear Ms. Salazar:

PROJECT NUMBER: **CUP2020-006A**, **SPR2020-008A2**

CUP2020-006A; A request to amend a previously approved conditional use permit to include the subject area and to request the use of temporary modular buildings. **SPR2020-008A2**; A site plan review amendment for the construction of two portable temporary buildings and associated site improvements.

APN: 560-051-23 ZONING: R-A ADDRESS: 1265 N. Minnewawa Avenue

Project Note/Comment:

It is recommended that the applicant consider having the existing septic tank(s) pumped and have the tank(s) and leach lines evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years. Due to the nature of the project evaluations it may indicate the need of possible repairs or determine if the system is adequately sized and if additions are needed, or require the proper destruction of the system.

Recommended Conditions of Approval:

- Applicants proposing to use and/or store hazardous materials and/or hazardous wastes, they shall
 meet the requirements set forth in the California Health and Safety Code (HSC), Division 20,
 Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business
 that handles a hazardous material or hazardous waste may be required to submit a Hazardous
 Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20,
 Chapter 6.95, Section 25507 (http://cers.calepa.ca.gov/). Contact the Fresno County Hazmat
 Compliance Program at (559) 600-3271 for more information.
- The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Promotion, preservation and protection of the community's health
1221 Fulton Street /P. O. Box 11867, Fresno, CA 93775
(559) 600-3357
FAX (559) 455-4646
The County of Fresno is an Equal Employment Opportunity Employer
www.co.fresno.ca.us
www.fcdph.org

 Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

REVIEWED BY:

Kevin Tsuda, R.E.H.S. Environmental Health Specialist II

Kenin Touda

(559) 600-33271

cc: Mike Bains- Environmental Health Division (CT. 55.22) Russel Taylor- Applicant (russ.t@ttgarchitects.com)



2907 S. Maple Avenue Fresno, California 93725-2208

Telephone: (559) 233-7161

Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

December 5, 2023

Liz Salazar Planning Division City of Clovis 1033 Fifth Street Clovis, CA 93612

RE:

Conditional Use Permit Application No. CUP2020-006A

N/W Nees and Clovis avenues

Dear Ms. Salazar:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. CUP2020-006A for which the applicant proposes to amend a previously approved conditional use permit to include the subject area and to request the use of a temporary modular buildings, APN: 560-051-23. This request is being processed concurrently with SPR2020-008A2. FID has the following comments:

 FID previously reviewed and commented on the subject property as Development Review Committee Applications No. 2019-023 on May 31, 2019. Those comments and conditions still apply, and a copy has been attached for your review.

FID has the following additional comments:

Summary of Requirements:

- Execute Agreement(s), if necessary.
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

Area of Concern

The project proponent has replaced FID's Helm Colonial S. Br. No. 116 as required under FID's conditions of approval. The pipeline and improvements have been accepted.

Liz Salazar RE: CUP2020-006A December 5, 2023 Page 2 of 2

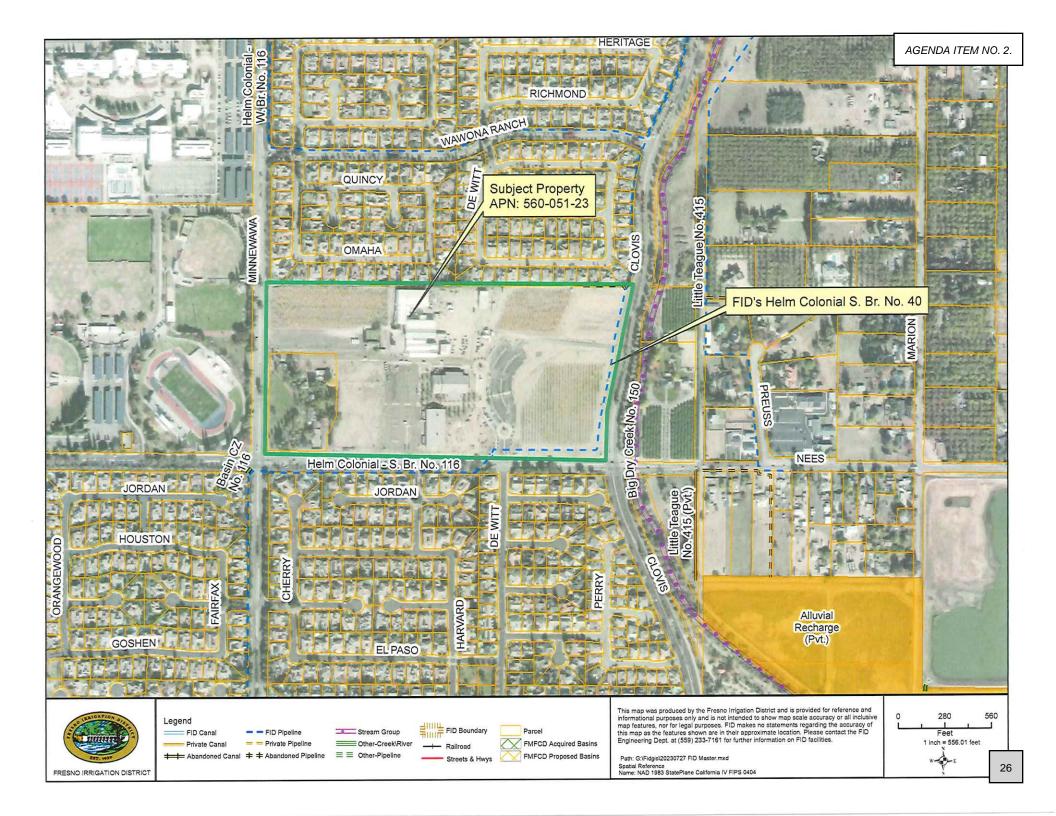
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.

Chief Engineer

Attachment

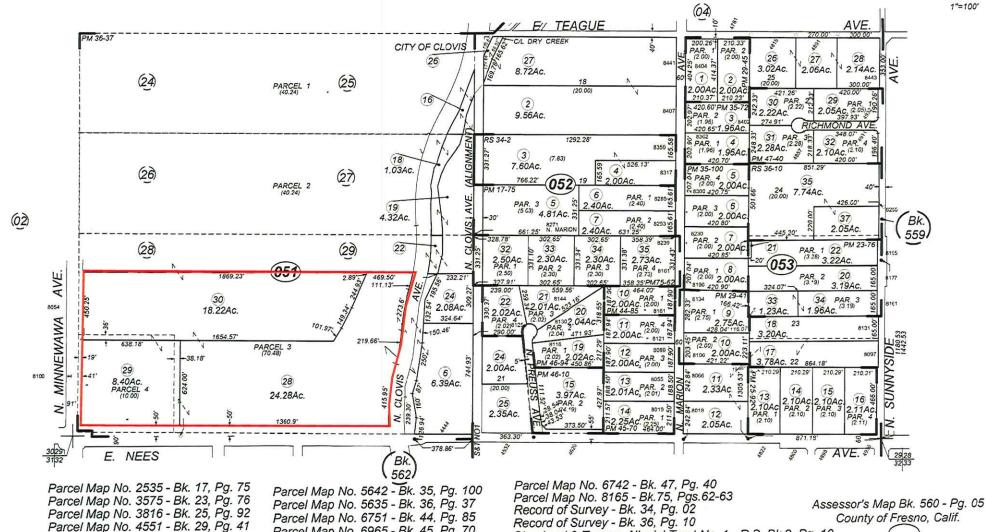


SUBDIVIDED LAND IN POR. SEC. 29, T.12 S., R.21 E., M.D.B.& M.

Tax Rate Area

560-05

1-112 76-008 76-052



Shepherd & Teague Alluvial Tract No. 1 - R.S. Bk.2, Pg. 10

Assessor's Parcel Numbers Shown in Circles

Note - Assessor's Block Numbers Shown in Ellipses

Parcel Map No. 6965 - Bk. 45, Pg. 70

Parcel Map No. 6964 - Bk. 46, Pg. 10 & 11

Parcel Map No. 7123 - Bk. 46, Pg. 94 & 95

3/13/2023 SL

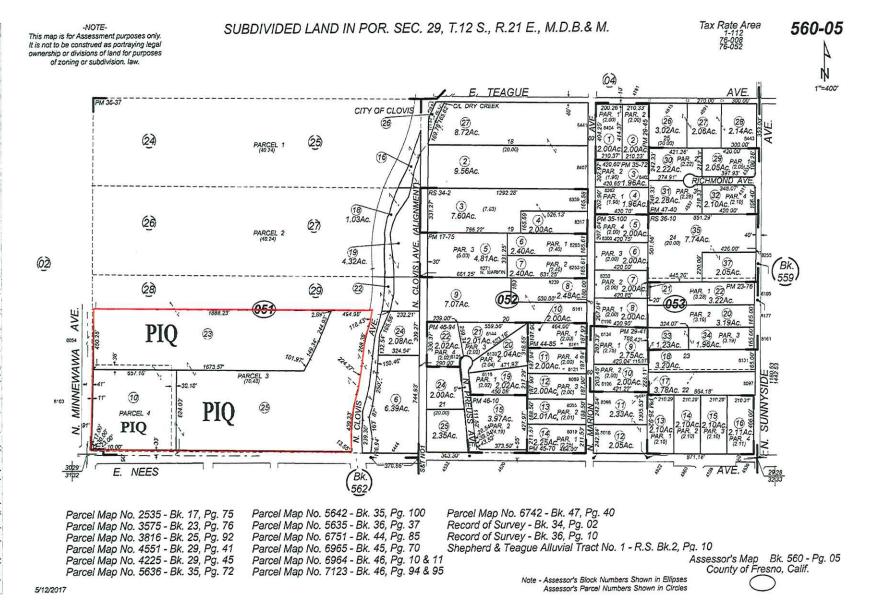
Parcel Map No. 4225 - Bk. 29, Pg. 45

Parcel Map No. 5636 - Bk. 35, Pg. 72

-NOTE-

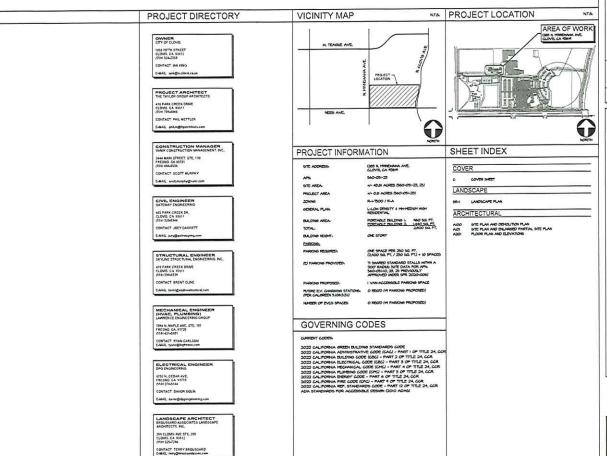
This map is for Assessment purposes only.

It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.



PROPOSED NEW CONSTRUCTION: THE WELL CHURCH PORTABLES 1265 N. MINNEWAWA AVE. **CLOVIS, CA 93619**

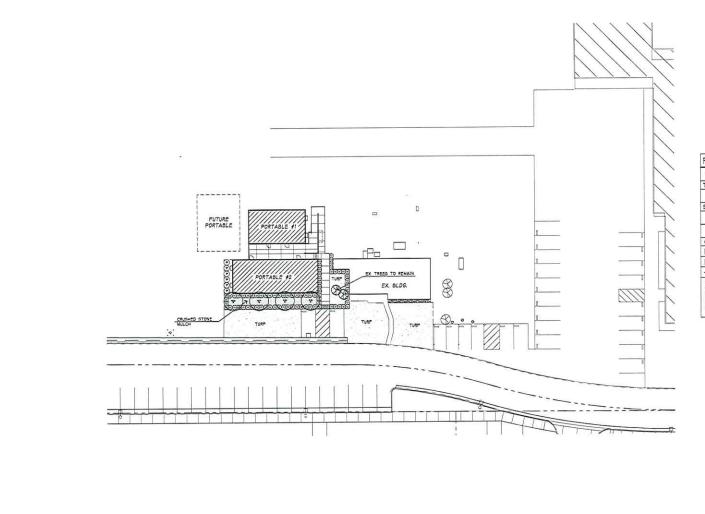






PORTABLES INSTALLATION FOR: THE WELL COMMUNITY CHURCH NEES AVENUE AND CLOVIS AVENUE CLOVIS.CA





SYM	SIZE	BOTANICAL NAME / COMMON NAME	COMMENTS	WATER	aTY
TRE	ES .				
*	15 OAL	OLEA EUROPACA WILBONI! / WILBON OLIVE	STANDARD	V. LOW	4
SHR	UBS				
0	5 OAL	OLEA EUROPAEA MONTRA' / LITTLE OLLIE	5' O.C.	V. LOW	77
р	15 GAL	PRUNUS CAROLINIANA / CAROLINA LAUREL CHERRY	4º 0.C.	LOW	6

TURP (HYDROSEED) BERMUDA

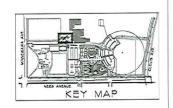
--- ROOT BARRIER - SEE NOTE BELOW

SOUTH IN SENSE AND THEE PLANTING PER CITY STANDARD DETAILS.

IS NOT MARKENS INDUST MAKEDS TO BE INSTALLED OF ALL TREES WITHIN 10 OF ADJACENT CRUS & HANDSARP HANDSARP TO INCLUDE CRUSHED NOCK PATHS & CONCRETE! INSTALL PER CITY 510 P-07.

JALL SHOUD MERGS TO HAVE 3" WALK-ON DARK.







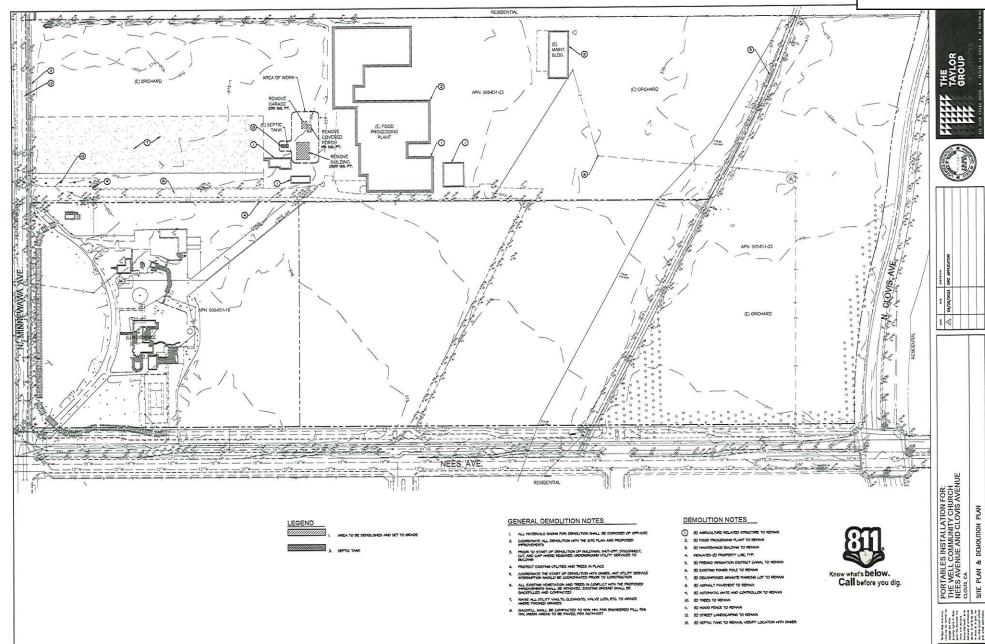
BROUSSARD ASSOCIATES landscape architects 1990 Central Control Cost CA 1991 2 Table 2012 Table 2012 Table 2017

REVISIONS

APPROVALS MIN

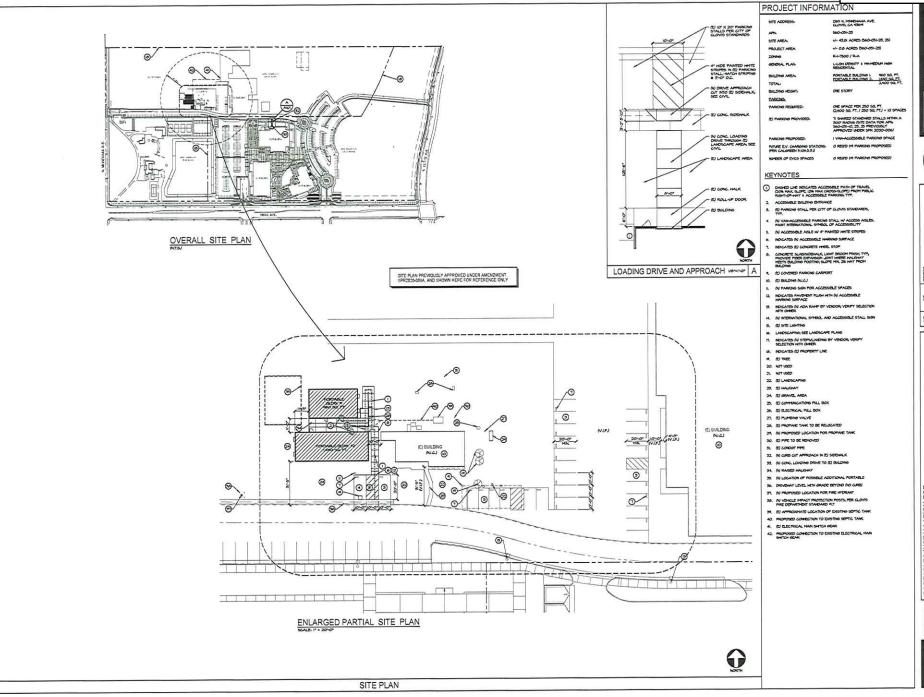
CITY OF CLOVIS . THE WELL COMMUNITY CHURCH LANDSCAPE PLAN @ PORTABLE BLDG'S

SITE PLAN REVIEW SR-1



SITE PLAN & DEMOLITION PLAN

SCALE 1" - 60-0"



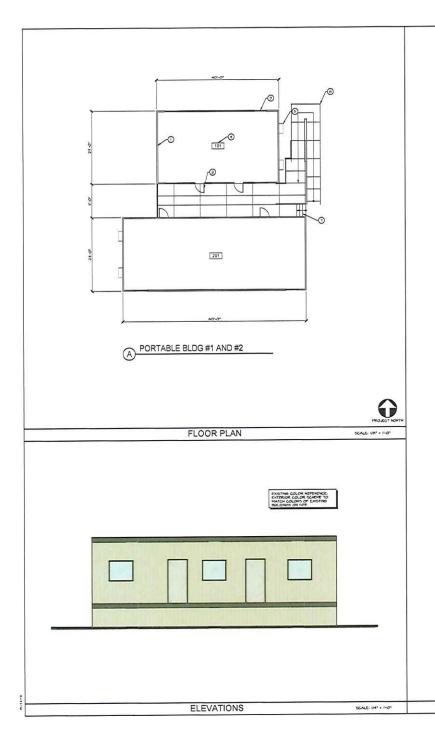




PORTABLES INSTALLATION FOR: THE WELL COMMUNITY CHURCH NEES AVENUE AND CLOVIS AVENUE CLOWS, CA.

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10-001.05 A101





B PORTABLE BLDG - FRONT ELEVATION



© PORTABLE BLDG - RIGHT ELEVATION



D PORTABLE BLDG - BACK ELEVATION



E PORTABLE BLDG - LEFT ELEVATION

KEYNOTES O ROCKITS HALL THE 2 ROCKITS HOLL THE 2 ROCKITS HOLL THE 3 ROCKITS HOLL THE 4 ROCKITS AND HOLL THE 5 ROCKITS HOLL THE 5 ROCKITS AND HINGLED 6 ROCKITS AND HINGLED 1. ROCKITS AND HINGLED 1. ROCKITS AND HOLD WITH SELECTION HORROR 1. ROCKITS AND HOLD WITH SELECTION HOLD WITH SELECTION HORROR 1. ROCKITS AND HOLD WITH SELECTION HOLD

GENERAL NOTES

L ALL ACCESSIBILITY-RELATED ITEMS TO COMPLY MY CDC CHAPTER ITE AND 2010 ADMS

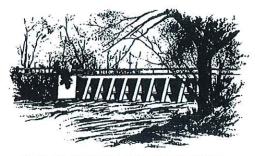




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OFFICE OF

ATION DISTRICT

TELEPHONE (559) 233-7161 FAX (559) 233-8227 2907 S. MAPLE AVENUE FRESNO, CALIFORNIA 93725-2208

YOUR MOST VALUABLE RESOURCE - WATER

May 31, 2019

Courtney Thongsavath Planning Division City of Clovis 1033 Fifth Street Clovis, CA 93612

RE:

Development Review Committee Application No. 2019-023

NW Nees and Clovis avenues

Dear Ms. Thongsavath:

The Fresno Irrigation District (FID) has reviewed the Development Review Committee Application No. 2019-023 for which the applicant proposes the construction of the Well Community Church, APN's: 560-051-23 and 25. FID has the following comments:

Summary of Requirements:

- FID Board Approval.
- Review and Approval of all Plans.
- Substitute Open Channel for 30" ASTM C-361 RGRCP (with MacWrap).
- Execute Pipeline Substitution with 30' Easement Agreement.
- Execute additional Agreement(s), if necessary.
- Project Fees.
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

Area of Concern

- 1. FID's Helm Colonial S. Br. No. 116 runs southwesterly along the west side of Clovis Avenue, traverses the middle portion of the subject property, crosses Nees Avenue approximately 30 feet south of the subject property, and crosses Minnewawa approximately 600 feet southwest of the subject property, as shown on the attached FID exhibit map, and will be impacted by the future development. Records indicate FID has an exclusive easement recorded on September 24, 1998 as Document No. 98137801, Official Records of Fresno County. Should this project include any street and/or utility improvements along Clovis Avenue, Nees Avenue, Minnewawa Avenue, or within the vicinity of this pipeline, FID requires it review and approve all plans.
- 1. The canal is currently an open channel and will need to be improved as part of the proposed project. FID's conditions are as follows:

Courtney Thongsavath RE: DRC 2019-023 May 31, 2019 Page 2 of 4

- a. Pipe Requirement FID requires the applicant pipe the canal across the subject property, approximately 1,700 feet, with 30-inch inside diameter ASTM B-25 C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards and that the Developer enter into an agreement with FID for that purpose.
- b. Easement Requirements The applicant shall grant to FID an exclusive pipeline easement. The width of the easement depends on several factors including pipe size, alignment, depth, etc. The applicant can expect the easement to be a minimum of 30 feet wide.
- c. In recent years, the most significant issue with pipelines has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasketed joint, thus creating a non-water tight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers and increases the risk of flooding in upstream open channel sections. Subsequent pipeline repairs can be very disruptive to public infrastructure, as well as to FID's operations. The leaking pipelines and pipeline repairs also increase the liability of all parties involved. FID will require external wrap be installed at all pipeline joints within the subject property and areas where root intrusion may be a future concern based on the proposed improvement. This method involves using mastic material that can be externally applied to pipe joints to provide a permanent seal against root intrusion. The product that has been approved is known as MacWrap from Mar Mac. FID is open to other products, but they would need to be reviewed and approved by FID.
- All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the development project limits.
- FID does not allow FID owned property or easements to be in common use with public
 utility and/or utility easements and right-of-ways, but will in certain instances allow for its
 property to be in common use with landscape easements if the City of Clovis enters into
 the appropriate agreement.

General Comments

- FID requires the Applicant/Developer to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the Canal, or result in drainage patterns that could adversely affect FID.
- FID requires its review and approval of all improvement plans which affect its
 property/easements and canal/pipeline facilities including but not limited to Sewer,
 Water, Fresno Metropolitan Flood Control District (FMFCD), Street, Landscaping, Dry
 Utilities, and all other utilities.
- 3. FID requires the developer and/or the developer's engineer meet with FID at their earliest convenience to discuss specific requirements, e.g. easement width and

Courtney Thongsavath RE: DRC 2019-023 May 31, 2019 Page 3 of 4

- alignment, right-of-way width and alignment, pipeline alignment, depth and size, fees, etc.
- 4. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing all final maps/plans.
- 5. Footings of retaining walls shall not encroach onto FID property/easement areas.
- 6. Trees will not be permitted within 10 feet of either side FID's pipeline.
- 7. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within FID's easement and the grading contractor will be responsible for the repair of all damage to the pipeline caused by contractors grading activities.
- 8. FID is concerned about the potential vibrations caused by construction efforts near existing District facilities as it may cause damage to FID's canals, pipelines and culverts. The developer and contractor(s) must keep all large equipment, construction material, and soil stockpile outside of FID's easement and a minimum of 30 feet away from existing facilities. The developer and/or its contractor(s) will be responsible for all damages caused by construction activities
- 9. For informational purposes, Stream Group's Big Dry Creek No. 150 runs southerly and crosses Nees Avenue approximately 30 feet southeast of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Nees Avenue, Clovis Avenue, or in the vicinity of this canal, FID requires it review and approve all plans.
- 10. For informational purposes, FID's active Helm Colonial West Br. No. 116 runs westerly approximately 900 feet north of the subject property as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Clovis Avenue, Wawona Ranch Avenue, Minnewawa, or in the vicinity of the pipeline, FID requires it review and approve all plans.
- 11. For informational purposes, FID's active Little Teague No. 415 runs southerly and crosses Nees Avenue approximately 900 feet southeast of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Nees Avenue, or in the vicinity of the pipeline, FID requires it review and approve all plans.
- 12. As with most developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.
- 13. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses and more detail becomes available.

Courtney Thongsavath RE: DRC 2019-023 May 31, 2019 Page 4 of 4

Thank you for submitting the proposed project for our review. We appreciate the opportunity to review and comment on the subject documents for this project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.

Chief Engineer

Attachment



City of Clovis DEVELOPMENT REVIEW COMMITTEE (DRC) APPLICATION

City Hall, 1033 Fifth Street, Clovis, California 93612 / (559) 324-2340

The Development Review Committee is a pre-application meeting scheduled between developers and City Staff. It is a service provided, without cost, which is intended to encourage discussion on potential development projects. City representatives on the Development Review Committee include representatives from the Fire, Police, Planning, Building, and Public Works Departments, in addition to the Clovis Community Development Agency. The Fresno Metropolitan Flood Control District, as well as other outside agencies, may also be invited to attend the Development Review Committee meeting.

As a general rule, the Development Review Committee meets on Wednesday mornings by appointment only. If you wish to have your proposal reviewed with the Development Review Committee, you should submit one (1) copy of your plans (preferably .pdf) and the application form. Your item will be scheduled approximately two weeks from the application date. Please note that the more detailed the submittal the more complete the City's response will be.

A written list of comments will be presented to you at the DRC meeting and development fees may be also requested at that time. Please keep in mind the list of comments is meant to be informational and may not include all requirements for your particular project. The DRC process provides a list of suggestions, which may be in your best interest to help you with a successful project.

NAME: Russell F Taylor, The Taylor G	roup Architects		
MAILING ADDRESS: 410 Park Creek D	rive		
CITY: Clovis	ST: <u>CA</u>	z _{IP:} _93611	
PHONE: <u>559-708-4046</u>	E-MAIL: russ.t@ttgarchitects.com		

PROPERTY OWNER: The Well Community Church
PROPOSED USE (be specific - use separate sheet if necessary):
SIZE OF PROPERTY: 18.39 Ac. + 25.51 Ac. = 43.81 Ac., Total
ASSESSOR'S PARCEL NUMBER: _560-051-23 + 560-051-25
PROJECT LOCATION: NW corner of Clovis Ave. and Nees Ave.

All submitted plans should try to include the following items:

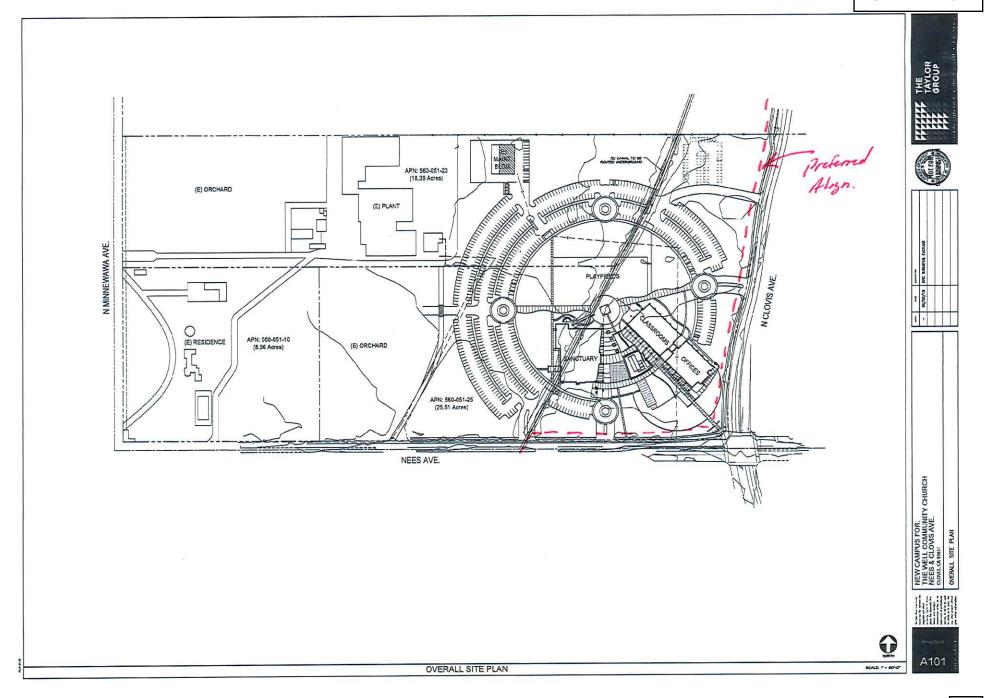
- Scale of drawing (Engineering or Architectural scale).
- North arrow (pointing to top of paper).
- Existing uses and structures on the property.
- 4. Names of adjacent streets.
- Correct location of property line.
- 6. If available, one copy of floor plans and elevations.
- 7. Any existing off-site improvements (i.e. driveway approaches, fire hydrants, etc.).

File No: DRC 2019-023

Date: 6/12/19, 9:30AM

(OFFICE USE ONLY)

6-5-19





90197801

RECORDED IN OFFICIAL RECORDS OF FRESNO COUNTY, CALIFORNIA

AT _____ MIN PAST _____ M

SEP 2 4 1998

Documentary Transfer Tax - \$0.00

M. Nichols

For the Benefit of:

FRESNO IRRIGATION DISTRICT 2907 SOUTH MAPLE AVENUE FRESNO CA 93725-2218 FRESNO COUNTY, CALIFORNIA
WILLIAM C. GREENWOOD, County Recorder

REYNA RODRIGUEZ BY DEPUTY RECORDER FEE S

Recording Information

GRANT OF EASEMENT

61

LOCATION: N/E Nees & Minnewawa

THIS INDENTURE, made and entered into this 23rd day of September , 1998, by and between WILLIAM S. SMITTCAMP and LINDA L. SMITTCAMP, TRUSTEES OF THE WILLIAM S. SMITTCAMP & LINDA L. SMITTCAMP LIVING TRUST, and EARL S. SMITTCAMP and MURIEL SMITTCAMP, TRUSTEES OF THE SMITTCAMP FAMILY TRUST, hereinafter referred to as GRANTORS, and the FRESNO IRRIGATION DISTRICT, a public corporation in the County of Fresno, State of California, hereinafter referred to as DISTRICT;

WITNESSETH:

For a valuable consideration, receipt of which is hereby acknowledged, GRANTORS do hereby grant unto DISTRICT, its successors and assigns, a perpetual and exclusive easement and right-of-way to have, construct, install, operate, use, maintain, alter, repair, improve, reconstruct, enlarge and supplement canals, pipes, pipelines and other conduits, and to flow and conduct water through said canals, pipes, pipelines and other conduits, across, over, through and under that certain real property owned by GRANTORS in the County of Fresno, State of California, more particularly described as follows:

FID No: 98-D116/01

1

That portion of Parcels 3 and 4 of Parcel Map No. 5635, according to the map thereof recorded in Book 36 at Page 37 of Parcel Maps, Official Records of Fresno County, together with a portion of the South 20 feet of the Southwest Quarter of Section 29, Township 12 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

BEGINNING at the Northwest corner of said Parcel 3, which point lies 30.00 feet East of, measured at right angles thereto, the West line of the Southwest Quarter of said Section 29; thence South 0°00'25" East along the West line of Parcel 3 and Parcel 4 of said Parcel Map No. 5635 a distance of 701.25 feet to the point of intersection of the West line of said Parcel 4 with a line that is parallel with and 36.00 feet Southerly of, measured at right angles thereto, the North line of said Parcel 4; thence South 89°51'31" East along said parallel line and its Easterly projection a distance of 668.18 feet to a point on a line which is parallel with and 38.18 feet Easterly of, measured at right angles thereto, the East line of said Parcel 4; thence South 0°00'25" East along last said parallel line and its Southerly projection a distance of 624.00 feet to the point of intersection thereof with the South line of the Southwest Quarter of said Section 29, said point of intersection bearing South 89°51'31" East 698.18 feet from the Southwest corner of the Southwest Quarter of said Section 29; thence South 89°51'31" East along the South line of the Southwest Quarter of said Section 29 a distance of 1,568.34 feet to the point of intersection thereof with the centerline of Dry Creek Channel as shown on said Parcel Map No. 5635, said point of intersection bearing North 89°51'31" West 378.86 feet from the Southeast corner of the Southwest Quarter of said Section 29; thence along said centerline of Dry Creek Channel North 1°33'00" East 126.99 feet, North 9°01'00" West 160.00 feet, North 18°00'00" East 87.00 feet, North 8°57'00" East 250.00 feet, North 3°49'00" East 283.00 feet, North 25°18'00" East 206.00 feet, North 13°24'00" East 120.00 feet and North 0°22'00" East 124.74 feet to the point of intersection thereof with the North line of said Parcel 3; thence North 89°51'27" West along the North line of said Parcel 3 a distance of 2,416.30 feet to the POINT OF BEGINNING.

Subject to an easement for public road and incidental purposes over the South 20 feet of the Southwest Quarter of Section 29, Township 12 South, Range 21 East, Mount Diablo Base and Meridian.

Also subject to a right-of-way for public street purposes over the North 10 feet of the South 30.00 feet of the East 1540.00 feet of the West 2200.00 feet of the Southwest Quarter of Section 29, Township 12 South, Range 21 East, Mount Diablo Base and Meridian.

Said easement and right-of-way is described as follows:

All that land lying in the Southwest Quarter of Section 29, Township 12 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, according to the United States Government Township Plats, lying in Parcel No. 3 of Parcel Map No. 5635, as recorded in Book 36 of Parcel Maps at Page 37, Fresno County Records, more particularly described as follows:

FID No:98-D116/01

COMMENCING at the Southeast corner of the said Southwest Quarter of the Section 29; thence North 89°51'31" West, along the South line of said Section 29, a distance of 1,285.64 feet; thence North 0°08'29" East, a distance of 30.00 feet to the TRUE POINT OF BEGINNING, said point lying on the North line of a strip of land previously deeded in Book 335 at Page 19 of Deeds, Fresno County Records; thence

North 27°54'38" East, a distance of 538.20 feet; thence North 27°50'20" East, a distance of 109.43 feet; thence North 31°43'50" East, a distance of 85.89 feet; thence North 28°53'26" East, a distance of 132.39 feet; thence North 23°20'57" East, a distance of 290.13 feet; thence North 19°06'46" East, a distance of 269.84 feet; thence

North 19°55'02" East, a distance of 11.71 feet to a point lying on the North line of said Parcel No. 3 of Parcel Map No. 5635, said point lying North 89°51'27" West, a distance of 665.95 feet from the Northeast corner of said Parcel No. 3 of Parcel Map No. 5635; thence South 89°51'27" East along said North line of Parcel No. 3 of Parcel Map 5635, a distance of 51.79 feet; thence

South 20°00'23" West, a distance of 29.54 feet; thence South 19°14'25" West, a distance of 271.70 feet; thence South 23°36'32" West, a distance of 292.78 feet; thence South 28°01'49" West, a distance of 137.93 feet; thence South 31°48'06" West, a distance of 86.14 feet; thence South 28°24'47" West, a distance of 105.81 feet; thence

South 27°57'04" West, a distance of 512.94 feet to a point on the said North line of the strip of land previously deeded in Book 335 at Page 19 of Deeds, Fresno County Records, thence North 89°51'31" West, along said North line of the strip of land, a distance of 53.41 feet more or less, to the TRUE POINT OF BEGINNING.

Said easement and right-of-way shall include all rights convenient or incidental to the use thereof by DISTRICT including the right of ingress to and egress from said easement and right-of-way so described over and across said real property owned by GRANTORS.

All canals, pipes, pipelines, conduits and other facilities existing or to be constructed by DISTRICT upon and within said easement are or shall become and remain the property of DISTRICT and shall be maintained by DISTRICT at DISTRICT's expense and GRANTORS shall have no right, title or interest therein.

When said canals, pipes, pipelines and other structures or facilities shall be constructed and maintained, the manner in which they shall be constructed and maintained and the time and manner for conducting and discharging water through the same shall be in the sole and absolute control of DISTRICT.

FID No:98-D116/01

GRANTORS reserve the right to use the surface of the land within said easement for their own purposes, so long as said use by GRANTORS does not interfere with the use of said easement by DISTRICT for the purposes for which said easement is granted. GRANTORS shall not build or construct any building or other permanent structure on said easement without the written permission and consent of DISTRICT. DISTRICT shall have the right, without notice, and at GRANTORS' expense, to remove any structures, fences, trees, vines, shrubs, or other encroachments from said easement which do interfere with the purpose or use of said easement. GRANTORS shall maintain the surface of said land and keep it in a safe condition for the use of DISTRICT and others.

This Indenture is for the purpose of recognizing, confirming, supplementing and amending the terms and conditions of any easement, either written or prescriptive, now existing in favor of DISTRICT over, across, or through said real property and shall not be construed so as to terminate or change priorities in respect to said existing easement and any other easement claimed by any person or entity on or over said real property.

This Indenture shall apply to and be binding upon the heirs, executors, administrators, successors and assigns of the respective Parties hereto.

IN WITNESS WHEREOF, the undersigned have caused this Grant of Easement to be executed the date hereinabove written.

WILLIAM S. SMITTCAMP, Trustee

EARL S. SMITTCAMP, Trustee

LINDA L. SMITTCAMP, Trustee

MURIEL SMITTCAMP, Trustee

"GRANTORS"

The above Grant of Easement is accepted for and on behalf of the Fresno Irrigation District this _______, day of ________, 1998.

BY:

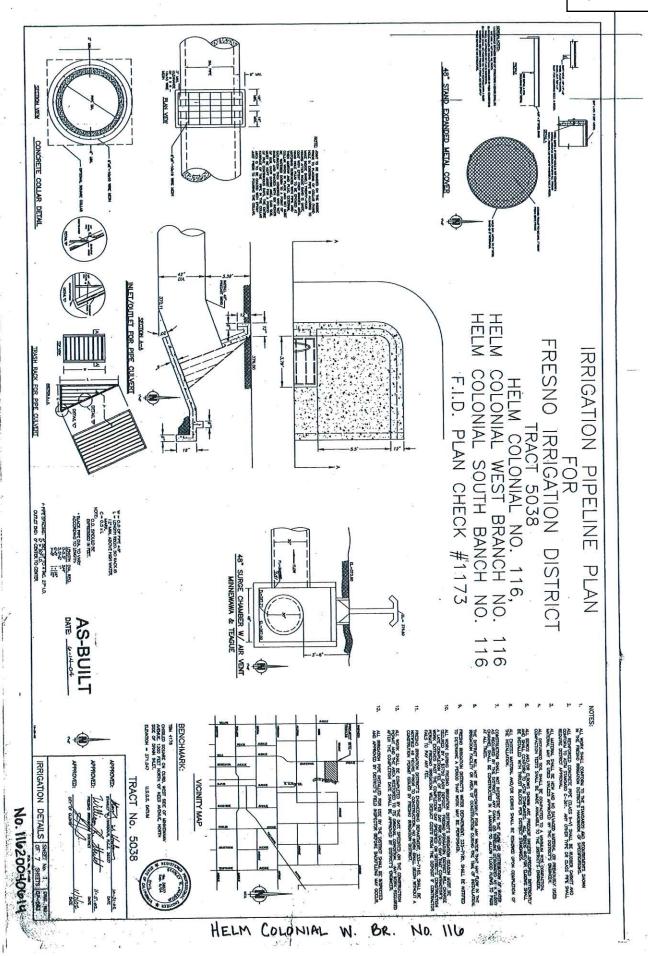
ROBERT B. MOUNT, Secretary

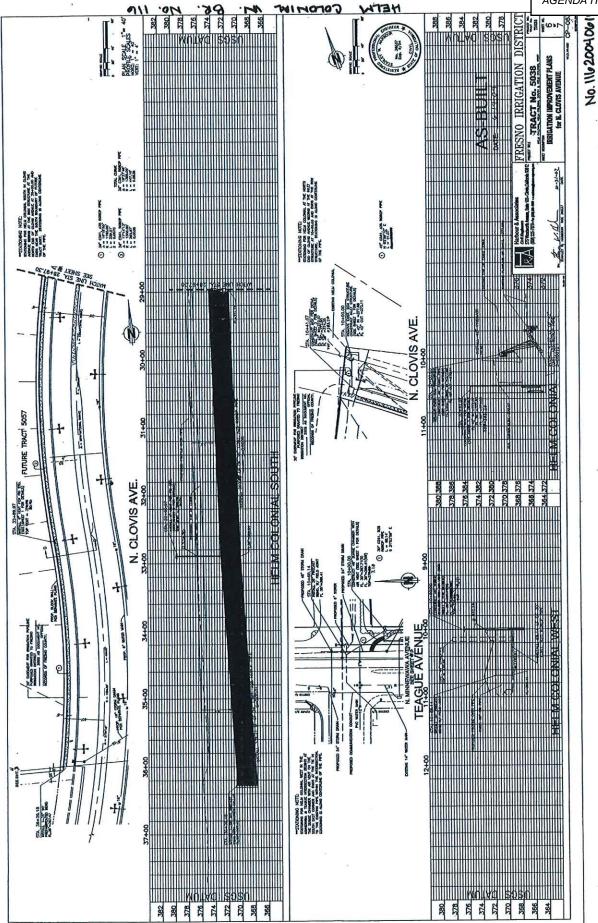
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GALLES ON COUNTY	all the second s	authorized capacity(ies), and that by bis/har/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.	SIGNER IS REPRESENTING: (Name of Person(s) or Entity(ies) RIGHT THUMBPRINT (Optional)
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•	Signer(s) Other Than Named Above _		SIGNER IS REPRESENTING: (Name of Person(s) or Entity(les)
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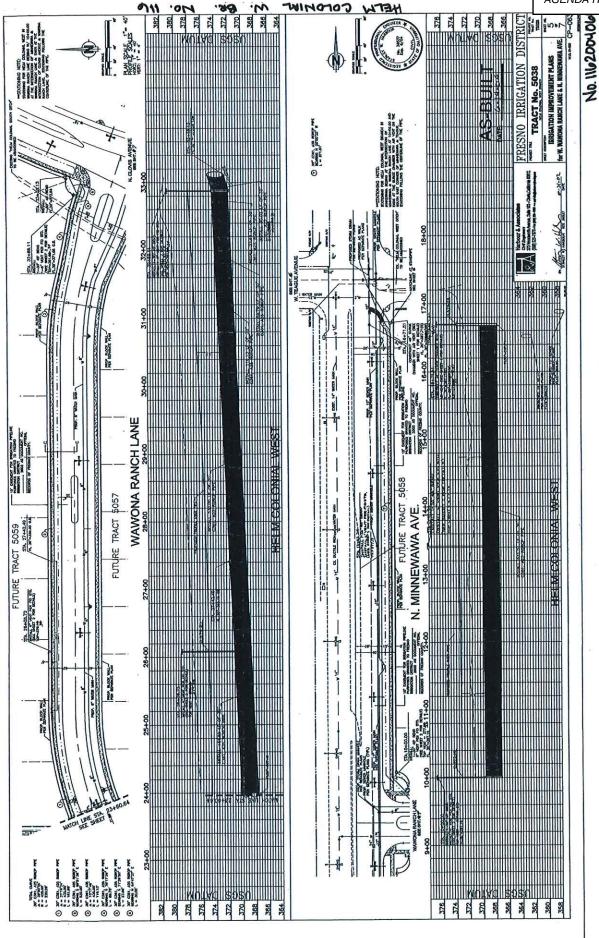


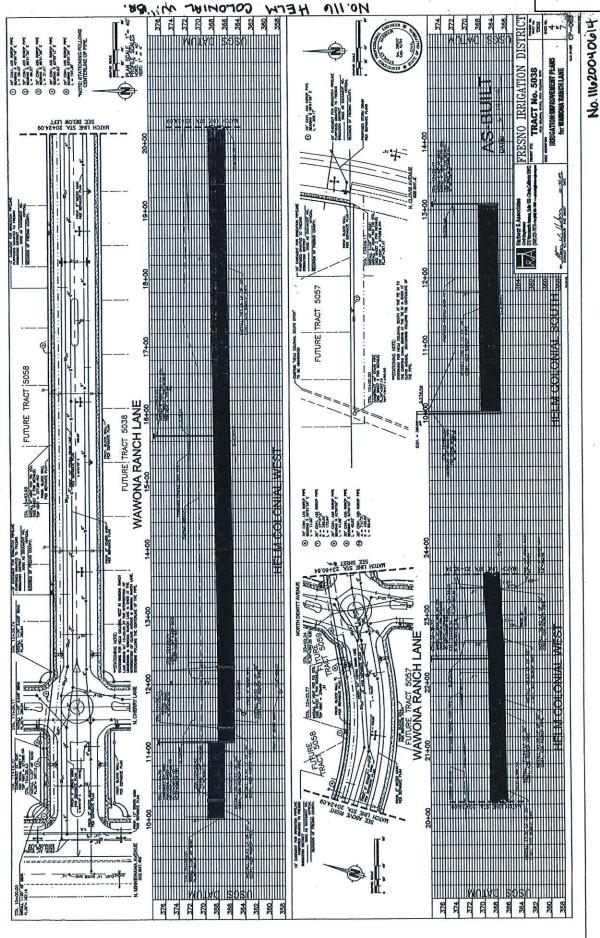
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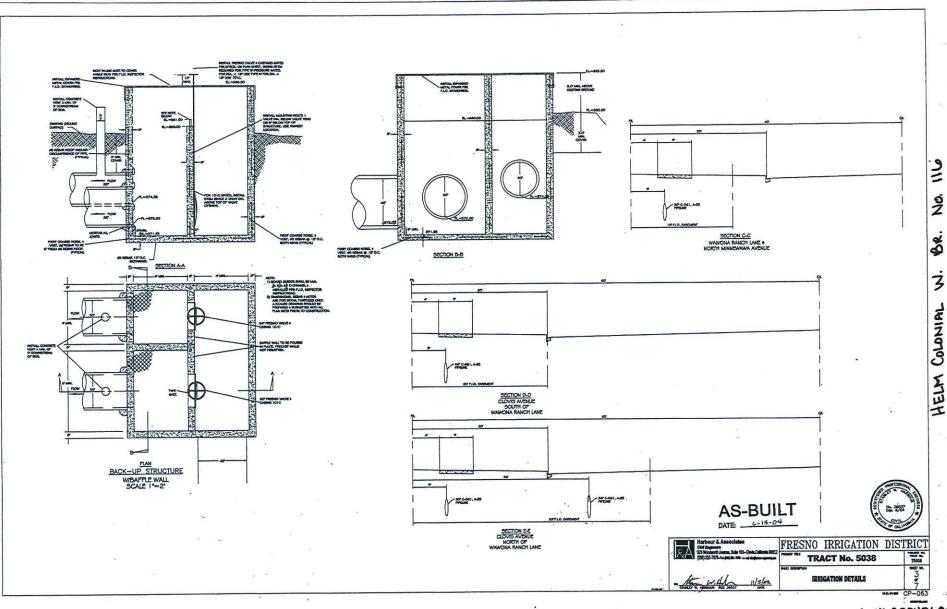
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State of <u>California</u> County of <u>Fresno</u>	
On Systember 23, 1998 befor	Ore me, MAVA NICHOLS, NOTARY PUBLE Name and Title of Officer (e.g., "Jane Doe, Notary Public") OBERT B. MOLLAT Name(s) of Signer(s)
personally appeared	Name(s) of Signer(s)
MAVA NICHOLS COMM. \$1090342 NOTARY PUBLIC-CALIFORNIA PRINCIPAL OFFICE IN FRESNO COUNTY My Commission Exp. March 15, 2000	Presonally known to me □ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/the executed the same in his/her/their authorized capacity(ies and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. Signature of Notary Public OPTIONAL
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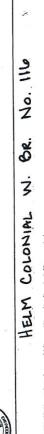


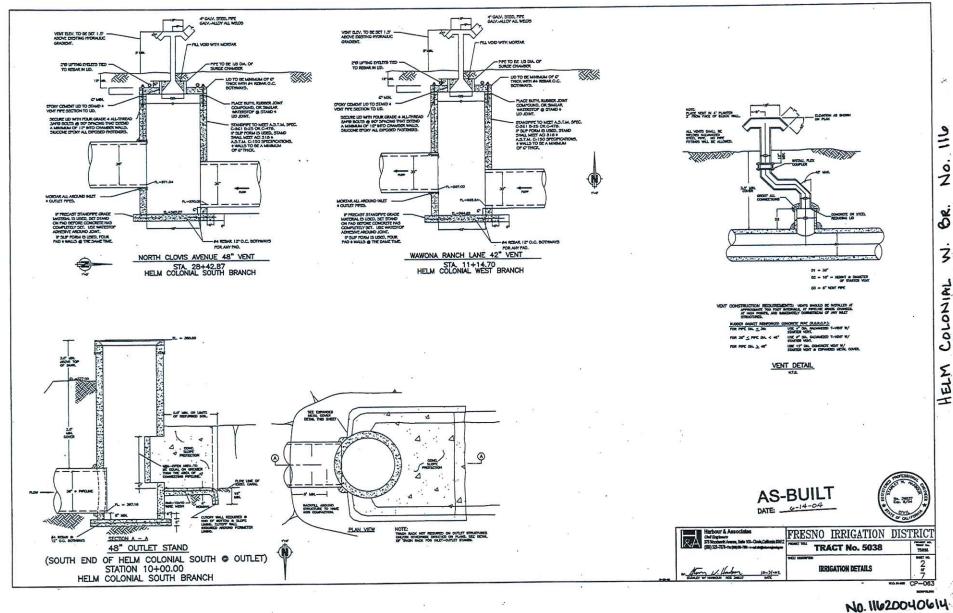


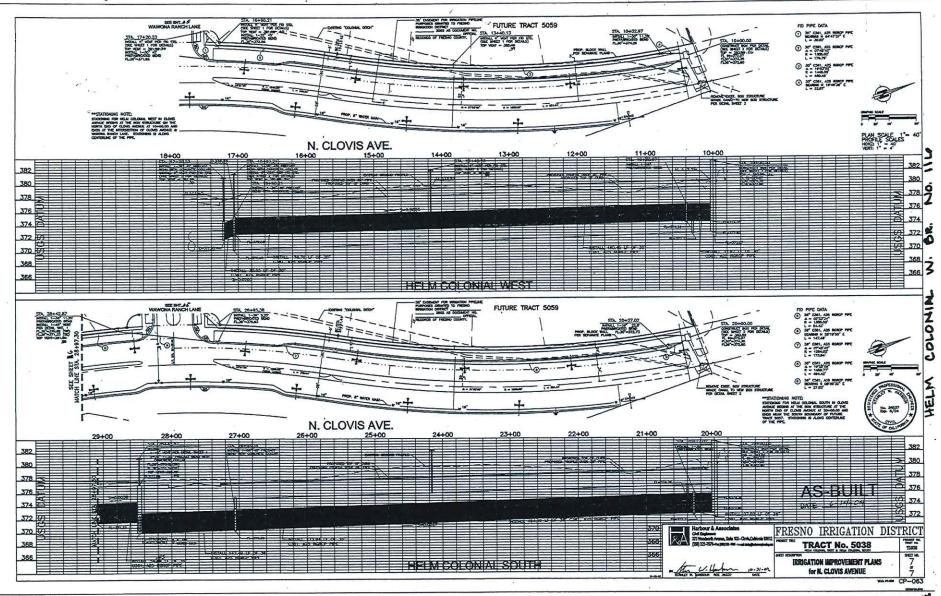




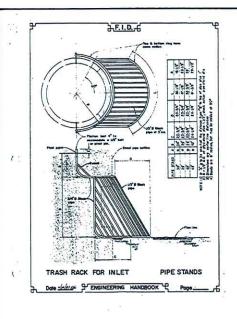
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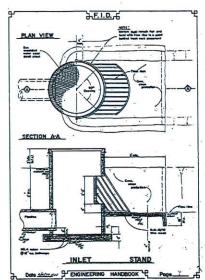






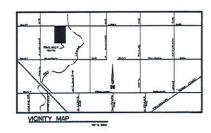
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IRRIGATION PIPELINE PLAN FOR

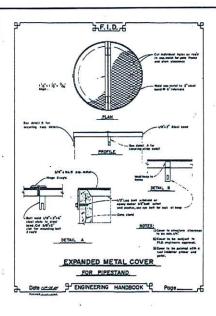
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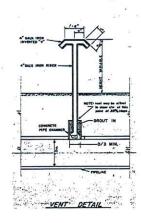




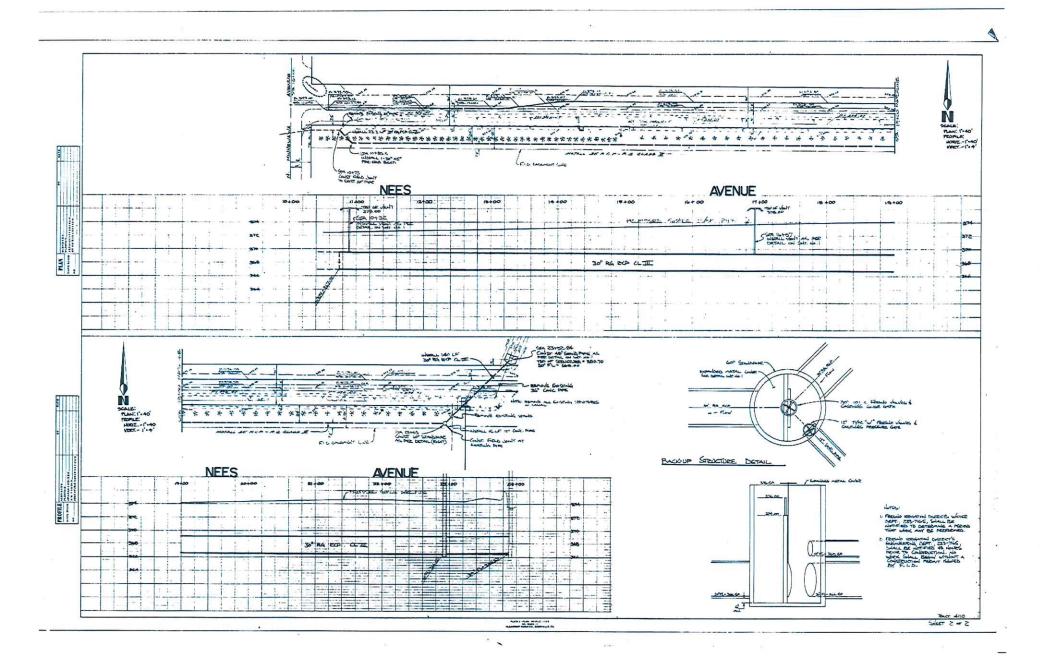


Giannetta Engineering





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JP No. 2020-006A

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 1 of 3

PUBLIC AGENCY

LIZ SALAZAR
PLANNING AND DEVELOPMENT SERVICES
CITY OF CLOVIS
1033 FIFTH ST.
CLOVIS, CA 93612

DEVELOPER

RUSSEL TAYLOR, THE WELL COMMUNITY CHURCH 410 PARK CREEK DRIVE CLOVIS, CA 93611



PROJECT NO: 2020-006A

ADDRESS: 1265 N. MINNEWAWA AVENUE

APN: 560-051-23 SENT: December 04, 2023

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
CZ	CZ \$702.00		\$50.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review *	\$100.00	Amount to be submitted with first grading plan submittal.

Total Drainage Fee:	\$702.00	Total Service Charge:	\$150.00
	-		

^{*} The Development Review Service Charge shown above is associated with CL SPR 2020-008A2 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District's reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 3/07/24 based on the site plan submitted to the District on 11/07/23 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Creditable storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Creditable drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Creditable facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

AGENDA ITEM NO. 2.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 2 of 3

Approval of this development shall be conditioned upon compliance with these District Requirements.

l .	a.	Drainage from the site shall
	_X b.	Grading and drainage patterns shall be as identified on Exhibit No. 1.
	с.	The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
2.		osed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities rithin the development or necessitated by any off-site improvements required by the approving agency:
		Developer shall construct facilities as shown on Exhibit No. 1 as
	<u>X</u>	None required.
3.		wing final improvement plans and information shall be submitted to the District for review prior to final nent approval:
	X	Grading Plan
		Street Plan
		Storm Drain Plan
		Water & Sewer Plan
		Final Map
		Drainage Report (to be submitted with tentative map)
		Other
		None Required
1.	Availabil	ity of drainage facilities:
	a.	Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
	b.	The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
	c.	Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
	X d.	See Exhibit No. 2.
5.	The prop	osed development:
		Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
	<u>X</u>	Does not appear to be located within a flood prone area.
5.		The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

CUP No. 2020-006A

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 3 of 3

- 7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- ဥ
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
- **b.** State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
- c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
- **8.** A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
- **9.** The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
- 10. X See Exhibit No. 2 for additional comments, recommendations and requirements.

Debbie Campbell

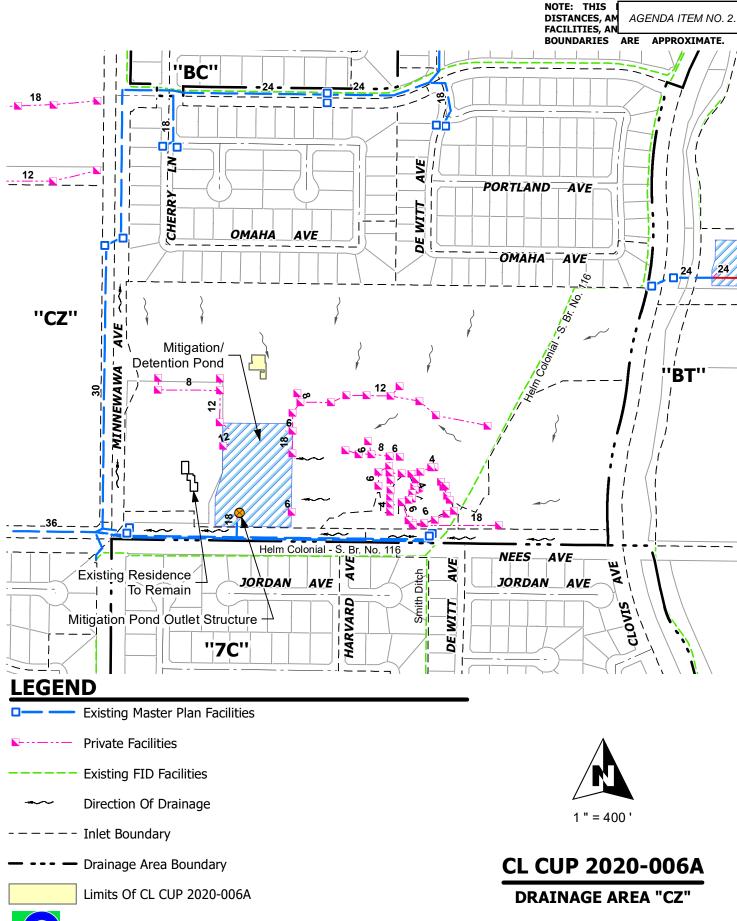
Digitally signed by Debbie Campbell Date: 12/4/2023 12:41:21 PM

Design Engineer, RCE

lettii Campbell

Anthony Zaragoza

Engineer III





FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: coreym Date: 11/8/2023

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OTHER REQUIREMENTS EXHIBIT NO. 2

The proposed site shall be graded, as required, to conform with the approved Grading & Drainage Plan for CL SPR 2020-008.

The City of Clovis shall verify that drainage covenants are in place to allow surface runoff to reach the existing Private Facilities and Mitigation/Detention Pond, as shown on Exhibit No. 1. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to these facilities.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Conditional Use Permit Amendment 2020-006A Addendum to the Project Description CUP2020-006 The Well Community Church Mitigated Negative Declaration

Project Title: Addendum to the Mitigated Negative Declaration (MND) prepared for Conditional Use Permit (CUP) 2020-006, Rezone (R) 2020-005, Site Plan Review (SPR) 2020-008 to reflect the proposed CUP2020-006A project.

Lead Agency: City of Clovis, 1033 Fifth Street, Clovis, CA 93612

Contact Person: Liz Salazar, Planning Division, (559) 324-2305

Project Location: North side of Nees Avenue, between N. Minnewawa and Clovis Avenues.

Previously Adopted MND: An Initial Study (IS) and MND (CUP2020-006, R2020-005, and SPR2020-008), was previously prepared and evaluated any potentially significant environmental effects that would result from the proposed Well Community Church, with the incorporation of mitigation measures.

CEQA Guidelines Provisions for an Addendum to a Negative Declaration: The State CEQA Guidelines provide that an "addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred."

Project Overview: CUP2020-006A requests to extend the church use limits to allow three temporary modular office buildings on a ±0.8-acre portion of the total ±53 acres of property.

Based on an analysis of the proposed project and consistency with the City of Clovis General Plan, Staff has prepared this addendum to the MND prepared for CUP2020-006, R2020-005 and SPR2020-008 pursuant to CEQA Section 15164, on the basis of substantial evidence in the light of the whole record, none of the following findings has occurred:

FINDINGS PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES.

(1) Substantial changes are proposed in the project which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

Response (1):

The Project does not propose substantial changes that would require the preparation of a subsequent IS. The Project will be required to implement applicable mitigation measures identified by the MND initially prepared for the project. No new environmental effects or increases in the severity of previously identified effects have been identified as the result of the Project.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

Response (2):

The temporary nature of this Project's development has not proposed any substantial changes which would require revisions to the previously prepared IS. The environmental effects outlined in the previously prepared IS remain the same. No new environmental effects or increases in the severity of previously identified effects have been identified as the result of the Project.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous EIR; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR, would substantially reduce one or more significant effects on the environment.

Finding (3):

The analysis conducted in conjunction with this addendum did not identify new information regarding significant effects not previously discussed in the IS prepared for the original project, and potential effects previously examined are not substantially more severe than originally discussed. No mitigation measures which were previously identified have been found infeasible, nor has it been determined that identified mitigations measures would not substantially reduce significant effects of the project. No mitigation measures have been added or modified as analyzed in the IS. Therefore, no new information identifies significant or substantially more severe effects than originally discussed.

This addendum will not be circulated for public review pursuant to Section 15164, subdivision (c) of the CEQA Guidelines but will be included in the administrative record.



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: February 22, 2024

SUBJECT: Consider Approval - Res. 24-___, CUP 2023-010, Adopting Class 2

and Class 32 Categorical Exemptions from further environmental review under CEQA and a request to approve a conditional use permit to allow a drive-through restaurant in conjunction with an office/retail building located at 10 W. Bullard Avenue. Kayaso Investments LLC &

Berzerker LLC, owner; Vermeltfoort Architects, Inc, applicant.

Staff: Liz Salazar, Assistant Planner

Recommendation: Approve

ATTACHMENTS: 1. Res. 24- , CUP2023-010

2. Site Plan, Elevations, Floor Plan, and Landscape Plan

3. Applicant's Operational Statement

4. Correspondence from Commenting Agencies

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the categorical exemptions and approve the conditional use permit for a drive-through restaurant in conjunction with an office/retail building, subject to the conditions of approval listed as **Attachment 1A**.

EXECUTIVE SUMMARY

As shown in **Figure 1** below, the applicant is requesting approval of a conditional use permit to allow a drive-through restaurant (coffee service) on property within an existing shopping center located at the southwest corner of W. Bullard and Minnewawa Avenues. Conditional Use Permit (CUP) 2023-010 is a request for a ±2,252 square foot drive-through restaurant in conjunction with a ±3,704 square foot office/retail building. Approval of this request would allow the applicant to proceed with a site plan review application. Although the site plan review process is reviewed administratively at the staff level, a conceptual site plan has been provided as **Attachment 2** for informational purposes.

FIGURE 1 Project Location



BACKGROUND

General Plan Designation: G-C (General Commercial)
 Existing Zoning: C-2 (Community Commercial)

Total Project Area: ±8.82 acres
 Limits of Project Location: ±0.70 acre

Current Land Use: Office/Retail Building

Adjacent Land Uses:

North: Multifamily (Scottsmen Too Apartments)

East: Commercial (Post Office)

o South: Multifamily (Minnewawa Apartments)

West: Single-family residential

Previous Entitlements: SPR77-79

The established commercial center was originally developed in the late 1970s. Throughout the years, the center has seen different retail and commercial uses including the former Save Mart Supermarket which is now Dollar General. The portion of the site where the proposed building and drive-through lanes are proposed was originally developed as a freestanding building within the larger commercial center. The approval of this use permit would allow the existing building to be demolished and replaced with a new ±5,956 square foot commercial building with a drive-through window.

PROPOSAL AND ANALYSIS

The applicant is requesting approval of this conditional use permit to allow for the construction and operation of a drive-through restaurant in association with Starbucks. The Project site is an approximately ±0.70 acre portion of the overall commercial center and is located on the southwest corner of W. Bullard and Minnewawa Avenues. Starbucks proposes to provide coffee and food in a casual restaurant experience. The drive-through option will provide patrons with a convenient means of purchasing drinks and food without leaving their vehicle. Per the applicant's operational statement (**Attachment 3**), the proposed Starbucks will operate from 5:00 a.m. to 9:00 p.m., seven days a week. It is anticipated that four (4) employees will staff each shift.

Circulation and Drive-Through Queue

The Project does not propose any modification to the established vehicle access points. As shown on the conceptual site plan (**Attachment 2**), the Project site would be accessed via the four (4) existing points of ingress/egress to the commercial center along W. Bullard and Minnewawa Avenues.

The Project is proposing a drive-through lane along the northern and eastern sides of the proposed building with the drive-up window on the eastern building elevation. The drive-through has been designed to accommodate 14 vehicles in the queuing lane, which reduces potential interference with other on-site circulation movements. The Clovis Municipal Code requires a minimum 13-vehicle queue for drive-in and drive-through uses. The design, as proposed, would satisfy the minimum standard and the overall site has adequate area to accommodate additional vehicle stacking during peak periods. A condition of approval is recommended that would require the queue to be managed at all times to ensure that vehicle stacking is maintained within the commercial center and that the flow of traffic on Bullard and Minnewawa Avenues is not impeded.

Parking

Parking is calculated cumulatively within the commercial center, which requires a parking ratio of 4.7 stalls per 1,000 square feet. In total, the commercial center currently requires 389 stalls. However, only 296 stalls are provided. The existing parking deficit appears to date back to the original development of the site. A review of historical aerial photographs shows that the parking and circulation layout has not changed substantively since the project was first developed. The current proposal is to demolish an existing building and construct a new building with the addition of a drive-through lane. The commercial center, in total with the current Project, would require 393 parking stalls. The Project proposes a total of 275 stalls, which is 118 stalls short of the required standard and 21 fewer stalls than what is currently available.

Generally, a reduction in the parking ratio of a commercial center presents issues related to impacts to adjacent tenants. However, in this specific case, there are multiple factors that warrant a reduction in the parking ratio as follows:

 Differing peak parking usage periods: As observed during several staff visits to the site, the existing parking stalls at the commercial center are significantly underutilized during peak hours of the proposed Starbucks. The peak period for Starbucks is generally in the morning before 10:00 a.m. Numerous existing tenants such as Clovis Bicycle Company, Alpha Pro Scooters, Kur's Designer Studio, Clovis Hall Bingo, Beer for the Meeples, Teppan Bowl, Clovis Cards & Comix, and Unlock Escape Room open for business at or after 11:00 a.m. Parking counts conducted on seven consecutive days during the peak morning hours for Starbucks demonstrated that parking demand never exceeded 20% of the total stalls in the center. Overall parking demand in the commercial center peaks on weekday nights when bingo events are held at the Clovis Bingo Hall. During these events, approximately 30% of stalls remained available in the center.

- While the new building proposed in conjunction with the Project is slightly larger than the
 existing building, the addition of the drive through should reduce parking demand for the
 tenant space dedicated to the coffee shop. Additionally, a condition of approval is
 recommended to limit occupancy of the two remaining tenant spaces of the proposed
 building to office and general retail uses (no food service) as those uses are likely to
 generate a lower parking demand.
- Revitalization of the commercial center will include cleanup of impermissible parking stall
 modifications and re-striping of the parking area along the southern property line and
 behind the western spine building to maximize the available parking. Parking stall
 corrections will be evaluated and memorialized through the site plan review process.

The conditional use permit process allows the City to consider the compatibility of a proposed use and its impact on surrounding properties and developments. Parking standards can be customized based on the specific features of a proposed project. Based on the factors outlined above, the analysis supports a reduction in the required parking for the commercial center. The reduction would help with the revitalization of the center and no detrimental impacts to existing adjacent uses are anticipated.

Compatibility with Adjacent Land Uses

The applicant proposes a single-story building with horizontal architectural articulation. The color scheme is compatible with the existing building spine and provides a consistent storefront appearance on the north and east facing elevations. The proposed building height is cohesive with the existing commercial development within the shopping center.

Review and Comments by Agencies

The Project was distributed to all City Divisions as well as outside agencies, including Caltrans, Clovis Unified School District, Fresno Irrigation District, Fresno Metropolitan Flood Control District, AT&T, PG&E, and the San Joaquin Valley Air Pollution Control District.

Comments received are attached (**Attachment 4**) only if the agency has provided concerns, conditions, or mitigation measures. Routine responses and comment letters are placed in the administrative record and provided to the applicant for their records.

California Environmental Quality Act (CEQA)

The City has determined that this Project is exempt from CEQA pursuant to CEQA Guidelines Section 15302(b) (Class 2 Replacement or Reconstruction) and Section 15332 (Class 32 – In-Fill Development Projects) and that the exceptions identified under Section 15300.2 of the CEQA Guidelines would not be triggered as a result of the Project.

The Class 2 categorical exemption exempts projects that are a replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.

The Class 32 categorical exemption exempts projects that: (a) are consistent with the applicable land use designation, General Plan policies, and zoning; (b) are within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) are located on sites with no value as habitat for endangered, rare, or threatened species; (d) would not result in significant effects relating to traffic, noise, air quality, and water quality; and (e) is located on a site that can be adequately served by all utilities.

The exceptions identified in Section 15300.2 identify further review of an exemption by the project's potential to result in a cumulative impact, significant effect, proximity to a scenic highway, location on or within the vicinity of a hazardous waste site, and/or the potential to negatively impact a historical resource. Based on staff's review, these exceptions would not be triggered by the proposed Project. Therefore, a Notice of Exemption has been completed. Staff will file the notice with the County Clerk if the Project is approved.

The City published notice of this public hearing in *The Business Journal* on Wednesday, February 7, 2024.

Consistency with General Plan Goals and Policies

Staff has evaluated the Project in light of the General Plan Economic Development goals and policies. The following goal and policy reflect Clovis' desire of commitment to growth and to preserve the quality of life in existing neighborhoods ensuring the development of neighborhoods with an equal quality of life. This Project will encourage and foster economic opportunities that support jobs for the area.

Economic Development Element:

Goal 1: Regionally and globally competitive office and industrial employment centers that deliver desirable career opportunities for residents, create wealth-building opportunities for entrepreneurs, and attract private investment

investment.

Policy 1.6 Retail as an attractor. Encourage a mix of retail goods, dining, entertainment, and retail services that provide a full continuum of goods and services in order to support efforts to attract new office and industrial employers.

Goal 3: Distinctive commercial destinations, corridors, and centers that provide a wide variety of unique shopping, dining, and entertainment opportunities for residents and visitors.

Policy 3.2 Convenience goods and services. Encourage businesses providing convenience goods and services to locate in retail centers in neighborhoods and communities throughout the city.

REASON FOR RECOMMENDATION

CUP2023-010 is consistent with the goals and policies of the General Plan, Clovis Municipal Code and the C-2 (Community Commercial) Zone District. Furthermore, the Project will revitalize an existing shopping center and will not substantially impact traffic, sewer, water, and other public services. Based on the findings, staff is recommending that the Planning Commission adopt the categorical exemptions and approve CUP2023-010, subject to the conditions of approval listed as **Attachment 1A**.

The findings to consider when making a decision on a conditional use permit application include:

1. The proposed use is conditionally allowed within and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of this Development Code.

The subject Project is allowed within the C-2 Zone District with an approved conditional use permit. The Project will be in compliance with applicable provisions and development standards identified in the Development Code, and will be subject to the conditions of approval. This Project will undergo site plan review (SPR) to further ensure that the site layout and development standards are met. During the SPR review, the height, setbacks, parking standards, and aesthetics will be reviewed to ensure that applicable standards are met.

2. The proposed use is consistent with the General Plan and any applicable Specific Plan.

This Project is consistent with the 2014 Clovis General Plan. The underlying General Plan land use designation of General Commercial would remain unchanged, and the proposed use is acceptable within this underlying land use designation, according to the 2014 Clovis General Plan.

3. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.

The Project proposes to demolish and reconstruct an existing commercial building located within an established shopping center. The proposed use is compatible with the existing uses and will complement the area in which it is situated. The Project complements the commercial uses and will not be out of the ordinary as it relates to the character of the surrounding area. Further, the Project will maintain the general circulation pattern by retaining all existing points of access.

4. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.

The Project will occupy and operate within the existing site that is physically suitable in size and shape and has the infrastructure in place to support it. The Project will be required to comply with all conditions from Public Utilities and Engineering during the SPR process, which will further ensure the site is suitable for the proposed uses.

5. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

The Project will comply with all applicable public health standards. Further, as an addition to the existing development, adequate provisions (i.e. water, sanitation, utilities, etc.) are readily available and accessible to the proposed use. Although modifications and/or upgrades may be required to the existing infrastructure, the overall site can be adequately served. Details and final approval will occur during engineering review if approved and the Project moves forward. This review will ensure utility services are sufficient to accommodate the Project and impose conditions for upgrades as needed.

6. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and there would be no potential significant negative effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless findings are made in compliance with CEQA.

As identified above under the "California Environmental Quality Act (CEQA)" section of this staff report, the Project was determined to be categorically exempt. Therefore, the Project has been reviewed in compliance with CEQA.

ACTIONS FOLLOWING APPROVAL

If approved, the Project will continue with site plan review.

NOTICE OF HEARING

Property owners within 300 feet notified: 46

Prepared by: Liz Salazar, Assistant Planner

Reviewed by:

Dave Merchen
City Planner

RESOLUTION 24-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS ADOPTING A
CLASS 2 AND CLASS 32 CATEGORICAL EXEMPTION FROM FURTHER
ENVIRONMENTAL REVIEW UNDER CEQA, AND APPROVING CONDITIONAL USE PERMIT
2023-010 TO ALLOW A DRIVE-THROUGH RESTAURANT TO BE LOCATED WITHIN AN
EXISTING SHOPPING CENTER AT 10 W. BULLARD AVENUE

WHEREAS, Vermeltfoort Architects, Inc (Applicant), 8525 N. Cedar Avenue, Suite 106, Fresno, CA 93720, applied for Conditional Use Permit (CUP) 2023-010 to allow a drive-through restaurant in conjunction with an office/retail building to be located at 10 W. Bullard Avenue (southwest corner of W. Bullard and Minnewawa Avenues) in the City of Clovis ("Property"); and

WHEREAS, a duly noticed public hearing was held on February 22, 2024; and

WHEREAS, the City published notice of the public hearing in *The Business Journal* on Wednesday, February 7, 2024, and mailed public notices to property owners within 300 feet of the Property area on Monday, February 5, 2024, more than ten (10) days prior to said hearing; and

WHEREAS, the Planning Commission considered the CEQA analysis outlined in the staff report and elsewhere in the Administrative Record, which determined the Project meets the requirements of the Class 2 (Replacement or Reconstruction) and Class 32 (In-Fill Development Projects) Categorical Exemptions pursuant to CEQA Guidelines sections 15302 and 15332; and

WHEREAS, the Planning Commission has had an opportunity to review and consider the entire Administrative Record relating to the Project, which is on file with the Department, and reviewed and considered those portions of the Administrative Record determined to be necessary to make an informed decision, including, but not necessarily limited to, the staff report, the written materials submitted with the request, and the verbal and written testimony and other evidence presented during the public hearing, and the conditions of approval attached as **Attachment A** to this Resolution, which are incorporated herein by this reference.

NOW, THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE PLANNING COMMISSION RESOLVES AND FINDS AS FOLLOWS:

- The Planning Commission finds that the Project is categorically exempt from CEQA under the Class 2 (Replacement or Reconstruction) and Class 32 (In-Fill Development Projects) Categorical Exemptions pursuant to CEQA Guidelines sections 15302 and 15332 and hereby adopts a Class 2 and Class 32 Categorical Exemption from further environmental review.
- 2. CUP2023-010 is hereby approved with incorporation of the conditions of approval (**Attachment A** to this Resolution).
- 3. The Project satisfies the required findings for approval of a conditional use permit, as follows:

Attachment 1

70

- a. The proposed use is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of this Development Code.
- b. The proposed use is consistent with the General Plan and any applicable specific plan.
- c. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.
- d. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
- e. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.
- f. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA).
- 4. The Planning Commission could not make the findings necessary for approval of CUP2023-010 without the conditions of approval set forth in **Attachment A** to this Resolution.
- 5. The basis for the findings is detailed in the February 22, 2024 staff report, which is hereby incorporated by reference, the entire Administrative Record, as well as the evidence and comments presented during the public hearing.

The foregoing resolution was adopted by the Clovis Planning Commission at its regular meeting on February 22, 2024, upon a motion by Commissioner ______, seconded by Commissioner ______, and passed by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 24-___
DATED: February 22, 2024

Alma Antuna, Chair

ATTEST:

Renee Mathis, Secretary

CONDITIONS OF APPROVAL CUP2023-010

PLANNING DIVISION CONDITIONS (Liz Salazar, Division Representative – (559) 324-2305)

- 1. This Conditional Use Permit approval is to allow a drive-through restaurant in conjunction with an office/retail building located at 10 W. Bullard Avenue.
- 2. This Conditional Use Permit does not permit or otherwise allow for the operation of the site and/or uses other than those explicitly described in the accompanying staff report from the February 22, 2024 Planning Commission hearing.
- 3. This Conditional Use Permit is not transferable to another location.
- 4. A separate site plan review (SPR) and approval shall be required prior to the construction of any structures and/or prior to any site modifications and shall comply with development standards prescribed for the General Commercial land use designation, C-2 (Community Commercial) Zone District, and other applicable standards as determined by the Planning Division during the SPR review process.
- 5. The two tenant spaces not occupied by the drive-though user are limited to office or general retail uses.
- 6. The drive-through use may operate seven (7) days a week from 5:00 a.m. to 11:00 p.m.
- 7. The use shall comply with the standards for drive-through uses under Section 9.40.090 of the Clovis Municipal Code (CMC), including but not limited to the following standards:
 - Each drive-through aisle shall maintain a minimum 12-foot width and a minimum 10-foot interior radius at curves;
 - Each drive-through aisle shall be appropriately screened with a minimum 3foot-high decorative masonry wall (a combination of landscape and walls may be used, subject to approval by the Planning Division); and
 - Each drive-through aisle shall provide sufficient space before the menu board to accommodate at least five waiting vehicles and at least eight waiting vehicles between the menu board and the drive-up window.
- 8. The drive-through criteria identified in Condition #7 are applicable to the operational statement for the use originally proposed and approved in conjunction with CUP2023-010. Any change of tenancy in the building or modification of operational characteristics of the drive-through that would result in a use identified by the City as being a high-volume drive-through will require an amendment to the conditional use permit. Additional queueing capacity will be required based on the specific

- characteristics of the proposed use and the location and configuration of the drivethrough lane(s).
- 9. The project is required to manage the drive-through queue at all times to ensure that the queue is maintained within the limits of the commercial center and does not impede the flow of traffic on the adjacent public streets.
- 10. All exterior lighting shall not interfere with the driving safety of vehicular traffic per Planning Division Standards.
- 11. The applicant shall keep free and clear access between the subject site and adjacent parcels/businesses free and clear of obstructions. Any delivery vehicles shall not stop, park, load, or unload merchandise in a manner that could obstruct ingress or egress to adjacent business(es).
- 12. All signs shall comply with the City of Clovis Sign Ordinance. All exterior signs and/or signs on the inside of the building, which are intended to be viewed from the outside, shall require separate sign permits prior to installation. (CMC § 9.34.010).
- 13. The applicant shall operate in a manner that complies with the CMC so that it does not generate noise, odor, or vibration that adversely affects any adjacent properties.
- 14. Any future request to expand and/or modify the use shall be subject to an amendment to the CUP.
- 15. The use shall be exercised within twelve (12) months from the date of approval.
- 16. An abandonment or cessation of this use for a period exceeding 90 days shall cause this approval to be scheduled for revocation.
- 17. Applicant must have on file a current City of Clovis Business License prior to operation.
- 18.CUP2023-010 may be reviewed at any time for compliance with the conditions of approval. Clovis Planning staff may conduct a review of the use in regards to conditions of approval and present findings of this review to the City Planner or the Planning Commission.

POLICE DEPARTMENT COMMENTS (Michael Sweeten, Police Corporal – (559) 324-3494) (Sean Obrien, Police Corporal – (559) 324-3468)

- 19. Surveillance cameras shall be installed to cover the lobby and main entry/exit of the structure. Footage shall be retained for a minimum of 30 days. Video shall be made available to the Clovis Police department upon request pursuant to a criminal investigation.
- 20. The sidewalks and parking lots shall be reasonably illuminated to enhance public safety and deter criminal activity. The lighting shall be shielded in a manner to that it does not create a nuisance for neighboring properties.

- 21. The property must be maintained and cared for in a manner that increases public safety and follows the CMC and all other applicable City codes. All lighting, gates and fences shall be maintained and in working order, and landscaping shall be kept clean and free of debris and other hazards.
- 22. The name and telephone number of a 24-hour emergency contact person(s) shall be provided to Clovis PD and shall be updated regularly.
- 23. The site owner shall maintain all structures and adjoining fences/walls and keep them free of graffiti. All forms of graffiti shall be removed within 48 hours.
- 24. Signage in general should comply with City of Clovis sign ordinance in CMC 9.34. This specifically does not allow for A-frame, I-frame, temporary banners, roof signs, neon, or flashing signs etc.
- 25. The applicant shall require compliance with all criminal and administrative state, county, and city laws by the applicant and their employees within the designated use and withing 100 feet of the use. The applicant shall make reasonable efforts to report to law enforcement know violations of criminal laws by patrons within the use and within 100 feet of the use.
- 26. Restrooms shall be deemed for use by patrons only. The Clovis Police Department requests access to the public bathrooms be restricted with some type of locking mechanism to restrict use to patrons only.
- 27. Demolition of existing commercial building and construction of the new building shall abide by the City of Clovis ordinance in CMC 5.27 regarding noise nuisance and construction hours.

COUNTY OF FRESNO HEALTH DEPARTMENT (Kevin Tsuda, County of Fresno Health Representative – (559) 600-3271)

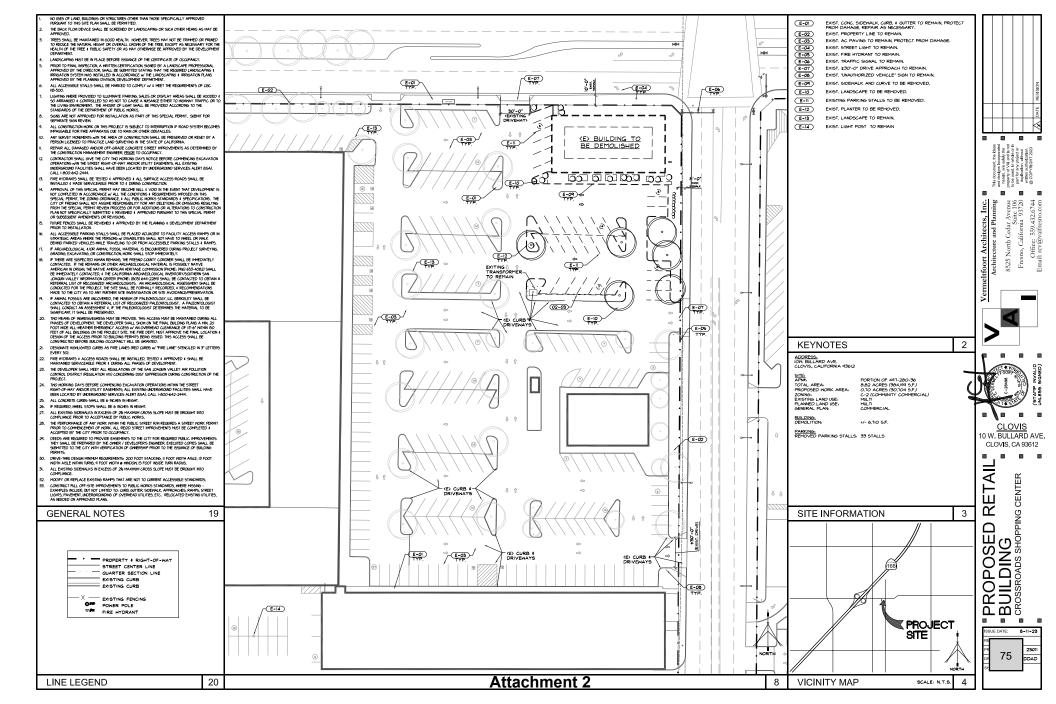
28. The applicant shall refer to the attached Fresno County Health Department correspondence. If the list is not attached, please contact the agency for the list of requirements.

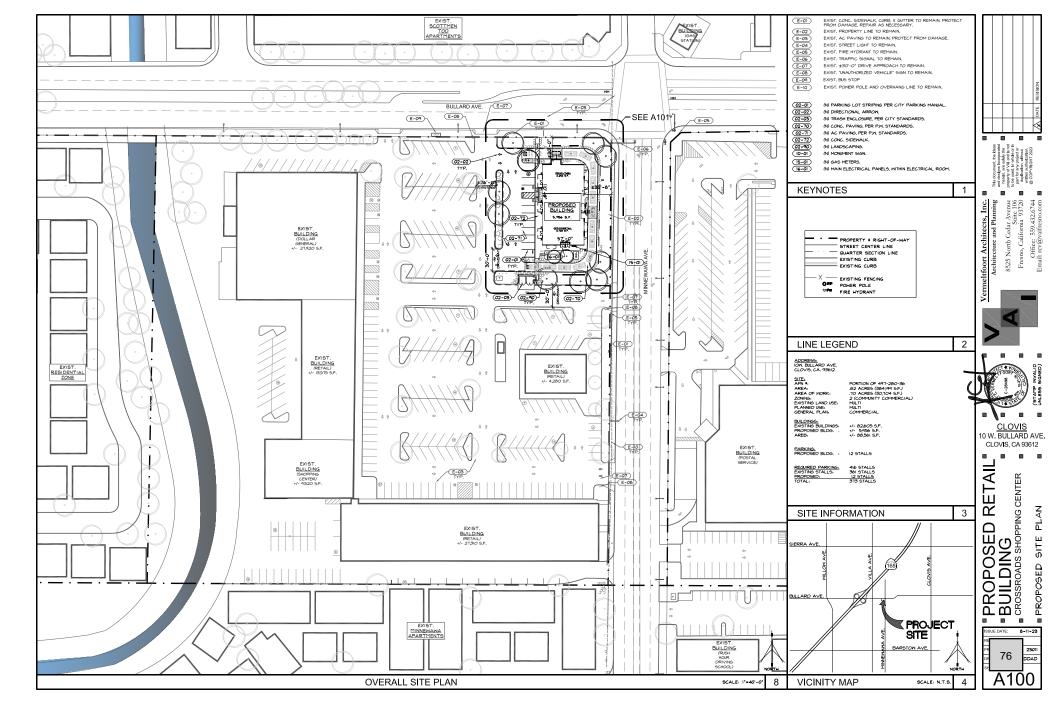
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT (Anthony Zaragoza, FMFCD Department Representative – (559) 456-3292)

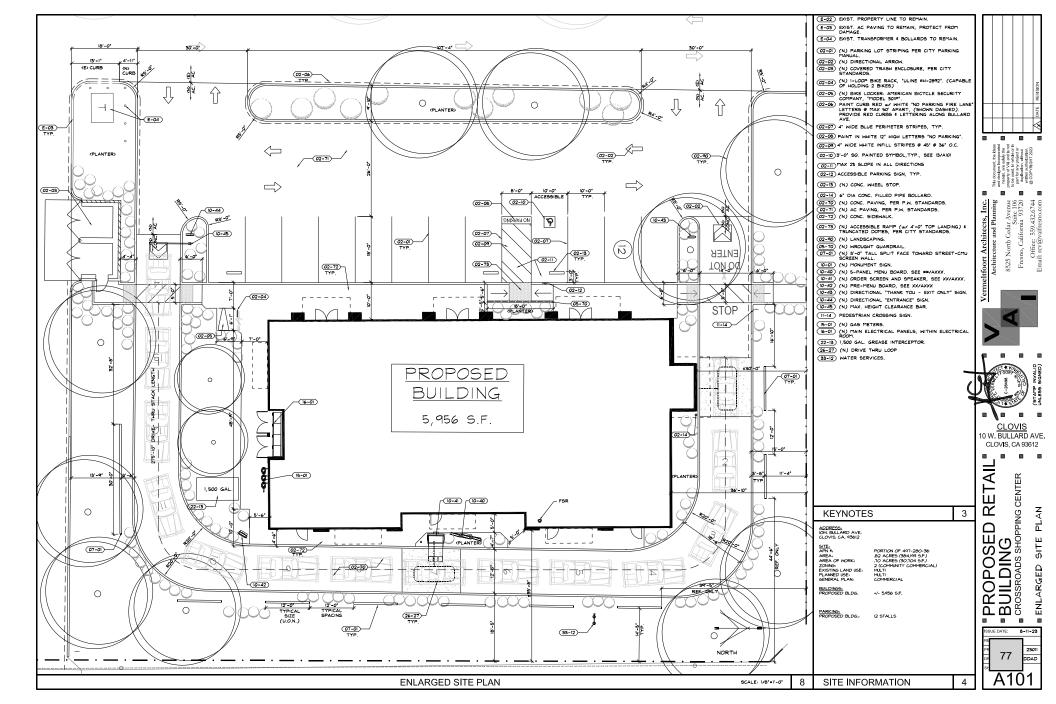
29. The applicant shall refer to the attached Fresno Metropolitan Flood Control District correspondence. If the list is not attached, please contact the District for the list of requirements.

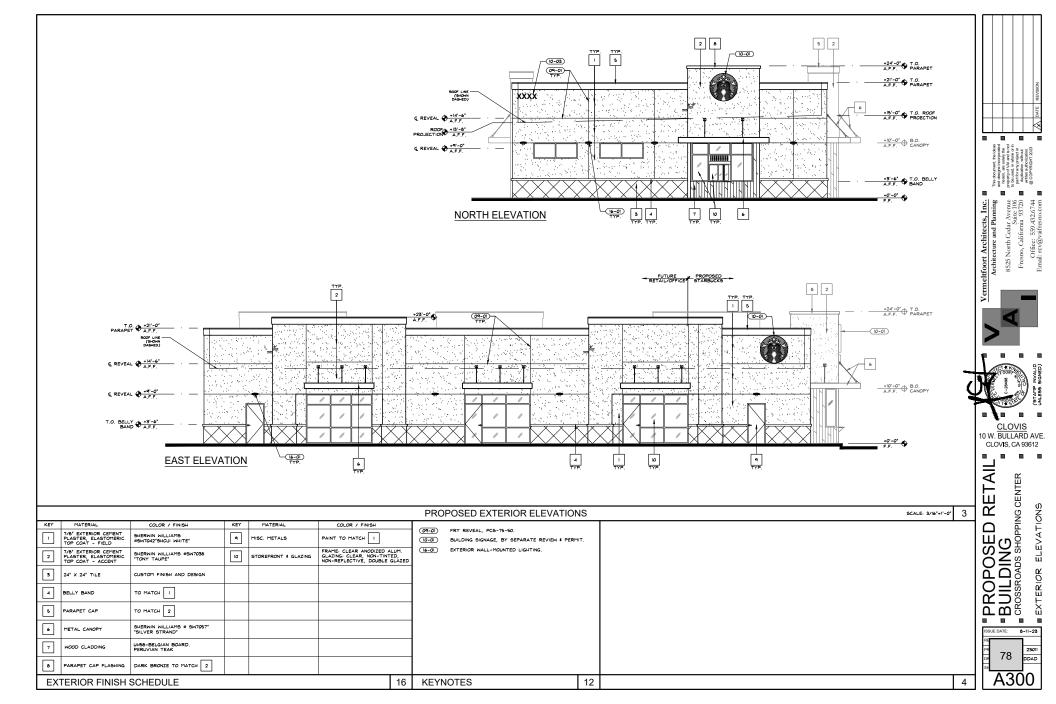
FRESNO IRRIGATION DISTRICT (Chris Lundeen, FID Department Representative – (559) 233-7161)

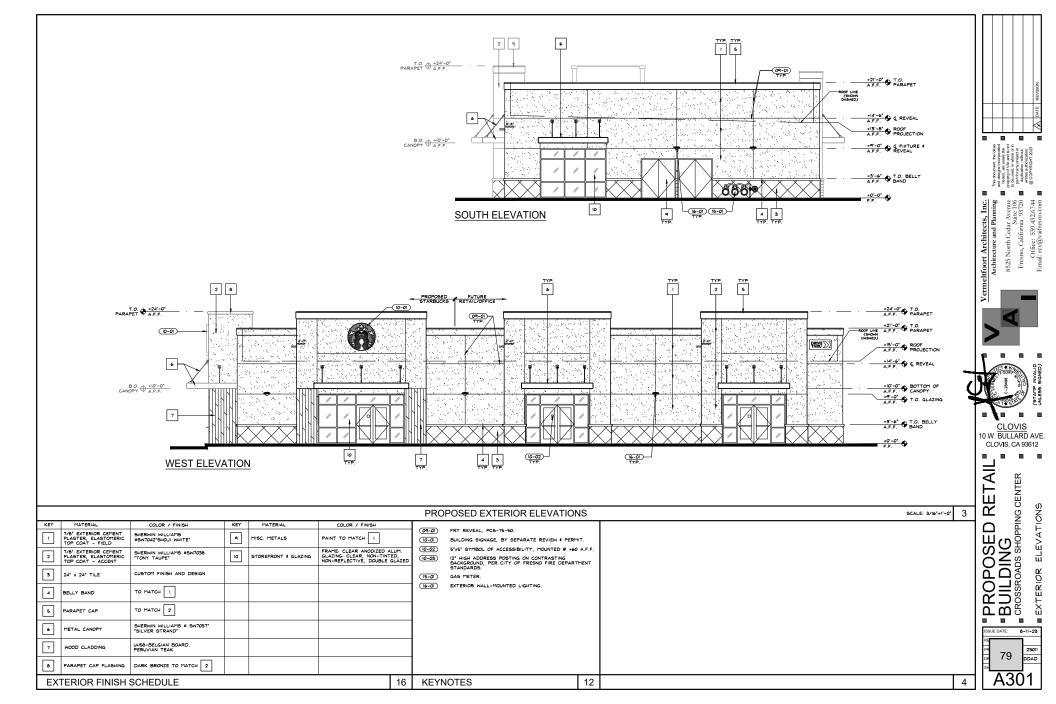
30. The applicant shall refer to the attached Fresno Irrigation District correspondence. If the list is not attached, please contact the District for the list of requirements.





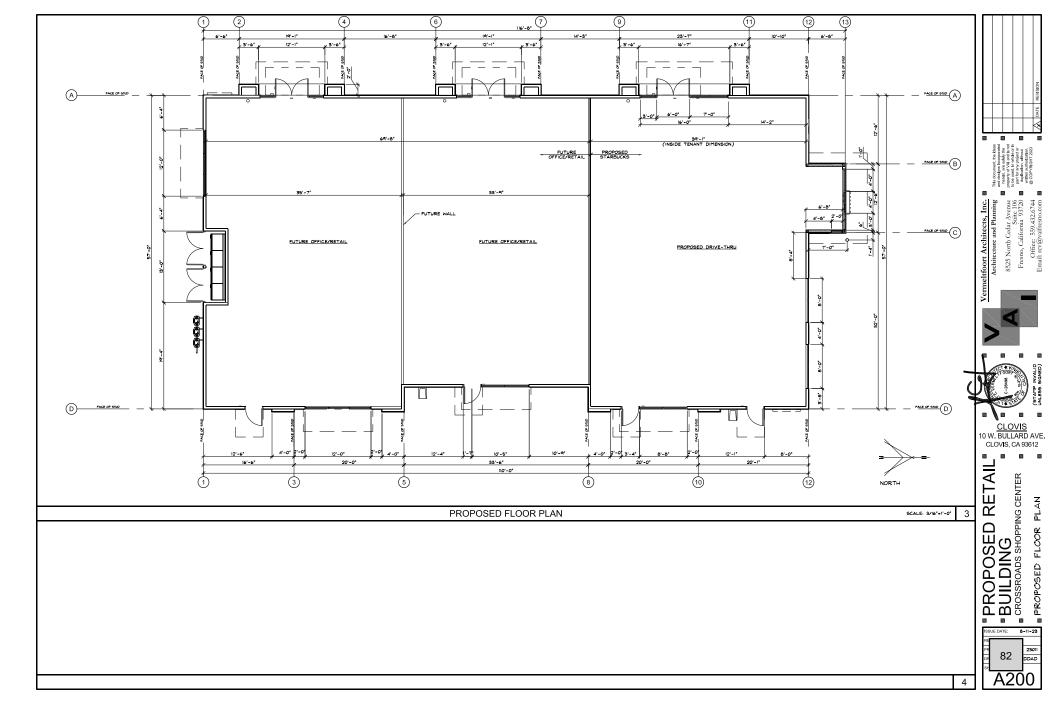


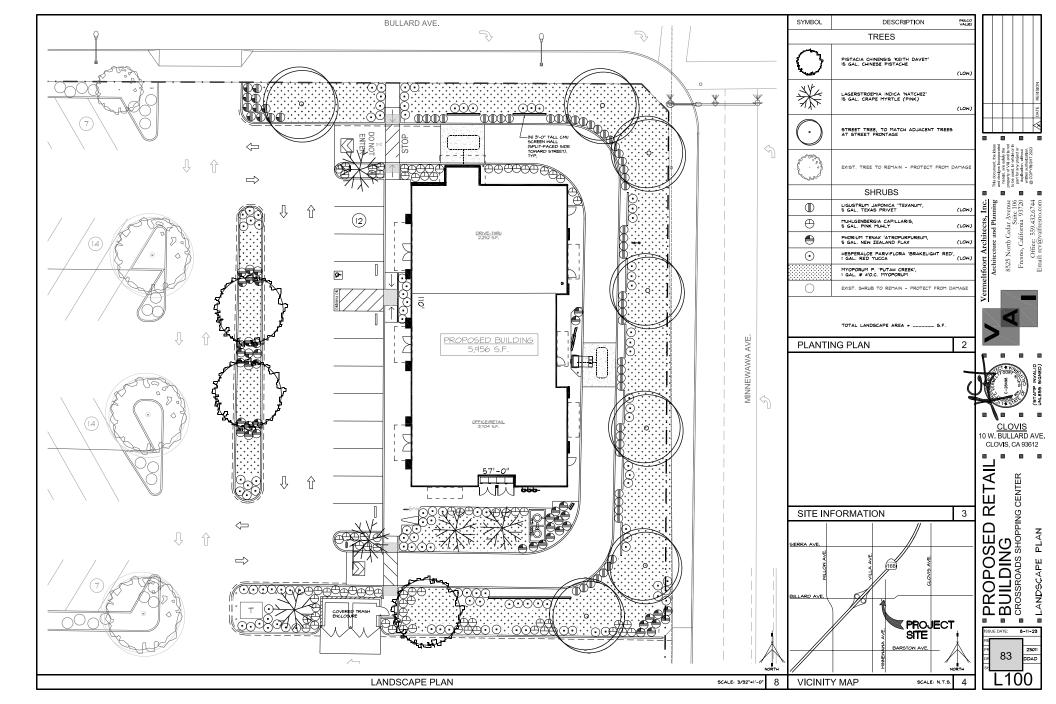


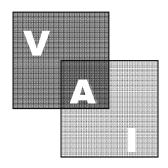












Vermeltfoort Architects Inc. Architecture and Planning

MEMORANDUM

DATE: October 25, 2023

TO: City of Clovis – Planning & Development Services

FROM: Robert Vermeltfoort

RE: Proposed Drive-thru & Retail Building

10 W. Bullard Ave., Clovis, CA 93612

PROJECT #: 23011

Project Description / Operational Statement

We are proposing the demolition of an existing +/- 5,250 square foot retail building, and proposing the construction of a new 5,956 square foot wood-framed drive-thru restaurant & office/retail building. This project is located at 10 W. Bullard Ave. (southwest corner of Bullard Ave. and Minnewawa Ave.), with an APN 497-280-36 portion of. The current zoning is 'C-2 Community Commercial', general plan is 'Commercial', and the existing land use is "GC General Commercial'.

The hours of operation for the proposed Starbucks would be 5am-9pm, 7 days a week. The number of employees per shift would be 4. The hours of operation for the future retail/office spaces would be from 8am-5pm, 5 days a week (Mon-Fri). Deliveries would be up to 5 times per week (via a small delivery truck), during non-peak hours. The expected number of daily visitors would be approximately 100.

Our elevations being proposed were designed to be aesthetically pleasing from all street sides, as well as from the neighboring residential and commercial parcels. Different materials, overhangs, and colors have been proposed to create a welcome appearance.

Trees and shrubs will be provided in the landscape frontage shielding vehicles from the public right-of-way, quantity and size designed per city code standard. The trash/recycle bins will be located within a 6-foot tall covered CMU enclosure with metal gates, along with necessary landscaping tall enough to soften the trash enclosure walls.

All items to allow pedestrians safe and easily accessible access to the site have been addressed; including, but not limited to ample bicycle parking areas, pedestrian walkways, sidewalks, lighting, and striping.

Signage is being placed on areas facing the street, to draw vehicles onto the site. The signs being proposed are sized appropriately for the areas of the building in which they are being installed. These signs are back lit, producing a soft glow, and therefore not impacting neighboring properties. Building mounted light fixtures provide accent lighting to the building façade, as well as creating a lit and safe area around the site. Lighting will be shielded, and focused on the building, as to create minimal glare and reflections into open spaces or neighboring properties. Pole-mounted parking lot light fixtures will be proposed at the recommended height of 18 feet.

If you have any questions, please do not hesitate to contact this office.

Thanks, Robert Vermeltfoort



May 26, 2023

LU0022221 2604

Lily Cha, Assistant Planner City of Clovis Planning and Development Services Department 1033 Fifth Street Clovis, CA 93612

Dear Ms. Cha:

PROJECT NUMBER: DRC2023-017

DRC2023-017; Demolition of an existing building & associated parking. Proposed construction of a 6,668 square foot building consisting of a drive-thru restaurant, and office/retail tenant space, with necessary site upgrades.

APN: 497-280-36 ZONING: C-2 ADDRESS: 10 W. Bullard Avenue

Comments/Concerns:

Since all of the retail/office tenants have not been identified for this application, the full range of "C-2" Zoning Uses must be considered. The potential adverse impacts could include (but are not limited to) storage of hazardous materials and/or wastes, medical waste, solid waste, water quality degradation, excessive noise, and odors.

Recommended Conditions of Approval:

- Prior to issuance of building permits, the applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Prior to operation, the applicant shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- Should alcohol sales be proposed, the applicant shall apply for and obtain a license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.
- The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the
 requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95,
 and the California Code of Regulations (CCR), Title 22, Division 4.5. Your proposed business will

Promotion, preservation and protection of the community's health
1221 Fulton Street /P. O. Box 11867, Fresno, CA 93775
(559) 600-3271 ☐ FAX (559) 600-7629
The County of Fresno is an Equal Employment Opportunity Employer
www.co.fresno.ca.us ☐ www.fcdph.org

handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

- Future applicant(s) may be required to obtain a Medical Waste Permit from the California
 Department of Health Services, Medical Waste Management Program. Call (916) 449-5671 for
 more information.
- Should any body art facility (i.e. tattoo, piercing, branding or permanent cosmetics facility) be proposed, prior to issuance of building permits, the tenant shall submit complete body art facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Entrances into a body art facility will require a separate outdoor entrance from living quarters (internal access including doors and/or staircase would be prohibited). Contact the Body Art Program at (559) 600-3357 for more information.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

The following comments pertain to the demolition of the existing structure:

- Should the structure have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structure in order to prevent the spread of vectors to adjacent properties.
- In the process of demolishing the existing structure, the contractor may encounter asbestos containing construction materials and materials coated with lead-based paints.
- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If the structure(s) were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work the contractor should contact the following agencies for current regulations and requirements:
 - ➤ California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.
 - ➤ United States Environmental Protection Agency, Region 9, at (415) 947-8000.
 - > State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.

Lily Cha May 26, 2023 DRC2023-017 Page 2 of 2

AGENDA ITEM NO. 3.

REVIEWED BY:

Kenin Touda

Kevin Tsuda, R.E.H.S. Environmental Health Specialist II

(559) 600-33271

cc: Rogers, Moreno, A. Xiong & Sauls (Assigns) - Environmental Health Division (CT. 56.07) Robert Vermeltfoort- Applicant (rcv@vaifresno.com)

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 1 of 3

PUBLIC AGENCY

LIZ SALAZAR DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES CITY OF CLOVIS 1033 FIFTH STREET **CLOVIS, CA 93612**

DEVELOPER

VERMELTFOORT ARCHITECTS, INC. 8525 N. CEDAR AVENUE, #106 FRESNO, CA 93720

No. 2023-010

PROJECT NO: 2023-010

ADDRESS: 10 W. BULLARD AVE.

APN: 497-280-36 **SENT: January 29, 2024**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
4C	\$11,873.00	NOR Review *	\$50.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review *	\$173.00	Amount to be submitted with first grading plan submittal.

Total Dramage Fee. \$11,875.00 Total Service Charge. \$225.00	Total Drainage	e Fee: \$11,873.00	,873.00 Total Service Charge	e: \$223.00
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^{*} The Development Review Service Charge shown above is associated with CL SPR 2023-011 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District's reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/29/24 based on the site plan submitted to the District on 12/11/23 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under b.) which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- Creditable storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees. c.)
- The actual cost incurred in constructing Creditable drainage system facilities is credited against the drainage fee d.) obligation.
- When the actual costs incurred in constructing Creditable facilities exceeds the drainage fee obligation, reimbursement e.) will be made for the excess costs from future fees collected by the District from other development.
- Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the
- General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or f.) 5% of the refund whichever is less will be retained without fee credit.

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AGENDA ITEM NO. 3.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 2 of 3

Approval of this development shall be conditioned upon compliance with these District Requirements.

1.	a.	Drainage from the site shall
	<u>X</u> b.	Grading and drainage patterns shall be as identified on Exhibit No. 1.
	с.	The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
2.		osed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities rithin the development or necessitated by any off-site improvements required by the approving agency:
		Developer shall construct facilities as shown on Exhibit No. 1 as
	<u>X</u>	None required.
3.		wing final improvement plans and information shall be submitted to the District for review prior to final nent approval:
	X	Grading Plan
		Street Plan
		Storm Drain Plan
		Water & Sewer Plan
		Final Map
		Drainage Report (to be submitted with tentative map)
		Other
		None Required
1.	Availabil	ity of drainage facilities:
	<u>X</u> a.	Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
	b.	The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service
	c.	Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
	d.	See Exhibit No. 2.
5.	The prop	osed development:
		Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
	<u>X</u>	Does not appear to be located within a flood prone area.
5.	_	The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 3 of 3

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.



- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
- b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
- c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
- 8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
- 9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
- 10. See Exhibit No. 2 for additional comments, recommendations and requirements.

Debbie Campbell

Digitally signed by Debbie Campbell Date: 1/29/2024 11:11:48 AM

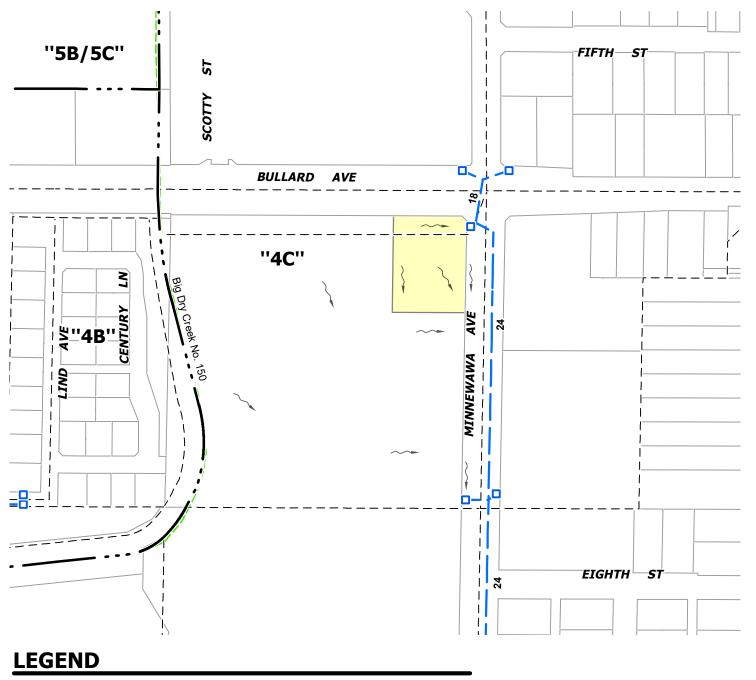
Design Engineer, RCE

lettri Campbell

Anthony Zaragoza

Engineer III

NOTE: THIS DISTANCES, AM AGENDA ITEM NO. 3. FACILITIES, AN BOUNDARIES ARE APPROXIMATE.



Existing Master Plan Facilities

---- Existing FID Facilities

---- Inlet Boundary

— --- — Drainage Area Boundary

Limits Of CL CUP 2023-010



1 " = 200 '

CL CUP 2023-010
DRAINAGE AREA "4C"



EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

AGENDA ITEM NO. 3.

OTHER REQUIREMENTS EXHIBIT NO. 2

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.



2907 S. Maple Avenue Fresno, California 93725-2208 Telephone: (559) 233-7161

Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

January 3, 2024

Liz Salazar Planning Division City of Clovis 1033 Fifth Street Clovis, CA 93612

RE:

Conditional Use Permit Application No. CUP2023-010

S/W Bullard and Minnewawa avenues

Dear Ms. Salazar:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. CUP2023-010 for which the applicant requests for demolition of an existing development and construction of a new drive-through restaurant, APN: 497-280-36. This entitlement is being processed concurrently SPR2023-011. FID has the following comments:

 FID previously reviewed and commented on the subject property on June 1, 2023, as Development Review Committee Applications No. 2023-017. Those comments and conditions still apply, and a copy has been attached for your review.

FID has the following additional comments:

Summary of Requirements:

- Varying Width Grant of Easement.
- Canal Bank Improvements.
- Channel Improvements.
- Drive Approaches per FID Detail No. 1-02
- Existing Encroachments removed and/or relocated.
- Review and Approval of all Plans.
- Execute additional Agreement(s), if necessary.
- Project Fees.
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

Area of Concern

Liz Salazar RE: CUP2023-010 January 3, 2024 Page 2 of 6

- Stream Group's Big Dry Creek No. 150 runs southerly, crosses Bullard Avenue approximately 100 feet northwest of the subject property, traverses the west side of the subject property, as shown on the attached FID exhibit map and will be impacted by the proposed project. The Canal is used to convey storm waters for flood control and irrigation purposes. The right-of-way width is a minimum 100 feet wide as shown on the plans entitled "Fresno County Stream Group Existing Dry Creek Channel & Recommended Width Big Dry Creek Project To Herndon Canal" dated September 8, 1964. Should this project include any street and/or utility improvements along Bullard Avenue, or in the vicinity of this channel, FID requires it to review and approve all plans. Big Dry Creek is operated and maintained by FID. The applicant should ensure all drainage will drain away from Stream Group's Big Dry Creek, private discharges will not and are not allowed into FID-operated facilities. Should this project require any street and/or utility improvements along Bullard Avenue, or in the vicinity of this facility, FID requires it review and approve all plans.
- Records do not indicate Stream Group has a recorded easement, however, Stream Group does own an easement and the width is as shown on FID's attached Standard Detail Page No. P-03, P-05, and 1-01.
- 3. FID requires that, within the limits of the proposed project [and its remainder], the landowner grant an exclusive easement for the land underlying the canal and associated area along the canal required for maintenance pursuant to Water Code Section 22425 and District policy. Stream Groups Canal Right-of-Way Requirements sheet is enclosed for your reference. The proposed easement (width) will depend on several factors including 1) Width of canal, 2) height of canal banks, 3) alignment of canal, and 4) additional space needed where roads/avenues intersect canal, etc.
- 4. FID requires that the Engineer/Land Surveyor use the inside top hinge of the canal to define the edge of the right-of-way such that Stream Group has a minimum of 20 feet wide right-of-way along the top of the bank to be built out full width, clear of obstructions, structures, vegetation, etc. to provide clear passage and full width at all points along the canal bank. There are no minimum or suggested numbers of survey shots to take, but there must be enough survey points such that the top inside hinge of the canal bank is properly identified. Before finalizing plans, the Engineer/Land Surveyor will need to stake both the inside top hinge and the right-of-way/property for FID Staff to field evaluate an adequate width. FID staff must field verify the right-of-way/property boundary and the hinge line edge before signing plans to ensure that there are enough survey points to properly define the canal. The canal right-of-way line should be consistent with adjacent properties so long as the 20 feet minimum width, clear opening, and right-of-way requirements are met.

Liz Salazar RE: CUP2023-010 January 3, 2024 Page 3 of 6

- 5. Canal Access FID will continue to access the Canal from Bullard Avenue. In order to access the maintenance road with our larger equipment, FID requires a drive approach wide enough to accommodate the equipment. FID requires a 50-foot wide drive approach narrowing to a 20 feet wide drive bank (See attached "Drive Approach in Urban Areas" Detail No. 1-02). The 50-foot width is defined as starting from the end portion of the bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.
- 6. FID requires the applicant and/or the applicant's engineer meet with FID at their earliest convenience to discuss specific requirements, e.g. easement width and alignment, right-of-way width and alignment, depth and size, fees, etc.
- 7. Typically, for any type of development that impacts a large open canal or is adjacent to one such as the Big Dry Creek No. 150 Canal, FID requires the developer to improve the canal with either concrete lining, encasing the canal in a box culvert, or other approved means to protect the canal's integrity for an urban setting. FID does not have sufficient information to determine what kind of improvements will ultimately be required as part of the project. The engineers working on the project and FID's engineering staff must meet to discuss specific requirements as discussed below. In order to meet the "urban" standards for the canal, FID will require the following minimum conditions:
 - a. Channel Stabilization: The proposed plan does not indicate any improvements to the Canal. If the Developer is not willing to concrete line the Canal or place it underground within a box culvert, they must come up with another means acceptable to and approved by FID to protect the Canal's integrity. On similar projects, Developers typically propose the following:
 - i. Surrounding Development All proposed building pad elevations must be a minimum of 12-inches above the canal's high water.
 - ii. Freeboard FID typically requires between 1.0 to 1.5 feet of freeboard. Because the Canal is used to route stormwaters and is one of the larger canals used to convey the stormwater, FID will require a minimum of 2.0 feet. The Developer will be required to either import or export material to match FID's standards.
 - iii. Maintenance this reach of Canal does have a history of high loads of sediment deposits which requires periodic dredging. FID will typically dredge the Canal and deposit the spoils on top of the banks to dry out. Once the spoil has dried, FID will flatten the spoil

Liz Salazar RE: CUP2023-010 January 3, 2024 Page 4 of 6

as time permits. This reach of Canal also has large volumes of trash, debris, shopping carts that are deposited into the Canal. FID's crews will typically remove the trash at a bridge crossing, and another crew will come by to remove the trash. The hauling off of this material may occur several weeks after the trash has been placed on the side of the canal, and the trash may be considered a nuisance (sight and smell). If the Developer and/or City require a different level of maintenance effort, they will need to enter into an agreement for that purpose. The Developer and/or City will be responsible to fund the "higher level" of maintenance.

- b. Drive banks/maintenance roads and encroachments (both banks):
 - i. Drive banks must be sloped a minimum of 2%, a maximum of 4% away from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from Stream Group's property/drive banks. Runoff must be conveyed to nearby public streets or drainage systems by drainage swales or other acceptable alternatives.
 - ii. Any drainage systems or swales proposed must be located outside Stream Group's property/easement.
 - iii. Drive banks shall be built out to the required freeboard and elevation for the full width of the required Canal right-of-way width.
 - iv. Drive banks shall be overlaid with 3 inches of virgin Class II aggregate base for all-weather access and for dust suppression.
 - v. Encroachments All existing trees, bushes, debris, fencing, and other structures must be removed within FID's property/easement.
- 6. Trail It is FID's understanding that a trail is master-planned along the Big Dry Creek No. 150 Canal bank. As with other developments with trails proposed along the canals, FID will not allow the trail to encroach/overlap FID's canal easement. The following requirements are intended for trail projects adjacent to FID-owned properties and right-of-ways for open canals:
 - a. FID requests all trail improvements be placed outside of FID-owned properties and easements.
 - b. FID will not allow any portion of a tree canopy to encroach within its properties or easements.
 - c. FID's canals will not accept any drainage from a trail or the canal bank.

Liz Salazar RE: CUP2023-010 January 3, 2024 Page 5 of 6

- d. FID may require some improvements be made to the canal depending on the existing canal condition, a proposed trail, and the adjacent development.
- If a fence will be installed between the development and open canal, a block/masonry wall shall be required. Chain-link and wood fencing will no longer be accepted for urban developments.

General Comments

- 1. FID requires its review and approval of all improvement plans which affect Stream Groups property/easements and canal facilities including but not limited to Sewer, Water, Fresno Metropolitan Flood Control District (FMFCD), Street, Landscaping, Dry Utilities, and all other utilities.
- 2. FID requires all exposed facilities (standpipes, air vents, covers, etc.) within the subject property or directly adjacent to the subject property must be adapted with additional features in order to transition from a rural setting to an urban setting, to mitigate the effects of new development and increased population, and provide for public safety within FID's property/easement and the development.
- FID requires the Applicant/Developer to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the Canal, or result in drainage patterns that could adversely affect FID.
- 4. FID requires its review and approval of all Private and Public facilities that encroach into Stream Groups's property/easement. If Stream Group allows the encroachment, the Public or Private party will be required to enter into the appropriate agreement which will be determined by FID.
- 5. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within Stream Group's property/easement and the development project limits.
- 6. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within Stream Group's easement and the grading contractor will be responsible for the repair of all damage caused by contractors activities.
- 7. FID does not allow Stream Group owned property or easements to be in common use with public utility and/or road easements and right-of-ways, but will in certain instances allow for Stream Group property to be in common use with landscape easements if the City/Applicant enters into the appropriate agreement.

Liz Salazar RE: CUP2023-010 January 3, 2024 Page 6 of 6

- 8. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing all final maps/plans.
- 9. Footings of retaining walls shall not encroach onto FID property/easement areas.
- 10. Trees will not be permitted within FID's property/easement areas.
- 11. FID is concerned about the potential vibrations caused by construction efforts near existing Stream Group facilities as it may cause damage to canals, pipelines and culverts. The developer and contractor(s) must keep all large equipment, construction material, and soil stockpile outside of Stream Group's easement and a minimum of 30 feet away from existing facilities. The developer and/or its contractor(s) will be responsible for all damages caused by construction activities.
- 12. As with most developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.
- 13. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses and more detail becomes available.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

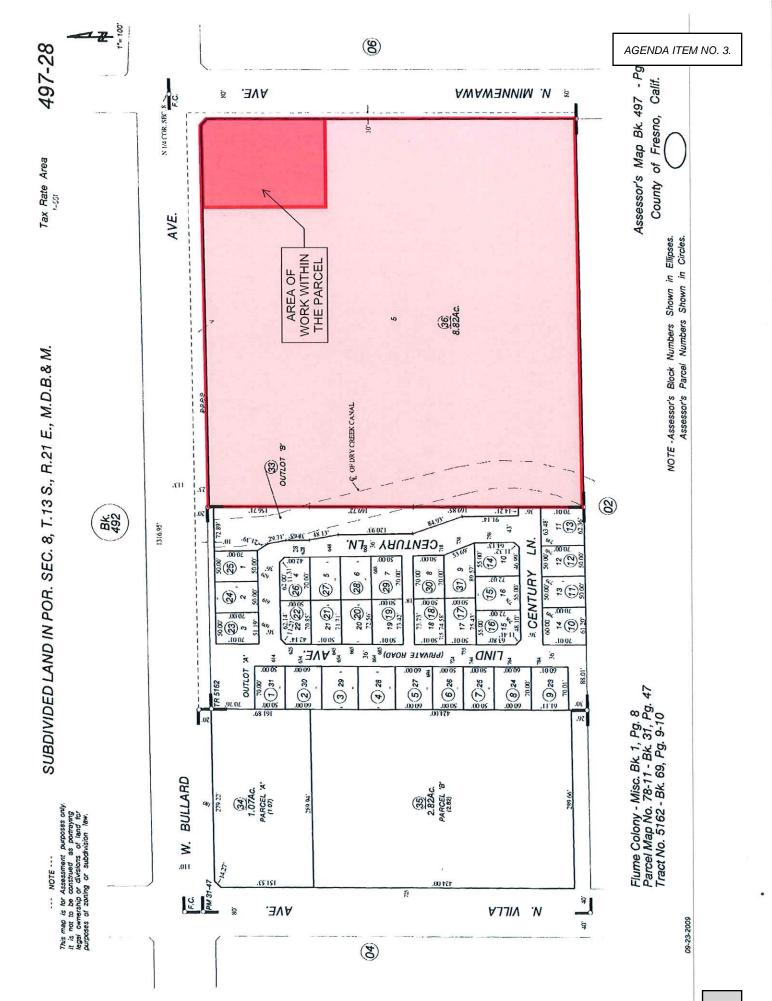
Sincerely,

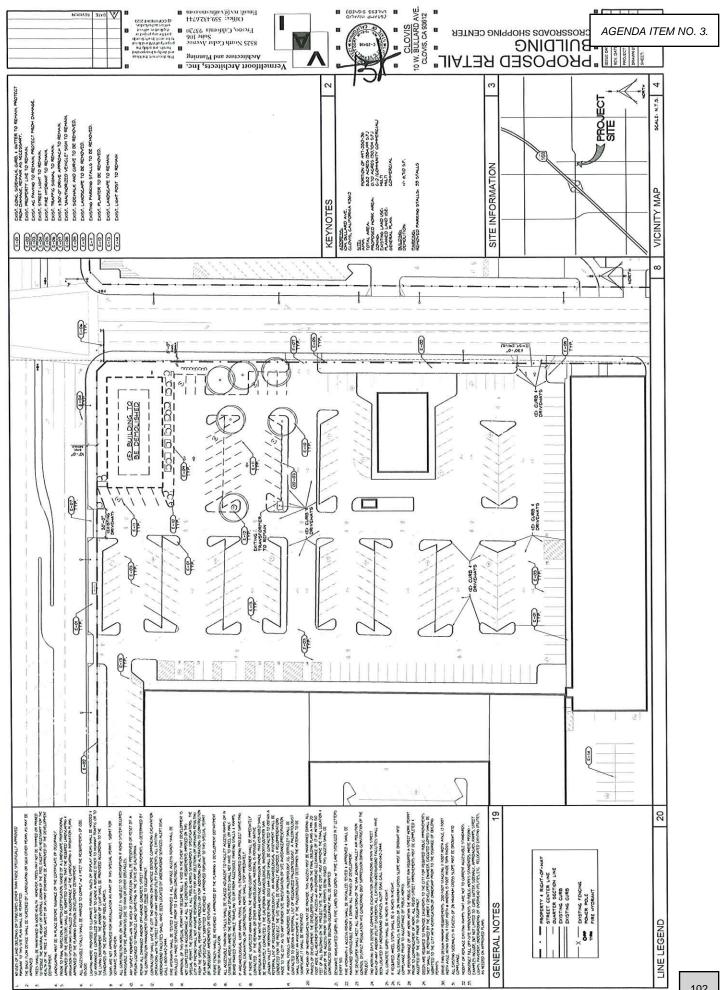
Laurence Kimura, P.E.

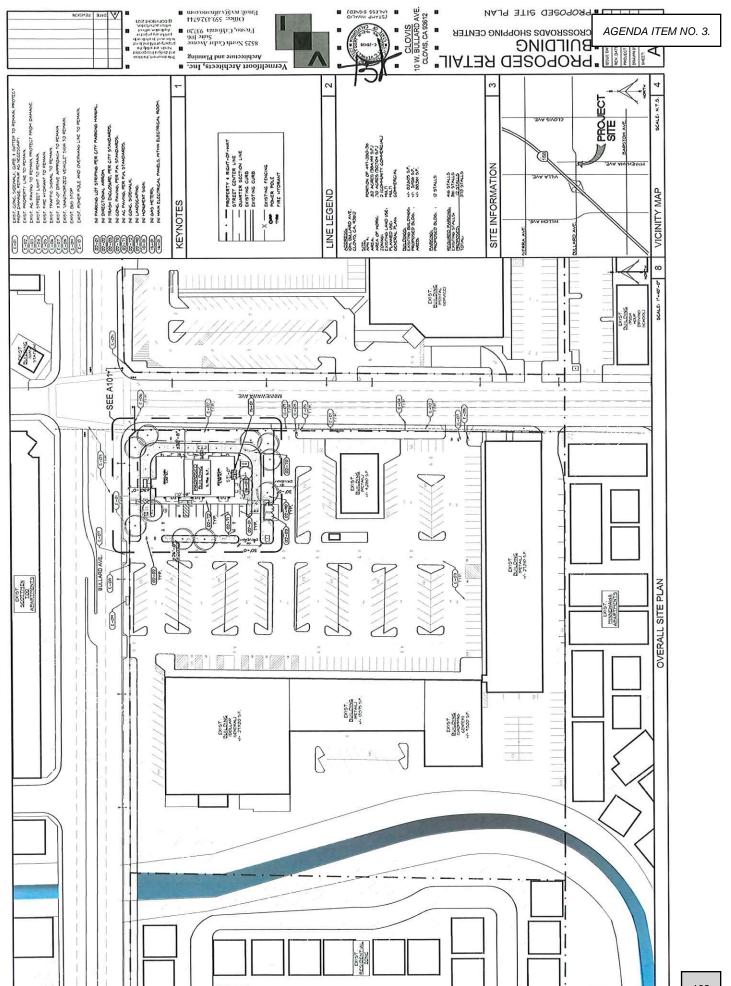
Chief Engineer

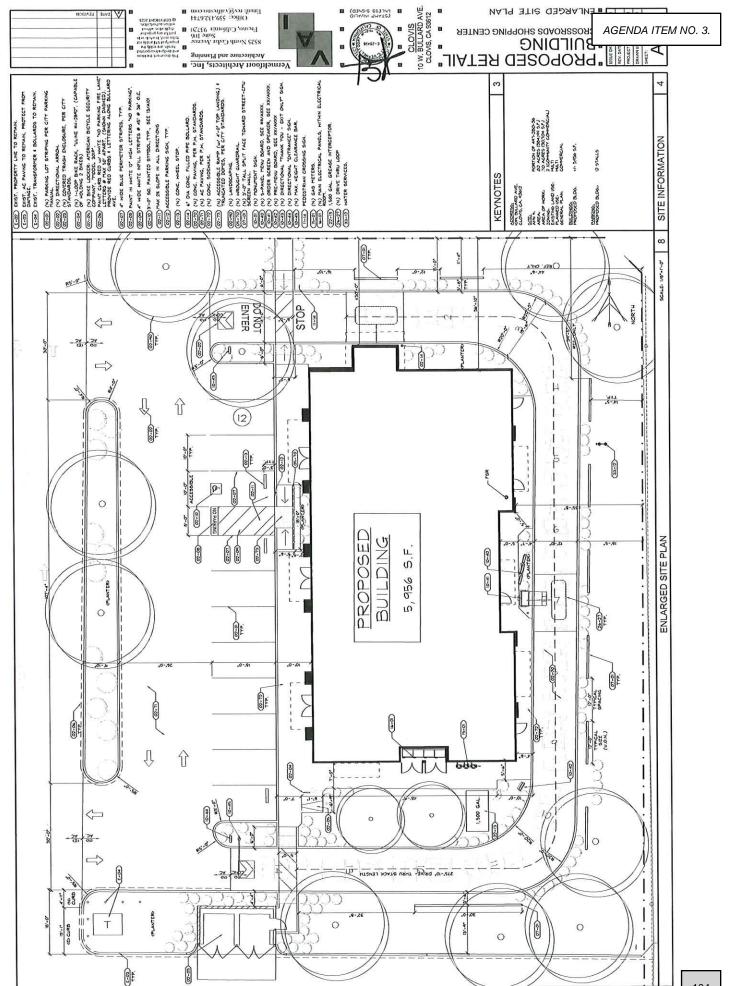
Attachment













2907 S. Maple Avenue Fresno, California 93725-2208 Telephone: (559) 233-7161

Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

June 1, 2023

Lily Cha-Haydostian Planning and Development Services Dept. City of Clovis 1033 Fifth Street Clovis, CA 93612

RE:

Development Review Committee Application No. 2023-017

S/W Bullard and Minnewawa avenues Stream Group's Big Dry Creek No. 150

Dear Ms. Cha-Haydostian:

The Fresno Irrigation District (FID) has reviewed Development Review Committee Application No. 2023-017 for which the applicant proposes the demolition of an existing building and associated parking and construction of a drive-thru restaurant, and office/retail tenant with necessary site upgrades with an existing development, APN: 497-280-36 (portion). FID has the following comment:

1. For informational purposes, Stream Group's Big Dry Creek No. 150 runs southerly, crosses Bullard Avenue and traverses the west end of the subject property, as shown on the attached FID exhibit map. FID is a part of Stream Group and is responsible for operation and maintenance of Big Dry Creek. Should this project include any development improvements, street and/or utility improvements in the vicinity of this facility, FID requires it review and approve all plans.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.

Chief Engineer

Attachment

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