

CITY of CLOVIS

AGENDA • PLANNING COMMISSION Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2340 www.cityofclovis.com

March 24, 2022

6:00 PM

Council Chamber

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

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

Written Comments

- Members of the public are encouraged to submit written comments at: <u>www.cityofclovis.com/planning-commission-agendas</u> at least two (2) hours before the meeting (4:00 p.m.). You will be prompted to provide:
 - Planning Commission Meeting Date
 - Item Number
 - Name
 - Email
 - Comment (please limit to 300 words or 3 minutes)



- Please submit a separate form for each item you are commenting on.
- A copy of your written comment will be provided to the Planning Commission noting the item number. If you wish to make a verbal comment, please see instructions below.
- Please be aware that any written comments received that do not specify a particular agenda item will be marked for the general public comment portion of the agenda.
- If a written comment is received after 4:00 p.m. on the day of the meeting, efforts will be made to provide the comment to the Planning Commission during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to the Planning

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

Webex Participation

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

Verbal Comments Made by Telephone or Webex

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

CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

1. Planning Commission Minutes for the Meeting of January 27, 2022.

COMMISSION SECRETARY COMMENTS

PLANNING COMMISSION MEMBER COMMENTS

PUBLIC COMMENTS

This is an opportunity for the members of the public to address the Planning Commission on any matter within the Planning Commission's jurisdiction that is not listed on the Agenda. In order for everyone to be heard, please limit your comments to 5 minutes or less, or 10 minutes per topic. Anyone wishing to

be placed on the Agenda for a specific topic should contact the Planning Division and submit correspondence at least 10 days before the desired date of appearance.

PUBLIC HEARINGS

1. Consider Approval, Res. 22-___, CUP2019-008A, a request to amend a previously approved conditional use permit for a 4-story, 107-room hotel, with a request for a maximum building height of 60 feet located at 2355 Willow Avenue on an approximately 3.31-acre site. Nick Patel, Holiday Management, Inc., applicant/owner; Jon frame, RL Davidson, Inc., representative.

Staff: Kelsey George 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:

April 28, 2022

May 26, 2022

June 23, 2022

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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

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in the Planning and Development Services building, between 8:00 a.m. and 4:00 p.m. Monday through Friday. In addition, such writings and documents may be posted on the City's website at www.cityofclovis.com.

CLOVIS PLANNING COMMISSION MINUTES January 27, 2022

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

Flag salute led by Commissioner Antuna

- Present: Commissioners Antuna, Bedsted, Hatcher, Chair Pro Tem Cunningham
- Absent: Chair Hinkle
- Staff: Dave Merchen, City Planner Ricky Caperton, Deputy City Planner Kelsey George, Assistant Planner Joyce Roach, Planning Technician I Sean Smith, Supervising Civil Engineer Tyler Brown, Business Workflow Specialist Wesley Carlson, City Attorney

<u>MINUTES – 6:02</u> ITEM 1 – APPROVED.

Motion by Commissioner Antuna, seconded by Commissioner Hatcher, to approve the December 16, 2021, minutes. Motion carried 4-0-1 with Chair Hinkle absent.

COMMISSION SECRETARY - 6:03

Deputy City Planner Ricky Caperton informed that the February Planning Commission meeting may be canceled due to lack of items and reminded about the upcoming Planning Commissioners Academy, inquiring about possible attendance. City Planner Dave Merchen confirmed the cancellation of the Planning Commission/City Council Joint Meeting and possibility of rescheduling for March.

PLANNING COMMISSION MEMBERS COMMENTS – 6:06 None.

PUBLIC COMMENTS - 6:06 None.

PUBLIC HEARINGS

ITEM 1A - 6:07 – APPROVED - A FINDING THAT CONDITIONAL USE PERMIT CUP2020-004 IS NOT IN COMPLIANCE WITH CONDITIONS OF APPROVAL AND SHALL BE REVIEWED AGAIN ON MAY 26, 2022; ITEM 1B – APPROVED - **RES. 22-01**, A RESOLUTION AMENDING THE CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT CUP2020-004.

Motion by Commissioner Bedsted, seconded by Commissioner Hatcher, for the Planning Commission to approve a finding that CUP2020-004 is not in compliance with conditions of approval and shall be reviewed again on May 26, 2022. Motion carried 4-0-1 with Chair Hinkle absent.

Motion by Commissioner Bedsted, seconded by Commissioner Hatcher, for the Planning Commission to approve **Resolution 22-01**, a resolution approving an amendment to the conditions of approval for Conditional Use Permit CUP2020-004. Motion carried 4-0-1 with Chair Hinkle absent.

ADJOURNMENT AT 6:40 P.M. UNTIL the Planning Commission meeting on February 24, 2022.

Mike Cunningham, Chair Pro Tem



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

Clovis Planning Commission

FROM: Planning and Development Services

DATE: March 24, 2022

SUBJECT:

Consider Approval, Res. 22-___, CUP2019-008A, a request to amend a previously approved conditional use permit for a 4-story, 107-room hotel, with a request for a maximum building height of 60 feet located at 2355 Willow Avenue on an approximately 3.31-acre site. Nick Patel, Holiday Management, Inc., applicant/owner; Jon frame, RL Davidson, Inc., representative.

Staff: Kelsey George Recommendation: Approve

ATTACHMENTS:

- 1. Draft Resolution
 - 2. Conditions of Approval
 - 3. Correspondence from Agencies
 - 4. Conceptual Site Plan
 - 5. Conceptual Elevations & Floor Plan

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission approve Conditional Use Permit CUP2019-008A, subject to the conditions of approval listed in **Attachment 2**.

EXECUTIVE SUMMARY

The applicant is requesting an amendment to a previously approved conditional use permit for the development of a 4-story, 107-room hotel on an approximately 3.31-acre site located at 2355 Willow Avenue, as shown below in **Figure 1**. The request is to amend a previously approved conditional use permit to increase the number of stories from 3-stories (55 feet) to 4 stories (60 feet) and 90 guest rooms to 107 guest rooms.

Approval of this conditional use permit would allow the developer to continue with a site plan review amendment and building permits.

BACKGROUND

•

- General Plan Designation:
 - None Specific Plan Designation:
- Existing Zoning: •
- Lot Size:
- Current Land Use: •
- Adjacent Land Uses:
 - North:
 - o South:
 - East:
 - West:
- **Previous Entitlements:**

Office

- C-P (Administrative and Professional Office)
- ±3.31 acres
- Vacant / Undeveloped
- C-2 (Community Commercial)
- R-1 (Single-Family Residential)
- R-3 (Medium-Density Multiple Family Residential)
- R-1 (Single-Family Residential)
- SPR2006-04, CUP2019-008, SPR2020-003

FIGURE 1 **Project Location**





Subject site (±3.31 acres)

PROPOSAL AND ANALYSIS

On September 26, 2019, the Planning Commission approved CUP2019-008 (Res. 19-36) allowing for a 3-story (55 feet), 90-room hotel located at 2355 Willow Avenue (the subject property). Since that time, the property has sold, and the new owner is proposing to redesign and re-brand the hotel. The applicant is now seeking to amend the previously approved conditional use permit to expand the use to allow for a 4-story (60 feet), 107-room hotel.

In addition, as part of the amended conditional use permit the applicant is requesting the approval to offer extended hotel stays (stays longer than 30 consecutive days) on a limited basis. Further discussion on this request is provided below in the Long-Term Stays section of this report.

Project Description

As shown in the table below, the applicant proposes to amend a previously approved conditional use permit to go from a 3-story (55 feet) to a 4-story hotel (60 feet) and increase the number of rooms from 90 to 107 hotel on a vacant, undeveloped ± 3.31 -acre site. As part of the request, the applicant is proposing a maximum building height of 60 feet, an increase in 5 feet from the previous approval of 55 feet. Under the C-P (Administrative and Professional Office) Zone District a height of up to 55-feet is permitted by-right for hotels with anything greater subject to approval of a conditional use permit.

Criteria	Currently Approved	Proposed	Difference
Height	3 stories / 55 feet	4 stories / 60 feet	+5 feet
Rooms	90	107	+17 rooms
Parking	115 stalls	128 stalls	+13 stalls

As shown in **Attachment 4**, the proposed hotel would be constructed as an interior corridor structure with rooms accessible only from the interior of the building, as opposed to being accessible from the exterior. An interior corridor design reduces the potential for noise impacts to surrounding areas. Hotel amenities would include a small fitness room and a breakfast area for hotel guests.

The hotel is being proposed as a dual branded hotel. Dual-branded models include two similar hotels from the same brand family in a single building. Approximately half of the total rooms are proposed as traditional, non-suite hotel rooms under 1 brand. The 2nd brand will operate the remaining half of the hotel rooms, though these rooms will be designed as suites and will have additional amenities such as fully equipped kitchenettes. Both hotel components propose to share common parking facilities, building entrances, and lobby. Conceptual floor plans are shown in **Attachment 5**.

Contact information for hotel management on a 24-hour basis will be posted to address any concerns that may arise. The Project also includes landscaping, pedestrian improvements (i.e., internal sidewalks and path of travel) and on-site vehicle parking. Lastly, the Project anticipates generating approximately 20 full-time positions to adequately cover 4 daily planned shifts.

As part of the day-to-day operations, the applicant intends to apply for a type 70 alcohol beverage control (ABC) license to provide complimentary happy hour cocktails to hotel guests that will not be available for purchase. Although the request for alcohol sales is included as part

of CUP2019-008A as a matter of land use operation, the Clovis Police Department (CPD) was granted full authority for decisions related to obtaining an ABC license. This authority was established via Resolution No. 00-131, adopted by City Council on October 9, 2000, and reaffirmed through Resolution No. 11-135, adopted by City Council on December 12, 2011. Thus, while CUP2019-008A includes a request for a Type 70 alcohol license, the decision for the alcohol component ultimately rests with the Police Department.

Land Use and Zoning

The Project site has a General Plan designation of Office and is within the C-P (Professional and Administrative Office) Zone District. According to the Land Use Element in the 2014 Clovis General Plan, the Office land use designation is intended for professional offices, corporate headquarters, medical facilities, and hotels. According to Table 2-4 in Chapter 9.12 of the Clovis Municipal Code, hotels and motels are permitted in the C-P Zone District subject to an approved conditional use permit. As a hotel/motel use, the Clovis Municipal Code provides for lodging for up to thirty consecutive (30) days.

Setbacks

The Project site would be subject to the Development Standards for the C-P Zone District, and would be required to comply with the following setbacks:

10 foot minimum

- Front Setback:
- Interior Side Setback: None
- Street Side Setback: 10 foot minimum
- Rear Setback: 10 foot minimum
- Maximum Parcel Coverage: None
- Based on the conceptual site plan provided as **Attachment 4**, the Project appears to meet and/or exceed the applicable development standards; however, Staff will review details during the site plan review amendment process to ensure compliance with all relevant development standards and design criteria, such as setbacks, height, landscaping, parking, etc.

<u>Height</u>

The C-P (Professional Office) Zone District permits a maximum hotel height of 55 feet by-right. However, the applicant is requesting a height increase for a maximum structure height of up to 60 feet (4 stories).

Through the use permit process, the Planning Commission has the ability to approve additional height and/or stories. There have been several examples of conditional use permits used to allow additional height for hotels, including the recently completed La Quinta at Clovis Avenue north of Shaw Avenue, and the Courtyard by Marriott currently at Shaw Avenue east of Sierra Vista Parkway. The additional 5-feet being requested would not degrade the existing visual character or viewshed of the surrounding area or contribute to a new source of light or glare. If approved, the project will be required to comply with the conditions of approval, attached as **Attachment 2**, which are recommended to include a requirement that all lighting be screened from adjacent residential and that a 7-foot minimum concrete masonry unit wall be installed to protect residential units directly adjacent to the proposal. Landscaping along the hotel's eastern boundary line will further help to screen views to and from the east-facing hotel rooms and the

adjacent west-facing multi-family units. Based on these factors, Staff recommends that the proposed 60' maximum height proposed for this Project be allowed.

<u>Noise</u>

The Project would be required to comply with the City's noise standards under Section 9.22.080 of the Clovis Municipal Code.

The proposed operational plan does not include a pool and there are no outdoor gathering or recreational areas on the east side of the building, closest to the adjacent multi-family units. There are no exterior stairways or other building features which would expose existing uses on nearby properties to unusual noise levels. Although the site plan review amendment process would follow an approved conditional use permit, the conceptual site plan shows a setback from the adjacent multi-family residential to the proposed hotel of more than 10 feet, which exceeds the required minimum setback for the C-P Zone District. Staff has also included a recommended condition of approval requiring the Project to install a 7-foot concrete masonry wall along the eastern property line adjacent to the existing residential development. Overall, the proposal is such that it would minimize the potential for noise impacts to adjacent uses as much as possible and will be in conformance with the adopted noise ordinance.

Parking and Circulation

As shown in **Attachment 4**, the site has two (2) points of ingress and egress along Willow Avenue, which also serves as access to and from the existing multi-family residential units directly east of the Project.

Pursuant to Chapter 9.32, Parking and Loading Standards, of the Clovis Municipal Code, hotel and motel uses are required to provide a minimum 1.2 vehicle spaces for each guest room, plus required spaces for accessory uses. Based on the proposed 107 guestrooms, the Project would need to provide a minimum of 128 vehicle spaces.

The conceptual site plan shows the required 128 vehicle spaces; therefore, parking for the site would be adequate.

The existing driveways also serve the adjacent residential to the east and would continue serving that property. A condition of approval has been recommended to ensure that a reciprocal access agreement is in place to maintain unobstructed access to and from the adjacent multi-family residential complex east of the Project site.

Elevations and Floor Plans

The applicant has provided conceptual elevations and floor plans included as **Attachment 5**; however, staff will review specific details such as colors, materials, and additional architectural components during the site plan review process. Based on the applicant's conceptual plans, the hotel would have a contemporary design.

Approximately half of guest rooms would have amenities typical of a hotel room and the other half of guest rooms would include fully equipped kitchenettes (i.e., sink, refrigerator, and twoburner cook top). The first floor would accommodate approximately 18 guest rooms, with 29 rooms on the second floor, and 30 rooms on the third and fourth floors.

Landscaping

The Project site would be required to provide a minimum 10-foot setback from the front, rear, and street side property lines, which will be landscaped. As indicated on the site plan, the applicant proposes landscaped areas throughout the site, including a landscape buffer between the adjacent residential and the proposed hotel.

Although detailed landscaping plans have not been provided at this time, staff will review landscape plans during the site plan review process to ensure compliance with applicable standards, such as the City's Water Efficient Landscape Requirements, and other requirements under Chapter 9.28, Landscape Standards, of the Clovis Municipal Code.

<u>Signage</u>

Permanent signage for the Project is subject to separate review and approval by staff to ensure compliance applicable to sign regulations. Staff has included a condition of this requirement within the conditions of approval.

Infill Development

The Project would occupy an approximately 3.31-acre infill site. As an infill site, the applicant has an opportunity to establish a hotel use at an otherwise underutilized parcel. As indicated below, there are General Plan policies that encourage a mix of uses and infill development.

Long Term Stays

The applicant is requesting to offer long term stays that exceed 30 consecutive days in a limited number of rooms, which has been estimated to be about 10 total rooms. The applicant has indicated that they will work with a travel agency that specifically provides housing for travelling nurses. The rooms in the hotel that include kitchenettes are adequate to meet the demand of a long term stay guest.

Staff has worked very closely with the Clovis Police Department (CPD) regarding this component of the use and has come to the determination that long term stays can be supported with compliance of the CPD's suggested conditions of approval. The conditions provided by CPD include additional security which requires 24-hour a day management presence at the property, security cameras for the interior and exterior of the building, and the potential of on-site private security personnel.

For those reasons, Staff can support this component of the project contingent on compliance with the conditions of approval included at **Attachment 2**.

Public Comments

A public notice was sent to property owners within 300 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 Caltrans, Fresno Unified School District, Fresno Irrigation District, Fresno Metropolitan Flood Control

District, AT&T, PG&E, San Joaquin Valley Air Pollution Control District, State Department of Fish and Wildlife, and the County of Fresno.

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. Please refer to **Attachment 3** for correspondence from other departments and/or agencies.

Consistency with Surrounding Area

As mentioned above, the Project is permitted within the C-P Zone District with an approved conditional use permit. The Project site is situated in an area with a mix of uses including medium, medium-high, and high density residential, as well as a variety of commercial uses located along West Shaw Avenue just north of the Project site. Directly north of the site is a commercial shopping center, a multi-family residential complex directly east, and medium density residential to south and west of the site. In the broader surrounding area, Fresno State University and the Save-Mart Center are located approximately 1-mile northwest of the site. Overall, the Project will add to the diversity of the service uses within the vicinity.

Consistency with General Plan Goals and Policies

Staff has evaluated the Project in light of the General Plan goals and policies. The following reflects 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 vehicle trips. The element also balances residential growth with economic and employment growth.

Land Use Element

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
- Encourage community and stakeholder collaboration
- Foster distinctive, attractive communities with a strong sense of place
- Make development decisions predictable, fair, and cost-effective
- Mix land uses
- Preserve open space, farmland, natural beauty, and critical environmental areas
- Provide a variety of transportation choices
- Strengthen and direct development toward existing communities
- Take advantage of compact building design
- Enhance the economic vitality of the region
- Support actions that encourage environmental resource management

Circulation Element

Policy 1.4 Jobs and housing. Encourage infill development that would provide jobs and services closer to housing, and vice versa, to reduce citywide vehicle miles travelled and effectively utilize the existing transportation network.

California Environmental Quality Act (CEQA)

The City has determined that this Project is exempt from CEQA pursuant to Public Resources Code Section 15332 (Class 32 – Infill Development Projects). Under the Class 32 categorical exemption, projects that: (a) are consistent with the applicable land use designation, General Plan policies, and zoning; (b) are within city limits on a project site of no more than five acres substantially surrounded with urban uses; (c) are located on sites with no value as habitat for endangered, rare, or threatened species; (d) would not result in significant effects relating to traffic, noise, air quality, and water quality; and (e) is located on a site that can be adequately served by all utilities.

A Notice of Exemption has been completed during the preliminary review and is kept for public review with the Project file during the processing of the Project application. Staff will file the notice with the County Clerk if the project is approved.

The City published notice of this public hearing in *The Business Journal* on Wednesday, March 11, 2022.

REASON FOR RECOMMENDATION

The Project is consistent with the goals and policies of the General Plan, Development Code, and the C-P (Professional Office) Zone District. Therefore, staff recommends the Planning Commission approve Conditional Use Permit CUP2019-008A, subject to the conditions of approval listed as **Attachment 2**.

The required findings for approval of a conditional use permit application are as follows:

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

The project is allowed within the zone district for which the project is located and will be in compliance with applicable provisions, subject to the conditions of approval. The project will undergo site plan review (SPR) to further ensure that the site layout and development standards are met and will not otherwise conflict with the development standards for the C-P (Administrative and Professional Office) zone district. 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.

The project is consistent with the 2014 Clovis General Plan, as described above in the staff report. The proposed use is acceptable within the underlying General Plan land use designation of Office, according to the 2014 Clovis General Plan. Per the General Plan, the Office land use designation is intended for professional offices, corporate headquarters, medical facilities, and hotels. The project proposes a hotel use which meets the intention of the land use designation and serves the immediate core Shaw Avenue corridor.

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 is compatible with the existing uses and will complement the other commercial and residential developments in the vicinity. The site is located just south of a busy corridor that hosts a variety of commercial, retail, service, and restaurant uses. The project complements these uses and will not be out of the ordinary as it relates to the character of the surrounding area. Further, the project will maintain the general circulation pattern existing at the site by retaining reciprocal access to the multi-family property to the east.

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

The subject parcel is surrounded by existing development and has the infrastructure in place to support the addition of a hotel use. 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 proposal.

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 infill site surrounded by commercial and residential related uses, the 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 for to accommodate the project and impose conditions for upgrades as needed.

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

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

ACTIONS FOLLOWING APPROVAL None.

FISCAL IMPACT None.

NOTICE OF HEARING

Property owners within 300 feet notified: 44

Prepared by:

Kelsey George, Assistant Planner

Reviewed by:

David Merchen City Planner

DRAFT RESOLUTION 22-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING CONDITIONAL USE PERMIT 2019-008A FOR A 4-STORY, 107-ROOM HOTEL ON ±3-3.31 ACRES OF PROPERTY LOCATED AT 2355 WILLOW AVENUE AND FINDING THE PROJECT IS EXEMPT FROM CEQA PURSUANT TO A CLASS 32 CATEGORICAL EXEMPTION

WHEREAS, Nick Patel of Holiday Management Inc. (Applicant & Owner), 7177 N Ellendale Avenue, Fresno, CA 93722, applied for a Conditional Use Permit CUP2019-008A for a 4-story, 107-room hotel on ±3.31-acres of property located at 2355 Willow Avenue in the City of Clovis ("Property"); and

WHEREAS, the City published notice of the public hearing in The Business Journal on Wednesday, March 16, 2022, mailed public notices to property owners within 300 feet of the Property 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 March 24, 2022; and

WHEREAS, the Planning Commission considered the CEQA analysis outlined in the staff report and elsewhere in the Administrative Record which determined the Project meets the requirements of a Class 32 (Infill Development) Categorical Exemption pursuant to CEQA Guidelines section 15332; and

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

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

- 1. CUP2019-008A is hereby approved with incorporation of the attached conditions of approval (**Attachment A** to this Resolution).
- 2. The Project satisfies the required findings for approval of a conditional use permit, as follows:
 - a. The proposed use is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of this Development Code.
 - b. The proposed use is consistent with the General Plan and any applicable specific plan.

ATTACHMENT 1

- c. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.
- d. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
- e. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.
- f. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA).
- 3. The Planning Commission could not make the findings necessary for approval of CUP2019-008A without the conditions of approval set forth in **Attachment A** to this Resolution.
- 4. The Planning Commission finds that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15332 (Class 32 Infill Development).
- 5. The basis for the findings is detailed in the March 24, 2022 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 March 24, 2022, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 22-___ DATED: March 24, 2022

Paul Hinkle, Chair

ATTEST:

Renee Mathis, Secretary

Conditions of Approval – CUP2019-008A

PLANNING DIVISION CONDITONS

(Kelsey George, Assistant Planner – 559-324-2338)

- 1. All conditions of this use permit shall be addressed prior to operation of the facility.
- 2. Conditional Use Permit CUP2019-008A may be reviewed in one year for compliance with the conditions of approval. Planning staff may conduct a review of the use and may present these findings to the Planning Commission. Should the use be found to be in non-compliance, the Commission may schedule the use permit for revocation.
- Conditional Use Permit CUP2019-008A approves a four (4) story hotel with 107 guestrooms located on an approximately 3.31-acre property at 2355 Willow Avenue (APN: 430-500-19). Uses and/or development other than the hotel considered under this CUP are subject to separate review and entitlements per the Clovis Municipal Code.
- 4. Conditional Use Permit CUP2019-008A approves a maximum total building height not to exceed 60 feet.
- 5. For alcohol related uses, the applicant and operation of this use shall be in full compliance with any conditions contained in this document, from the ABC (Alcohol Beverage Control), and from the Clovis Police Department.
- 6. Long terms stays (for 30 consecutive days or more) are only permitted through the management of a third party travel agency.
- 7. Long term stays are permitted for up to 10 predesignated rooms. Any changes or variances to the permitted operations of long term stays shall require an amendment to this conditional use permit.
- 8. Prior to construction, an approved site plan shall be required through a separate Site Plan Review process pursuant to Chapter 9.56 of the Clovis Municipal Code.
- 9. All signs for this use shall comply with the Clovis Sign Ordinance and require separate sign permits, not included as part of this conditional use permit. Temporary signs shall be per the Clovis Municipal Code.
- 10. All employee and guest parking shall occur on site. Employees and/or hotel guests may not park on the adjacent residential property to the east.
- 11. Succession or abandonment of this use for a period of exceeding 90 days shall be cause for scheduling of a revocation hearing for this conditional use permit.

- 12. Upon approval through a separate site plan review process, landscaping shall be maintained and not needlessly removed. If landscaping changes are to occur, a Site Plan Review amendment would be required prior to such modifications.
- 13. Landscaping shall comply with Clovis Municipal Code Chapter 9.28, Landscaping Standards.
- 14. Operation of the use shall comply with noise and vibration standards of the Clovis Municipal Code under Section 9.22.080, Noise.
- 15. If one is not already in place, the applicant and/or property owner shall obtain a recorded Reciprocal Access Agreement with the property owner to the east (APN: 430-500-24) and a copy be provided to and kept on file with the City of Clovis. Reciprocal drive aisles shall remain clear of barriers, fencing, and other similar devices.
- 16. The Project site shall comply with City of Clovis Parking and Loading Standards under Chapter 9.32 of the Clovis Municipal Code which requires a minimum ratio of 1.2 vehicle parking spaces per guestroom for hotel/motel uses. Loading spaces for deliveries shall be provided per the Clovis Municipal Code.
- 17. Parking stalls shall measure 10' x 20' with a 26' minimum back-up areas. Parking stall length may be reduced in compliance with the appropriate bumper overhang area pursuant to Section 9.32.070(H)(5), Bumper Overhang, of the Clovis Municipal Code.
- 18. All lighting shall be screened from direct view from the public right-of-way and adjacent residential properties.
- 19. The site shall provide and maintain a minimum six-foot (7') high solid masonry wall along the eastern property line, except in areas where access is required for ingress/egress. If necessary, modifications to the existing wall may be required for compliance with this condition of approval.
- 20. A minimum of 10 feet of landscaping shall be provided along the masonry wall along the eastern property line to serve as a buffer between the hotel and existing residential use. Landscaping design shall incorporate trees with a minimum height projection of at least 25', with spacing intended to allow the canopies of adjacent trees to touch one another. Trees shall provide all-season screening between the hotel use and the adjacent multi-family property.
- 21. A pedestrian path of travel shall be provided from the hotel entrance to the sidewalk along Willow Avenue.
- 22. This Conditional Use Permit may be reviewed at any time. Clovis Planning staff may conduct a review of this use in regard to the conditions of approval and present findings of this review to the Planning Commission.

FIRE DEPARTMENT CONDITIONS

(Rick Fultz, Department Representative – 559-324-2214)

23. The Applicant shall comply with all Fire Department Conditions. Please contact Clovis Fire Department for the list of requirements.

POLICE DEPARTMENT CONDITIONS

(Corporal Chris Hutchison, Police Department Representative – 559-324-3463)

- 24. The Hotel must have a Manager/Assistant Manager at the property 24 hours a day, 7 days a week for police and fire contact
- 25. The Clovis Police Department requests this development be equipped with security cameras at all entrances and exits of the property, to include the interior and exterior of the building
- 26. All parking areas and sidewalks on the property shall be lighted. The lighting shall be shielded/ contained within the property as to not affect surrounding properties. This includes any logos or numbers attached to the exterior of the building and any signage contained within the property
- 27. The area on the east side of the property between the building and the Willow Lake Apartments shall be utilized for access only and not for parking. This includes service vehicles, loading and unloading and emergency vehicles. This area shall be clearly marked as a no parking zone through painting of the curbs and signage
- 28. 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. Including, but not limited to, 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
- 29. The requirement for 24 hour security will be based on calls for service. Should an increase in criminal activity occur on the property the owners/managers will be responsible for providing 24 hour security during its peak days

FRESNO UNIFIED SCHOOL DISTRICT CONDITIONS

(Alex Belanger, FUSD Representative – 559-457-3066)

30. The Applicant shall refer to the attached Fresno Unified School District correspondence. If the list is not attached, please contact the FUSD for the list of requirements.

COUNTY OF FRESNO HEALTH DEPARTMENT CONDITIONS

(Kevin Tsuda, County of Fresno Health Department Representative – 600-3271)

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

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

(Anthony Zaragoza, FMFCD Representative – 559-456-3292)

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

CALIFORNIA DEPARTMENT OF TRANSPORTATION CONDITIONS

(Christopher Xiong, Caltrans Representative – 559-908-7064)

33. The Applicant shall refer to the attached Caltrans correspondence. If the list is not attached, please contact the Caltrans for the list of requirements.



Achieving our Greatest Potential!

January 14, 2022

Kelsey George Assistant Planner Planning and Development Services Dept. City of Clovis 1033 Fifth St. Clovis, CA 93612

Re: APPLICATION NO. CUP2019-008A 2355 WILLOW AVE.

Dear Ms. George,



Facilities Management & Planning

BOARD AGENDA ITEM NO. 1. Elizabeth Jonasson Rosas, President Genoveva Islas, Clerk Valerie F. Davis Claudia Cazares Major Terry Slatic USMC (Retired) Keshia Thomas Trustee Area 5 (Vacant)

SUPERINTENDENT

Robert G. Nelson, Ed.D.

In response to your request for school district information regarding the above planning application for the proposed construction of a 4-story, 52,015 square-foot, 107-room 'Avid/Candlewood Suites' hotel to be located at 2355 Willow Avenue, Fresno Unified School District submits the following.

The proposed hotel is requesting authorization to establish a State of California Alcoholic Beverage Control Type 70 (Suite Hotel/Motel - sale of beer, wine, and distilled spirits for consumption on the licensed premises to the establishment's overnight transient occupancy guests or their invitees) alcohol license. The property is located within approximately 3,690 feet from Viking Elementary School.

As per the State of California's Alcohol Beverage Control Act, an alcohol license can be refused by the State if the location is "within at least 600 feet from schools." Per California Business and Professions Code Section 23789(b), "The department is specifically authorized to refuse the issuance, other than renewal or ownership transfer, of any retail license for premises located within at least 600 feet of schools and public playgrounds or nonprofit youth facilities, including, but not limited to, facilities serving Girl Scouts, Boy Scouts, or Campfire Girls. This distance shall be measured pursuant to rules of the department." The District <u>does not support</u> the alcohol license request and continues to have concerns regarding potentially dangerous interaction between our students and the proposed operation. FUSD's response on this project is subject to the Alcohol Beverage Control Act and the Fresno Police Department's review and support of the project with regard to the concentration and use of alcohol-related business in close proximity to school sites.

Any new commercial development which occurs, may ultimately affect the District by generating employees. The children of those employees living in the District will need to be housed in District schools.

The District levies a commercial/industrial development fee and the current fee rate is \$0.66 per square foot. Any new development on the property will be subject to the development fee prior to issuance of a building permit and fees will be calculated pursuant to the rate effective at the time of payment.

Thank you for the opportunity to comment. Please contact our office at (559) 457-3066 if you have any questions or require additional information regarding our comments.

Alex Belanger, Assistant Superintendent Facilities Management and Planning

AB:hl c: Nick Patel, Applicant/Agent

Sincerely.

DWC

2309 Tulare Street, Fresno, CA 93721-2287 | www.fresnounified.org



County Genda ITEM NO. 1.

DEPARTMENT OF PUBLIC HEALTH

January 26, 2022

LU0021596 2604

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

Dear Ms. George:

PROJECT NUMBER: CUP2019-008A, SPR2020-003A

CUP2019-008A; A request to amend a previously-approved conditional use permit to add a Type 70 ABC alcohol license and long-term stays to the operations. **SPR2020-003A**; A request to amend a previously-approved site plan review to add an additional story and 19 additional rooms for a total of 4-stories and 107 guest rooms. Previously routed under DRC21-0052.

APN: 430-050-19 ZONING: C-P ADDRESS: 2355 Willow Avenue

Recommended Conditions of Approval for All Proposed Phases:

- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the development should be subject to assurance that the City of Clovis community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- The applicant shall be advised that any hotel proposal for food service, including self-serve continental breakfast type foods or the sale of commercially prepackaged food products will require that the applicant submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval, prior to issuance of building permits. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- Prior to operation, the applicants shall apply for and obtain permits 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.

Kelsey George January 26, 2022 DRC2021-00052 Page 2 of 2

- Prior to any alcohol sales, the applicant shall first obtain their license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.
- 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 (<u>http://cers.calepa.ca.gov/</u>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
- Prior to the issuance of building permits, the applicant shall submit complete pool facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Recreational Health Program at (559) 600-3357 for more information.
- Prior to operation, the applicant shall apply for and obtain a permit to operate a public swimming pool from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Recreational Health Program at (559) 600-3357 for more information.
- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

REVIEWED BY:

Kenin Touda

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

(559) 600-33271

cc: Rogers, Moreno, Salazar & Morgan - Environmental Health Division (CT. 31.02) Nick Patel- Applicant (<u>nick@holidaymanagementinc.com</u>)

Page 1 of 3

PUBLIC AGENCY

KELSEY GEORGE PLANNING AND DEVELOPMENT SERVICES CITY OF CLOVIS 1033 FIFTH STREET **CLOVIS, CA 93612**

PROJECT NO: 2019-008A

2355 WILLOW AVE. ADDRESS:

NICK PATEL, HOLIDAY MANAGEMENT, INC. 7177 N. ELLENDALE AVE. FRESNO, CA 93722

APN:	430-500-19				SENT: February 04, 2022
Drainage Area(s)	Preliminary Fee(s)		Development Review Service Charge(s)	Fee(s)	
Q	\$	\$0.00	NOR Review *	\$88.00	To be paid prior to release of District comments to Public Agency and Developer.
			Grading Plan Review *	\$449.00	Amount to be submitted with first grading plan submittal.
	Total Drainage Fee:	\$0.00	Total Service Charge:	\$537.00	

* The Development Review Service Charge shown above is associated with CL SPR 2020-003A, CL CUP 2019-008, CL SPR 2020-003 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/22 based on the site plan submitted to the District on 1/14/22 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:

Fees related to undeveloped or phased portions of the project may be deferrable. a.)

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 b.) configuration.

- c.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee d.) obligation.
- When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, e.) reimbursement will be made for the excess costs from future fees collected by the District from other development.
- Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or f.) 5% of the refund whichever is less will be retained without fee credit.

Page 2 of 3

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

- **1. a.** Drainage from the site shall
 - **X 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
 - X None required.
- **3.** The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
 - X Grading Plan
 - _____ Street Plan
 - _____ Storm Drain Plan
 - _____ Water & Sewer Plan
 - Final Map
 - ____ Drainage Report (to be submitted with tentative map)
 - ____ Other
 - ____ None Required
- **4.** Availability of drainage facilities:
 - **X** 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:

6.

- Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
- <u>X</u> Does not appear to be located within a flood prone area.
- 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.

Page 3 of 3

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

The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with

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.

7.

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

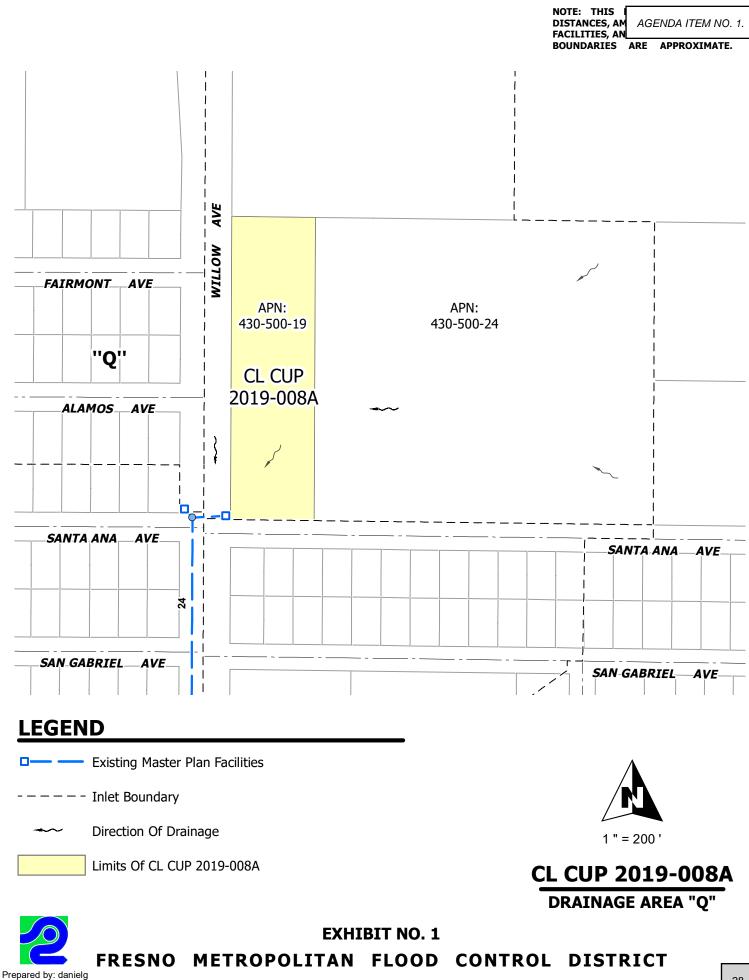
Vetti Campbell

Debbie Campbell Design Engineer, RCE

Digitally signed by Debbie Campbell Date: 2/3/2022 5:20:44 PM

Anthony Zaragoza Engineer III

Digitally signed by Anthony Zaragoza Date: 2/3/2022 12:43:32 PM



Date: 1/19/2022 Path: K:\Autocad\DWGS\0EXHIBIT\CLCUP\2019-008A.mxd

OTHER REQUIREMENTS EXHIBIT NO. 2

The City of Clovis shall verify that drainage covenants are in place to allow runoff from APN 430-500-24 to flow across APN 430-500-19 to reach the existing Master Plan facilities in Willow Avenue, as shown on Exhibit No. 1.

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.



City of Clovis

Department of Planning and Development Services

CITY HALL - 1033 Fifth Street - Clovis, CA 93612

Distribution Date: 1/14/2022 PLANNING APPLICATION REOUEST FOR COMMENTS Project Manager - Kelsey George, Assistant Planner PLEASE ROUTE TO: (In House) (Out-of-House) **Planning Division** Х Fresno Irrigation District Х **Building Division** Fresno Metropolitan Flood Control Dist. X X X X X X Х Pacific Gas & Electric **Engineering Divisior** AT&T Utilities Division Solid Waste Division Clovis Unified School District Fire Department Cal Trans Police Department SJV Unified Air Pollution Control Dist. City Landscape Com Х State of California Department of Fish and Game Legal Description Review LAFCO (when annexation is involved) Other (Specify) X County of Fresno Development Х Fresno County Environmental Health Location: 2355 Willow Avenue Item(s): CUP2019-008A General Plan: Office RHNA Site: APN: 430-500-19 C-P Zoning: Name of Applicant: Holiday Management, Inc. -Nick Patel Phone/Email: 559)213-7189/ nick@holidaymanagementinc.com Applicant Address:**7177 N. Ellendale Avenue**City: **Fresno**State:**CA** Zip: **93722** Previously Reviewed Under DRC: DRC21-00052 Or Other Entitlement: CUP2019-008, SPR2020-003 CUP2019-008A; A request to amend a previously-approved conditional use permit to add a Type 70 Project Description: ABC alcohol license and long-term stays to the operations. This project is being processed concurrently with SPR2020-003A. This item is tentatively scheduled for a public hearing to be consi **Planning Commission**. The attached information is circulated for your comments. Please attach your comments and recommendations i condition form and return to the project manage 2/4/2022Please check one below: Comment e-mailed or saved on: No Comments RECOMMENDED CONDITIONS: Please draft conditions in final form that are acceptable to your department They must be legible. Please phrase positively and clearly: GOOD EXAMPLE: "1. Prior to occupancy, the developer shall install all landscaping as per the approved "1. Install landscaping." POOR EXAMPLE: 2/4/2022 **REVIEWED BY** (please sign): PLEASE RETURN TO: Kelsey George, Assistant Planner Planning and Development Services Dept. 1033 Fifth St., Clovis, CA 93612 Phone: 324-2338 Fax: 324-2866

AGENDA ITEM NO. 1.

Page 1 of 3

PUBLIC AGENCY

KELSEY GEORGE PLANNING AND DEVELOPMENT SERVICES CITY OF CLOVIS 1033 FIFTH STREET **CLOVIS, CA 93612**

PROJECT NO: 2020-003A

2355 WILLOW AVE. ADDRESS:

NICK PATEL, HOLIDAY MANAGEMENT, INC. 7177 N. ELLENDALE AVE. FRESNO, CA 93722

APN:	430-500-19				SENT: February 04, 2022
Drainage Area(s)	Preliminary Fee(s)		Development Review Service Charge(s)	Fee(s)	
Q	\$	\$0.00	NOR Review *	\$88.00	To be paid prior to release of District comments to Public Agency and Developer.
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Page 2 of 3

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- **5.** The proposed development:

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- 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.)
- **X** Does not appear to be located within a flood prone area.
- 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.

Page 3 of 3

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.
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- **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.

7.

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

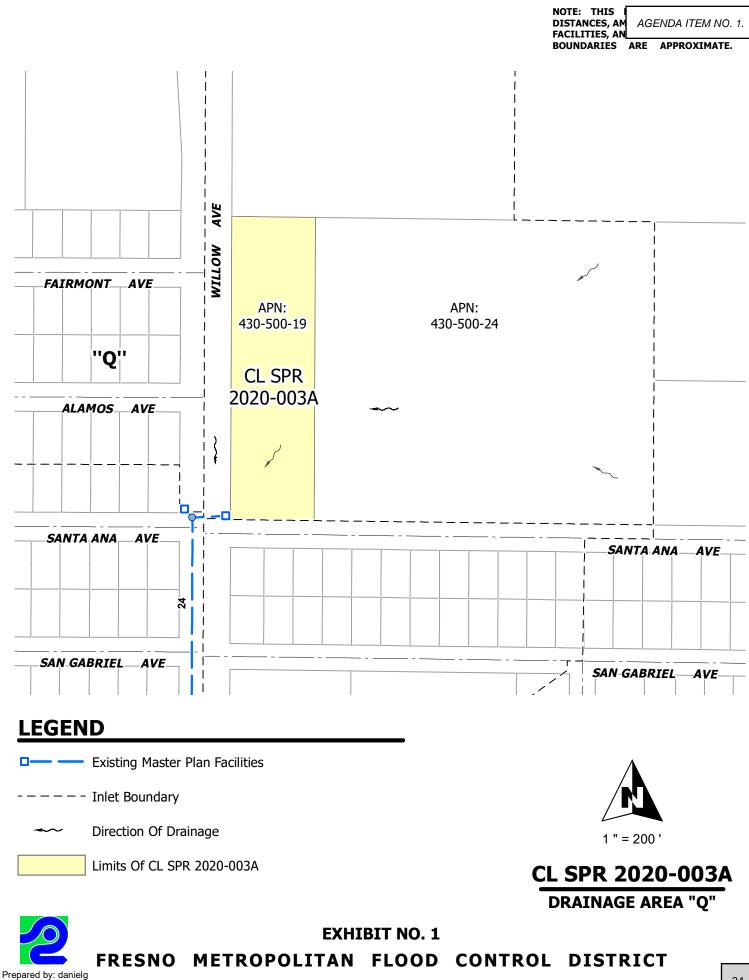
lettri Campbell

Debbie Campbell Design Engineer, RCE

Digitally signed by Debbie Campbell Date: 2/3/2022 5:19:38 PM

Anthony Zaragoza Engineer III

Digitally signed by Anthony Zaragoza Date: 2/3/2022 12:43:02 PM



Date: 1/19/2022 Path: K:\Autocad\DWGS\0EXHIBIT\CLSPR\2020-003A.mxd

OTHER REQUIREMENTS EXHIBIT NO. 2

The City of Clovis shall verify that drainage covenants are in place to allow runoff from APN 430-500-24 to flow across APN 430-500-19 to reach the existing Master Plan facilities in Willow Avenue, as shown on Exhibit No. 1.

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.



City of Clovis

Department of Planning and Development Services

CITY HALL - 1033 Fifth Street - Clovis, CA 93612

Distribution Date: 1/14/2022 PLANNING APPLICATION REOUEST FOR COMMENTS Project Manager - Kelsey George, Assistant Planner PLEASE ROUTE TO: (In House) (Out-of-House) **Planning Division** Х Fresno Irrigation District Х **Building Division** Fresno Metropolitan Flood Control Dist. X X X X X X X Х Pacific Gas & Electric **Engineering Divisior** AT&T Utilities Division Solid Waste Division Clovis Unified School District Fire Department Cal Trans Police Department SJV Unified Air Pollution Control Dist. City Landscape Com Х State of California Department of Fish and Game Legal Description Review LAFCO (when annexation is involved) Other (Specify) X County of Fresno Development Х Fresno County Environmental Health Location: 2355 Willow Avenue Item(s): SPR2020-003A General Plan: Office RHNA Site: APN: 430-500-19 Zoning: C-P Name of Applicant: Holiday Management, Inc. -Nick Patel Phone/Email: 559)213-7189/ nick@holidaymanagementinc.com Applicant Address:**7177 N. Ellendale Avenue**City: **Fresno**State:**CA** Zip: **93722** Previously Reviewed Under DRC: DRC21-00052 Or Other Entitlement: CUP2019-008, SPR2020-003 SPR2020-003A; A request to amend a previously-approved site plan review to add an additional story Project Description: and 19 additional rooms for a total of 4-stories and 107 guest rooms. This project is being processed concurrently with CUP2019-008A. This item is tentatively scheduled for a public hearing to be consi **Planning Commission**. The attached information is circulated for your comments. Please attach your comments and recommendations i condition form and return to the project manage 2/4/2022Please check one below: Comment e-mailed or saved on: No Comments RECOMMENDED CONDITIONS: Please draft conditions in final form that are acceptable to your department They must be legible. Please phrase positively and clearly: GOOD EXAMPLE: "1. Prior to occupancy, the developer shall install all landscaping as per the approved "1. Install landscaping." POOR EXAMPLE: 2/4/2022 **REVIEWED BY** (please sign): PLEASE RETURN TO: Kelsey George, Assistant Planner Planning and Development Services Dept. 1033 Fifth St., Clovis, CA 93612 Phone: 324-2338 Fax: 324-2866

California Department of Transportation

DISTRICT 6 OFFICE 1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616 (559) 981-1041 | FAX (559) 488-4195 | TTY 711 www.dot.ca.gov

February 3, 2022



FRE-168-R4.377 Application for CUP – Conditional Use Permit Application for STP – Site Plan Review CUP 2019-008A and SPR 2020-003A https://ld-igr-gts.dot.ca.gov/district/6/report/25292

SENT VIA EMAIL

Kelsey George, Assistant Planner Planning and Development Services Department City of Clovis 1033 Fifth St. Clovis, CA 93612

Dear Ms. George,

Thank you for the opportunity to review the Conditional Use Permit (CUP) 2019-008A and Site Plan Review (SPR) 2020-003A, which amends the previously approved CUP 2019-008 and SPR 2020-003, proposing to construct a 3-story, 88-unit hotel. The CUP amendment would allow the project to add an alcohol license and long-term stays to the operations. The SPR amendment would add an additional story and 19 additional rooms for a total of 4-stories and 107 guest rooms. The project site is located on the northeast corner of Willow Avenue and Santa Ana Avenue just south of Willow Avenue and Shaw Avenue, approximately 0.5 miles southeast of the State Route (SR) 168 and Shaw Avenue interchange.

Caltrans provides the following comments to better support the State's smart mobility goals that support a vibrant economy and sustainable communities:

- Our review letter of the previously approved CUP 2019-008 and SPR 2020-003, dated August 16, 2019, noted that the proposed site is within walking or biking distance of several points of interest for guests of the hotel – including a park, restaurant, and retail stores. We continue to encourage the project proponents to explore ways this project can make walking attractive and convenient for guests, reducing VMT.
- 2. According to the City of Clovis' Draft Active Transportation Plan 2022 Update, there are existing sidewalks on Willow Avenue (Figure 6, Page 10), connecting the project site to an existing network, such as Shaw Avenue. There is also a proposed Class III bike route on Willow Avenue (Figure 12, Page 18). These present opportunities for

Kelsey George, CUP 2019-008A and SPR 2020-003A February 3, 2022 Page 2

the project proponents to coordinate with the City to encourage non-motorized forms of transportation.

- 3. It is recommended that the City of Clovis develop a VMT Mitigation Impact Fee to help reduce impacts on the State Highway System.
- 4. The project should contribute to an Impact Fee Program, either the City's or the Regional Transportation Mitigation Fee (RTMF) program, to ensure that the development contributes its fair share toward future improvement needs.

If you have any other questions, please call or email Christopher Xiong at (559) 908-7064 or <u>Christopher.Xiong@dot.ca.gov</u>.

Sincerely,

an

DAVID PADILLA, Branch Chief Transportation Planning – North

