



# CITY *of* CLOVIS

## AGENDA • PLANNING COMMISSION

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2340

[www.cityofclovis.com](http://www.cityofclovis.com)

September 28, 2023

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](http://www.cityofclovis.com/planning-commission-agendas).

### **Written Comments**

- Members of the public are encouraged to submit written comments at: [www.cityofclovis.com/planning-commission-agendas](http://www.cityofclovis.com/planning-commission-agendas) 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.

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## **CALL TO ORDER**

## **FLAG SALUTE**

## **ROLL CALL**

## **APPROVAL OF MINUTES**

### **1. Planning Commission Minutes for the Meeting of August 24, 2023**

## **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.

## CONSENT CALENDAR

## PUBLIC HEARINGS

1. Consider Approval - Res. 23-\_\_\_\_, A request to approve a conditional use permit to allow a drive-through carwash facility at 3741 Shaw Avenue. Cloverleaf Capital, LLC., owner and applicant; Maricela Martinez, representative.

**Staff:** Marissa Jensen, 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:

October 26

November 16

December 14

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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](http://www.cityofclovis.com).

# CLOVIS PLANNING COMMISSION MINUTES

## August 24, 2023

A meeting of the Clovis Planning Commission was called to order at 6:04 p.m. by Chair Antuna in the Clovis Council Chamber.

Flag salute led by Commissioner Hebert

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

Absent: None

Staff: Dave Merchen, City Planner  
Lily Cha-Haydostian, Senior Planner  
McKencie Perez, Senior Planner  
Marissa Jensen, Assistant Planner  
Eric Garcia, Planning Technician I  
Sean Smith, Supervising Civil Engineer  
Sean O'Brien, Police Corporal  
Michael Sweeten, Police Corporal  
Scott Cross, City Attorney  
Karey Cha, City Clerk

### MINUTES – 6:06

ITEM 1 – APPROVED.

Motion by Commissioner Bedsted, seconded by Commissioner Hatcher, to approve the July 27, 2023, minutes. Motion carried by unanimous consent.

### COMMISSION SECRETARY – 6:06

None.

### PLANNING COMMISSION MEMBERS COMMENTS – 6:07

None.

### PUBLIC COMMENTS – 6:07

None.

### PUBLIC HEARINGS

ITEM 1 - 6:08 – APPROVED – **RES. 23-15, CUP2023-006**, A REQUEST TO APPROVE A CONDITIONAL USE PERMIT FOR A DINE-IN RESTAURANT WITH ALCOHOL SALES IN THE MOUNTAIN VIEW PLANNED COMMERCIAL CENTER LOCATED AT 1820 SHAW AVENUE, SUITE 104. RATRA ENTERPRISES, INC., OWNER; MANPREET SINGH, APPLICANT AND REPRESENTATIVE.

Motion by Commissioner Bedsted, seconded by Commissioner Hebert, for the Planning Commission to approve **Resolution 23-15**, a resolution recommending approval of a request for a conditional use permit

allowing a dine-in restaurant with alcohol sales in the Mountain View Planned Commercial Center located at 1820 Shaw Avenue, Suite 104. Motion carried by unanimous consent.

ITEM 2A - 6:16 – APPROVED - **RES. 23-16, GPA2023-003**, A REQUEST TO AMEND THE DENSITY RANGE OF THE H (HIGH DENSITY RESIDENTIAL) LAND USE DESIGNATION TO INCREASE THE MAXIMUM DENSITY FROM 25 TO 30 UNITS PER ACRE; AND ITEM 2B – APPROVED - **RES. 23-17, OA2023-002**, A REQUEST TO AMEND THE DENSITY RANGE OF THE R-3 (MULTIFAMILY HIGH DENSITY) ZONE DISTRICT TO INCREASE THE MAXIMUM DENSITY FROM 25 TO 30 UNITS PER ACRE AND TO MODIFY THE CORRESPONDING DEVELOPMENT STANDARDS FOR THE R-3 DISTRICT TO ACCOMMODATE THE HIGHER DENSITY.

Motion by Commissioner Hatcher, seconded by Commissioner Hinkle, for the Planning Commission to approve **Resolution 23-16**, a resolution recommending approval of a request to amend the density range of the H (High Density Residential) land use designation to increase the maximum density from 25 to 30 units per acre. Motion carried by unanimous consent.

Motion by Commissioner Hatcher, seconded by Commissioner Hebert, for the Planning Commission to approve **Resolution 23-17**, a resolution recommending approval of a request to amend the density range of the R-3 (Multifamily High Density) Zone District to increase the maximum density from 25 to 30 units per acre and to modify the corresponding development standards for the R-3 District to accommodate the higher density. Motion carried by unanimous consent.

ITEM 3 - 6:49 – UPDATE ON THE GENERAL PLAN STRATEGY.

The Planning Commission discussed the General Plan Update Strategy as a follow up to the City Council's discussion of the same topic at the August 21, 2023 City Council Meeting. Comments and feedback from Commissioners centered on the role and structure of a General Plan Advisory Committee (GPAC) and public participation in general.

While not unanimous, the consensus among the Commissioners was that the GPAC's composition should be limited to stakeholders and residents. In this regard, the suggested that sitting Council members and Commissioners should not be formal members of the GPAC. Furthermore, there was consensus that the GPAC should comprise no more than 14 members. The Commissioners also expressed a desire for the GPAC to encompass the average resident of Clovis, with an emphasis on inclusivity beyond just developer interests. Other opinions outside the consensus noted that a larger advisory body could potentially help provide more well-rounded feedback during the process, and that the experience of Commissioners and/or Council Members could be valuable to the overall role of a GPAC.

Comments affirmed that GPAC meetings should be open to the public, allowing for broader participation. Commissioners additionally stressed the need for an extensive and interactive public outreach strategy as part of the update process. This encompassed suggestions like facilitating online engagement for individuals averse to attending physical meetings, conducting outreach initiatives in specific neighborhoods, and soliciting input at events such as the Clovis Farmer's Market. Additionally, public participation should be interactive and meaningful. To ensure the effectiveness of these efforts, the Commissioners recommended that the RFP prominently underscore the significance of establishing a robust and interactive public participation program.

ADJOURNMENT AT 7:13 P.M. UNTIL the Planning Commission meeting on September 28, 2023.

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Alma Antuna, Chairperson



# CITY of CLOVIS

## REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: September 28, 2023

SUBJECT: Consider Approval - Res. 23-\_\_\_\_, A request to approve a conditional use permit to allow a drive-through carwash facility at 3741 Shaw Avenue. Cloverleaf Capital, LLC., owner and applicant; Maricela Martinez, representative.

**Staff:** Marissa Jensen, Assistant Planner

**Recommendation:** Approve

ATTACHMENTS:

1. Res. 23-\_\_\_\_, CUP2023-002
2. Site Plan, Floor Plan, Elevations
3. Applicant's Operational Statement
4. Correspondence from Commenting Agencies

### CONFLICT OF INTEREST

None.

### RECOMMENDATION

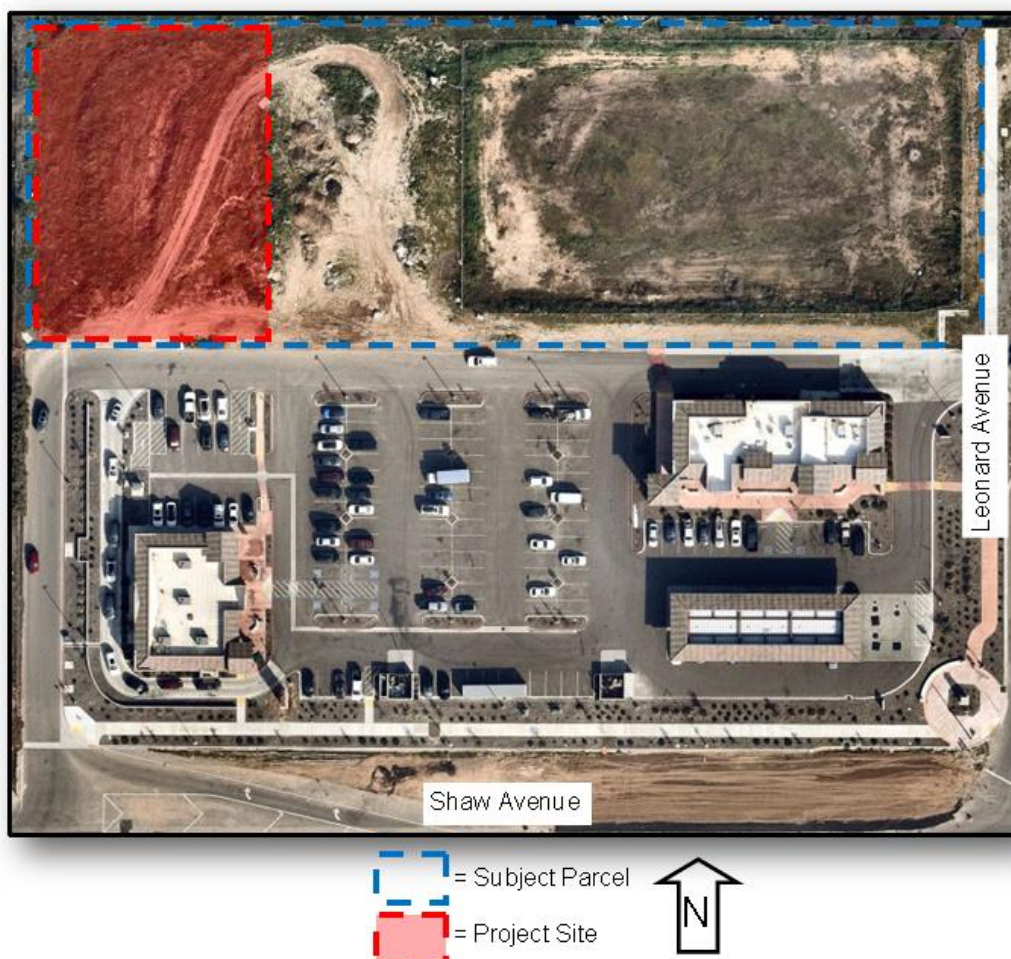
Staff recommends that the Planning Commission adopt Res. 23-\_\_\_\_, approving Conditional Use Permit (CUP) 2023-002, subject to the conditions of approval listed as **Attachment 1A**.

### EXECUTIVE SUMMARY

As shown in **Figure 1** below, the applicant is requesting approval of a conditional use permit for a drive-through carwash facility to be located on property near the northwest corner of Shaw and Leonard Avenues ("Project"). The Project includes an approximately 4,831 square foot drive-through carwash facility with associated parking and vacuum area. The proposed Project is located within the existing El Mercado Planned Commercial Center (P-C-C), within Planning Area 4 (PA4) of the Loma Vista Community Centers North and South Master Plan. The P-C-C allows for drive-through uses with approval of a conditional use permit. Approval of this request would allow the applicant to proceed with a site plan review. Although the site plan review process is reviewed administratively at the staff level, a conceptual site plan has been provided in **Attachment 2** for informational purposes.

**BACKGROUND**

- General Plan Designation: G-C (General Commercial)
- Specific Plan Designation: Loma Vista Specific Plan (General Commercial)
- Master Plan: Loma Vista Community Centers North & South
- Existing Zoning: P-C-C (Planned Commercial Center)
- Lot Size: ±0.9 acres of a total of 2.94 acres
- Current Land Use: Vacant/Partial Drainage Basin
- Adjacent Land Uses:
  - North: Rural Residential
  - South: Commercial
  - East: Rural Residential
  - West: Rural Residential
- Previous Entitlements: R2008-07, R2008-07A, R2008-07A2  
CUP2017-11  
PM2017-05, PM2018-14  
SPR2008-10, SPR2008-10A, SPR2008-10A2  
SPR2017-14

**FIGURE 1 Project Location**



This Project is part of the second phase of the El Mercado Commercial Center which was originally approved on November 16, 2015, for the northwest corner of Shaw and Leonard Avenues. The El Mercado Commercial Center is part of the Planned Commercial Center (P-C-C) established within Planning Area 4 (PA4) of the Loma Vista Community Centers North and South (LVCCNS) Master Plan. The P-C-C has a customized land use schedule specific to its boundary. On November 13, 2017, the Clovis City Council approved an amendment to the development standards of PA4 of the LVCCNS Master Plan to allow drive-up and drive-through establishments through conditional use permit (CUP) approval. The amendment applied to approximately 16 acres within PA4, including the El Mercado Commercial Center and the project site.

## PROPOSAL AND ANALYSIS

The applicant is requesting approval of this CUP for the construction and operation of a drive-through carwash facility as shown in **Attachment 2**. The carwash facility includes a roughly 4,831 square foot main building, fifteen (15) covered vacuum parking stalls, a small restroom facility, and a vehicle stacking lane that widens from one lane into two.

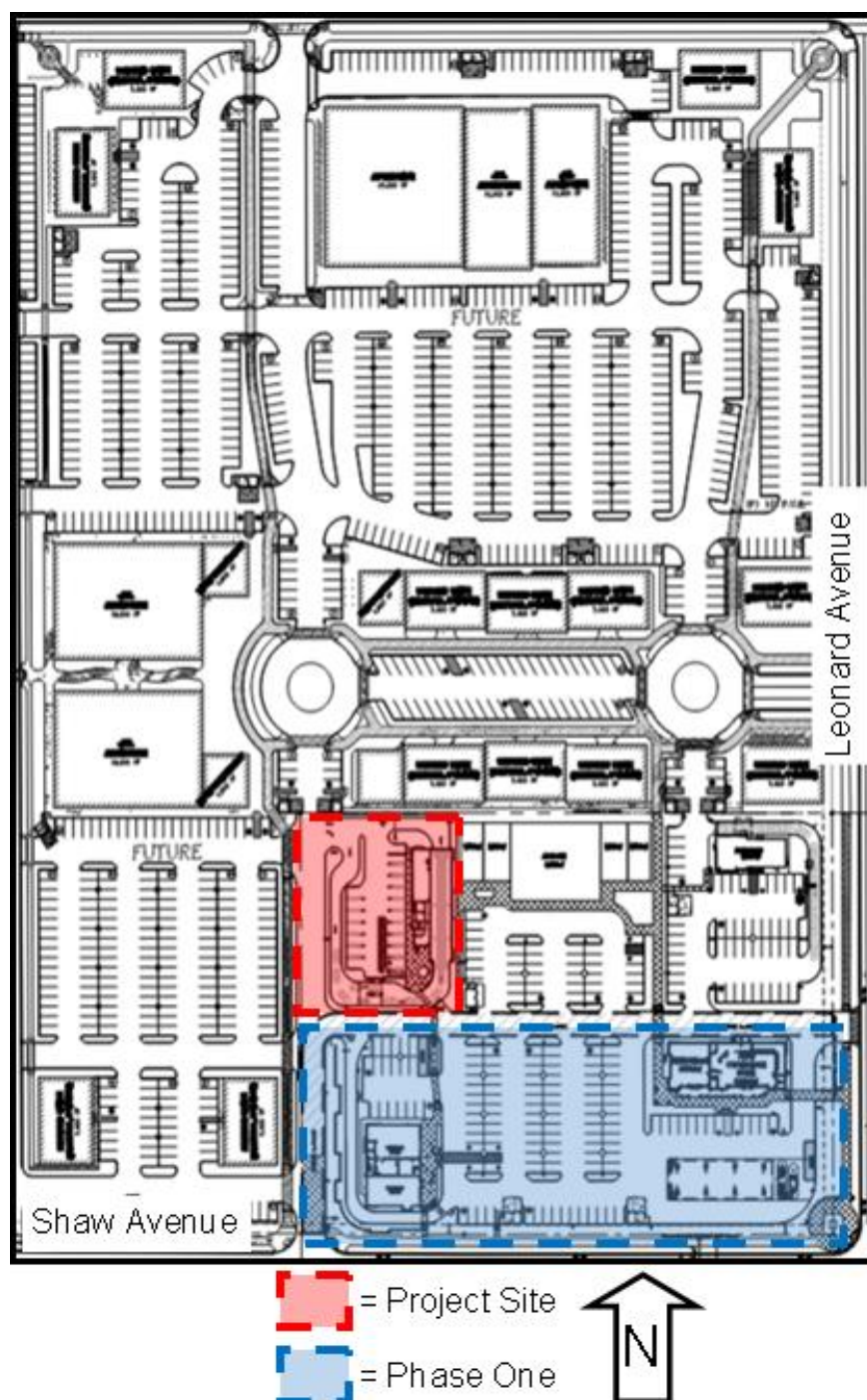
### El Mercado Planned Commercial Center

The Project is proposed on property located near the northwest corner of Shaw and Leonard Avenues. The Project site is within PA4 of the LVCCNS Master Plan (Master Plan). The southeastern corner of PA4 is established as the El Mercado Commercial Center. The Project site makes up approximately 0.9 acres of a vacant 2.94 total acre parcel. The applicant submitted for Parcel Map 2023-001 to split the existing property into two (2) separate parcels. The application has been tentatively approved. Following approval of this CUP, the parcel map will be able to be recorded.

As indicated, this Project is part of the El Mercado P-C-C, which was approved as PA4 of the Master Plan and is memorialized by a Master Site Plan approved with SPR2008-10. The Master Site Plan approved the layout of the first phase of El Mercado and conceptually depicted the remaining portion of PA4 (see **Figure 2**). The intent of the El Mercado Center was to provide a drive-to commercial center to serve the Loma Vista community. The first phase of the center established a retail commercial building of approximately 10,679 square feet, housing a freestanding fuel service gas station, convenience store, and pizza restaurant. West of this building is a 5,000 square foot building housing a Starbucks with an associated drive-through operation, and The Little Gym, with accompanying parking.

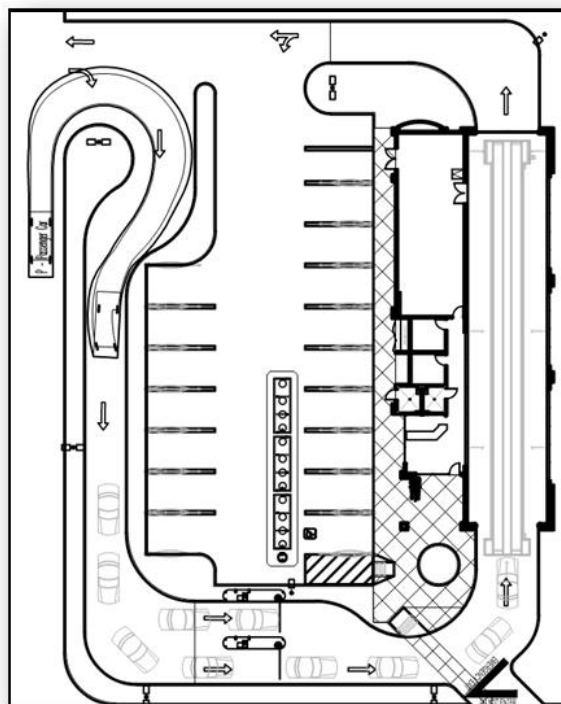
This Project would update the Master Site Plan to include this specific Project as part of the El Mercado Center. All other areas depicted in the Master Site Plan are conceptual and not a part of this request. A subsequent site plan review and other related entitlements will be required for any future development proposal in the remainder of the El Mercado Center.

FIGURE 2 Master Site Plan



#### Proposed Site Layout

The drive-through carwash is proposed at the northwestern area of Shaw and Leonard Avenues, directly north of the existing Starbucks and The Little Gym. **Figure 3** showcases the proposed site layout which includes a 4,831 square foot drive-thru carwash with a 115' tunnel and a 240-foot-long queueing lane. Additionally, fifteen (15) vacuum parking stalls and three (3) standard parking stalls are proposed. The addition of the carwash facility coordinates well with the existing and conceptually approved layout and circulation of the El Mercado Center.

**FIGURE 3 Proposed Site Layout**

### Drive-Through Lane

The drive-through lane is accessed at the northwest side of the project site and is accessible from the main shared driveways from both Shaw and Leonard Avenues. The drive-through lane traverses south along the outer edge of the Project site and then eastward and north to the entry of the carwash tunnel. The drive-through lane is a single vehicle stacking lane that is approximately 240 feet in length. As the lane transitions eastward, it widens into two (2) lanes for vehicle stacking before the payment kiosks. The configuration of the drive-through lane is consistent with the City's development standards for drive-through facilities. The Clovis Municipal Code (CMC) requires a minimum 13-car queue for drive-through uses. The proposed drive-through has been designed to accommodate 18 vehicles in the queuing lane, which reduces potential interference with other on-site circulation movements. (CMC § 9.40.090(F)(1).) The design as proposed would satisfy the minimum standard and has been determined to be adequate to address circulation requirements on the Project site. A condition of approval restricting vehicles to queue outside of the designated drive-through lane has been imposed on this Project.

To mitigate potential headlight glaring from vehicles in the drive-through lane, the Project will be required to appropriately screen areas along the lane. Screening material shall be a combination of landscaping, low walls, and/or berms maintained at a height of three (3) feet. This requirement has been included as a condition of approval provided in **Attachment 1A**.

### Circulation & Parking

As shown on the site plan (**Attachment 2**), the Project would be accessed via two (2) existing points of ingress/egress, along Shaw and Leonard Avenues. The Master Site Plan includes access to the Project with one access point from Shaw Avenue and at full-build out, two (2) access points from Leonard Avenue. As the subject property is located within the P-C-C, the center is required to have reciprocal access and parking throughout all parcels. The proposed carwash facility is in substantial conformance with the original circulation plan for the Center per the Master Site Plan. Initially, concerns were voiced by the Engineering Division and Fire Department regarding stacking congestion with the original site layout. Multiple revisions have been made to the proposed site layout to ensure stacking from the carwash and the existing Starbucks drive-through do not conflict.

Per PA4, the parking requirement for the overall center is 5.4 parking stalls for every 1,000 square feet of building area. Based on this ratio, the existing development requires a total of 59 parking stalls. There are 122 existing stalls, providing a ratio of 11.3 stalls for every 1,000 square feet of building area. Based on the proposal for the carwash, one (1) standard parking stall is required and three (3) are proposed. The center is significantly overparked and any additional parking needs can be provided throughout the center.

### Architecture

The design for this development revolves around a mission revival architectural style that was established with the first phase of development in the El Mercado Center. This architectural style is included in the LVCCNS Master Plan and can be seen in the two (2) existing buildings in the El Mercado Center (see **Figure 4**). The developer is required to incorporate materials and colors that are consistent with the two (2) existing buildings and the design objectives of the Loma Vista Specific Plan. The proposed elevations (**Attachment 2**) include typical design and materials consistent with the previously developed portions of the El Mercado P-C-C. The applicant also developed the first phase of the Center and will ensure continuity between the proposed Project and the existing development.

**FIGURE 4 Existing Architecture**



### Project Operations

The applicant has provided an operational statement (**Attachment 3**) that describes the operations of the proposed Project. The proposed hours of operation are between the hours of 8:00 a.m. and 8:00 p.m. from Monday through Friday and between the hours of 7:30 a.m. and 8:00 p.m. on Saturday and Sunday. The projected number of employees for the carwash facility

is between 20 and 25 staff members, working different shifts. The site is expected to receive deliveries between the hours of 8:00 a.m. and 5:00 p.m. via light duty, small delivery vehicles. Larger delivery trucks will not deliver to the site. Loading zones are required based on the overall square footage of the center. An existing loading zone is located directly to the south of the carwash facility and available for shared use. The delivery vehicle must utilize a loading zone for loading or unloading.

#### Noise Impact on Surrounding Areas

A concern regarding carwash facilities such as the proposed Project is the impact of elevated noise to adjacent neighbors. Noise generated from this type of facility is typically from the blowers in the tunnel and the vacuums. The applicant has provided a sound modeling exhibit conducted by MD Acoustics (**Attachment 3**). The exhibit indicates that at no point will the sound levels be higher than 65 dB(A). This level does not exceed the CMC standards. (CMC § 9.22.080(D).) According to the sound modeling exhibit, the highest level of noise is generated from the entrance and exit of the carwash tunnel. The blowers are the greatest contributor to the high level of noise near the exit of the tunnel, located to the north of the site. For additional measures, the Project is conditioned to install a sound wall extending from the tunnel exit and continuing to the west along the project site's northern property line. The wall will need to cover the expanse of the tunnel exit. Additionally, outdoor speaker systems are not permitted as part of this use. The applicant must operate in a manner that complies with the CMC so that it does not generate noise that adversely affects any adjacent properties.

#### 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.

#### Public Comments

During the Public Hearing for the associated Parcel Map (2023-001), four (4) property owners from the surrounding area were present. The property owners voiced concerns regarding future development not only in the El Mercado Center but within the Loma Vista Marketplace and surrounding area. The property owners expressed that it is unnecessary to have two (2) drive-through carwashes between the El Mercado and Loma Vista Marketplace Centers.

In conjunction with the public hearing for CUP currently under consideration, a public notice was sent to the property owners within 300 feet of the property boundaries. Staff had not received any inquiries prior to the finalization of the staff report.

#### California Environmental Quality Act (CEQA)

This Project is in substantial conformance with the environmental analysis performed for Rezone Amendment 2008-07A2 and Site Plan Review 2017-14. There are no substantial changes in the circumstances surrounding the project, or new information that would require preparation of a subsequent environmental document, and the project is consistent with the Loma Vista Specific

Plan. Therefore, no major revisions to the currently adopted Mitigated Negative Declaration will be required to accommodate the proposed project and no further environmental review is required pursuant to CEQA Guidelines Sections 15162 and 15182.

The City published notice of this public hearing in *The Business Journal* on Monday, September 11, 2023.

## **REASON FOR RECOMMENDATION**

CUP2023-002 is consistent with the goals and policies of the General Plan, CMC, and the P-C-C Zone District for PA4. Based on the following findings, staff is recommending that the Planning Commission approve CUP2023-002, subject to the conditions of approval listed as **Attachment 1A**.

### **Conditional Use Permit 2023-002**

The findings to consider when making a decision on a CUP 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 the Development Code.

*The subject Project is an allowed use within PA4 and the P-C-C Zone District with an approved CUP. As indicated, the Council approved modifications to PA4 to allow for the consideration of drive-through uses subject to CUP approval. There is an existing drive-through Starbucks located within the same center, and therefore the addition of this Project would not impair the characteristics of the center. Additionally, the Project's building style has been designed to emulate the architecture of the existing buildings in the center. 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 the underlying General Plan land use designation of General Commercial, according to the 2014 Clovis General Plan. The proposed use is consistent with the Loma Vista Specific Plan and the LVCCNS Master 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 a CUP to allow development of a new drive-through carwash facility. 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 as approved for the El Mercado P-C-C and will not be out of the ordinary as it relates to the character of the surrounding development. Further, the Project will maintain the general circulation pattern by retaining primary ingress/egress from Shaw Avenue. Although existing uses to the north are residential, the expansion within the El Mercado P-C-C will continue to the north of the subject parcel. The master development plan has been established and future surrounding development must be in conformance.*

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 amendment to the Master Site Plan ensures the Project is in substantial conformance with the circulation, goals, and requirements of the El Mercado P-C-C. The Project will be required to comply with all conditions from Public Utilities and Engineering, which will further ensure the site is suitable for the proposed 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 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. Based on the provided noise analysis, the conditions of approval reflect the requirement for noise mitigation throughout the site. Staff requires that a solid filled masonry wall be installed to help mitigate noise from the Project to the surrounding future development.*

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 heading of this staff report, the Project was determined to be exempt from further environmental review. Therefore, the Project has been reviewed in compliance with CEQA.*



**ACTIONS FOLLOWING APPROVAL**

If approved, the Project will continue with recordation of Parcel Map 2023-001 and a site plan review.

**NOTICE OF HEARING**

Property owners within 300 feet notified: 25

Prepared by: Marissa Jensen, Assistant Planner

Reviewed by:



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Dave Merchen  
City Planner



**RESOLUTION 23-\_\_\_\_\_**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING  
CONDITIONAL USE PERMIT 2023-002 FOR THE DEVELOPMENT AND OPERATION OF A  
DRIVE-THROUGH CAR WASH FACILITY AND FINDING THE PROJECT IS EXEMPT FROM  
CEQA, PURSUANT TO SUBSTANTIAL CONFORMANCE WITH THE ENVIRONMENTAL  
ANALYSIS PERFORMED PREVIOUSLY**

**WHEREAS**, Cloverleaf Capital, LLC (Applicant), 2348 Whitendale Avenue, Visalia, CA 93277, and Maricela Martinez (Representative), 2348 Whitendale Avenue, Visalia, CA 93277, applied for Conditional Use Permit (CUP) 2023-002 for a drive-through car wash facility on ±2.94-acres of property located at 3741 Shaw Avenue, within Planning Area 4 (PA4) of the Loma Vista Community Centers North and South Master Plan, in the City of Clovis (Project); and

**WHEREAS**, the City published notice of the public hearing in the Fresno Business Journal on Monday, September 11, 2023, mailed public notices to property owners within 300 feet of the Project site more than ten (10) days prior to the Planning Commission hearing, and otherwise posted notice of the public hearing according to applicable law; and

**WHEREAS**, a duly noticed public hearing was held on September 28, 2023; and

**WHEREAS**, the Planning Commission does find the Project in substantial conformance with the environmental analysis performed for Rezone Amendment R2008-07A2 and Site Plan Review 2017-14. No major revisions to the currently adopted Mitigated Negative Declaration will be required to accommodate the proposed Project, and the Project is consistent with the Loma Vista Specific Plan. Therefore, no further environmental review is required for this Project pursuant to the California Environmental Quality Act (CEQA) Guidelines sections 15162 and 15182; 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 hereto 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. CUP2023-002 is hereby approved with incorporation of the conditions of approval (**Attachment A** to this Resolution).
2. The Project satisfies the required findings for approval of a CUP, 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 the City's 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 CEQA.
3. The Planning Commission could not make the findings necessary for approval of CUP2023-002 without the conditions of approval set forth in **Attachment A** to this Resolution.
  4. The Planning Commission finds that the Project is in substantial conformance with the environmental analysis performed for Rezone Amendment R2008-07A2 and Site Plan Review 2017-14. The Project is exempt from further environmental review under CEQA pursuant to CEQA Guidelines sections 15162 and 15182.
  5. The basis for the findings is detailed in the September 28, 2023 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 September 28, 2023, upon a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and passed by the following vote, to wit:

AYES:  
 NOES:  
 ABSENT:  
 ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 23-\_\_\_\_  
 DATED: September 28, 2023

\_\_\_\_\_  
 Alma Antuna, Chair

ATTEST: \_\_\_\_\_  
Renee Mathis, Secretary

**CONDITIONS OF APPROVAL  
CUP2023-002**

**PLANNING DIVISION CONDITIONS  
(Marissa Jensen, Division Representative – (559) 324-2338)**

1. This conditional use permit approval allows for a drive-through car wash facility at 3741 Shaw Avenue within the El Mercado Planned Commercial Center.
2. This conditional use permit is not transferable to another location.
3. This conditional use permit does not permit or otherwise allow for the operation of the site and/or uses other than explicitly described in the accompanying staff report.
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, P-C-C (Planned Commercial Center) zone district, the Loma Vista Specific Plan, the Loma Vista Community Centers North and South Master Plan, and other applicable standards as determined by the Planning Division during the SPR review process.
5. Reciprocal access and parking shall be provided and maintained between this site and surrounding and future sites of the shopping center.
6. The use shall comply with the minimum standards for drive-through uses under Section 9.40.090 of the Clovis Municipal Code, 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 3-foot-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 enough space to accommodate at least thirteen (13) waiting vehicles. Additional queuing lane length may be imposed through SPR.
7. Vehicles are restricted to queue outside of the designated drive-through lane.
8. A sound wall must be installed. The wall must extend from the tunnel exit and continue to the west along the project site's northern property line, covering the entirety of the tunnel exit.

9. The site and its exterior shall remain maintained and free from debris and trash. This includes no outdoor stacking of empty crates, boxes, and/or pallets along the exterior of the structures.
10. There shall be no outside storage of materials, supplies, or equipment in any area of the site except inside a closed building or behind a six (6'-0") foot visual barrier intended to screen such area from view of adjoining properties and from the street.
11. The applicant shall keep free and clear the access between the subject site and adjacent parcels.
12. The applicant shall keep access between the subject sites and adjacent 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).
13. Cars shall not be parked or stacked in drive aisles. Drive aisles are to remain clear.
14. The applicant shall operate in a manner that complies with the Clovis Municipal Code so that it does not generate noise, odor, or vibration that adversely affects any adjacent properties.
15. Outdoor speaker systems and buzzers are prohibited as part of this use.
16. Operation of the site shall conform with the Clovis General Plan noise standards and not generate any noise in excess of 65 CNEL to the outside of any structure nor 45 decibels to the interior of any structure.
17. All signs for this use shall comply with the Clovis Sign Ordinance and require separate sign permits. Temporary signs shall be per Code and the use of mascots and sign waivers shall be prohibited.
18. 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.
19. Any future request to expand the use shall be subject to an amendment to the CUP.
20. An abandonment or cessation of this use for a period exceeding 90 days shall cause this approval to be scheduled for revocation.
21. Applicant must have on file a current City of Clovis Business License prior to conducting business.
22. CUP2023-002 may be reviewed one year after the facility use begins for compliance with the conditions of approval. Clovis Planning staff may conduct a review of the use in regard to conditions of approval and present findings of this review to the City Planner.

### **POLICE DEPARTMENT COMMENTS**

(Michael Sweeten, Police Department Representative – (559) 324-3494)

(Sean Obrien, Police Department Representative – (559) 324-3468)

23. Security cameras shall be installed to cover at a minimum the lobby, entrance and exits, and vehicle traffic at gated driveways. The video shall be retained for a minimum period of 30 days. Video shall be made available to Clovis PD upon request in conjunction with a criminal investigation.

Purpose: Visible security cameras help deter crime on the property and potentially provide investigative leads for police officers when investigating crimes that have occurred on the property and the immediate area.

24. 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 that it does not create a nuisance for neighboring properties.

Purpose: Illuminating dark areas helps to deter crime on the property and provides for the safety of occupants, visitors, and employees.

25. The property must be maintained and cared for in a manner that increases public safety and is in compliance with the Clovis Municipal Code 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.

26. 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.

27. 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 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**

(Antony 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.





1. STOREFRONT: AL. FRAME AS MANUFACTURED BY VISTAWALL OR EQ., SERIES PER GLAZING REQMTS. 2" x 4 1/2" FRONT LOADED GLAZING, w/ CLEAR AND ALUMINUM FINISH, ALTERNATE AND EQUIVALENT STOREFRONT FRAME AS MANUFACTURED BY U.S. MIRROR OR OTHER AS APPROVED BY OWNER REPRESENTATIVE.
2. STANDARD STOREFRONT GLAZING SHALL BE 1/4" CLEAR TEMPERED GLASS. (TYP.)
3. VERIFY ALL WINDOW SIZES IN FIELD PRIOR TO FABRICATION.
4. GLAZING AND STOREFRONTS SHALL CONFORM TO LOCAL MIND SUBJECT REQUIREMENTS, GLAZING MATERIAL THICKNESS, AND LAMINATION AND/OR MULLION DESIGN IS SUBJECT TO CHANGE.
5. DOORS AND WINDOWS SHALL INCORPORATE SOUND INSULATION RATINGS OR APPROXIMATELY STC 28 TO REDUCE TRAFFIC NOISE TO THE CALGREN CRITERION OF LEQ(50) 50 DB INDOORS.

INTERIOR FINISHES		OPERATING / CASHIER / OFFICE AND EMPLOYEE
FLOOR	CONCRETE SMOOTH MACHINE TROWELLED FINISH COATING: BURKE SPARTAN COTE WB11 30%	
BASE	4" VINYL WITH 5/8" RADIUS	
WALLS	PAINTED EGGSHELL WHITE SATIN SMOOTH FINISH 5/8" GYP BOARD	
CEILING	ARMSTRONG "STONEBOARD" 2027, VINYL FACED, NONPERFORATED BACK-BONDED, 24"x48"x1". SUSPENSION SYSTEM: ARMSTRONG "PRELUDE", 15/16" ALU US OVALS OR 15/16"	
CEILING HEIGHT	10'-0"	

PUBLIC RESTROOMS
DAL TILE 5-3619 TN1P2 TOP SET COVE BASE (CERAMIC TILE) - SLIM FOOT COLOR: ALMOND 0135 SIZE: 6" x 6" x 3/8" GROUT: 1/4" GRAY (09) BY MAPEI OR EQUAL FULL HEIGHT FRP OVER 5/8" GYP BOARD PAINTED SEM GLOSS WHITE SMOOTH FINISH 5/8" GYP BOARD 8"-0"

STORAGE / EQUIPMENT
4" H VINYL WITH 3/8" RADIUS
PAINTED EGGHELL WHITE SATIN SMOOTH FINISH 5/8" OIP BOARD
OPEN CEILING TO ROOF
OPEN

CAR WASH

6" H CONCRETE CURB

FIBERGLASS COATED WALLS OVER SOLID SUBSTRATE

FIBERGLASS COATED CEILING OVER SOLID SUBSTRATE

MIN. 12'-0"

2X6 SOUNDWALL W/ STAGGERED 2X4  
STUDS @ 16" O.C. W/ 3-1/2"  
ACOUSTIC BATT INSULATION AND 5/8"  
GYP. BD. ON EACH FACE.

2X4 WALLS W/ 5/8" GYP. BD. ON  
EACH FACE U.O.N.

3 1/2" INSULATED  
COOLER WALLS W/ 5/8"  
GYP. BD. @ MERCH. AREA

DESCRIPTION : 3X7 ALUMINUM DOOR W/ WEATHER-STRIPPING AND 10" HOOK PLATE  
HINGS : 1 1/2 PR. 4-1/2" X 1-1/2" HINGES (P-260 LENDLE HANDLES)  
HARDWARE : ADAMS RITE MAXIMUM SECURITY LOCK LOCK  
DOOR CLOSER : INTERMATIONAL P-60 ALUMINUM FINISH  
THRESHOLD : P-600-2000 GRAY PER MANUFACTURER  
FINISH : ALUMINUM ANODIZED  
NOTE : 1/4" TEMPERED CLEAR GLASS PLATE  
ALL EXTERIOR DOORS MUST BE "KEYED" ACCESSIBLE  
AGENDA 17

DESCRIPTION : 3X7 HOLLOW CORE METAL DOOR  
HINGS : 1 1/2 PR. 4-1/2" X 1-1/2" HINGES  
HARDWARE : SCHLAGE CILINDRICK DOOR P-260-LENDLE HANDLES  
DOOR CLOSER : INTERMATIONAL P-60 ALUMINUM FINISH  
THRESHOLD : N/A  
FINISH : PAINT TO MATCH WALL

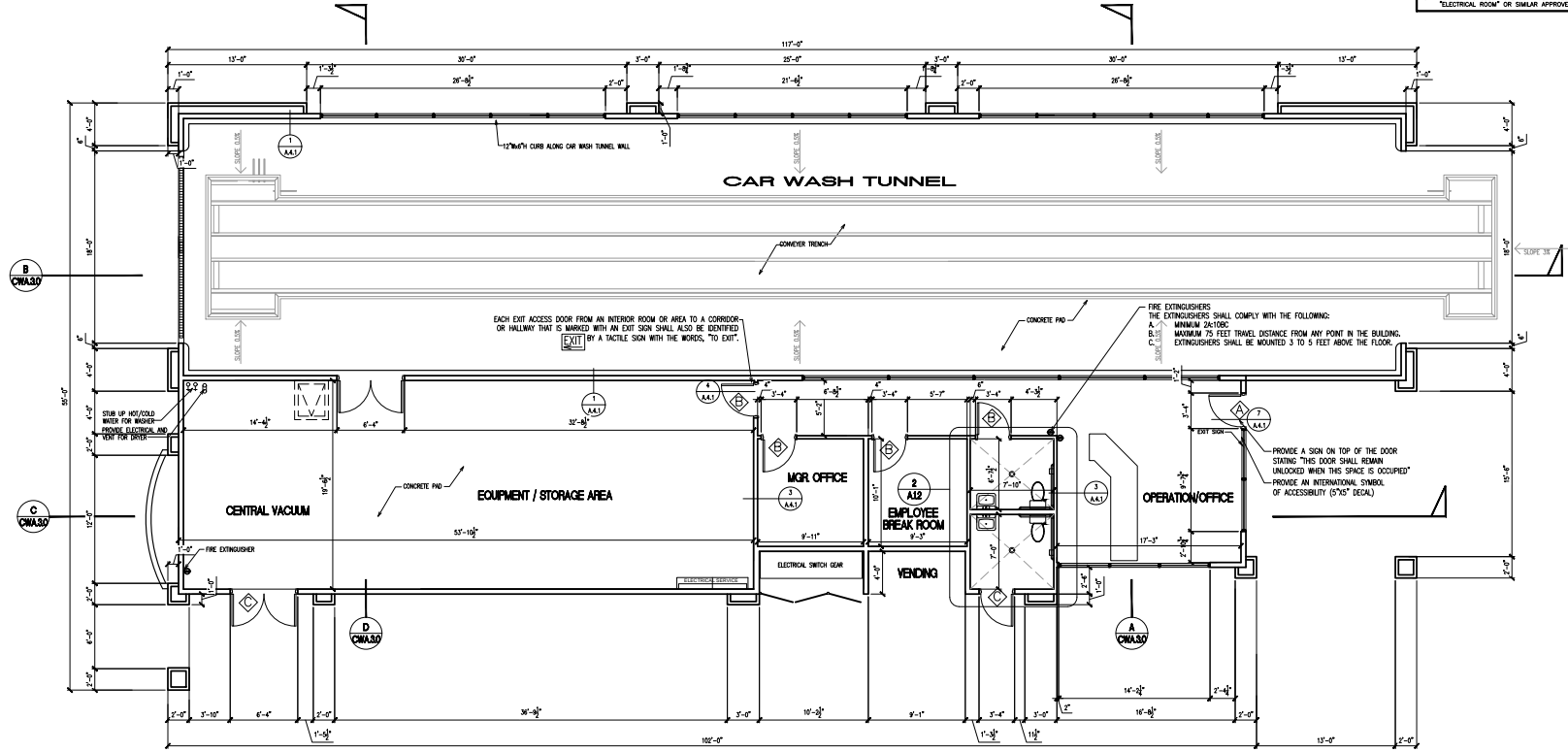
DESCRIPTION : 3X7 HOLLOW CORE METAL DOOR  
HINGS : 1 1/2 PR. 4-1/2" X 1-1/2" HINGES  
HARDWARE : SCHLAGE CILINDRICK DOOR P-260-LENDLE HANDLES  
DOOR CLOSER : INTERMATIONAL P-60 ALUMINUM FINISH  
THRESHOLD : P-600-2000 GRAY PER MANUFACTURER  
FINISH : PAINT TO MATCH WALL

DESCRIPTION : 3X7 FIRE-RATED DOOR W/ WEATHER STRIPPING  
HINGS : 1 1/2 PR. 4-1/2" X 1-1/2" HINGES  
HARDWARE : SCHLAGE CILINDRICK DOOR P-260-LENDLE HANDLES  
DOOR CLOSER : INTERMATIONAL P-60 ALUMINUM FINISH  
THRESHOLD : P-600-2000 GRAY PER MANUFACTURER  
FINISH : FIRE-RATED GLASS (SAFETY TOP DOOR)

PE STAMP	
REVISIONS	DESCRIPTION:
	BY:
	APP:

1. STOREFRONT: AL. FRAME AS MANUFACTURED BY INSTALCON OR EQ. SERIES PER GLAZING HEIGHTS. 2" X 4 1/2", FRONT GLAZING GLAZING, w/ CLEAR ANODIZED ALUMINUM FINISH, ALTERNATE AND EQUIVALENT  
STOREFRONT FRAME AS MANUFACTURED BY AL. ALUMINUM OR OTHER AS APPROVED BY CHEVRON REPRESENTATIVE.
2. STANDARD STOREFRONT GLAZING SHALL BE 1/4" CLEAR TEMPERED GLASS. (TYP.)
3. VERIFY ALL WINDOW SIZES IN FIELD PRIOR TO FABRICATION.
4. GLAZING AND STOREFRONTS SHALL CONFORM TO LOCAL MIN. LOAD REQUIREMENTS, GLAZING MATERIAL THICKNESS, AND LAMINATION AND/OR MULTIPLE GLAZING IS SUBJECT TO CHANGE.

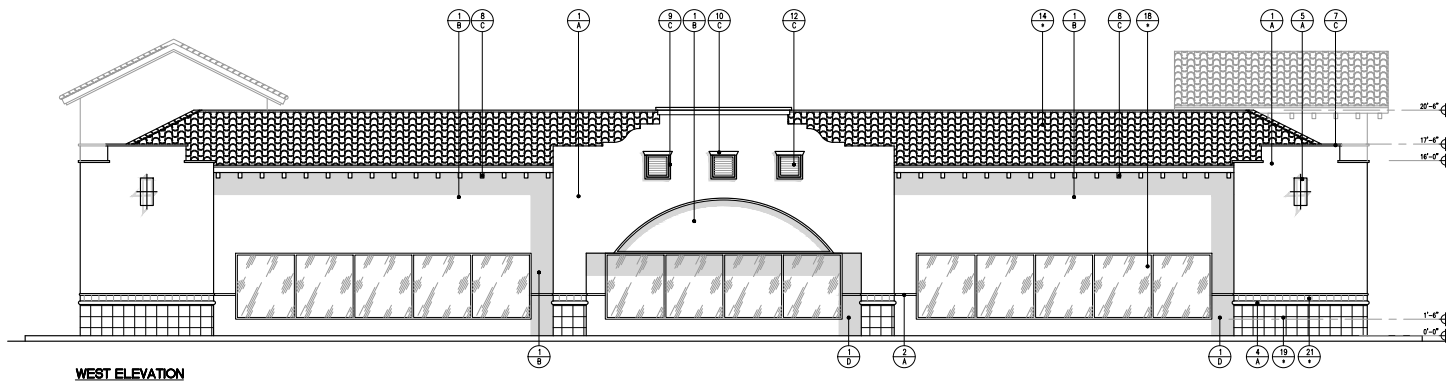
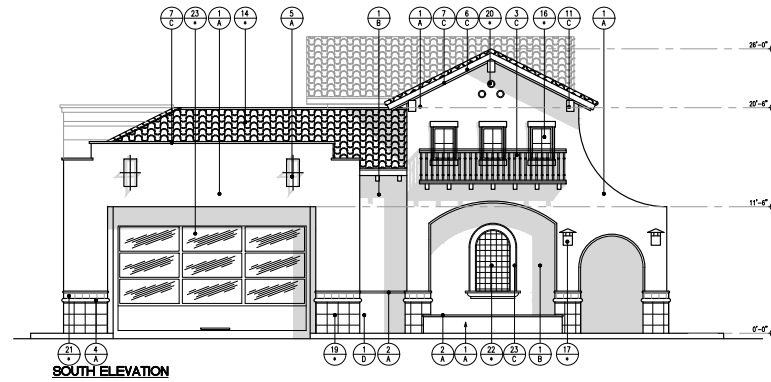
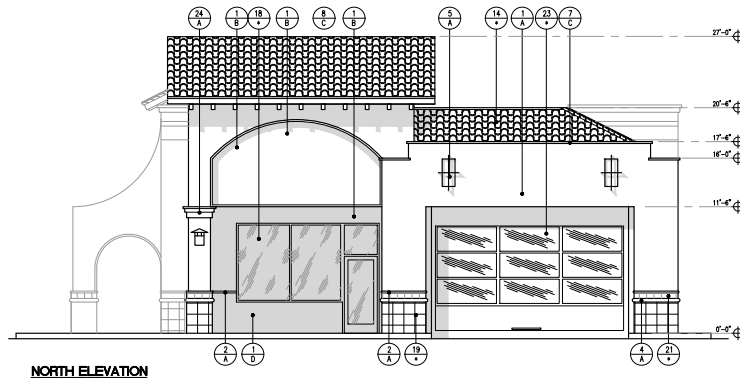
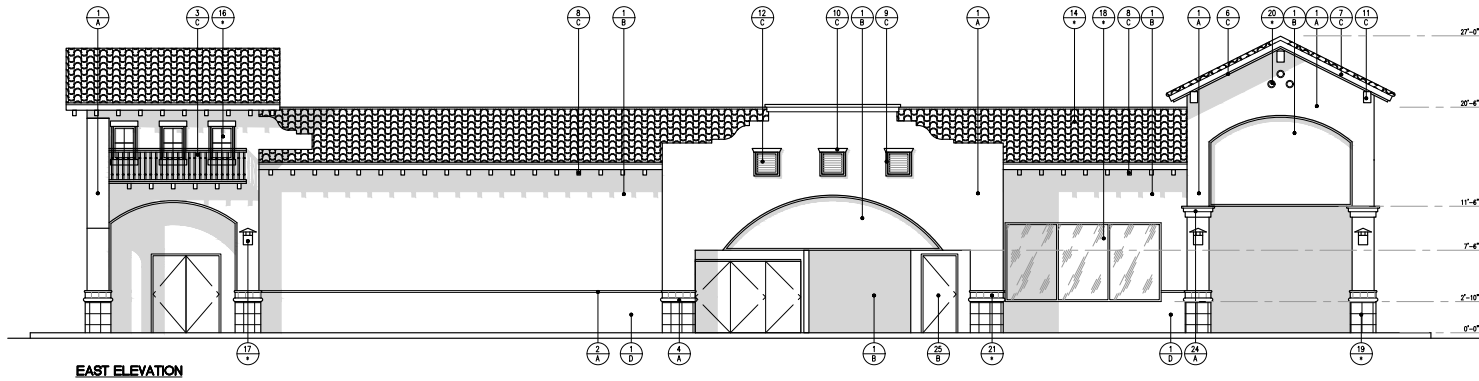
1. 3 1/2" MIN. ACOUSTIC BATT INSULATION REQUIRED IN ALL RESTROOM WALLS AND CEILING.
2. WALL DIMENSIONS ARE TO FACE OF STUD, OR CMU.  
FLOOR FINISH DIMENSIONS ARE FROM FACE OF SLAB U/L.O.
3. ACCESSIBILITY DESIGN STANDARD: A.D.A. TITLE 24 C.B.C. 2013
4. ALL SEALANT TO BE PAINTABLE.
5. ALIGN EXTERIOR FACE OF PLYWOOD AND FOUNDATION FACE OF CONCRETE (TYP.).
6. ALIGN DOWEL JOINTS W/ TILE LAYOUT, FOR TILE LAYOUT AND SPECIFICATIONS, SEE SHEET A07.
7. ALL WOOD FRAMING MEMBERS IN CONTACT WITH CONCRETE OR CMU SHALL BE PRESSURE TREATED  
WOODKARS F16 U.O. TYP.
8. DOORS INTO ELECTRICAL CONTROL PANEL ROOMS SHALL BE MARKED WITH A PLAINLY VISIBLE SIGN STATING  
"ELECTRICAL ROOM" OR SIMILAR APPROVED WORKING, PER CFC 605.5.1.



PROJECT: LINE COR EAST SHAW AVENUE • LEONARD AVE.  
CLOVIS, CA. 96319  
PROPOSED FLOOR PLAN

DATE ISSUED: 01/05/2023	
SCALE: 3/16"=1'-0"	
DRAWN BY: FCOHEN	CHECKED BY: F. COHEN
PROJECT NUMBER: 22106	
STORE NUMBER: ---	
SHEET:	

CWA.1.1



## COLOR

- A DUNN EDWARDS, DEKALB "WOODS ACCT"  
B DUNN EDWARDS,  
C DUNN EDWARDS,  
D DUNN EDWARDS,

AGENDA ITEM NO. 1.

## MATERIAL

- 7/8" MEDIUM DASH TEXTURE STUCCO
- STUCCO OVER 2"x3" FOAM TRIM ON EDGE
- FAUX BALCONY WITH 1" SPINDLE AT 6" O.C.
- STUCCO OVER 6" DIA. FOAM TRIMTRIM
- 12"x20" STUCCO RECESS 6" w/ WROUGHT IRON ACCENT PAINTED FLAT BLACK
- 2"x10" FASCIA
- 2"x STARTER BOARD TRIM
- 4"x8" SHAPED EXPOSED RAFTER TAILS
- 2"x4" WOOD ON EDGE w/ 2"x4" WOOD TRIM FLAT
- 2"x4" WOOD JAMB TRIM w/ 2"x4" HEAD TRIM w/ TAPERED END DETAIL WHERE OCCURS
- 8X12 EXPOSED WOOD RAFTERS
- 20" SQUARE FALSE LOUVER RECESSED 12"
- NOT USED
- SOPAL ROOFING, ROMAN PAN, EL OMINGO BLEND SKU TURDU6023
- METAL ROOF FLASHING
- FAUX WINDOW GLAZING
- MISSION STYLE LIGHT FIXTURE-WALL MOUNTED
- STORE FRONT GLAZING WITH 2"x3" BRONZE ALUMINUM MULLIONS
- 12X12 PORCELAIN TILE (MARAZZO TRUSSARDI NAVONA 12X12)
- 6" ROUND FAUX CLAY PIPE ACCENT
- LOMA VISTA 4X4 CERAMIC TILE ACCENT - CONTACT CITY PLANNING DEPT. FOR MORE INFO.
- 4X4 MOSAIC TILE WORK WITH 8" SIMULATED CONCRETE TRIM
- CAR WASH ROLL UP DOOR
- STUCCO FINISH FOAM CORNICE AND TRIM
- HOLLOW METAL DOOR

MATERIAL  
COLOR

## REVISIONS

NO.	DATE	DESCRIPTION

**CJC DESIGN, INC.**  
Civil Engineering  
22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92687  
Tel: (714) 962-8843  
Fax: (714) 962-8843  
www.cjcdesign.com

**Clovis Center  
EXPRESS  
CAR WASH**

**PROJECT:**  
NE COR EAST SHAW AVENUE • LEONARD AVE  
CLOVIS, CA. 96319  
BUILDING EXTERIOR ELEVATIONS

DATE ISSUED:	01/05/2023
SCALE:	3/16"=1'-0"
DRAWN BY:	FOOHEH
CHECKED BY:	F. COHEN
PROJECT NUMBER:	22106
STORE NUMBER:	-
SHEET:	A21

**NEC of Shaw Ave and Leonard Ave  
Operational Statement  
March 03, 2023**

**Intent and Scope**

The intent is to provide an initial description of the use and operational characteristics within the 8 acre commercial site that is called “Clovis Center.” This operational statement is for a proposed development of the car wash sitting on 0.9 acres on the NWC of the property located on the NEC of Shaw and Leonard Ave. With the proposed owner for the car wash finalized, Omni is prepared to submit the project for entitlements and proposed development approval.

**Uses**

The proposed site is for the use of 0.9 acres to develop a 4,831 sf express car wash with a 115’ ft tunnel. There will be no deviations from the proposed development.

The commercial development consists of one parcel. The proposed use includes:

<b><u>Parcel</u></b>	<b><u>Size</u></b>	<b><u>Use</u></b>
Parcel 1	39,204 sf	Express Car Wash

**Hours of Operation**

Occupants’ public hours of operation may vary; however, please see below for the proposed hours of operation for the car wash:

<b><u>Use</u></b>	<b><u>Hours (may vary)</u></b>
Clovis Center Express Car Wash	8:00 am-8:00 pm M-F, 7:30 am-8:00 pm Sat/Sun

**Employees**

The projected number of employees for the identified use is set forth below:

<b><u>Use</u></b>	<b><u>Number of Employees</u></b>
Car Wash	20-25 approx.

**Employee Parking**

Employee parking shall be directed to on-site and should maintain customer right-of-way with no obstruction to site ingress/egress.

**Carwash**

A state-of-the-art express wash or similar non-obtrusive car wash system will be built and operated at the site. All buzzers and loud speakers have also been deleted from the car wash plan, and only visual and/or digital prompts will be used. To mitigate sound from vehicles waiting in line at the car wash, we propose to post signs, such as 20x30 Styrofoam backed signs noting – Quite Please – Please Be Kind To Our Neighbors Be Considerate of Noise Levels – Please Reduce Music

Sound Levels – Your Neighbors Appreciate Your Keeping Your Engine Noise to Minimum, or similar “be considerate” signs.

The proposed car wash system is a well liked device within the industry, regularly used in designs such as the proposed, which requires little maintenance ensuring little down time inconvenience to patrons.

### **Security**

On-site security will be the responsibility of the property owners. It is not anticipated that exclusive, on-site security personnel will be necessary, given the site size, nature of uses, and development intensity. However, such measures will be taken by individual property owners to the extent necessary to address specific problems as they occur. Additionally, parking lot lighting and the high visibility of the site will reduce the likelihood of security problems. Signage prohibiting loitering will be placed in conspicuous locations to further deter potential problems.

Further, we employ an array of digital video cameras that run and record 24 hours a day – 7 days per week – 365 days per year. We can rerun any period of time for any given day. That will hold recordings for 30 days.

Additionally, we will install a camera at the rear of the facility adjacent to the car wash bay for added security and, the queue for the car wash will be chained off during non-operable hours and, the “garage doors” will remain in the “down” position also during non-operational hours for said car wash.

### **Lighting**

Parking-lot and exterior wall lighting shall be as necessary for public safety purposes. These lights will be necessary during all “nighttime” hours of operation. Exterior Lighting shall be on a timer and seasonally adjusted to insure adequate lighting for public safety purposes throughout the year. Loading shall take place in front of the convent store.

Lighting for business signs shall remain on during each tenant’s hours of operation, up to and including 24-hour operations. If a tenant’s operations are not 24-hour, lighting for that tenants business signs shall be turned off at close of business with the exception of required security lighting.

### **Noise Abatement**

Noise levels for the commercial center are not expected to exceed typical decibels, therefore no management action other than the noise abatement items noted above and the restricted hours for deliveries have been proposed at this time. In the event that a particular use or activity becomes a nuisance, appropriate measures to control volume will be taken at the discretion of the Planning Director through a revised Operations and Management Plan.

### **Storage and Display**

Outdoor storage or display of merchandise or material, as well as parking lot sales, are prohibited throughout the project.

### **Signage**

Sign permits are required for all signage and are subject to the Comprehensive Sign Program for the Center. No temporary or portable signs shall be permitted after 30 days from the date occupancy begins.

### **Access**

The site has been designed to enhance access to circulation within the center. The access points for the site already exist, as there will be cross-access agreements in places.

### **Deliveries**

All delivery hours prior to 5:00 p.m. and after 8:00 a.m. All delivery trucks shall turn off their engines during loading and unloading activities and will not utilize horns to announce their arrival. Signs listing delivery procedures shall be posted to the south side of the building.

### **Landscaping and Site Maintenance**

Maintenance of on-site landscaping, fences, walls and landscaping in the adjoining public parkways will be the responsibility of the property owners. The maintenance program, as will be described in the CC&R's for the property, includes normal care and irrigation of the landscaping; repair and replacement of plant materials; irrigation systems as necessary; and general cleanup of landscaped and open areas, parking lots, walkways, walls and fences.

**Trash Abatement:** Property owners shall be responsible for trash abatement on the site, and shall keep the site free of litter, trash and other nuisances.

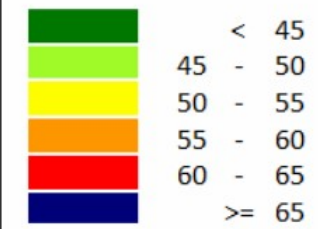
**Street Sweeping:** During the summer (dry) months, the parking lots and drives shall be swept on a regular basis to prevent buildup of deposited materials.

**Graffiti Removal:** Any graffiti placed on the subject property shall be removed by the center management or its designated representative within 24 hours of occurrence. Any new paint used to cover graffiti shall match the existing.

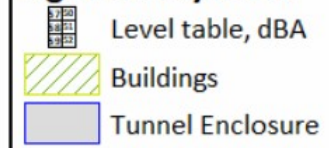
**Bus Stop:** Facilities including benches and shelters shall be maintained by the property owners.

0615230  
Noise Level Contours  
IDC 120HP Stealth Blower System  
Standard Tunnel

Levels in dB(A)



Signs and symbols



Length scale 1:100





**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS**

AGENDA ITEM NO. 1.

Page 1 of 3

**PUBLIC AGENCY**

MARISSA JENSEN  
PLANNING AND DEVELOPMENT SERVICES  
CITY OF CLOVIS  
1033 FIFTH ST.  
CLOVIS, CA 93612

**DEVELOPER**

SAMER SABBAH, CLOVERLEAF CAPITAL, LLC  
2348 WHITENDALE, SUITE D  
VISALIA, CA 93277

PROJECT NO: **2023-002**

ADDRESS: **3741 SHAW AVENUE**

APN: **554-053-63S**

SENT: **June 02, 2023**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
DO	\$0.00	NOR Review *	\$50.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review *	\$0.00	Amount to be submitted with first grading plan submittal.
<b>Total Drainage Fee: \$0.00</b>		<b>Total Service Charge: \$50.00</b>		

\* The Development Review Service Charge shown above is associated with CL SPR 2023-001 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 5/05/23 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.
- b.) 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.
- f.) 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.

**CL  
CUP  
No. 2023-002**

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS**

AGENDA ITEM NO. 1.

Page 2 of 3

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

1. ☐ a. Drainage from the site shall  
☒ b. Grading and drainage patterns shall be as identified on Exhibit No. 1.  
☐ c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within 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  
☒ None required.
3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:  
☐ Grading Plan  
☐ Street Plan  
☐ Storm Drain Plan  
☐ Water & Sewer Plan  
☐ Final Map  
☐ Drainage Report (to be submitted with tentative map)  
☐ Other  
☒ None Required
4. Availability 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.  
☒ d. See Exhibit No. 2.
5. The proposed 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.)  
☒ Does not appear to be located within a flood prone area.
6. ☐ 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.

**CL  
CUP No. 2023-002**



**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS**

AGENDA ITEM NO. 1.

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.   X   See Exhibit No. 2 for additional comments, recommendations and requirements.



Debbie Campbell  
Design Engineer, RCE

Digitally signed by Debbie Campbell Date: 6/2/2023 4:11:36 PM

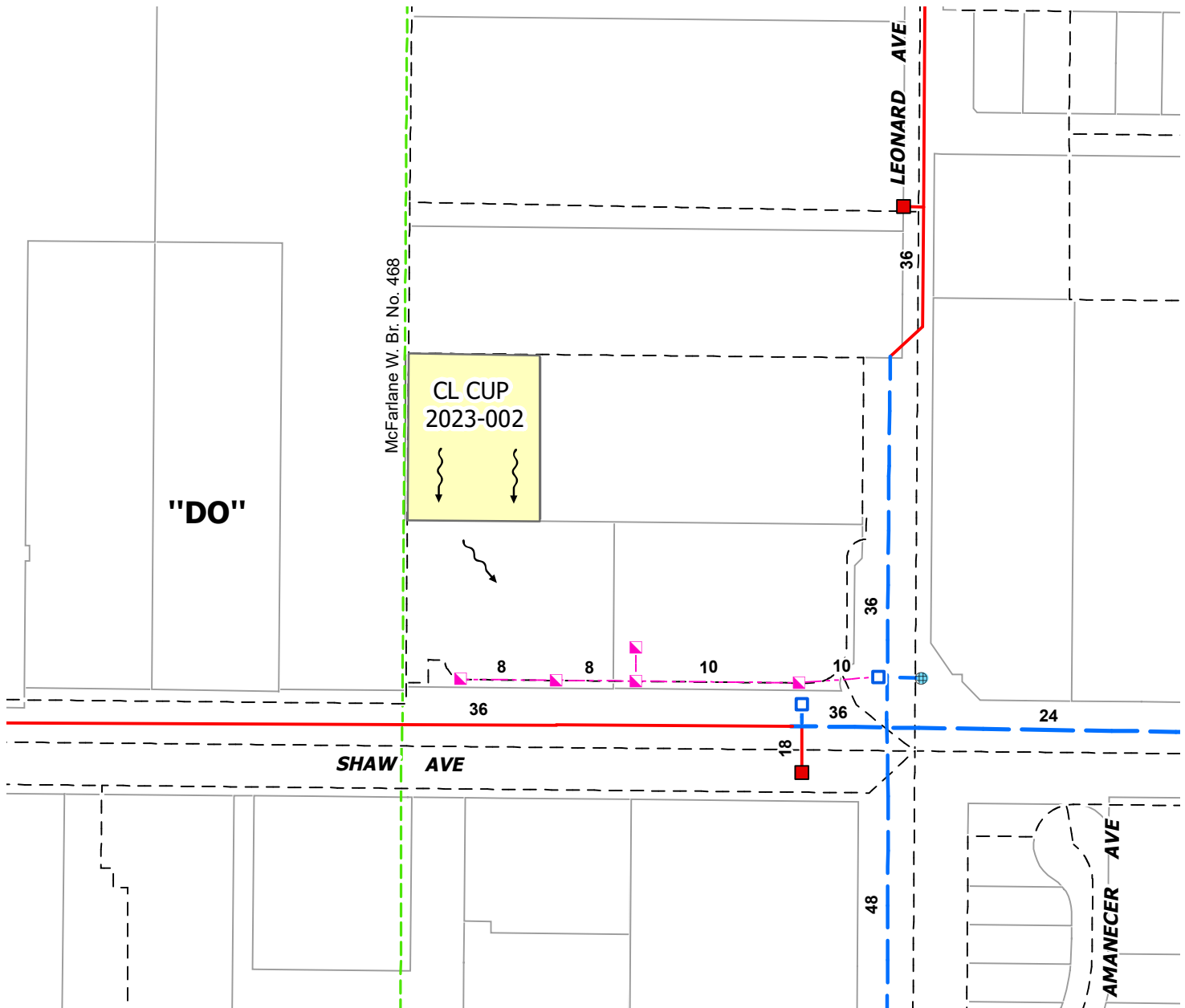


Anthony Zaragoza  
Engineer III








Digitally signed by Anthony Zaragoza Date: 5/31/2023 4:49:15 PM

CL  
CUP  
No. 2023-002

*AGENDA ITEM NO. 1.*



## LEGEND

-  Existing Master Plan Facilities
-  Future Master Plan Facilities
-  Private Facilities
-  Existing FID Facilities
-  Existing Temporary Inlet
-  Inlet Boundary
-  Drainage Area Boundary


$$1'' = 200'$$

**CL CUP 2023-002**  
**DRAINAGE AREA "DO"**



**EXHIBIT NO. 1**

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**

## OTHER REQUIREMENTS

AGENDA ITEM NO. 1.

### EXHIBIT NO. 2

Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the existing Private Facilities, as shown on Exhibit No. 1.

The City shall verify that drainage covenants are in place to allow surface runoff to reach the existing Private 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.

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas shall not be connected to the District's system. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. The District's policy governing said industrial site NPDES program requirements is available on the District's website at: [www.fresnofloodcontrol.org](http://www.fresnofloodcontrol.org) or contact the District's Environmental Department for further information regarding these policies related to industrial site requirements.



2907 S. Maple Avenue  
Fresno, California 93725-2208  
Telephone: (559) 233-7161  
Fax: (559) 233-8227

**CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.**

June 1, 2023

Marissa Jensen  
Planning Division  
City of Clovis  
1033 Fifth Street  
Clovis, CA 93612

RE: Conditional Use Permit Application No. CUP2023-002 and Site Plan Review  
Application No. SPR2023-001  
N/W Shaw and Leonard avenues

Dear Ms. Jensen:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit Application No. CUP2023-002 and Site Plan Review Application No. SPR2023-001 for which the applicant proposes a drive-thru car wash facility. These applications are being processed concurrently with PM2023-001. FID has the following comments:

1. FID previously reviewed and commented on the subject property on May 26, 2023, as Parcel Map No. 2023-001. Those comments and conditions still apply, and a copy has been attached for your reference.

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](mailto:clundeen@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.**

May 26, 2023

Marissa Jensen  
Planning and Development Services Department  
City of Clovis  
1033 Fifth Street  
Clovis, CA 93612

RE: Parcel Map No. 2023-001  
S/W Shaw and Leonard avenues

Dear Ms. Jensen:

The Fresno Irrigation District (FID) has reviewed Parcel Map No. 2023-001 for which the applicant requests to approve a parcel map to subdivide the existing parcel into 3 parcels, APN: 554-053-63S. This request is being processed concurrently with CUP2023-002 and SPR2023-001. FID has the following comments:

1. FID does not own, operate, or maintain any facilities located on the subject property, as shown on the attached FID exhibit map.
2. For informational purposes, FID's active Jefferson No. 112 runs southwesterly, crosses the intersection of Shaw and DeWolf avenues approximately 1,900 feet southwest of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Shaw Avenue, DeWolf Avenue, or in the vicinity of this facility, FID requires it review and approve all plans.
3. For informational purposes, FID's active Brown No. 113 runs southerly along the east side of DeWolf Avenue and crosses Shaw Avenue approximately 1,900 feet southwest of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Shaw Avenue, DeWolf Avenue, or in the vicinity of this facility, FID requires it review and approve all plans.
4. For informational purposes, a privately owned canal known as McFarlane W. Br. No. 468 runs southwesterly and traverses the westerly side of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this private irrigation facility. FID records indicate this line is active and will need to be treated as such.
5. For informational purposes, a privately owned canal known as McFarlane E. Br. No. 468 runs southerly, crosses Shaw Avenue approximately 600 feet southeast of the subject

G:\Agencies\Clovis\Parcel Map\PM2023-001\PM2023-001 FID Comments.doc

Marissa Jensen  
Re: PM2023-001  
May 26, 2023  
Page 2 of 2

property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this private irrigation facility. FID records indicate this line is active and will need to be treated as such.

6. The proposed development may negatively impact local groundwater supplies. The area is currently open land, with little to no water demand. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in an increase in the consumption of water, this deficit will increase. FID suggests the City of Clovis require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft.
7. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Clovis are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Clovis should consider the impacts of the development on the City's ability to comply with the requirements of SGMA.

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](mailto:jlandrith@fresnoirrigation.com).

Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment









# County of Fresno

DEPARTMENT OF PUBLIC HEALTH  
Environmental Health Division

May 17, 2023

LU0022209  
2604

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

Dear Ms. Jensen:

PROJECT NUMBER: **CUP2023-002, SPR2023-001, PM2023-001**

**CUP2023-002**; A request for a conditional use permit to allow a drive-thru car wash facility at 3741 Shaw Avenue. **SPR2023-001**; A site plan review for a drive-thru car wash facility at 3741 Shaw Avenue.

**APN: 554-053-63S**

**ZONING: P-C-C**

**ADDRESS: 3741 Shaw Avenue (NWC Shaw & Leonard Avenues)**

Recommended Conditions of Approval:

- 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 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.
- The proposed car wash project has the potential to expose nearby residents to elevated noise levels. Due to the location of nearby residential receptors, it is recommended that the City require a noise study to determine if mitigation measures may be required. 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.
- 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.



Marissa Jensen  
CUP2023-002, SPR2023-001, PM2023-001  
May 17, 2023  
Page 2 of 2

AGENDA ITEM NO. 1.

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REVIEWED BY:



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

(559) 600-33271

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KT

cc: Rogers, Moreno, Chugg & Sauls (Assigns)- Environmental Health Division (CT. 59.12)