



- CITY OF CLOVIS - REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: May 31, 2018

SUBJECT: Consider Approval, Res. 18-____, **CUP2018-02**, A request to approve a conditional use permit to allow a 24-hour drive-up/ drive-thru window use, including outdoor seating in association with a proposed Starbucks for property located near the northwest corner of Shaw and Leonard Avenues. Cloverleaf Capital, LLC., owner/ applicant.

ATTACHMENTS:

Figure 1:	Location Map
Exhibit "A:"	CUP2018-02 Conditions of Approval
Attachment 1:	Draft CUP Resolution
Attachment 2:	Correspondence from Commenting Agencies
Exhibit "B:"	Building (Color) Elevations
Exhibit "C:"	Building Elevations
Exhibit "D:"	Floor Plan
Exhibit "E:"	Site Plan
Exhibit "F:"	Landscape Plan

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission:

- Approve Conditional Use Permit CUP2018-02, subject to the conditions of approval listed as Exhibit "A," and
- Make a finding of consistency that the dedication toward public right-of-way is proportionate to the development being requested.

EXECUTIVE SUMMARY

The applicant is requesting approval of a conditional use permit for a 24-hour drive-up/ drive-thru window use, including outdoor seating in association with a proposed Starbucks located near the northwest corner of Shaw and Leonard Avenues. The proposed project is located within Planning Area 4 of the Loma Vista Community Centers North and South Master Plan. Approval of this conditional use permit will allow the applicant to continue processing development drawings. Conditions of approval are attached under Exhibit "A," establishing standards for construction and operation. Issues to consider with this request include providing adequate vehicle stacking for the drive-up window area, screening, outdoor seating, hours of operation, architecture style, parking stalls, and signage.

BACKGROUND

- General Plan Designation: General Commercial
- Specific Plan: Loma Vista Specific Plan (General Commercial)
- Existing Zoning: P-C-C (Planned Commercial Center)
- Lot Size: 4.21 acres
- Current Land Use: Vacant
- Adjacent Land Uses: North: Rural Residential
South: Agricultural
East: Rural Residential
West: Rural Residential

On November 13, 2017, the Clovis City Council approved an amendment to the development standards of Planning Area 4 of the Loma Vista Community Centers North and South Master Plan to allow drive-up/ drive-through restaurants. The amendment applied to approximately 16 acres of property, which includes the project site where Starbucks is being proposed.

PROPOSAL AND ANALYSIS

Project Site and Drive-Up Lane Vehicle Stacking

The applicant is requesting approval of a conditional use permit for the installation of a drive-up/ drive-thru window service in association with a 1,850 square foot Starbucks establishment to be developed at this site. The Starbucks establishment would utilize a drive-up lane along the western side of the proposed building. Drive-up window standards for the City of Clovis require a minimum of eight vehicular stacking spaces from the throat of the drive-up window lane to the service window. The drive as proposed by the applicant accommodates a minimum of eight stacked vehicles, which meets the City's requirement.

Drive-up Window Screening

The drive-up window lane is shown approximately 30 feet from the Shaw Avenue street frontage, running parallel to the west and south elevations of the proposed building. As vehicles follow this course, the headlights are not expected to interfere with traffic on Shaw Avenue because the drive-thru lane would be separated from Shaw Avenue by landscaping proposed along this frontage. Furthermore, the applicant will be required to provide a combination of a 3-foot high masonry wall and landscaping along the Shaw Avenue frontage and the west drive entrance. Measurement shall be from the top of curb of the drive-thru lane.

Outdoor Seating

The applicant is requesting approval of outdoor dining and seating in association with the Starbucks establishment. The applicant is seeking to utilize the area directly in front of the east elevation of the Starbucks establishment where the main entrance will be located.

Hours of Operation

The applicant is requesting to operate the Starbucks drive-thru use 24-hours daily. These hours are consistent with similar uses where the subject site is surrounded entirely by commercial uses. The nearest residential property line is located approximately 600 feet to the east of the proposed Starbucks. Although the project site is currently vacant, the vicinity areas surrounding the proposed building are planned for commercial uses; therefore, at full-buildout, the subject building will be surrounded entirely by commercial uses. The zoning ordinance does not otherwise prohibit hours of operation within commercial zone districts. As a result, staff does not oppose the requested hours of operation for the establishment's drive-thru use.

Architectural Elevations

The applicant is proposing to utilize the mission revival architectural style for development of the 5,000 square foot building. This architectural style is included in the Loma Vista Community Centers North and South Master Plan as a viable option. Additionally, the approved gas station/ convenience store is proposed on the east side of the Starbucks building and will utilize the same architectural design.

Parking

The proposed commercial building is required to provide parking at a minimum of 5.4 stalls for every 1,000 square feet of building area. In this case, the overall proposed building area is 5,000 square feet, requiring a total of 27 parking stalls. With this request, the applicant is proposing 82 parking stalls. The Project exceeds the required parking stall requirements but will assist with the overall parking count of the center when fully developed.

Signage

The project site is zoned P-C-C (Planned Commercial Center), which provides the opportunity for the applicant to develop and propose a comprehensive signage program. The developer will be required to amend the P-C-C zoning to memorialize a Master Sign Program for the entire shopping center identified as Planning Area 4 in the Community Centers Master Plan.

Public Comments

A public notice was sent to area residents within 550 feet of the property boundaries. Staff has not received comments or concerns from the public upon finalization of this report.

Review and Comments from Agencies

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

Comments received are attached 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.

Community Facilities District

The fiscal analysis of the Southeast Urban Center Specific Plan identified possible long-term funding shortfalls in the City's operating and maintenance costs. To address this issue the City of Clovis is implementing a Community Facilities District. Community Facilities Districts (CFD's) are a means of providing additional funding for the provision of public safety in newly developing areas of the community where the city would not otherwise be able to afford to continue to provide an adequate level of service as the City continues to grow. The use of CFD's is fairly common among cities in California experiencing high rates of growth during this past decade, such as Clovis, due to significant losses of local revenue from tax shifts authorized by the State of California and the need to continue to provide an adequate level of service as growth occurs.

A condition of approval has been added to this conditional use permit requiring participation of this conditional use permit in the CFD.

Consistency with General Plan Goals and Policies

Staff has evaluated the Project in light of the General Plan Land Use goals and policies. The following goals and policies reflect Clovis' desire to maintain Clovis' tradition of responsible planning and well managed growth to preserve the quality of life in existing

neighborhoods and ensure the development of new neighborhoods with an equal quality of life. The goals and policies seek to foster more compact development patterns that can reduce the number, length, and duration of auto trips.

Goal 3: Orderly and sustainable outward growth into three Urban Centers with neighborhoods that provide a balanced mix of land uses and development types to support a community lifestyle and small town character.

Policy 3.2 Individual development project. When projects are proposed in an Urban Center, require a conceptual master plan to show how a proposed project could relate to possible future development of adjacent and nearby properties. The conceptual master plan should generally cover about 160 acres or the adjacent area bounded by major arterials, canals, or other major geographical features. The conceptual master plan should address:

- A. Compliance with the comprehensive design document
- B. A consistent design theme
- C. A mix of housing types
- D. Adequate supply and distribution of neighborhood parks
- E. Safe and direct pedestrian and bicycle linkages between residential areas and school sites, parks, and community activity centers

Policy 3.3 Completion of Loma Vista. The City prioritizes the completion of Loma Vista while allowing growth to proceed elsewhere in the Clovis Planning Area in accordance with agreements with the County of Fresno and LAFCo policies.

Policy 3.5 Fiscal sustainability. The City shall require establishment of community facility districts, lighting and landscaping maintenance districts, special districts, and other special funding or financing tools in conjunction with or as a condition of development, building or permit approval, or annexation or sphere of influence amendments when necessary to ensure that new development is fiscally neutral or beneficial.

Goal 6: A city that grows and develops in a manner that implements its vision, sustains the integrity of its guiding principles, and requires few and infrequent amendments to the General Plan.

Policy 6.2 Smart growth. The city is committed to the following smart growth goals.

- Create a range of housing opportunities and choices.
- Create walkable neighborhoods.
- Foster distinctive, attractive communities with a strong sense of place.
- Mix land uses.
- Strengthen and direct development toward existing communities.
- Take advantage of compact building design.

California Environmental Quality Act (CEQA)

This project is in substantial conformance with the environmental analysis performed for Rezone Amendment R2008-07A2, Conditional Use Permit CUP2017-11, and Site Plan Review SPR2017-14. No major revisions will be required with the adopted Mitigated Negative Declaration to accommodate the proposed project, therefore, subject to CEQA Sections 15162 and 15182 no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Monday, May 21, 2018.

FISCAL IMPACT

None.

REASONS FOR RECOMMENDATION

The proposed conditional use permit is consistent with the goals and policies of the General Plan, Loma Vista Specific Plan, Planning Area 4 of the Community Center Master Plan, and Development Code. Staff therefore recommends that the Planning Commission approve CUP2018-02, subject to the conditions of approval attached as Exhibit "A."

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;
2. The proposed use is consistent with the General Plan and any applicable specific 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;
4. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed;
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; and
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. (§ 2, Ord. 14-13, eff. October 8, 2014)

ACTIONS FOLLOWING APPROVAL

None.

NOTICE OF HEARING

Property owners within 550 feet notified:	25
Interested individuals notified:	10

Prepared by: George González, MPA, Associate Planner

Reviewed by: 
Bryan Araki
City Planner

O:\Planning Projects\CUP\CUP 2018\CUP2018-02 (Starbucks Drive-Thru)\PC May 31, 2018\PC Staff Report - CUP2018-02.doc

**FIGURE 1
PROJECT LOCATION MAP**

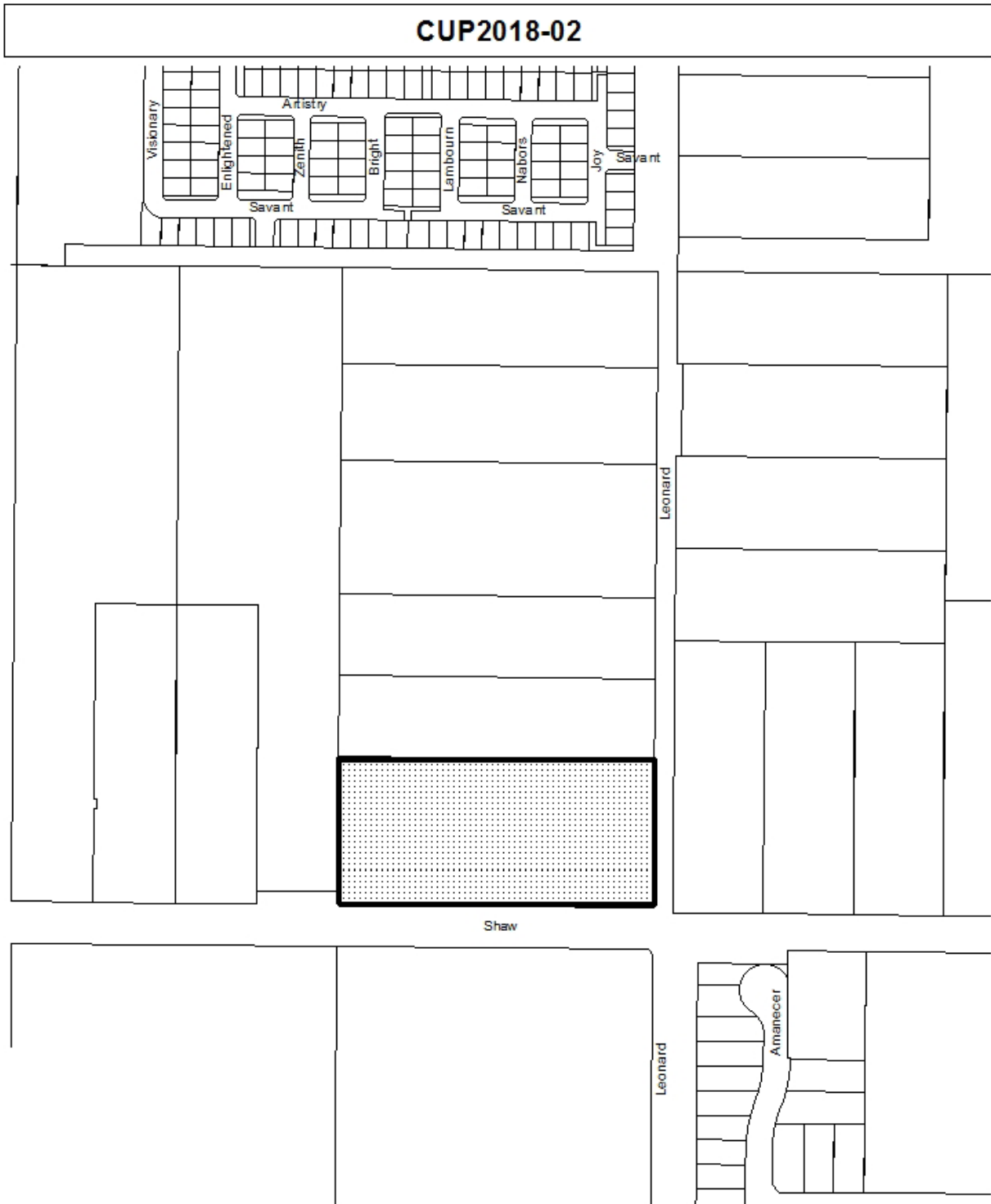


EXHIBIT "A"
Conditions of Approval – CUP2018-02

PLANNING DIVISION CONDITIONS
(George González, Division Representative – (559) 324-2383)

1. This Project is subject to the development standards of the Loma Vista Specific Plan and Loma Vista Community Centers North and South Master Plan.
2. This use permit is granted for a drive-up/ drive-thru window use, including outdoor seating in association with a Starbucks establishment for property located near the northwest corner of Shaw and Leonard Avenues.
3. The drive-thru hours of operation shall be 24-hours daily.
4. The drive-up lane shall be screened through the use of a combination of a 3-foot high masonry wall and landscaping along the Shaw Avenue street frontage and the west drive entrance. The top of the wall and landscaping shall measure 3' high from the top of curb of the drive-thru lane. Adequacy of this treatment shall be reviewed during the Building Permit Review phase. Any removal of the landscaping in areas approved to be used in place of a screen wall will be required to be replaced within 60 days with mature plants or a masonry wall matching the existing.
5. This conditional use permit is approved per the attached Exhibit "B," Exhibit "C," Exhibit "D," Exhibit "E," and Exhibit "F" of this report. Specific details will be evaluated with the site plan review. Any major modification will require an amendment to this conditional use permit.
6. Setbacks shall be measured to the exterior face of the framing of the structure. Exceptions to the setbacks are identified in §9.24.100, of the Clovis Development Code.
7. All landscaping (open space and private yards) shall conform with the City of Clovis Water Efficient Landscape Ordinance.
8. Parking for this project shall be provided at a ratio of 5.4 parking stalls for each 1,000 square feet of building area.
9. The developer shall provide one (1) paved 12' x 40' x 14' (vertical clearance) loading space. The loading space shall not be placed in a drive isle, drive back-up area or in a pedestrian pathway.
10. The parking lot, landscaping and open areas shall be kept free of litter and debris through routine maintenance.

11. All exterior lighting shall not interfere with the driving safety of vehicular traffic per Planning Division Standards.
12. All conditions of R2008-07A2, CUP2017-11, SPR2017-14, and any other applicable conditions are hereby referred to and made a part of this conditional use permit.

CLOVIS UNIFIED SCHOOL DISTRICT CONDITIONS
(Michael Johnston, CUSD Representative – 559-327-9000)

13. The development of this project is subject to the Clovis Unified School District impact fee. See the attached letter.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT CONDITIONS
(Michael Maxwell, FMFCD Representative - 456-3292)

14. The Applicant shall refer to the attached FMFCD requirements. If the list is not attached, please contact the District for the list of requirements.

FRESNO IRRIGATION DISTRICT CONDITIONS
(Laurence Kimura, FID Representative - 233-7161)

15. The Applicant shall refer to the attached FID correspondence. If the list is not attached, please contact the District for the list of requirements.

Administration Department Conditions
(John Holt, Department Representative – (559) 324-2111)

16. Prior to approval, recordation or filing of an annexation, final map, or site plan, the property covered by the project shall be included within or annexed to a Community Facilities District (CFD), established by the City for the provision of public facilities and services, for which proceedings have been consummated, and shall be subject to the special tax approved with the formation or annexation to the CFD. The CFD applies only to residential projects.
17. The applicant and the property owner acknowledge and agree that if the project were not part of a CFD, the City might lack the financial resources to operate facilities and provide public services, such as police protection, fire protection, emergency medical services, park and recreation services, street maintenance and public transit. Absent the requirement for inclusion of the project within a CFD, the City might not be able to make the finding that the project is consistent with the General Plan and relevant specific plans and might not be able to make the findings supporting approval of the project as required by the Subdivision Map Act and the California Environmental Quality Act, and the City might be required to deny the application for the project.

18. The owner/developer shall notify all potential lot buyers prior to sale that this project is a part of a Community Facilities District and shall inform potential buyers of the special tax amount. Said notification shall be in a manner approved by the City. This requirement may be waived at the discretion of the City Council if, at the time of the approval, recordation or filing of the project, the City Council has determined that it is not necessary that the project be included in the CFD.
19. The applicants shall reimburse the City for any expense associated with the transition agreement for fire services with the Fresno County Fire Protection District that would apply to this proposal.

DRAFT RESOLUTION

ATTACHMENT 1

**DRAFT
RESOLUTION 18-_____**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A
CONDITIONAL USE PERMIT FOR A 24-HOUR DRIVE-UP/ DRIVE-THRU WINDOW USE, INCLUDING
OUTDOOR SEATING IN ASSOCIATION WITH A PROPOSED STARBUCKS FOR PROPERTY
LOCATED NEAR THE NORTHWEST CORNER OF SHAW AND LEONARD AVENUES**

WHEREAS, Cloverleaf Capital, LLC., 5101 Merlot Court, Visalia, CA 93291, has applied for a Conditional Use Permit CUP2018-02; and

WHEREAS, this is a request to approve a conditional use permit for a 24-hour drive-up/ drive-thru window use, including outdoor seating in association with a proposed Starbucks for property located near the northwest corner of Shaw and Leonard Avenues, in the City of Clovis; and

WHEREAS, a public notice was sent out to area residents within 550 feet of said property boundaries ten days prior to said hearing; and

WHEREAS, a duly noticed hearing was held on May 31, 2018; and

WHEREAS, the proposed Conditional Use Permit CUP2018-02, was assessed under the provisions of the California Environmental Quality Act (CEQA) and the potential effects on the environment were considered by the Planning Commission, together with comments received and public comments, and the entire public record was reviewed; and

WHEREAS, the Commission does find the project in substantial conformance with the environmental analysis performed for Rezone Amendment R2008-07A2, Conditional Use Permit CUP2017-11 & Site Plan Review SPR2017-14. No major revisions will be required with the adopted Mitigated Negative Declaration to accommodate the proposed project, therefore, subject to CEQA Sections 15162 and 15182 no further environmental review is required for this project; and

WHEREAS, the Commission has reviewed and considered the staff report and all written materials submitted in connection with the request including the conditions attached as Exhibit "A" to this resolution and incorporated herein by this reference, and hearing and considering the testimony presented during the public hearing; and:

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;
2. The proposed use is consistent with the General Plan and any applicable specific 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;
4. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed;
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; and

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. (§ 2, Ord. 14-13, eff. October 8, 2014)

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Clovis Planning Commission does approve CUP2018-02, subject to the attached conditions labeled Exhibit "A."

* * * * *

The foregoing resolution was adopted by the Clovis Planning Commission at its regular meeting on May 31, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 18-____

DATED: May 31, 2018

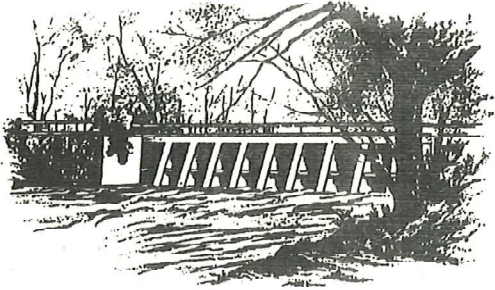
Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

CORRESPONDENCE

ATTACHMENT 2



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

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

April 30, 2018

George Gonzalez
Planning Division
City of Clovis
1033 Fifth Street
Clovis, CA 93612

RE: Condition Use Permit Application No. CUP2018-02
N/W Shaw and Leonard avenues

Dear Mr. Gonzalez:

The Fresno Irrigation District (FID) has reviewed the Condition Use Permit Application No. CUP2018-02 for which the applicant requests to allow a 24 hour drive-up/drive-thru window use in association with a proposes Starbucks, APN: 554-053-47S. FID has the following comment:

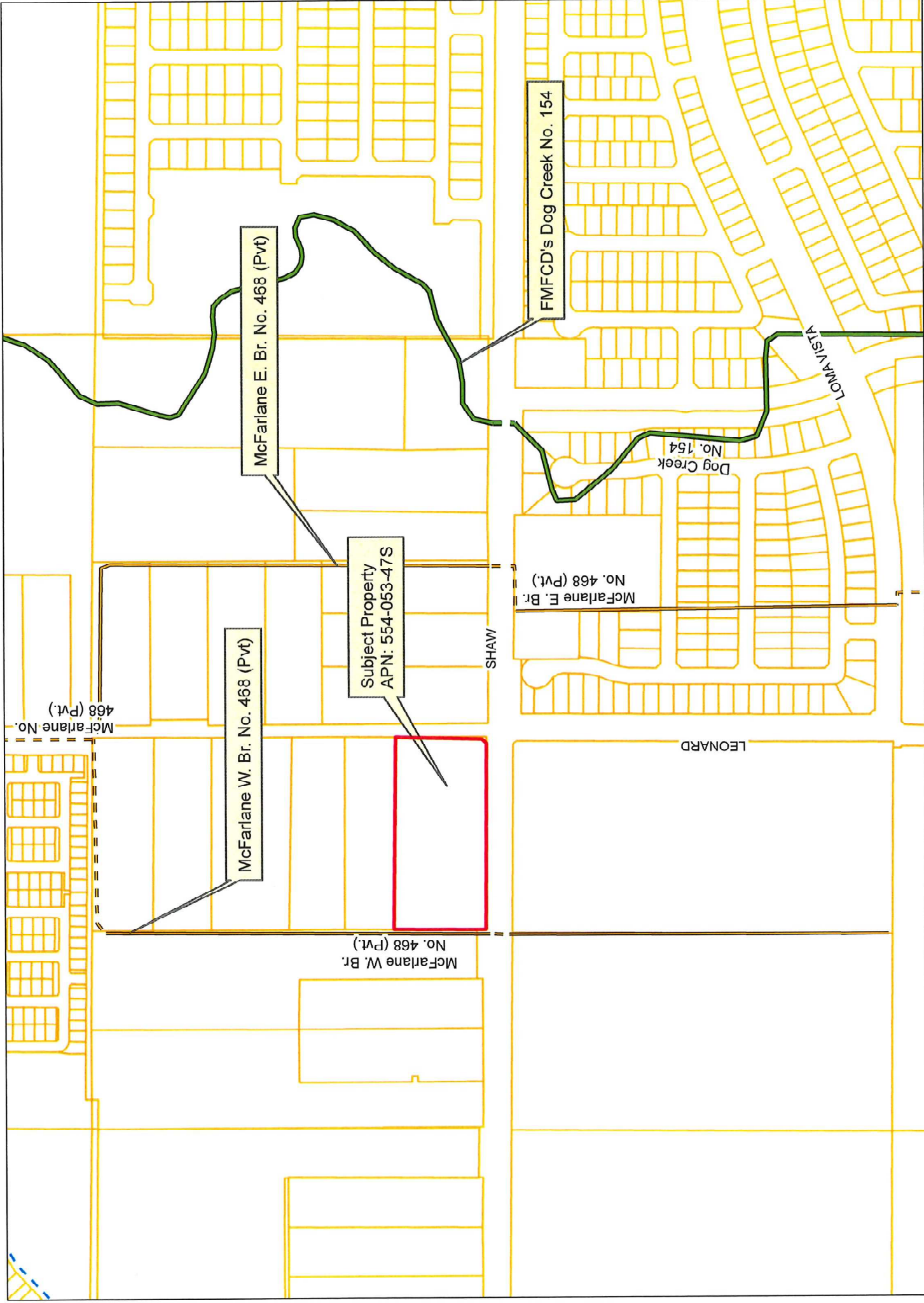
1. FID previously reviewed and commented on the subject property on October 17, 2017 as Conditional Use Permit Application No. CUP2017-11. Those comments and conditions still apply and a copy has been attached for your reference.


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 Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachment





This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 253-7151 for further information on FID facilities.

Legend

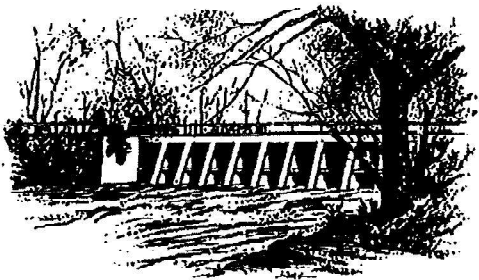
- FID Canal
- Private Canal
- Abandoned Canal
- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- Stream Group
- Other-Creek/River
- Other-Pipeline
- FID Boundary
- Railroad
- Streets & Hways
- Parcel
- FMFCD Acquired Basins
- FMFCD Proposed Basins

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1 inch = 408.42 feet

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YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93726-2208

September 1, 2017

George Gonzalez
Planning Division
City of Clovis
1033 Fifth Street
Clovis, CA 93612

RE: Condition Use Permit Application No. CUP2017-11
N/W Shaw and Leonard avenues

Dear Mr. Gonzalez:

The Fresno Irrigation District (FID) has reviewed the Condition Use Permit Application No. CUP2017-11 for which the applicant requests approval for a convenience store and gas station. This request is being processed concurrently with Rezone R2008-07A2, Parcel Map PM2017-05, and Site Plan Review SPR2017-14, APN's: 554-053-23S and 47S. 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, a Private ditch/pipeline known as the McFarlane W. Br. No. 468 runs southerly along the west side of the subject property and crosses Shaw Avenue approximately 60 feet south of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this private ditch/pipeline. FID's records indicate this line is active and should be treated as such. FID can supply the City with a list of known users upon request.
3. For informational purposes, a Private ditch/pipeline known as the McFarlane E. Br. No. 468 runs southerly and crosses Shaw Avenue approximately 500 feet east of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this private ditch/pipeline. FID's records indicate this line is active and should be treated as such. FID can supply the City with a list of known users upon request.

G:\Agencies\Clovis\Conditional Use Permit\CUP2017-11.doc

BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President JERRY PRIETO, JR.
CHRISTOPHER WOOLF, GEORGE PORTER, GREGORY BEBERIAN, General Manager GARY R. SERRATO

4. For informational purposes, an FMFCD owned channel known as the Dog Creek No. 154 runs southerly and crosses Shaw Avenue approximately 1,000 feet east of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this channel. Should this project include any street and/or utility improvements along Shaw or in the vicinity of this channel, FID recommends the applicant contact FMFCD to discuss any right-of-way issues that may affect FMFCD's Dog Creek No. 154.

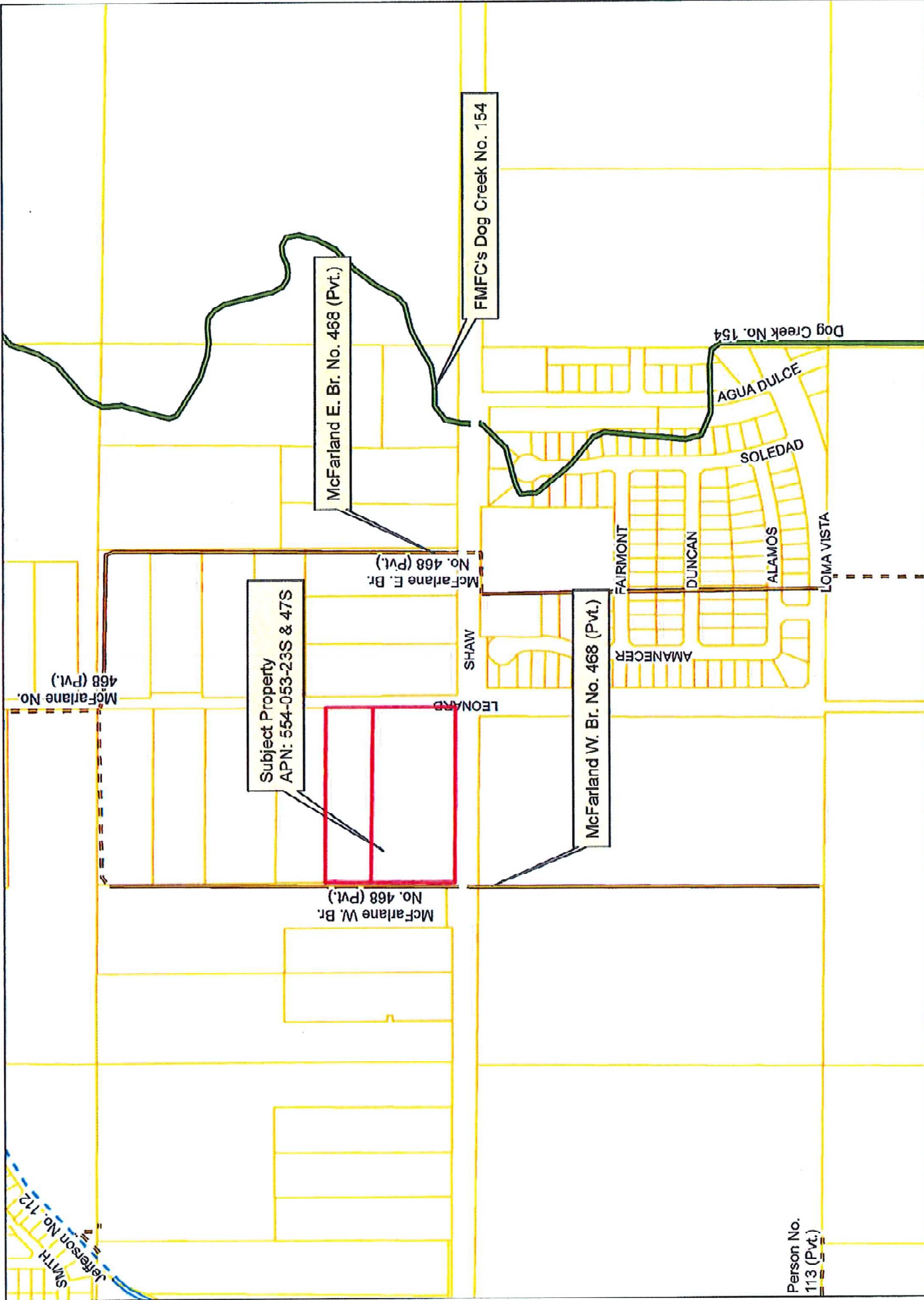
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or JLandrith@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

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Legend

- FID Canal
- FID Pipeline
- Private Canal
- Private Pipeline
- Abandoned Canal
- Abandoned Pipeline
- Stream Group
- Other-Creek/River
- Other-Pipeline
- FID Boundary
- Railroad
- Streets & Hwys
- Parcel
- FMFC Acquired Basins
- FMFC Proposed Basins

0 225 450 Feet
1 inch = 450.8 feet

Person No.
113 (Pvt.)

SMITH No. 112
Jefferson No. 112

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

File No. 210.433

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PUBLIC AGENCY

GEORGE GONZALEZ
PLANNING AND DEVELOPMENT SERVICES
CITY OF CLOVIS
1033 FIFTH STREET
CLOVIS, CA 936112

DEVELOPER

CLOVERLEAF CAPITAL, LLC
5101 W. MERLOT COURT
VISALIA, CA 93291

PROJECT NO: **2018-002**

ADDRESS: **NWC SHAW AND LEONAD AVE.**

APN: **554-053-47S**

SENT: **5/7/18**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
DO	\$54,773.00	NOR Review	\$95.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$481.00	Amount to be submitted with first grading plan submittal.
		Storm Drain Plan Review		For amount of fee, refer to www.fresnofloodcontrol.org for form to fill out and submit with first storm drain plan submittal (blank copy attached).
Total Drainage Fee: \$54,773.00		Total Service Charge: \$576.00		

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 2/28/19 based on the site plan submitted to the District on 4/18/18. 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.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Master Plan 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. 2018-002

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

Page 2 of 5

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 MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER.
☐ 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. 2018-002**

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


Page 3 of 5

**CL
CUP No. 2018-002**

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.



Peter Sanchez
District Engineer



Michael Maxwell
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 5

CC:

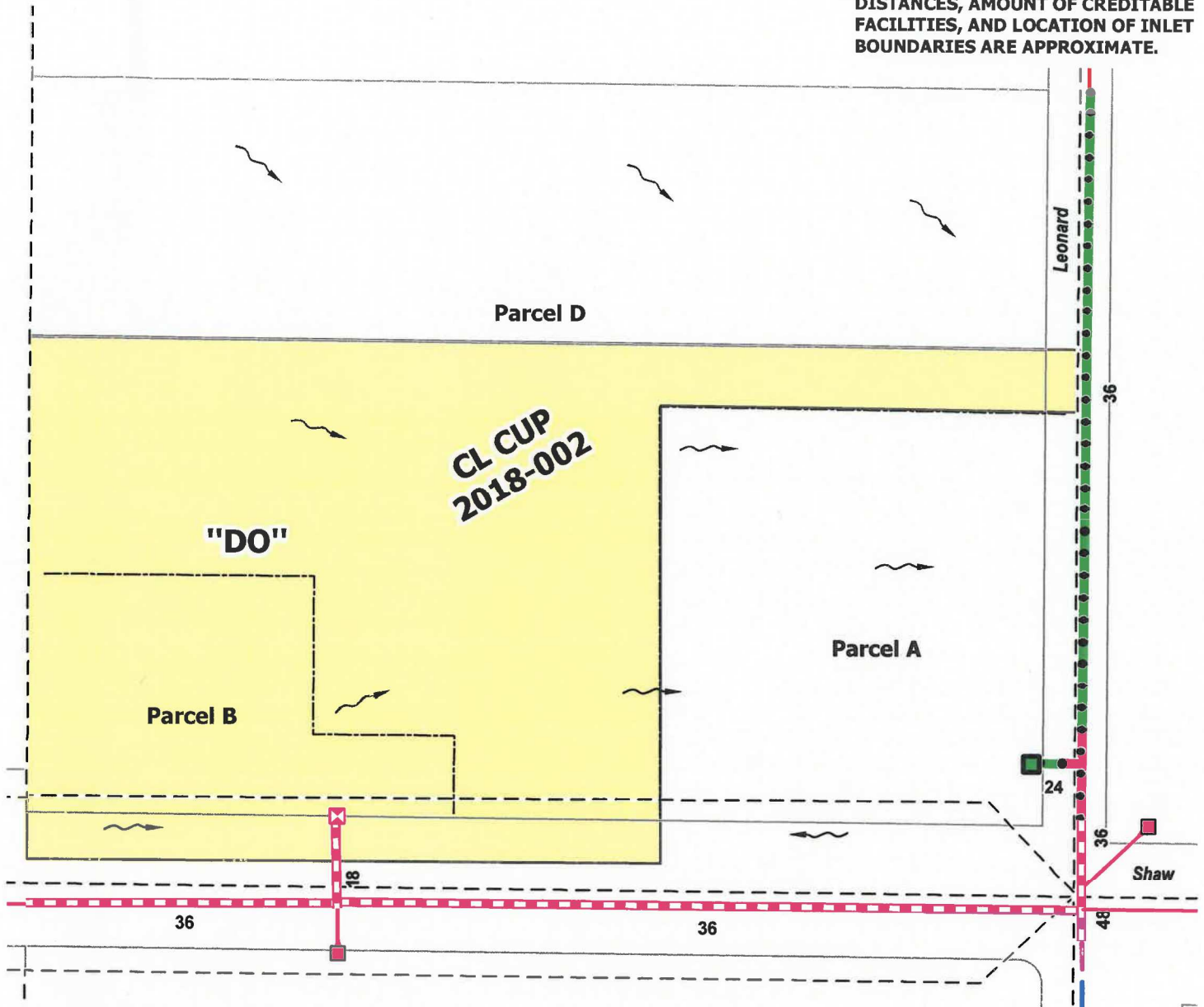
CJC DESIGN, INC.

22485 LA PALMA AVE., SUITE 202

YORBA LINDA, CA 92887

CL CUP No. 2018-002

NOTE: THIS MAP IS SCHEMATIC.
DISTANCES, AMOUNT OF CREDITABLE
FACILITIES, AND LOCATION OF INLET
BOUNDARIES ARE APPROXIMATE.



LEGEND

- Creditable Facilities (Master Plan Facilities To Be Constructed By Developer)-Pipeline (Size Shown) & Inlet. Also Requirement Of CL CUP 2017-011/CL TPM 2017-005/CL SPR 2017-014.
- Master Plan Facilities To Be Constructed By City of Clovis -Pipeline (Size Shown) & Inlet.
- Future Master Plan Facilities
- Existing Master Plan Facilities
- Inlet Boundary
- Direction of Drainage
- Limits of CL CUP 2018-002



1" = 100'

CL CUP 2018-002
DRAINAGE AREA "DO"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: danielg

Date: 4/30/2018

Path: K:\Autocad\DWGS\0EXHIBIT\CLCUP\2018-002.mxd



OTHER REQUIREMENTS
EXHIBIT NO. 2

The cost of construction of Master Plan facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee of the drainage area served by the facilities. A Development Agreement shall be executed with the District to effect such credit. Reimbursement provisions, in accordance with the Drainage Fee Ordinance, will be included to the extent that developer's Master Plan costs for an individual drainage area exceed the fee of said area. Should the facilities cost for such individual area total less than the fee of said area, the difference shall be paid upon demand to the City/County or District.

At this time, the City of Clovis plans to install the Master Plan facilities in Shaw Avenue as part of the City project to widen Shaw Avenue.

The required Master Plan facilities in Leonard Avenue have also been required of Clovis CUP 2017-011, Clovis TPM 2017-005 and Clovis SPR 2017-014. If the Leonard Avenue facilities are completed prior to development of this site, the construction requirement will be dropped.

Parcel A is required to grant drainage covenants for Parcels B and D to allow surface runoff to reach proposed Master Planned facilities located on Leonard Avenue. Parcel D is required to grant a drainage covenant for Parcel B to allow surface runoff to reach proposed Master Planned facilities located on Leonard Avenue.

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 or contact the District's Environmental Department, Daniel Rourke, for further information regarding these policies related to industrial site requirements.

Development No. Clovis CUP 2018-002



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director
Dr. Ken Bird, Health Officer

April 23, 2018

LU0019430
2602

George Gonzalez, Associate Planner
City of Clovis
Planning and Development Services Department
1033 Fifth Street
Clovis, CA 93612

Dear Mr. Gonzalez:

PROJECT NUMBER: **CUP2018-02, SPR2017-14, R2008-07A2**

CUP2018-02, A request to approve a conditional use permit to allow a 24-hour drive-up/ drive-thru window use in association with a proposed Starbucks for property located near the northwest corner of Shaw and Leonard Avenues.

APN: 554-053-47s

ZONING: PCC

ADDRESS: NWC E Shaw & Leonard Avenues

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. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- 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.
- The proposed construction project has the potential to expose nearby residents to elevated noise levels during construction. Consideration should be given to your City's municipal code.

REVIEWED BY:

Kevin
Tsuda

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

Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, o=Environmental
Health Division, ou=Fresno County
Department of Public Health,
email=ksuda@co.fresno.ca.us, c=US
Date: 2018.04.23 13:33:24 -0700

(559) 600-3271

cc: Rogers, Moreno & Kalugin- Environmental Health Division (CT. 59.12)
Samer Sabbah- Owner/Applicant (samer@westgateconstruction.net)

Promotion, preservation and protection of the community's health

1221 Fulton Mall / P. O. Box 11867, Fresno, CA 93775

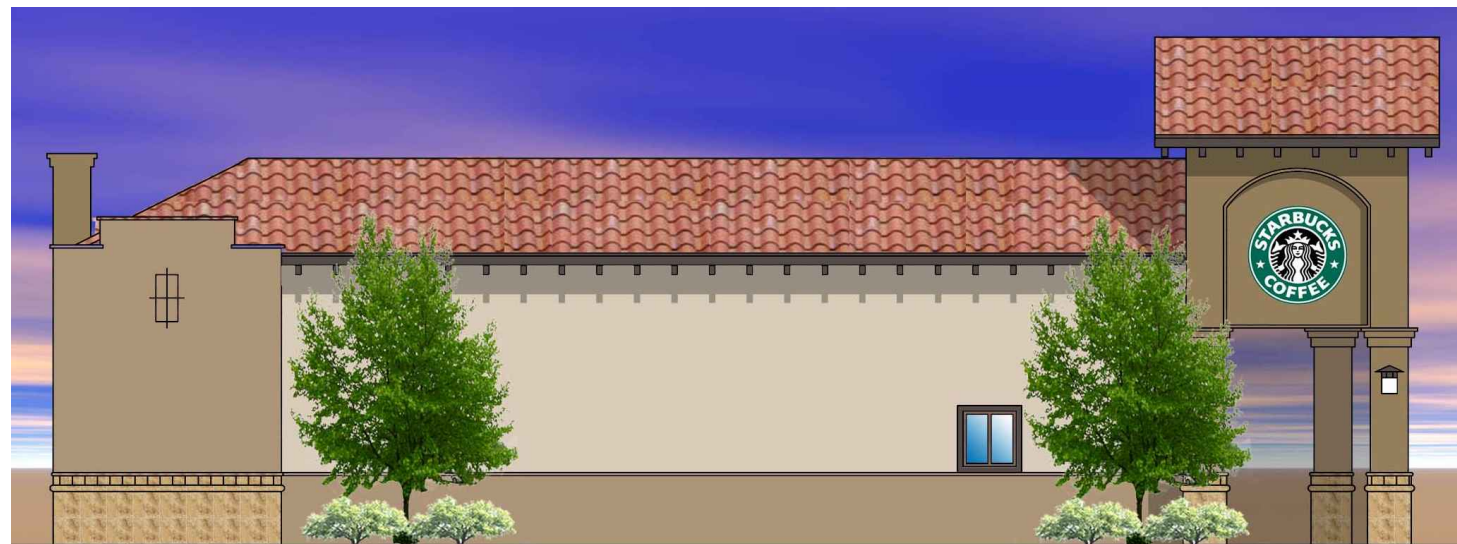
(559) 600-3271 • FAX (559) 600-7629

The County of Fresno is an Equal Opportunity Employer

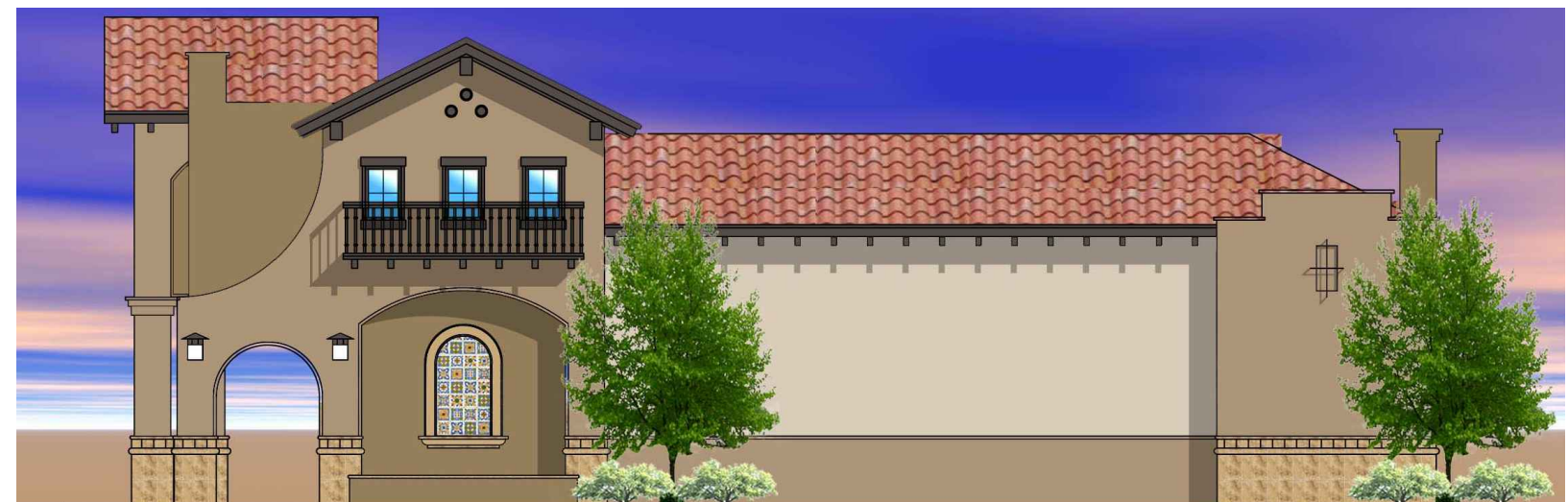
www.co.fresno.ca.us • www.fcdph.org



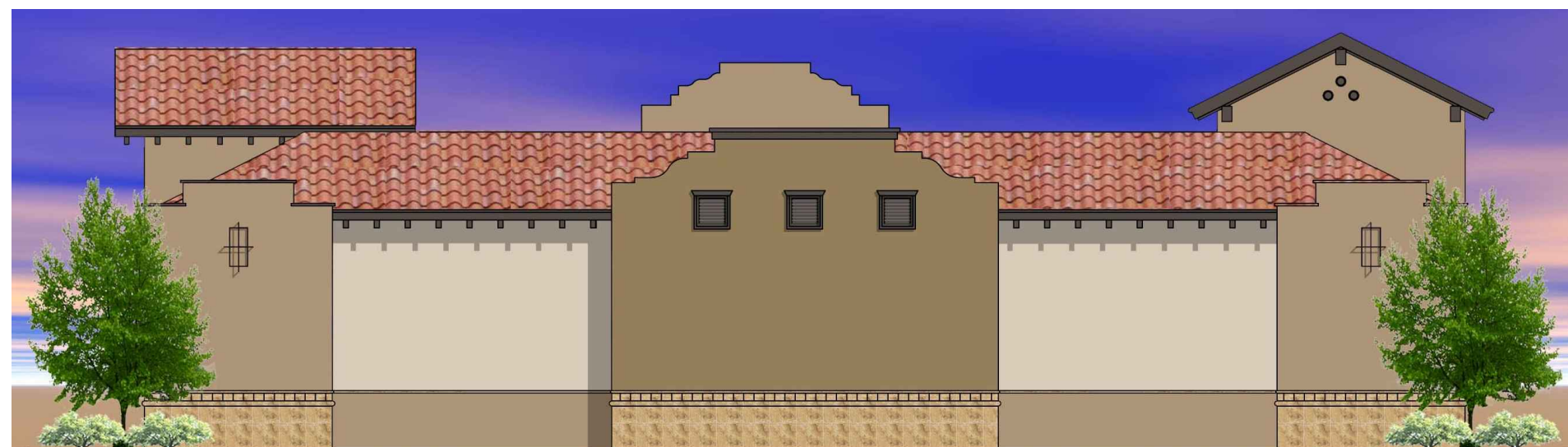
01 FRONT ELEVATION
SCALE: 3/16"=1'-0"



02 LEFT ELEVATION
SCALE: 3/16"=1'-0"



03 RIGHT ELEVATION
SCALE: 3/16"=1'-0"

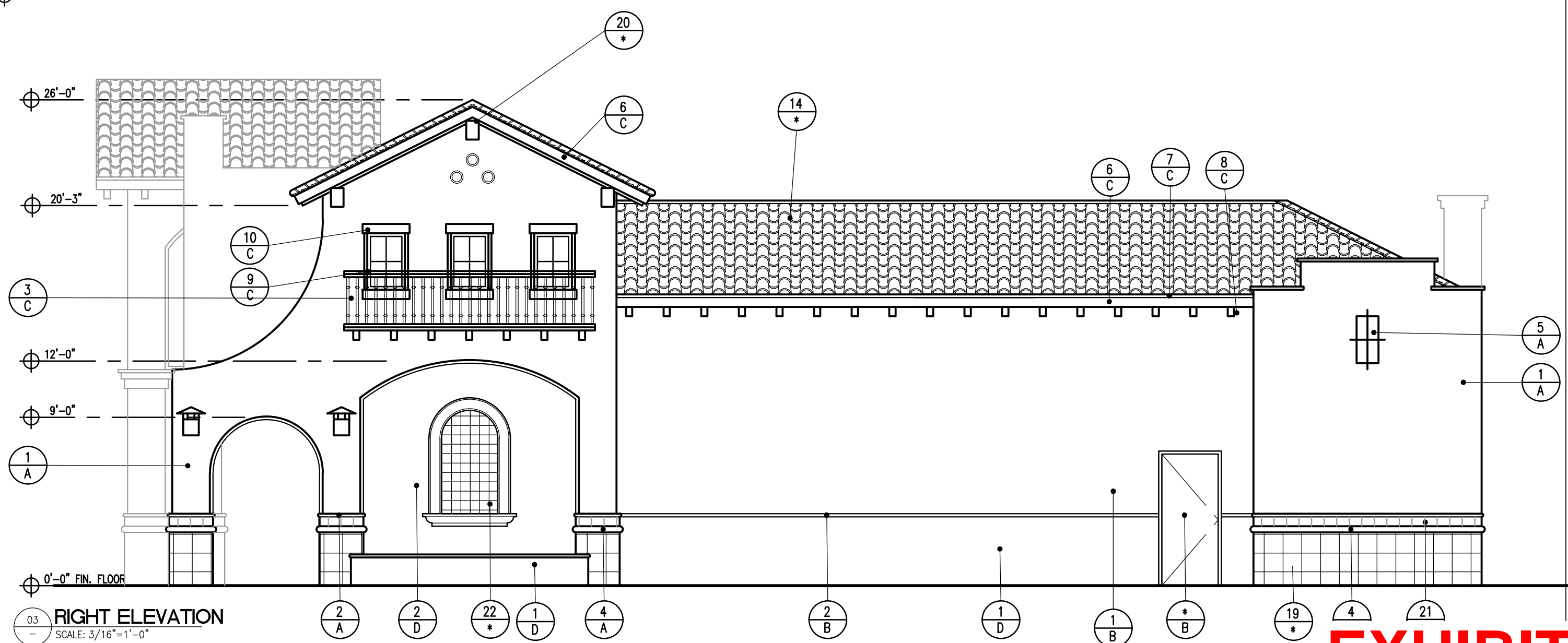
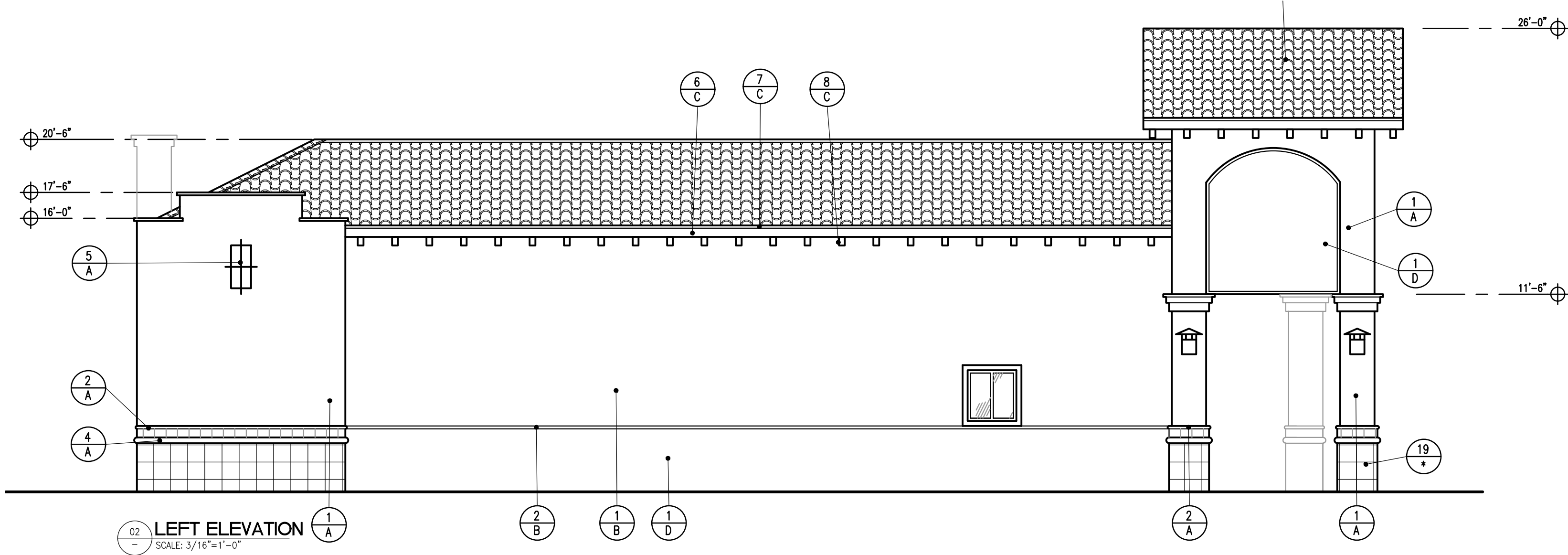
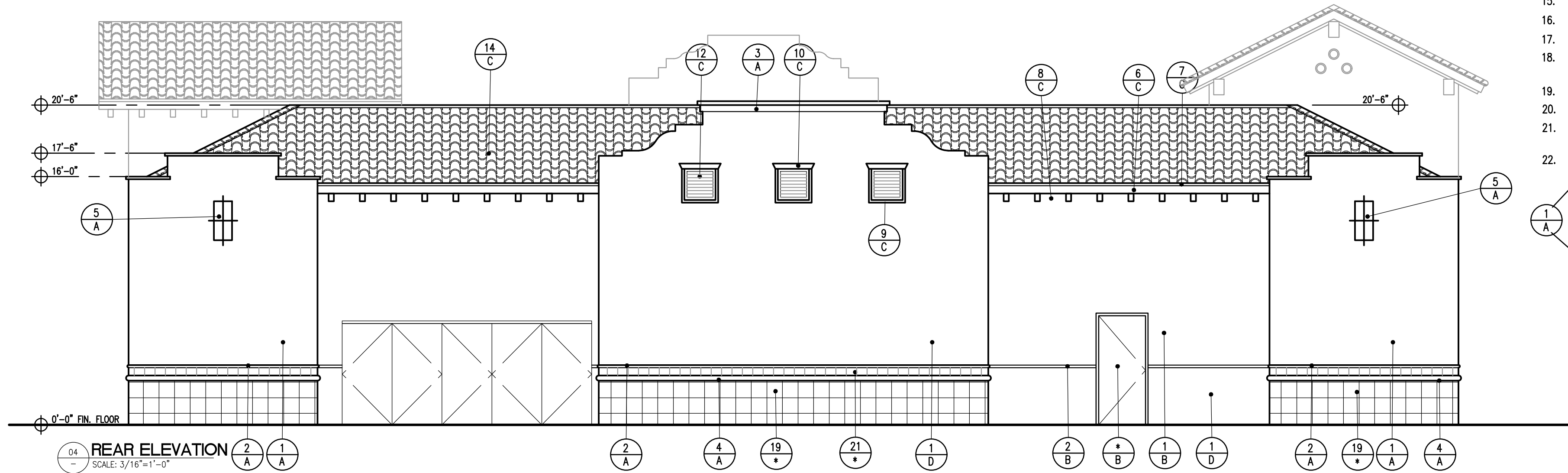
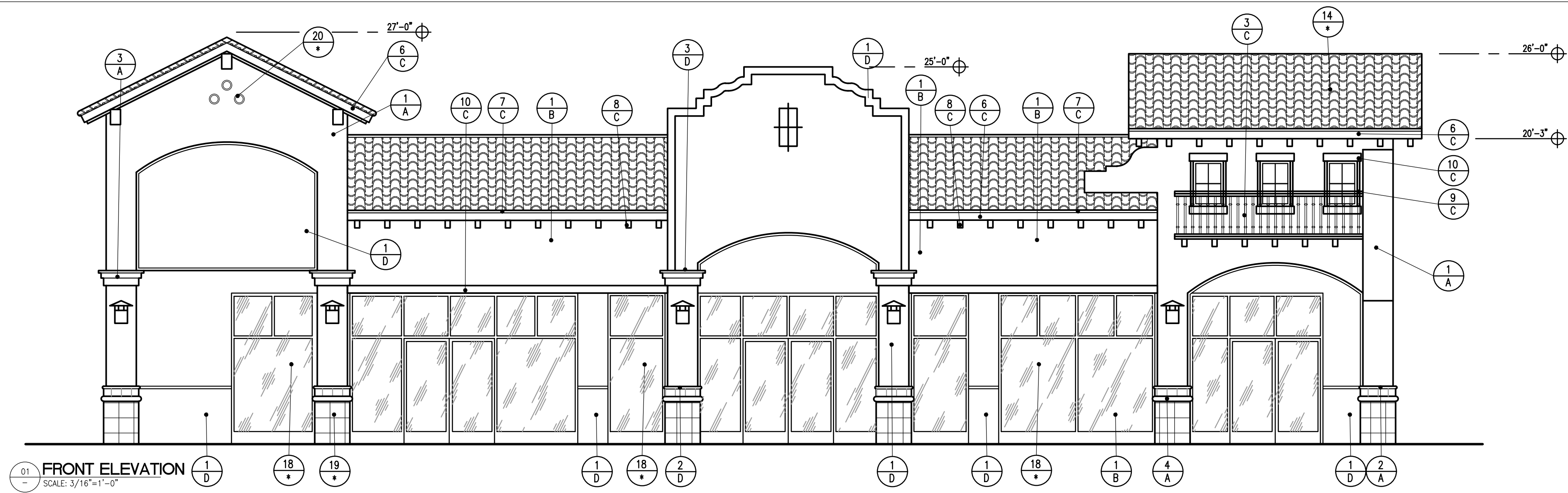


04 REAR ELEVATION
SCALE: 3/16"=1'-0"



N.W. Corner of Shaw & Leonard, Clovis, CA 96319

EXHIBIT "B"



- COLOR**
- A DUNN EDWARDS, DE6130 "WOODED ACRE"
 - B DUNN EDWARDS, DE6128 "SAND DUNE"
 - C DUNN EDWARDS, DEC756 "WEATHERED BROWN" HIGH GLOSS
 - D DUNN EDWARDS, DE6174 "RIDGECREST"
- MATERIAL**
- 7/8" MEDIUM DASH TEXTURE STUCCO
 - STUCCO OVER 2"x3" FOAM TRIM ON EDGE
 - FAUX BALCONY WITH 1 1/2" 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"x6" WOOD JAMB TRIM w/ 2"x6" HEAD TRIM w/ TAPERED END DETAIL WHERE OCCURS
 - BAHAMA SHUTTER DETAIL
 - 20" SQUARE FALSE LOUVER RECESSED 12"
 - 16"x30" FALSE LOUVER
 - BORAL ROOFING, ROMAN PAN, EL CAMINO BLEND SKU 1URDU6023
 - METAL ROOF FLASHING
 - METAL ROOF FINIAL
 - MISSION STYLE LIGHT FIXTURE-WALL MOUNTED
 - STORE FRONT GLAZING WITH 2"x3" BRONZE ALUMINUM MULLIONS
 - 12X12 PORCELAIN TILE (MARAZZI TRAVISANO 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
- MATERIAL
- COLOR

DATE SIGNED: _____

SEAL

ISSUES / REVISIONS

NO.	DESCRIPTION
1	
2	
3	
4	
5	
6	

DATE DESCRIPTION

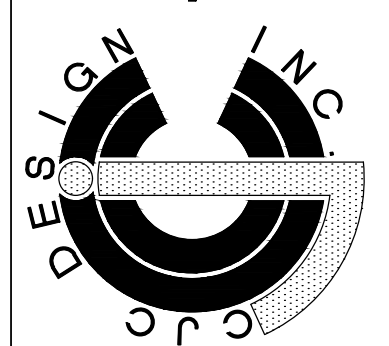
DRAWN BY: G. DE VERA

CHK'D BY: F. COHEN

5000sf RETAIL/FOOD
N.W.C. EAST SHAW AVENUE
LEONARD AVENUE
CLOVIS, CA. 96319

PROJECT NAME AND ADDRESS

CJC Design, Inc. Permitting
Design Planning
22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
Tel: (714) 920-9643
www.cjcdesign.com



Clovis Center

SHEET TITLE

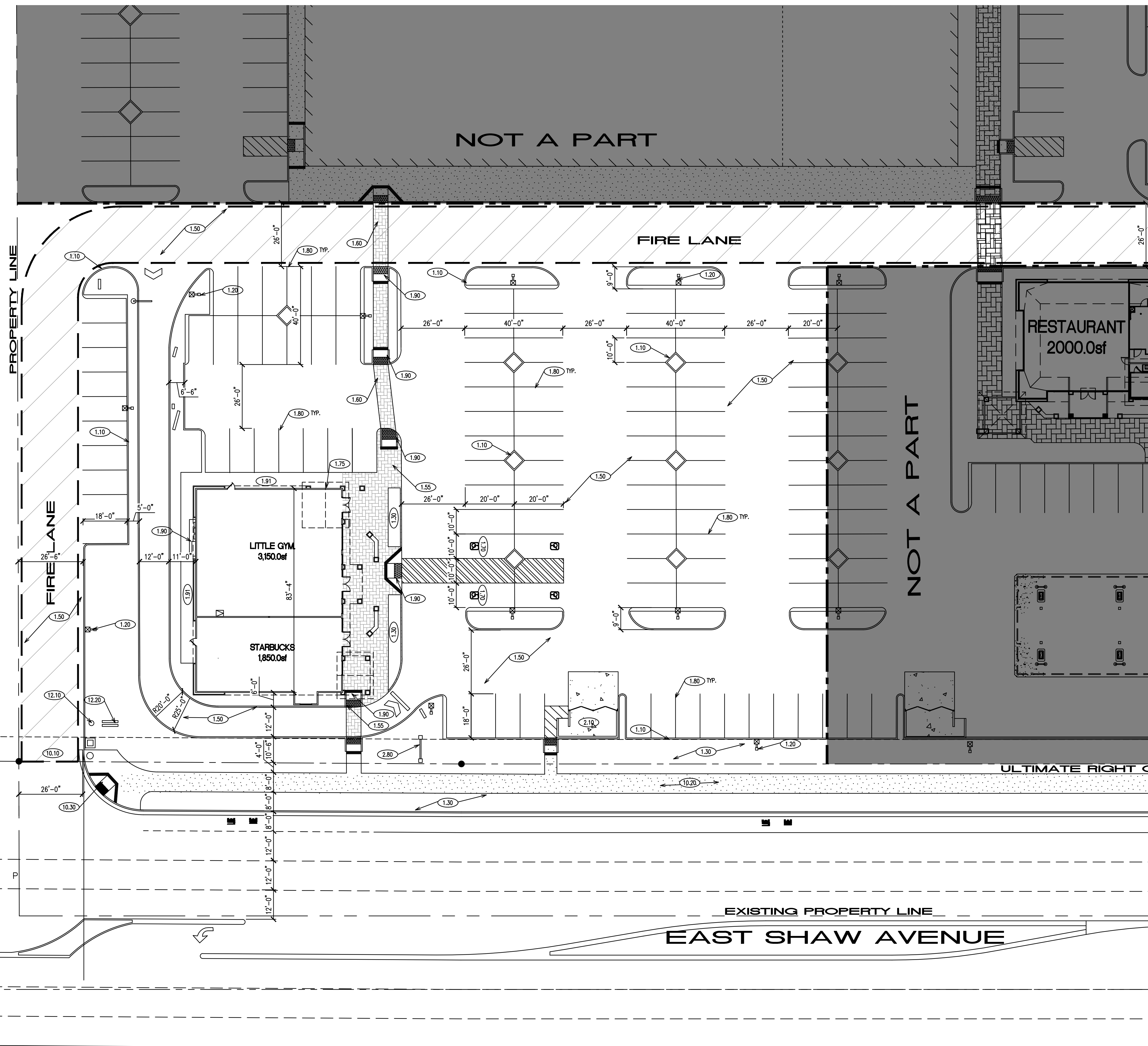
BUILDING EXTERIOR ELEVATIONS

PROJECT NO: 18017

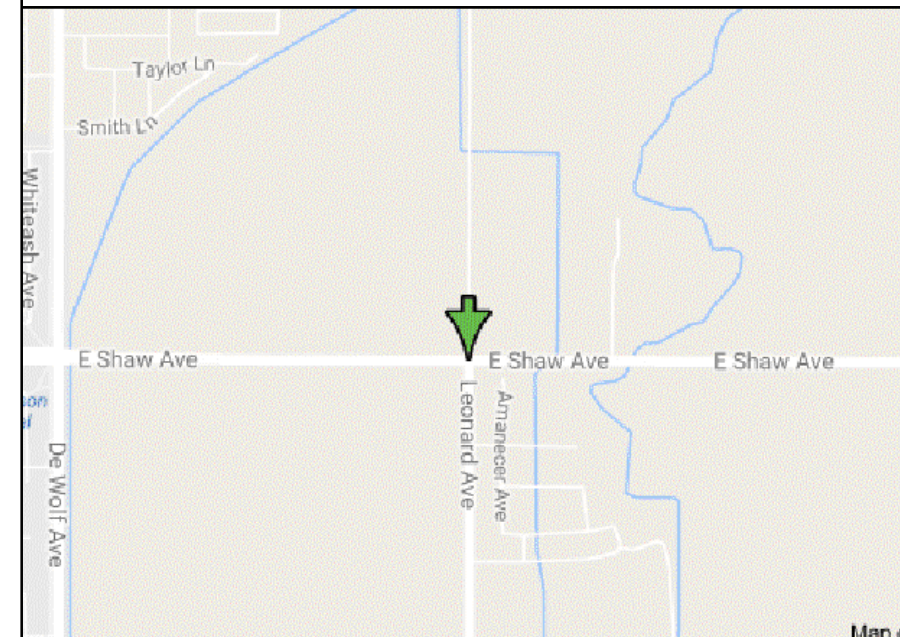
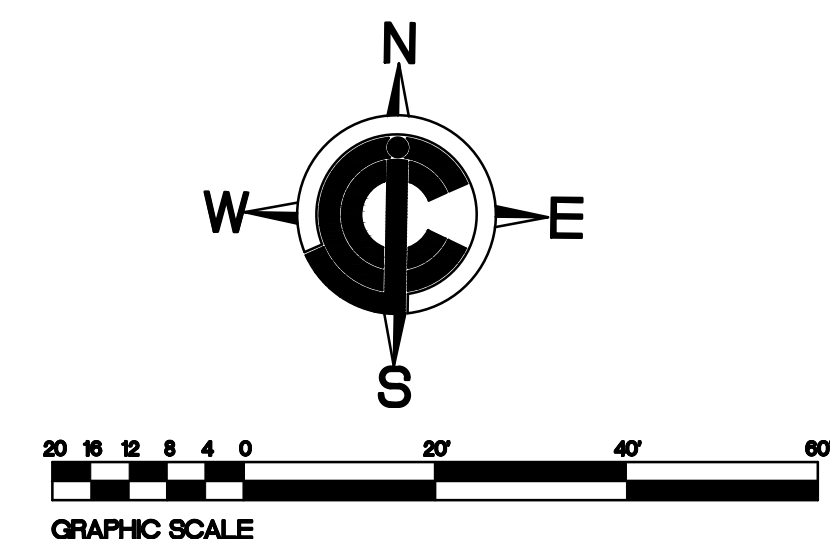
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EXHIBIT "C"

EXHIBIT "D"



SCALE: 1"=20'-0"



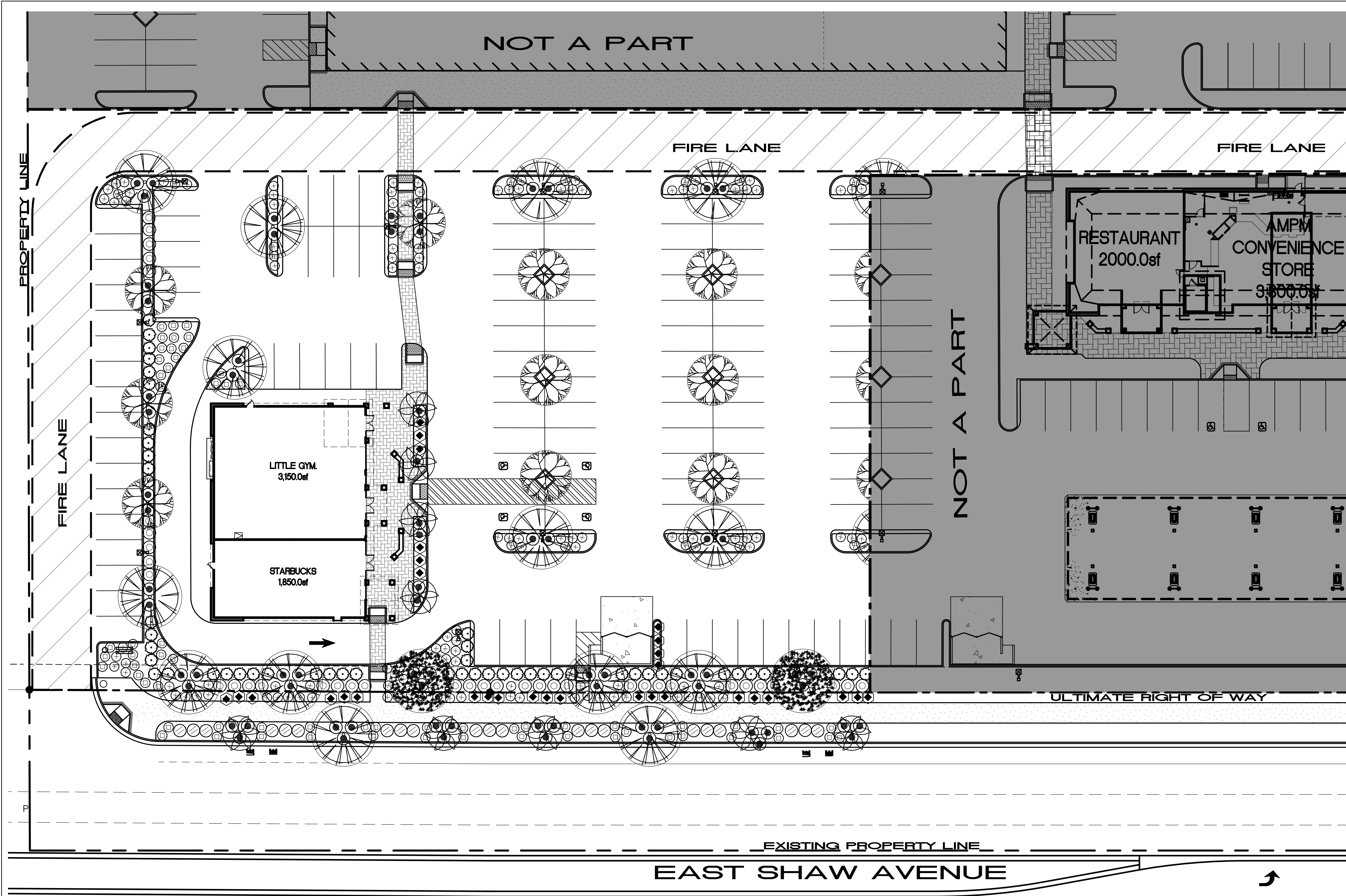
- 1.10 6" CONCRETE CURB
- 1.20 AREA LIGHT
- 1.30 LANDSCAPING WITH AUTOMATIC IRRIGATION
- 1.50 6" OVER 4" A.B. ASPHALT PAVING OR AS SPECIFIED IN SOILS REPORT IF AVAILABLE.
- 1.55 DECORATIVE PAVERS
- 1.60 48" HANDICAP PATH OF TRAVEL (SLOPE NOT TO EXCEED 2% EACH WAY) WITH DECORATIVE PAVERS TO BE ADA COMPLIANT.
- 1.70 20'X20' HANDICAP PARKING SPACE WITH ALL RELATED SIGNAGE (SLOPE NOT TO EXCEED 2% E.W.)
- 1.75 BICYCLE PARKING (MIN. 3) PER CAL GREEN CODE
- 1.80 10'X20' STANDARD PARKING SPACES
- 1.90 CONCRETE CONCRETE RAMP (SLOPE 8.33%)
- 1.91 COLORED CONCRETE SIDEWALK WITH 48"O.C. SCORE LINES (MIN. 48" WHERE HANDICAP PATH OF TRAVEL OCCURS)
- 2.10 TRASH ENCLOSURE WITH STEEL GATES
- 2.20 6" CONCRETE FILLED STEEL GUARD POSTS
- 2.80 ID SIGNAGE
- 2.89 SEAT WALL WITH (2) SIDE PILASTERS (REFER TO SHEET A.3.5)
- 2.90 ELECTRICAL PANELS
- 10.10 CONCRETE DRIVEWAY PER AGENCY STANDARD
- 10.20 CONCRETE SIDEWALK PER AGENCY STANDARD
- 10.30 CONCRETE RAMP PER AGENCY STANDARD
- 12.10 FIRE HYDRANT (REFER TO FIRE DEPT. NOTES ON T.1.1)
- 12.10 FIRE LINE FDC AND PIV

DEVELOPER'S INFORMATION: WESTGATE DEVELOPMENT INC. 5101 W. MERLOT COURT VISALIA, CA 93291		ACCESSOR'S PARCEL NUMBER - ZONING: ON - GENERAL COMMERCIAL MASTER PLAN: COMMUNITY CENTER NORTH S.E. URBAN CENTER	
CONTACT: SAWER SABBAGH			
	SO. FT.	ACRE	RATIO
NET LOT AREA (ALL PHASES)	260,922.0	6.0	-
CONSTRUCTION LOT AREA	75,200	1.7	-
MIXED USE BUILDING └─ OCCUPANCY: A CONSTRUCTION: V-B	5,500.0	-	7.3%
LANDSCAPING AREA	8,500.0	-	11%
REQUIREMENT 5.4 PER 1000sf	TYPE	SIZE	REQUIRED
	HANDICAP	18'X20'	4
PARKING AREA	REGULAR	10'X20'	101
	TOTAL:		105

PROJECT NO: 18017

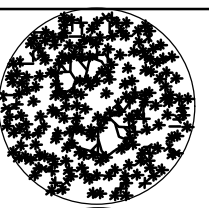
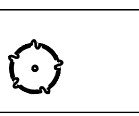
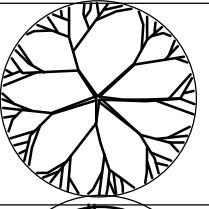

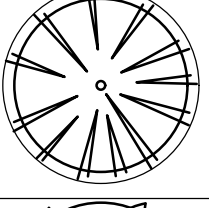

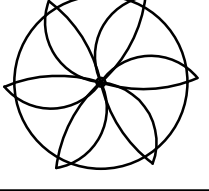

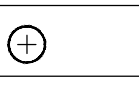



C.1.1

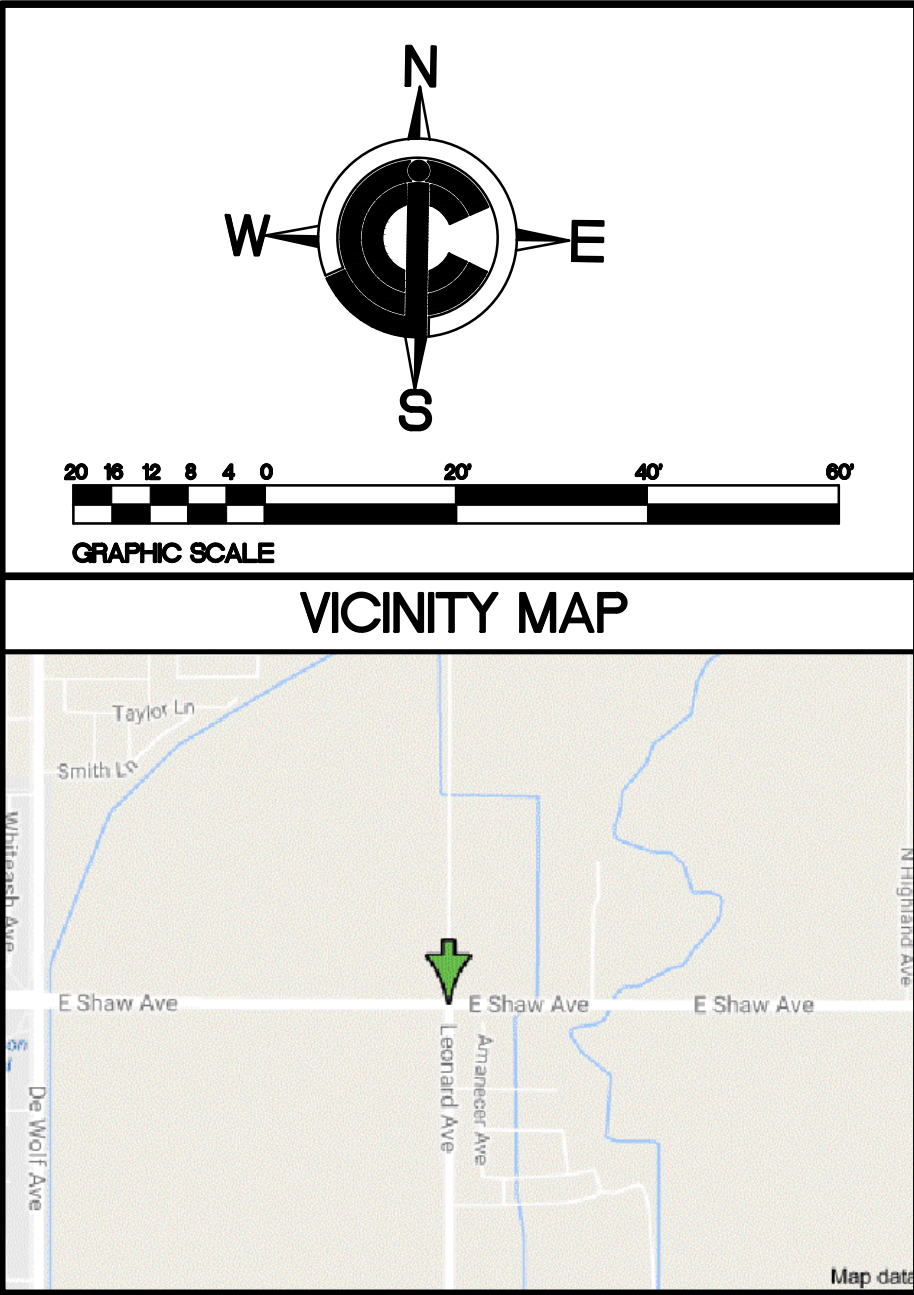
EXHIBIT "E"



CONCEPTUAL LANDSCAPING

SCALE: 1"=30'-0"

PLANT LEGEND											
KEY	QTY	BOTANICAL NAMES	COMMON NAMES	SIZE	SPACING	KEY	QTY	BOTANICAL NAMES	COMMON NAMES	SIZE	SPACING
	2	MELALEUCA LINARIFILIA	FLAXLEAF PAPERBARK	24" BOX	40' O.C.		90	LIGUSTRUM JAPONICA	WAX LEAF PRIVET	5 GAL	3' O.C.
	9	KOELRUETERIA PANICULATA	GOLDEN RAIN TREE	24" BOX	20' O.C.		52	ANIGO ZANTHOS	KANGAROO PAW "BIG RED"	5 GAL	3' O.C.
	14	GLEDITSIA TRIACANTHOS SUNBURST	SUNBURST LOCUST	24" BOX	20' O.C.		20	LLEX CRENATA	JAPANESE SKY PENCIL	5 GAL	3' O.C.
	9	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	24" BOX	20' O.C.		63	RHAPHIOLEPIS X DELACOURI	INDIAN PRINCESS	5 GAL	3' O.C.
							47	PHORMIUM TENAX "RUBRA"	NEW ZEALAN FLAX	5 GAL	3' O.C.
								ALOE MACULATA	SOAP ALOE	1 GAL	2' O.C.
								FESTUCA GLAUCA	BLUE FESCUE	1 GAL	2' O.C.
								PARTHENOCEISSUS TRICUSPIDATA	BOSTON IVY	1 GAL	10' O.C.



PLANTING NOTES

A. PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS, THE WIDTH TWICE THE DIAMETER OF THE ROOTBALL AND 6" DEEPER THAN THE LENGTH OF THE ROOTBALL. EACH PLANT PIT SHALL BE BACKFILLED WITH THE FOLLOWING PREPARED SOIL MIX:

2 PARTS NITROLIZED REDWOOD SHAVINGS
1 PART "NITROHUMUS"
3 PARTS EXCAVATED SOIL
21 GRAM "AGRIFORM" PLANTING TABLET

PLANTING TABLETS SHALL BE APPLIED AS FOLLOWS:

1 TABLET PER 1 GALLON SIZE PLANT
2 TABLETS PER 5 GALLON SIZE PLANT
3 TABLETS PER 15 GALLON SIZE PLANT

LARGER PLANT MATERIAL WILL BE GIVEN ONE (1) TABLET PER 1/2 " DIAMETER OF TRUNK CALIPER

B. PREPARED SOIL SHALL BE TAMPED FIRMLY AT BOTTOM OF PLANT PIT. FILL PREPARED SOIL AROUND BALL OF PLANT 1/2 WAY AND INSERT PLANT TABLETS. COMPLETE BACKFILLING AND WATER IN THOROUGHLY.

C. TURF AREAS SHALL BE ROTOTILLED 3" DEEP WITH 3 CUBIC YARDS NITROLIZED REDWOOD SHAVINGS PER 100 SQ FT AFTER ROTOTILL SOIL SHALL BE GRADED SMOOTH

NOTE:

ALL SHRUB AND GROUNDCOVER AREAS TO RECEIVE 3" DEPTH SHREDDED BARK MULCH. SUBMIT SAMPLE TO CITY INSPECTOR FOR APPROVAL PRIOR TO INSTALLATION

CONTRACTOR TO CONDUCT THEIR OWN PLANT MATERIAL QUANTITY TAKEOFFS

CONTRACTOR TO CONDUCT AGRONOMIC SOIL TEST REPORT AND CONVEY RESULTS TO OWNER RESULTS

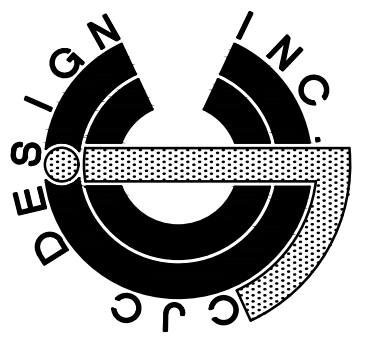
DATE SIGNED: _____
SEAL

ISSUES / REVISIONS	
1	
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3	
4	
5	
6	

DATE: _____
DESCRIPTION: _____
DRAWN BY: G. DE VERA
CHK'D BY: F. COHEN
5000sf RETAIL/FOOD
N.W.C. EAST SHAW AVENUE
LEONARD AVENUE
CLOVIS, CA. 96319

PROJECT NAME AND ADDRESS

CJC Design, Inc. Permitting
Design Planning
22485 La Palma Avenue, Suite 202, Yorba Linda, CA 92887
Tel: (714) 920-9643
www.cjcdesign.com



Clovis Center

CONCEPTUAL LANDSCAPING

PROJECT NO: 18017