



CITY *of* CLOVIS

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

April 28, 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: www.cityofclovis.com/planning-commission-agendas at least two (2) hours before the meeting (4:00 p.m.). You will be prompted to provide:
 - Planning Commission Meeting Date
 - Item Number
 - Name
 - Email
 - Comment (please limit to 300 words or 3 minutes)
- Please submit a separate form for each item you are commenting on.
- A copy of your written comment will be provided to the Planning Commission noting the item number. If you wish to make a verbal comment, please see instructions below.
- Please be aware that any written comments received that do not specify a particular agenda item will be marked for the general public comment portion of the agenda.
- If a written comment is received after 4:00 p.m. on the day of the meeting, efforts will be made to provide the comment to the Planning Commission during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to the Planning



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

Webex Participation

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

Verbal Comments Made by Telephone or Webex

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

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CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

- [1.](#) Planning Commission Minutes for the Meeting of March 24, 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-____, SPR2001-018A2, A request to approve a site plan review for the construction of a new ± 2,500 square foot visitor center for the Botanical Garden located at 945 N. Clovis Avenue. Clovis Botanical Garden, Anne Clemons, applicant; City of Clovis, owner; Dwight Kroll, representative.

Staff: Lily Cha, Associate Planner

Recommendation: Approve

2. Consider Approval – Res. 22-____, GPA2022-002, A request to amend the General Plan to redesignate approximately 2.51 acres from the Industrial classification to the Office classification for property located on the west side of N. Clovis Avenue, immediately north of Freeway 168. City of Clovis, applicant.

Staff: Dave Merchen, City Planner

Recommendation: Approve

ADJOURNMENT

MEETINGS & KEY ISSUES

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

May 26, 2022

June 23, 2022

July 28, 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 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
March 24, 2022

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

Flag salute led by Commissioner Cunningham

Present: Commissioners Bedsted, Cunningham, Hatcher, Chair Hinkle

Absent: Commissioner Antuna

Staff: Dave Merchen, City Planner
Ricky Caperton, Deputy City Planner
Kelsey George, Assistant Planner
Joyce Roach, Planning Technician I
Sean Smith, Supervising Civil Engineer
Gene Abella, Civil Engineer
Tyler Brown, Business Workflow Specialist

MINUTES – 6:01

ITEM 1 – APPROVED.

Motion by Commissioner Bedsted, seconded by Commissioner Cunningham, to approve the January 27, 2022, minutes. Motion carried 4-0-1 with Commissioner Antuna absent.

COMMISSION SECRETARY – 6:02

City Planner Dave Merchen provided an update on the Regional Housing Needs Overlay Zone.

PLANNING COMMISSION MEMBERS COMMENTS – 6:04

Chair Hinkle expressed gratitude for being sent to the Planning Commission Academy and provided general information he had obtained regarding housing bills.

PUBLIC COMMENTS – 6:05

None.

PUBLIC HEARINGS

ITEM 1 - 6:05 – APPROVED - **RES. 22-02, 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.

Motion by Commissioner Hatcher, seconded by Commissioner Cunningham, for the Planning Commission to approve **Resolution 22-02**, a resolution approving 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. Motion carried 4-0-1 with Commissioner Antuna absent.

ADJOURNMENT AT 6:17 P.M. UNTIL the Planning Commission meeting on April 28, 2022.

Paul Hinkle, Chair



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: April 28, 2022

SUBJECT: Consider Approval, Res. 22-___, SPR2001-018A2, A request to approve a site plan review for the construction of a new ± 2,500 square foot visitor center for the Botanical Garden located at 945 N. Clovis Avenue. Clovis Botanical Garden, Anne Clemons, applicant; City of Clovis, owner; Dwight Kroll, representative.

Staff: Lily Cha, Associate Planner

Recommendation: Approve

ATTACHMENTS:

1. Draft Resolution
2. Conditions of Approval
3. Site Plan, Floor Plan, and Elevation
4. Correspondence from Agencies

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission approve Site Plan Review Amendment SPR2001-018A2, subject to conditions of approval provided as **Attachment 2**.

EXECUTIVE SUMMARY

The Clovis Botanical Garden is proposing the development of a new visitor center within the existing boundary of the Botanical Garden site (**Figure 1**). The facility is intended to replace the existing mobile visitor center which will allow for more diverse uses. The proposed visitor center is approximately 2,500 square feet and will be located near the entry of the Botanical Garden.

A permanent visitor center has been envisioned for the Botanical Garden site for some time, and a site plan review for an expanded facility was initially approved by the City Council in June of 2011. The expansion included a new visitor center, classrooms, a pavilion, demonstration gardens, maintenance buildings, and additional parking. Since the 2011 approval, the Botanical Garden committee has decided to limit the expansion to a new visitor center.

The Botanical Garden is requesting to receive site plan approval for the construction of the new visitor center. Approval of this site plan review amendment will allow the applicant to proceed with grading and building permits to begin construction of the new building.

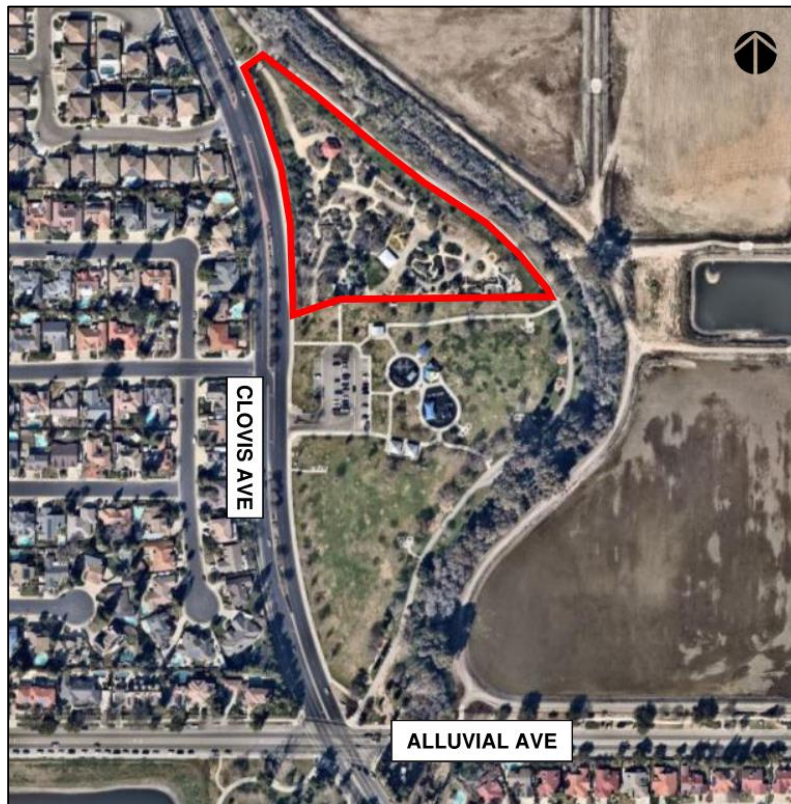


Figure 1 – Location map

BACKGROUND

- General Plan Designation: Park
- Specific Plan Designation: N/A
- Existing Zoning: "O" Open Space
- Lot Size: 4.16 acres
- Current Land Use: Botanical Garden
- Adjacent Land Uses:
 - North: Water Retention Basin & Large-lot SFR Homes
 - South: Dry Creek Park
 - East: Dry Creek Trail & Water Retention Basin
 - West: Low Density SFR Subdivision
- Previous Entitlements: SPR2001-018 & SPR2001-018A

PROPOSAL AND ANALYSIS

The Clovis Botanical Garden currently holds a land tenure agreement with the City of Clovis for approximately 4.16 acres of land on the north side of the Dry Creek Park, located at the northeast corner of Clovis and Alluvial Avenues. The agreement includes the planned expansion of the facility that was approved by the City Council in June of 2011 and memorialized with SPR2001-18A. The expansion plan included a new visitor center, classrooms, a pavilion, demonstration

gardens, maintenance building, and additional parking. For funding reasons, the Botanical Garden was unable to pursue the expansion of the facility as planned. The Botanical Garden was able to subsequently raise enough funds to construct a new visitor center and have returned to the City with this site plan review request. This site plan review request for the development of the visitor center is within the existing Botanical Garden site boundaries as defined in the current agreement and therefore, will not require the modification of the agreement.

Site Plan Review

Site plan review is normally a ministerial process approved by the Planning and Development Services Director. However, City policy requires a public hearing by both the Planning Commission and City Council for any site plan review related projects owned and/or operated by the City. The subject site is owned by the City of Clovis and made available to the Botanical Garden through a land tenure agreement.

The site plan review process enables staff to review the proposed development in accordance with the City's development and design standards, and agreements.

Site Layout

The Botanical Garden site encompasses approximately 4.16 acres of property located north of the Dry Creek Park. Its existing facility consists of a temporary visitor center, a covered pavilion, and some minor accessory structures. The facility features several garden exhibits and is traveled by dirt paths that meander throughout the grounds. It is completely enclosed with wrought iron fencing, with pedestrian access at its iconic gate on the south side. Vehicular access and parking are shared with the Dry Creek Park (see discussion on parking below).

The proposed 2,500 square foot visitor center will be placed near the entry of the Botanical Garden as shown in **Figure 2** below. Other site modifications include the relocation of the entry gate slightly to the east and a new concrete walkway, providing a more direct pedestrian path of travel between the garden entry and the public sidewalk.

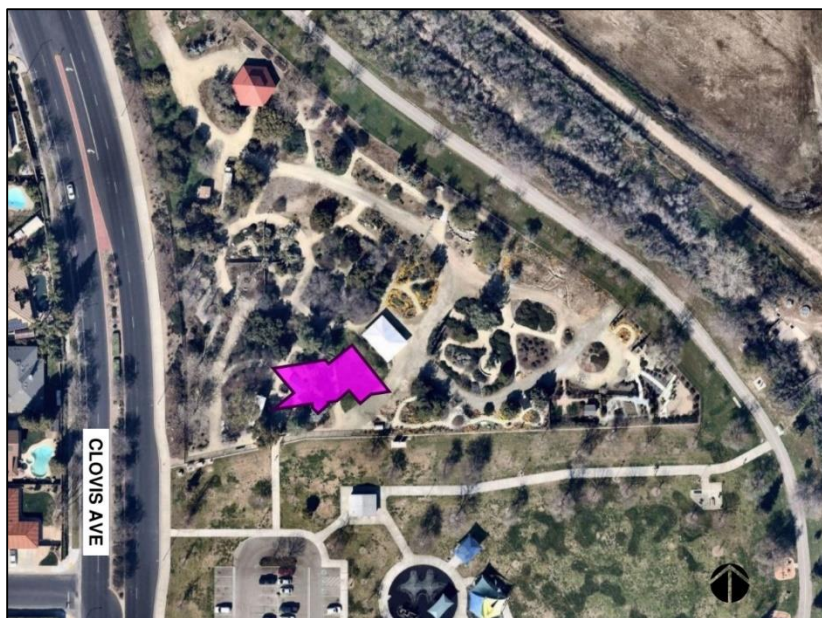


Figure 2 – Building Location

Parking

The Clovis Development Code specifies a parking ratio of 1 parking space for each 5,000 square feet of active area within parks. The combined active area of the Clovis Dry Creek Park and the Clovis Botanical Garden is approximately 9.75 acres, which requires a minimum of 85 parking spaces. The existing parking lot has 49 parking spaces. In conjunction with the City Council's 2011 approval of the Botanical Garden expansion plan, an additional 39 parking spaces were to

be incorporated into the overall layout, including nine near the maintenance building on the north end of the site, for a total of 88 parking spaces.

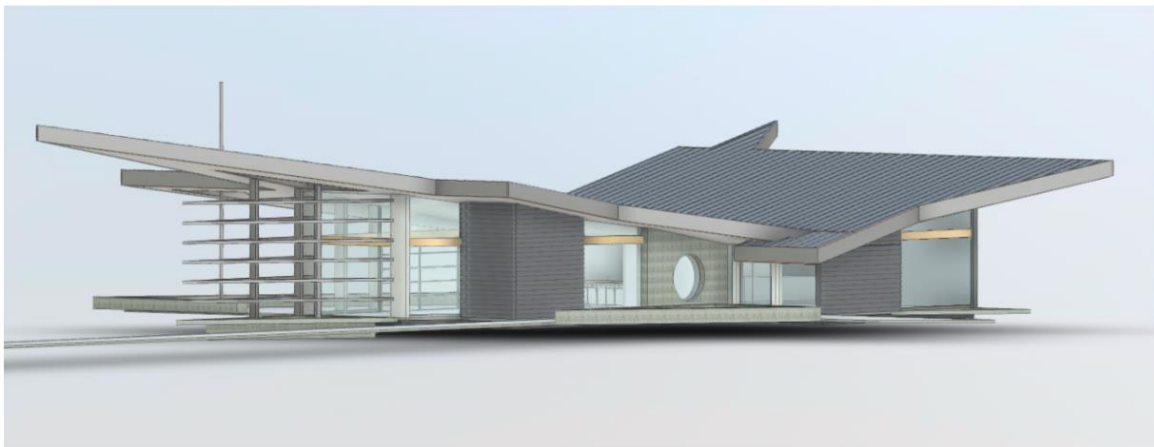
The current proposal by the Botanical Garden does not include the addition of new parking stalls as contemplated in the plans approved by the City Council in 2011. Because the new visitor center will take the place of an existing mobile facility, and other improvements envisioned in 2011 such as classrooms and an amphitheater are not included in the current project, the applicant is proposing to rely on the existing parking. Parking demand for the existing facilities (including both the park and the Botanical Gardens) regularly exceeds the on-site capacity and visitors frequently make use of parallel stalls along Clovis Avenue. Visitor parking occasionally extends onto the local streets in the residential neighborhood on the west side of Clovis Avenue.

The land tenure agreement executed by the City and the Botanical Garden for use of the Garden site requires that the Botanical Garden be designed, constructed, maintained, and operated in accordance with the adopted site plan, including any amendments. Neither the agreement nor the adopted site plan anticipated a scenario whereby the improvements would be phased. Because of the existing parking shortfall, staff is recommending that the parking identified in the 2011 site plan approval be developed in conjunction with the visitor center. The applicant may request that the City Council ultimately approve a deferral of some or all of the additional parking.

Architectural Design

The proposed visitor center is the first permanent building with indoor space to be constructed within the Botanical Garden facility. Its design is unique in character and inspired by architect, Arthur Dyson of Dyson & Janzen Architect, Inc. His approach to the building design, called "Organic Architecture," is intended to promote harmony between human habitation and the natural world. The building materials are of glass, metal, and concrete. Its form is inspired by the shape of a butterfly and shares some similarities to the building previously approved with SPR2001-018A in June of 2011 (see **Figure 3**). The proposed architectural design of the building is fitting in character and will add aesthetic value to the Botanical Garden.

Proposed Elevation



Elevation Approved in 2011

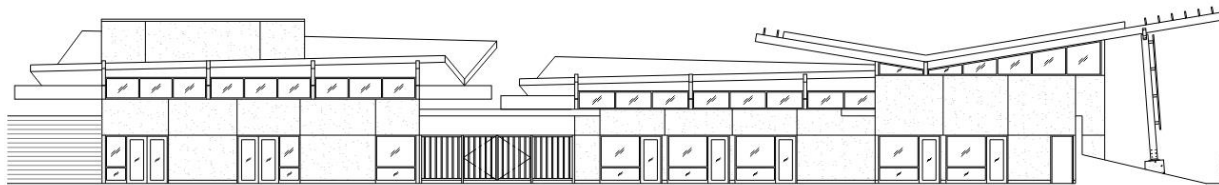


Figure 3 – Elevation Proposed & Previously Approved

Findings for Approval of a Site Plan Review

The findings to consider when deciding on a site plan review application include:

1. Be allowed within the subject zoning district;

The Botanical Garden is an existing facility that has been approved within the Open Space Zone District. This project is incorporating a new visitor center.

2. Be in compliance with all of the applicable provisions of this Development Code that are necessary to carry out the purpose and requirements of the subject zoning district, including prescribed development standards and applicable design standards, policies and guidelines established by resolution of the Council;

The project is in compliance with the established development standards of the Open Space Zone District.

3. Be in compliance with all other applicable provisions of the Clovis Municipal Code;

The project has been reviewed by other City departments for consistency with their respective codes and standards was determined to be consistent.

4. Be consistent with the General Plan and any applicable specific plan. (§ 2, Ord. 14-13, eff. October 8, 2014).

The Botanical Garden provides services and a facility that supports the City's Open Space Goals and Policies, including Policy 2.7 Native Plants. Encourage the use of native and climate-appropriate plant species and prohibit the use of plant species known to be invasive; Policy 2.12: Public Education. Support public education efforts for residents and visitors about the unique historic, natural, and cultural resources in Clovis.

California Environment Quality Act (CEQA)

The City has determined that this Project is exempt from CEQA pursuant to Public Resources Code Sections 15303 (Class 3 – New Construction or Conversion of Small Structures) and 15332 (Class 32 – Infill Development Projects). Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures. In this situation, the project involves the construction of a building not exceeding 2,500 square feet in an urbanized area. 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 Friday, April 14, 2022.

Public Comments

A neighborhood meeting was held on April 14, 2022 at 6:00pm at the Botanical Garden pavilion to introduce the project to the neighborhood and interested parties. No one from the public was in attendance at the neighborhood meeting.

Staff also sent notices to property owners within 450 feet of the project site. As of the publication of this report, staff has not received any comments.

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 4** for correspondence from other departments and/or agencies.

REASON FOR RECOMMENDATION

The project will provide the Botanical Garden with a visitor center building as previously planned in 2011. In addition to its complementary aesthetic appeal to the grounds of the garden, the proposed building will also provide alternative space for the Botanical Garden's operations. This project does not impact the existing agreement between the Botanical Garden and the City. Therefore, staff recommends that the Planning Commission approval SPR2001-018A2, subject to the conditions of approval provided as **Attachment 2**.

ACTIONS FOLLOWING APPROVAL

The items will continue to the City Council for final consideration.

NOTICE OF HEARING

Property owners within 450 feet notified:	32
Interested individuals notified:	10

Prepared by: Lily Cha, Associate Planner



Reviewed by:

Dave Merchen
City Planner

**DRAFT
RESOLUTION 22-____**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS
RECOMMENDING APPROVAL OF A SITE PLAN REVIEW TO ALLOW FOR THE
CONSTRUCTION OF A NEW VISITOR CENTER AND MINOR SITE IMPROVEMENTS FOR
THE BOTANICAL GARDEN LOCATED NORTH OF THE DRY CREEK PARK AT THE
NORTHEAST CORNER OF ALLUVIAL AND CLOVIS AVENUES AND FINDING THAT THE
PROJECT IS EXEMPT FROM CEQA PURSUANT TO CLASS 3 AND CLASS 32
CATEGORICAL EXEMPTIONS**

WHEREAS, Clovis Botanical Garden, 1856 Herndon Avenue, Suite K, Box 330, Clovis, CA 93611, has applied for a Site Plan Review SPR2022-018A2 to approve the construction of a new visitor center and minor site improvements; and

WHEREAS, Site Plan Review SPR2022-018A2, was filed on February 18, 2022, and was presented to the Clovis Planning Commission for approval in accordance with the Municipal Code and the City of Clovis; and

WHEREAS, the City published notice of the public hearing in the Fresno Business Journal on April 14, 2022, mailed public notices to property owners within 450 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 hearing was held on April 28, 2022; and

WHEREAS, the Planning Commission considered the CEQA analysis outlined in the staff report and elsewhere in the Administrative Record which determines that the Project meets the requirements of a Class 3 and 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 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. The Planning Commission hereby approves Site Plan Review SPR2022-018A2.
2. The Project satisfies the required findings for approval of a conditional use permit, as follows:

- a. The project is allowed within the subject zoning district.
 - b. The project is in compliance with all of the applicable provisions of this Development Code that are necessary to carry out the purpose and requirements of the subject zoning district, including prescribed development standards and applicable design standards, policies and guidelines established by resolution of the Council.
 - c. The project in compliance with all other applicable provisions of the Clovis Municipal Code.
 - d. The project is consistent with the General Plan and any applicable specific plan.
3. The Planning Commission finds that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15303 (Class 3 - New Construction) and 15332 (Class 32 – infill development).
 4. The basis for the findings is detailed in the April 28, 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 approved by the Clovis Planning Commission at its regular meeting on April 28, 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: April 28, 2022

Paul Hinkle, Chair

ATTEST: _____
Renee Mathis, Secretary

Conditions of Approval – SPR2001-018A2

Planning Division Comments (Lily Cha, Associate Planner – 559-324-2335)

1. SPR2001-018A2 approves construction of an approximately 2,500 square foot visitor center and associated site improvements for the Botanical Garden located at 945 N. Clovis Avenue.
2. SPR2001-018A2 is granted per the site layout provided as **Attachment 2** in this report.
3. All conditions of SPR2001-018A2 shall be placed in the building permit set prior to plan check submittal and the issuance of permits.
4. A signed “Acceptance of Conditions” shall be provided to the Planning Department within 30 days of the date of approval of site plan review.
5. All plans submitted for building permits shall be consistent with the Site Plan Review per CMC 9.3.408 C.1.
6. The Project shall conform to the development standards prescribed under the “O” (Open Space) Zone District unless modified through SPR2001-018A2.
7. Any proposed future modifications not approved under SPR2001-018A2, such as building exteriors, parking and loading areas, fence/walls, and/or landscaping shall require a site plan review amendment.
8. During construction, applicant and assigned contractors for safety purposes shall keep the public right-of-way clear of obstructions, and provide for interim clean-up on a daily basis.
9. All landscaping shall conform to the City of Clovis Water Efficient Landscape Ordinance.

Parking

10. Parking shall be provided as identified in the 2011 site plan approval, SPR2001-018A. The applicant may request that the City Council ultimately approve a deferral of some or all the additional parking.
11. Perpendicular (90 degree) parking spaces shall measure a minimum of 10' wide by 20' deep (18' deep with 2' bumper overhang into non-required landscape).
12. Trees, shrubs, light poles, fire hydrants and similar objects placed in the two-foot bumper overhang area shall be placed as not to cause interference with the vehicles per Planning Division Standards.

Signage

13. All signage which are intended to be viewed from the outside shall require separate sign permits prior to installation.
14. Lighting for exterior illuminated signs shall not create a hazardous glare for pedestrians or vehicles, either in a public street or on any private premises. Each sign shall be designed so that illumination does not exceed ten (10) candlepower at a distance of ten feet (10'), measure from the base of the sign.

HVAC and PG&E Utility Placement Considerations/Screening Requirements

15. All electrical and HVAC equipment shall be screened to the specifications of the Planning Department. If ground-mounted, applicant shall show methods proposed to architecturally integrate equipment locations, or show methods proposed to screen equipment using landscaping. Any roof-mounted equipment placements shall be completely screened from view and architecturally integrated into the roof using roof wells or continuous building perimeter fascia screening. Any wall-mounted equipment shall be painted to match the exterior wall.
16. Future placement of roof-mounted equipment, which is not part of this site plan approval, may require amendment to this Site Plan Review.
17. Fire sprinkler risers shall be located within the interior of the building or located out of public view. Locations shall be approved by the Planning Department prior to the issuance of building permits.

Building Colors, Materials and Lighting Considerations

18. All exterior lighting shall be directed away from adjacent properties and not interfere with the driving safety of vehicular traffic.
19. The applicant shall contact the Planning Department when all site lighting is operational. Additional light screening may be required.

FIRE DEPARTMENT CONDITIONS
(Rick Fultz, Department Representative - 324-2214)

FIRE PROTECTION SYSTEMS

20. **Fire Sprinkler – 2,500 Square Feet:** The applicant shall install an automatic fire sprinkler system in buildings exceeding 2,500 square feet in gross floor area, as per NFPA 13. Consideration should be given to the fire service water supply for size and fire sprinkler design for the intended Occupancy use. This will insure proper fire protection for uses such as high piled storage or high hazard Occupancies.

21. **Underground Fire Service Line Installation:** Installation shall be per Clovis Fire Standard #2.1. Prior to installation, the applicant shall submit fire sprinkler underground water supply plans for review and approval and issuance of a permit by the Clovis Fire Department. Prior to final acceptance, the underground fire service line shall be inspected, pressure tested and flushed in the presence of a Clovis Fire Department inspector. A permit is required to be on-site for all inspections requests. NOTE – When a fire pump is required by the overhead system demand, the FDC shall be connected on the discharge side of the fire pump.
22. **FDC Location:** The Fire Department Connection to the automatic fire sprinkler system shall be shown on the site utility plan. Installation shall be per Clovis Fire Standard #2.1. This will be reviewed and approved by the Clovis Fire Department before installation.
23. **Monitored Sprinklers:** All valves controlling the water supply for automatic sprinkler systems and water flow switches on all sprinkler systems shall be electronically monitored for integrity.

BUILDING INFORMATION

24. Standard #1.8. Large commercial, industrial buildings may require additional building addressing on the back side of the building as approved by Clovis Fire Department.

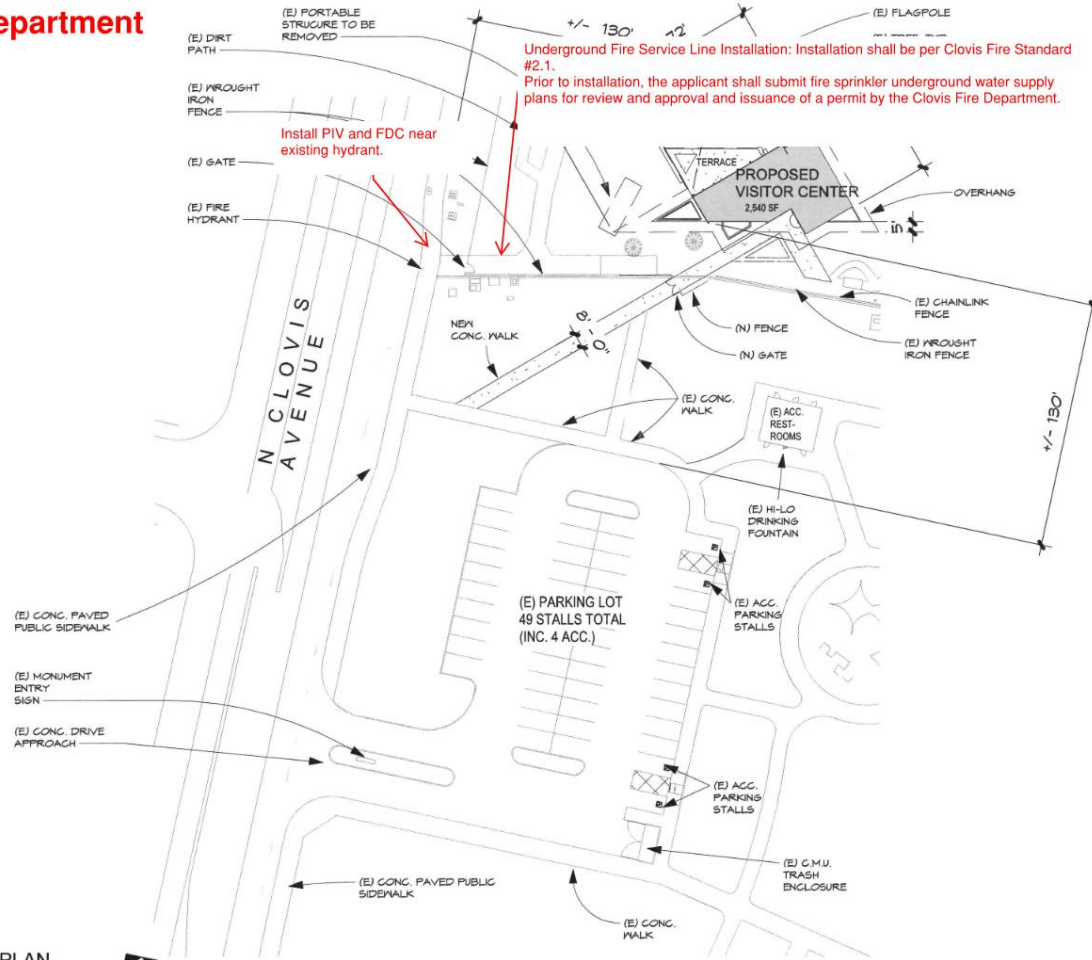
Building numbers shall:

- a. Be a minimum of twelve inches (12") tall.
- b. Be a minimum of one and one-half inches (1½") principal stroke width.
- c. Be located above any eaves or walkway coverings, if possible.
- d. Face the street in which it is addressed, if possible.

OTHER

25. This project was reviewed by the fire department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site.
26. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building Departments. When a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building further comments will be given.
27. The development shall adhere to the Fire Department red-lines as indicated in Exhibit 1.

EXHIBIT 1 - Fire Department Red-Lines



1 PARTIAL ENLARGED SITE PLAN
1" = 60'-0"

NEW VISITOR CENTER CLOVIS BOTANICAL GARDEN

945 N Clovis Ave., Clovis, CA 93611
12/03/21

Dyson Janzen Architects, Inc.
1295 N Wishon Ave., Suite 101
Fresno, CA 93728
Phone 559.497.6370
Fax 559.486.4909
Web: dysonjanzen.com



ENGINEERING / UTILITIES / SOLID WASTE DIVISION CONDITIONS
(Sean Smith, Engineering Division Representative – 324-2363)
(Paul Armendariz, Department Representative – 324-2649)

Maps and Plans

28. The applicant shall submit separately to the City of Clovis Engineering Division, a set of construction plans on 24" x 36" sheets with City standard title block for all required improvements and a current preliminary title report. These plans shall be prepared by a registered civil engineer, and shall include a grading plan, landscape plan, a site plan showing trash enclosure locations and an overall site utility plan showing locations and sizes of sewer, water, storm drain, and irrigation mains, laterals, manholes, meters, valves, hydrants, fire sprinkler services, other facilities, etc. Plan check and inspection fees per City of Clovis Resolution No. 21-102 shall be paid with the first submittal of said plans. All plans shall be submitted at or before the time the building plans are submitted to the Building Division and shall be approved by the City and all other involved agencies prior to the release of any development permits.
29. Prior to the initial submittal of the improvement plans, the applicant shall contact Sean Smith at (559) 324-2363 to setup a coordination meeting (Pre-submittal Meeting).
30. Upon approval of improvement plans, the applicant shall provide the City with the appropriate number of copies. After all improvements have been constructed and accepted by the City, the applicant shall submit to the City of Clovis Engineering Division (1) digital copy to the City in PDF format of the approved set of construction plans revised to accurately reflect all field conditions and revisions and marked "AS-BUILT" for review and approval. Upon approval of the AS-BUILTs by the City, and prior to granting of final occupancy or final acceptance, the applicant shall provide (1) digital copy to the City in PDF format.

General Provisions

31. The applicant shall pay all applicable development fees prior to the issuing of a building permit. A preliminary estimate of fees is \$9,380.05. A breakdown of this estimate is attached to these conditions for your information. Additional fees may be assessed and must be paid prior to issuance of subsequent development permits. **NOTE:** The fees given at this time are an estimate calculated using rates currently in effect. These rates are subject to change without notice and the actual amount due shall be calculated using fee rates in effect at the time of payment. Additional fees payable to the City or other agencies (FMFCD) may become due as supplemental information regarding the project is received by the City.
32. The applicant is advised that, pursuant to California Government Code, Section 66020, any party may protest the imposition of fees, dedications, reservations, or other exactions imposed on a development project by a local agency. Protests must be filed in accordance with the provisions of the California Government Code and must be filed within 90 days after conditional approval of this application is granted. The 90 day

protest period for this project shall begin on the “date of approval” as indicated on the “Acknowledgment of Acceptance of Conditions” form.

33. The applicant shall install all improvements within public right-of-way and easements in accordance with the City of Clovis standards, specifications, master plans, and record drawings in effect at the time of improvement plan approval.
34. The applicant shall address all conditions, and be responsible for obtaining encroachment permits from the City of Clovis for all work performed within the City's right-of-way and easements.
35. The applicant shall comply with the requirements of the local utility, telephone, and cable companies. The City shall not accept first submittals without proof that the applicant has provided the improvement plans and documents showing all proposed work to the utility, telephone, and cable companies. All utility vaults in which lids cannot be sloped to match proposed finished grading, local utilities have 5% max slope, shall be located in sidewalk areas with pedestrian lids so the lid slope matches sidewalk cross slope.
36. All new utility facilities located on-site or within the street right-of-way along the streets adjacent to this development shall be undergrounded unless otherwise approved by the City Engineer.
37. The applicant shall contact and address all requirements of the United States Postal Service Clovis Office for the location and type of mailboxes to be installed. The location of the facilities shall be approved by the City Engineer prior to approval of improvement plans or any construction.
38. The applicant shall contact and address Caltrans requirements. The applicant will be required to mitigate impacts to State Highway facilities as determined by the City Engineer.

Dedications and Street Improvements

39. For new onsite ADA paths of travel that connect to the City sidewalk, the applicant shall replace enough sidewalk to provide a compliant landing with appropriate transitions to existing sidewalk grades.
40. The applicant shall remove and repair all damaged or broken concrete improvements. The City Engineer may require the repair of additional improvements if they are damaged prior to occupancy.
41. The applicant shall provide preliminary title report for the subject property(ies).

Sewer

42. The applicant shall install a sewer lateral for the development site and connect to City mains.

Water

43. The applicant shall provide dedication of 15-foot wide utility easements for all on-site water mains, hydrants, blow-offs, and water meters not located in otherwise dedicated rights-of-way.

44. The applicant shall install a City standard water service of the necessary size for the development site and connect to City mains. Water services shall be grouped to accommodate automatic meter reading system, including installation of connecting conduit. The water meter shall be placed in the sidewalk and not in planters or driveways.

45. The applicant shall install an approved backflow prevention assembly adjacent to the water meter and shall be tested by an approved AWWA certified tester within 5 days of installation with the results sent to the City Utilities Division.

Grading and Drainage

46. The applicant shall contact the Fresno Metropolitan Flood Control District (FMFCD) and address all requirements, pay all applicable fees required, obtain any required NPDES permit, and implement Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology to reduce or eliminate storm water pollution. Plans for these requirements shall be included in the previously required set of construction plans, and shall be submitted to and approved by the FMFCD prior to the release of any development permits.

Irrigation and Landscaping Facilities

47. The applicant shall contact and address all requirements of the Fresno Irrigation District (FID).

48. The applicant shall comply with the City of Clovis Water Efficient Landscape Requirements Ordinance.

49. The applicant shall modify the existing public park improvements necessary for the scope of work. Modifications shall include adequate irrigation for the existing landscaping to remain, as well as remove and repair all damaged or broken park improvements in kind to the satisfaction of the City Engineer.

Miscellaneous

50. The applicant shall perform one of the following:
- a. Modify the existing City of Clovis Type III trash enclosure to a Type V trash enclosure including solid metal gates per City of Clovis Standard Drawings M-2 and M-3 . The trash enclosure shall be setback a minimum of 5' from all driveways to minimize impact of gates left open and mitigate any visibility issues.
 - b. Construct one (1) City of Clovis Standard Type III trash enclosure (M-2 and M-3) including solid metal gates. The applicant shall provide paved access to and from the trash enclosure that must be accessible between 6 a.m. to 2:30 p.m. on the day(s) of service. The concrete pad shall be designed to accommodate for future grading of the alley. The concrete pad shall be inspected by the City prior to pouring of concrete. All access driveways to and from the trash enclosure shall be a minimum of 26' in width with large turn radius. Trash enclosures shall be setback a minimum of 5' from all driveways to minimize impact of gates left open and mitigate any visibility issues.
51. The expanded weekly service capacity shall be charged in addition to the existing weekly service capacity per Clovis Municipal Code Section 6.3.
52. The trash enclosure shall be used only for trash and recycling bins. The applicant is prohibited from storing other items in the enclosure and storing trash or recycling bins outside the enclosure.
53. The applicant shall provide location and dimension of above ground utility boxes and risers with the location approved by the City.
54. The applicant shall require the surveyor/civil engineer for the development to notify, in writing, the City Engineer of any existing section corner, property corner or reference monuments damaged by the construction of improvements performed as part of the development. The applicant shall have all such monuments reset. A licensed land surveyor or civil engineer licensed to perform land surveying shall certify the placement of all required monumentation prior to final acceptance. Brass caps required for replacement of existing monuments shall be provided by the contractor/applicant and approved by City prior to installation. Within five days after the replacement of all damaged monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer certifying that the final monuments have been set and that he has filed with the County Recorder all appropriate records of survey or corner records. Upon payment to the engineer or surveyor for setting the final monuments, the applicant shall present to the City Engineer evidence of the payment and receipt thereof by the engineer or surveyor.
55. A deferment, modification, or waiver of any engineering conditions will require the express written approval of the City Engineer.

56. All conditions of approval shall be fully complied with prior to issuance of a Certificate of Occupancy final acceptance.

FRESNO COUNTY HEALTH DEPARTMENT
(Kevin Tsuda, County Representative – 600-3271)

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

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT
(Carol Flores, District Representative – 230-5935)

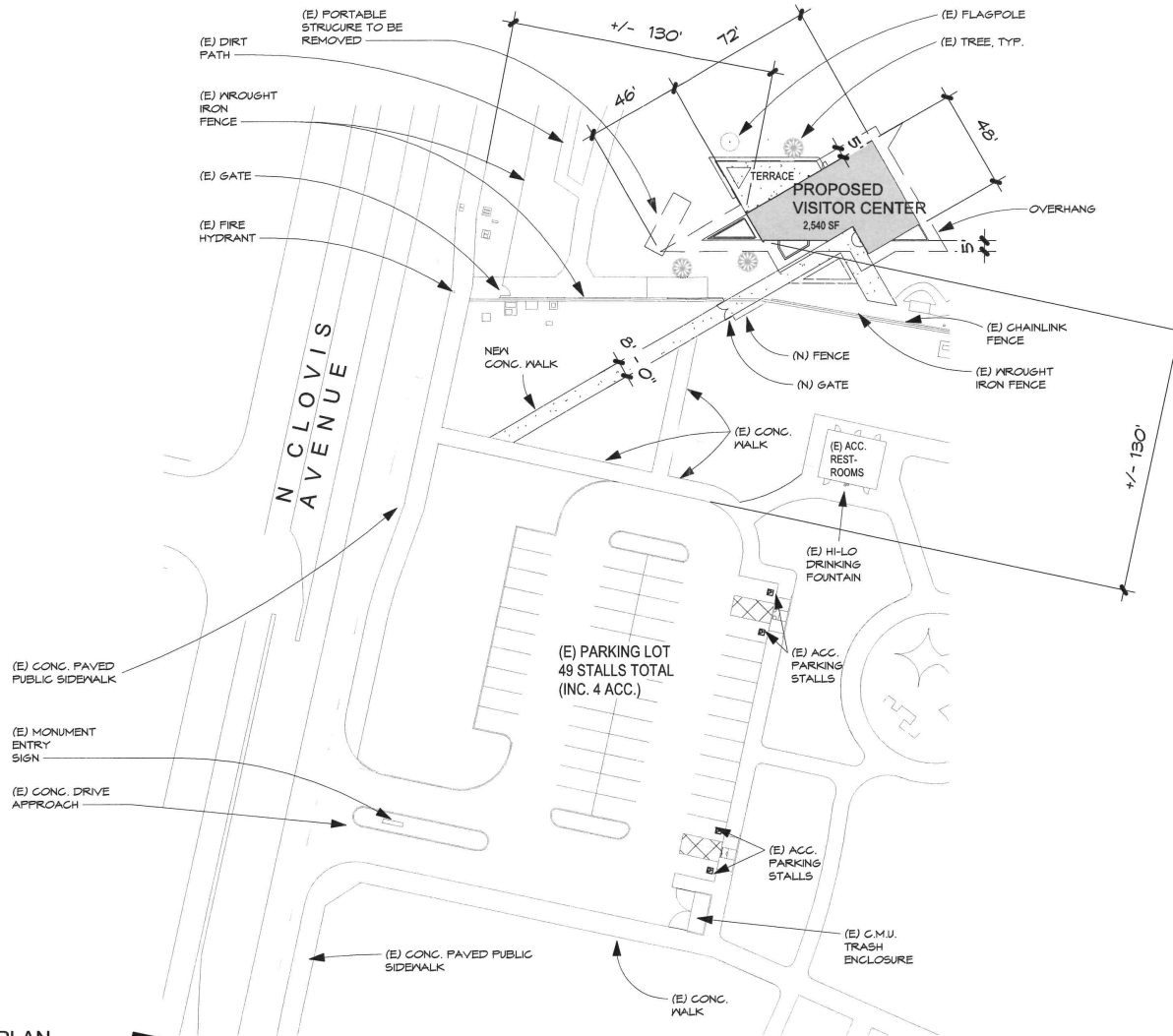
58. The Applicant shall refer to the attached SJV Air Pollution Control District requirements. If the list is not attached, please contact the District for the list of requirements.

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

59. 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
(Jeremy Landrith, FID Representative – 233-7161)

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



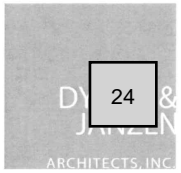
① PARTIAL ENLARGED SITE PLAN
 1" = 60'-0"

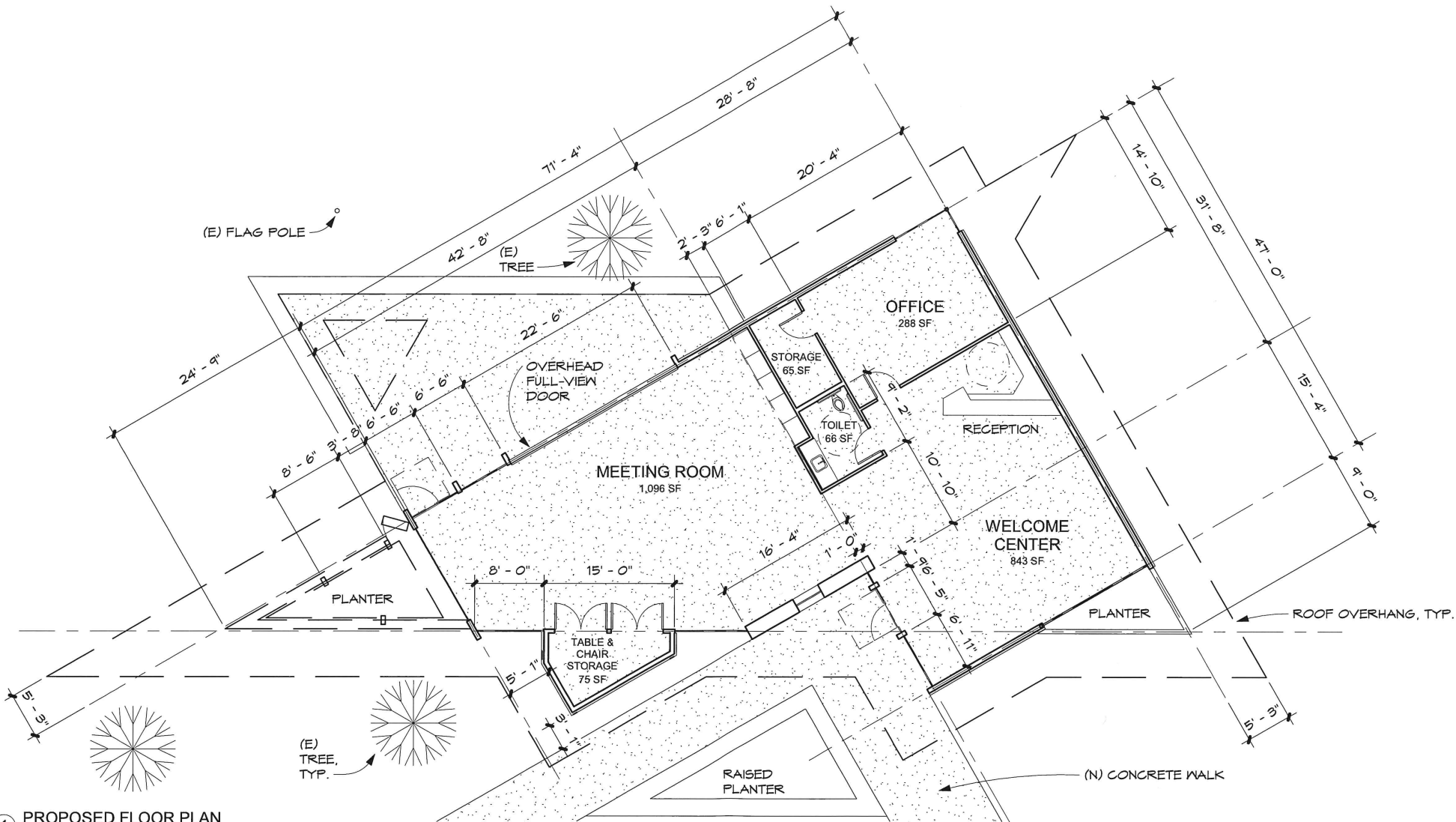
NEW VISITOR CENTER CLOVIS BOTANICAL GARDEN

945 N Clovis Ave., Clovis, CA 93611
 12/03/21

ATTACHMENT 3

Dyson Janzen Architects, Inc.
 1295 N Wishon Ave., Suite 101
 Fresno, CA 93728
 Phone 559.497.6370
 Fax 559.486.4909
 Web: dysonjanzen.com





1 PROPOSED FLOOR PLAN
3/32" = 1'-0"

NEW VISITOR CENTER CLOVIS BOTANICAL GARDEN

945 N Clovis Ave., Clovis, CA 93611

12/03/21

Dyson Janzen Architects, Inc.

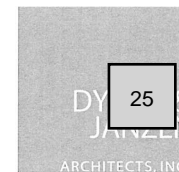
1295 N Wishon Ave., Suite 101

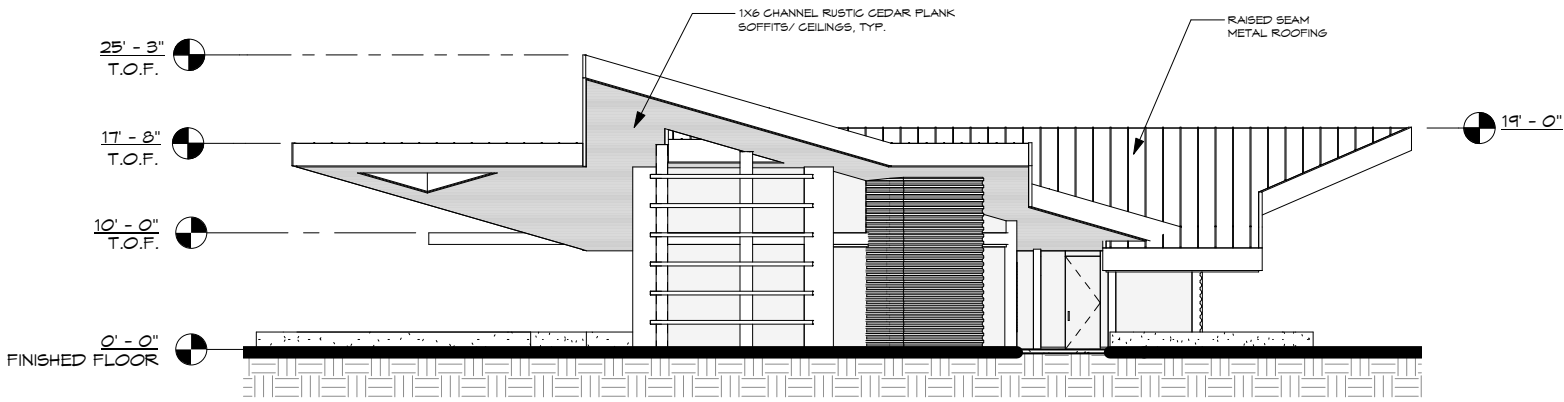
Fresno, CA 93728

Phone 559.497.6370

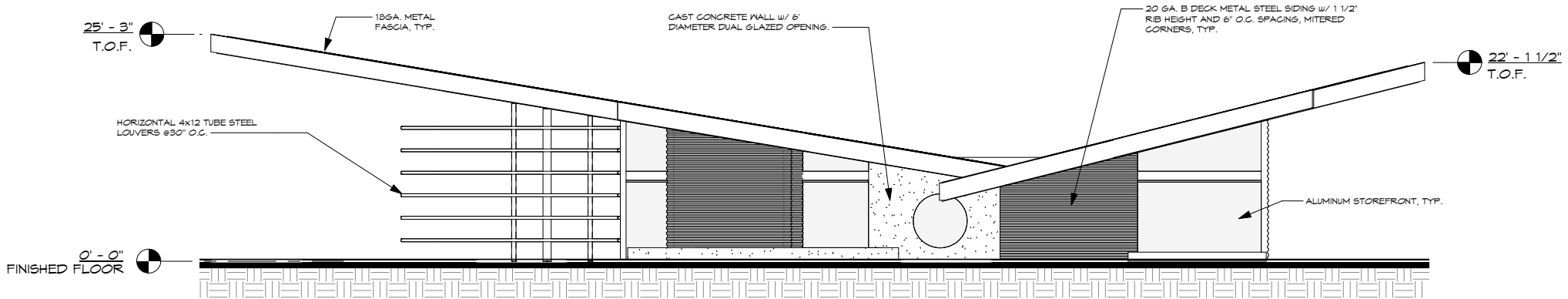
Fax 559.486.4909

Web: dysonjanzen.com





① **SOUTHWEST ELEVATION**
3/32" = 1'-0"



② **SOUTHEAST ELEVATION**
3/32" = 1'-0"

NEW VISITOR CENTER CLOVIS BOTANICAL GARDEN

945 N Clovis Ave., Clovis, CA 93611

03/24/22

Dyson Janzen Architects, Inc.

1295 N Wishon Ave., Suite 101

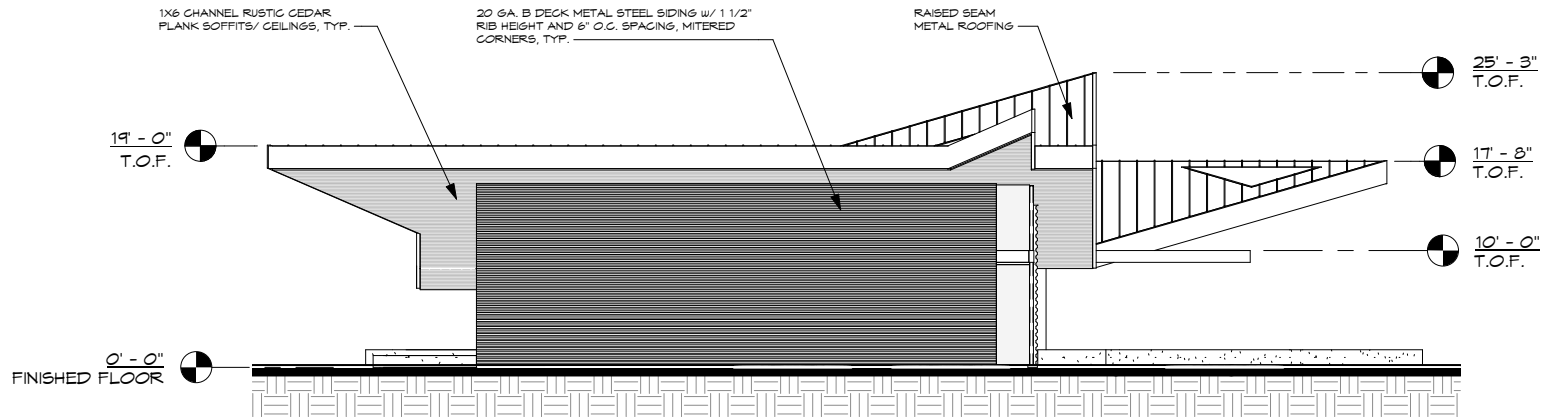
Fresno, CA 93728

Phone 559.497.6370

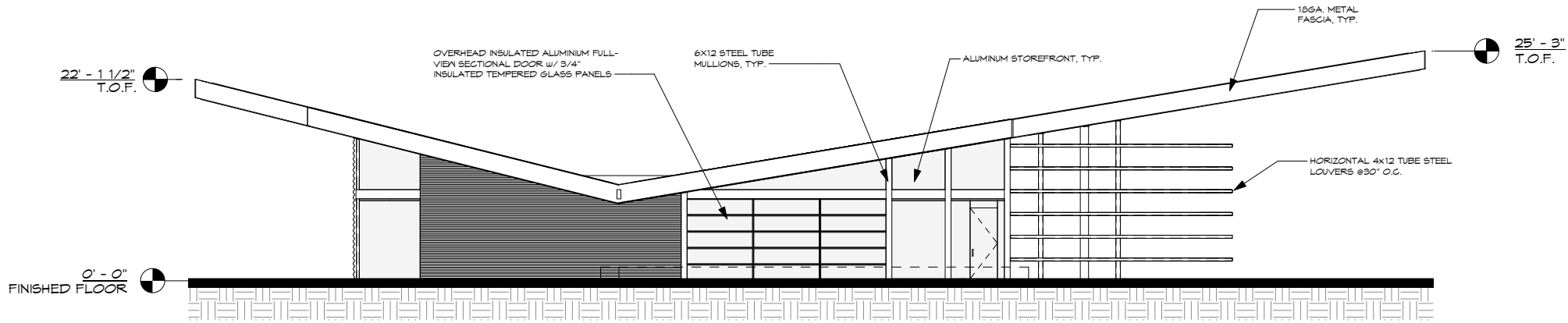
Fax 559.486.4909

Web: dysonjanzen.com





① NORTHEAST ELEVATION
3/32" = 1'-0"



② NORTHWEST ELEVATION
3/32" = 1'-0"

NEW VISITOR CENTER CLOVIS BOTANICAL GARDEN

945 N Clovis Ave., Clovis, CA 93611

03/24/22

Dyson Janzen Architects, Inc.

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Fresno, CA 93728

Phone 559.497.6370

Fax 559.486.4909

Web: dysonjanzen.com





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

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

March 30, 2022

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

RE: Site Plan Review SPR2001-018A2
N/E Alluvial and Clovis avenues

Dear Ms. Cha:

The Fresno Irrigation District (FID) has reviewed the Site Plan Review SPR2001-018A2 for which the applicant requests to add a visitor facility to the Clovis Botanical Garden, APN: 562-010-33ST. FID has the following comment:

1. FID previously reviewed and commented on the subject property on December 16, 2021, as Development Review Committee Application N. 2021-055. Those comments and conditions still apply and a copy has been attached for your review.

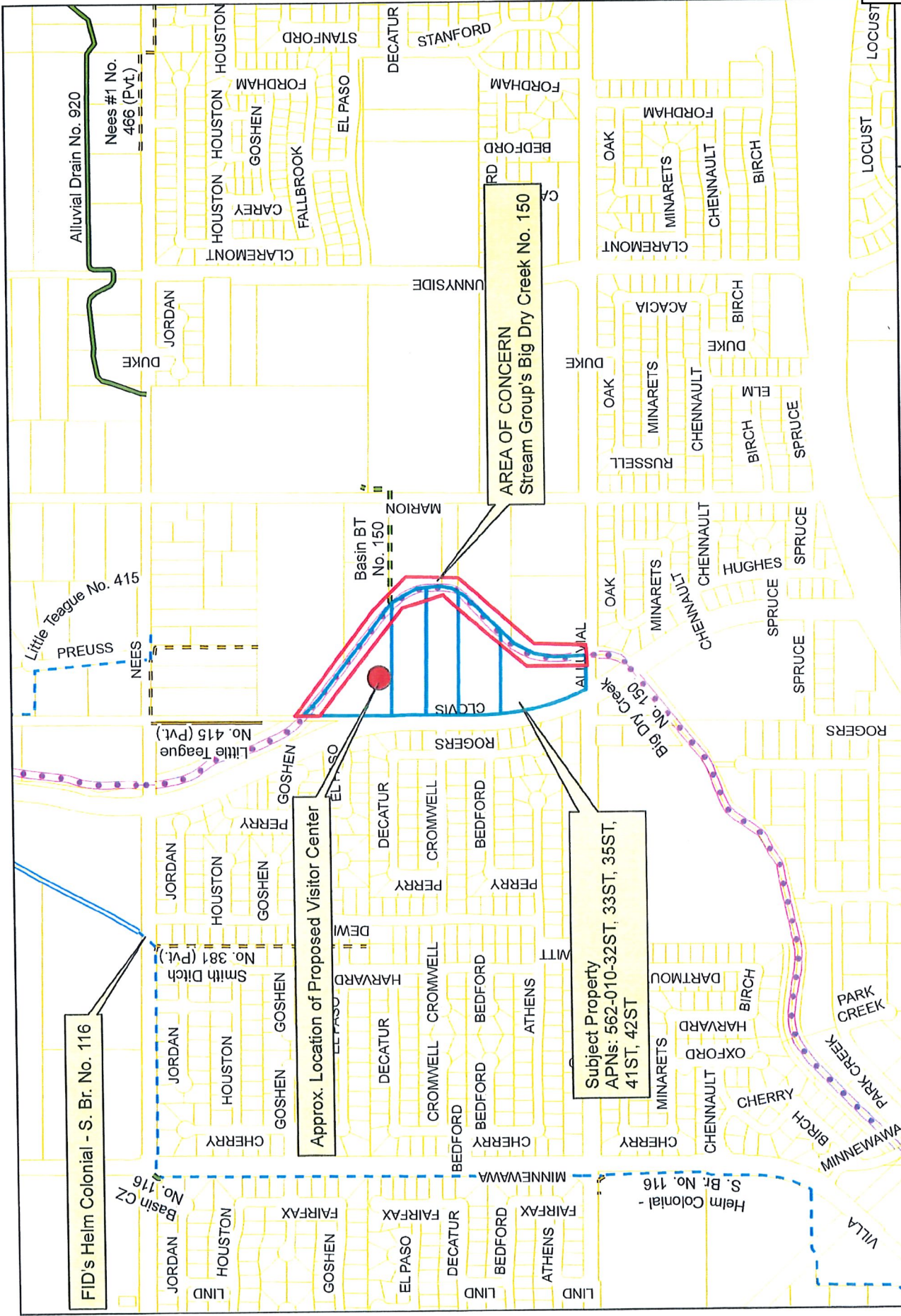
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachment

ATTACHMENT 4



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 provide map features, nor for legal purposes. FID makes no warranty as to the accuracy of this map as the reader assumes all responsibility for the accuracy of the information. For Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Spatial Reference
Name: NAD 1983 StatePlane California IV FIPS 0404 Path: G:\Figs\022-10727 FID Master.mxd

Legend

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





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

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

December 16, 2021

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

RE: Development Review Committee Application No. 2021-055
 N/E Alluvial and Clovis avenues
 Stream Group's Big Dry Creek No. 150

Dear Ms. George:

The Fresno Irrigation District (FID) has reviewed the Development Review Committee Application No. 2021-055 for which the applicant proposes a visitor facility for the Clovis Botanical Garden, APNs: 562-010-32ST, 33ST, 35ST, 41ST, 42ST. FID has the following comments:

1. Stream Group's Big Dry Creek No. 150 runs southerly along east side of the subject property and does not appear to be impacted. Should construction be constrained within the botanical garden, FID does not require it review and approve all plans. However, FID as the operating and maintaining Agency of Big Dry Creek will require it review and approve all plans should construction activities be required east of the trail and/or in the vicinity of this facility.

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

Sincerely,

Laurence Kimura, P.E.
 Chief Engineer

Attachment

G:\Agencies\Clovis\DRC Meetings\DRC2021-055\DRC-21-00055 FID Comment.doc

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

AGENDA ITEM NO. 1.

Page 1 of 4

PUBLIC AGENCY

LILY CHA
DEPARTMENT OF PLANNING AND
DEVELOPMENT SERVICES
CITY OF CLOVIS
1033 FIFTH STREET
CLOVIS, CA 93612

DEVELOPER

CLOVIS BOTANICAL GARDEN
1865 HERNDON AVE., SUITE K
CLOVIS, CA 93611

PROJECT NO: **2001-018A2**

ADDRESS: **E. SIDE OF CLOVIS AVE. BTWN. NEES AVE. & ALLUVIAL AVE.**

APN: **562-010-48T, 33ST, 562-010-32ST**

SENT: **April 04, 2022**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
7C	\$12,979.00	NOR Review	\$50.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$178.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$12,979.00		Total Service Charge: \$228.00		

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 2/28/23 based on the site plan submitted to the District on 3/08/22 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:

- 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 SPR No. 2001-018A2

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

CL SPR No. 2001-018A2

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

1. a. Drainage from the site shall BE DIRECTED TO CLOVIS AVENUE.
 b. Grading and drainage patterns shall be as identified on Exhibit No.
 c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
 Developer shall construct facilities as shown on Exhibit No. 1 as
 None required.

3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
 Grading Plan
 Street Plan
 Storm Drain Plan
 Water & Sewer Plan
 Final Map
 Drainage Report (to be submitted with tentative map)
 Other
 None Required

4. Availability of drainage facilities:
 a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
 b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
 c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
 d. See Exhibit No. 2.

5. The proposed development:
 Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
 Does not appear to be located within a flood prone area.

6. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

AGENDA ITEM NO. 1.

Page 3 of 4

CL SPR No. 2001-018A2

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



Debbie Campbell
Design Engineer, RCE

Digitally signed by Debbie Campbell Date: 4/4/2022 11:44:54 AM



Robert Villalobos
Engineering Tech III

Digitally signed by Robert Villalobos Date: 3/30/2022 9:47:01 AM

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

AGENDA ITEM NO. 1.

Page 4 of 4

<p>POLICY MANUAL</p>	<p>Date Adopted: September 11, 1981</p>
<p>Classification: FLOOD PLAIN MANAGEMENT</p>	<p>Date Last Amended: August 10, 2005</p>
<p>Subject: Flood Plain Policy</p>	<p>Approved By: <i>Brian Wyke</i></p>

Because of the relatively high velocities and volumes of flood flow associated with primary flood plains, and because the primary flood plain is responsible for passing the greatest percentage of the flood event, development located in such flood plains is subject to substantial risk, both to itself and to others as a result of the potential for blockage and diversion of flood waters. In view of these factors:

Policy:

- (1) All proposed development activity shall reference the Flood Insurance Rate Map to determine if it is located in a 100-year flood plain (special flood hazard areas inundated by a 100-year flood) "Primary Flood Plain". Any project not located within a FIRM or located in any area where the FIRM is determined to be inaccurate shall be the subject of a detailed hydrological flood hazard investigation to determine the relationship of the proposed development to the primary flood plain; and, further, to identify the calculated water surface elevation of the 100-year flood event.
- (2) The development must be properly flood proofed below the calculated water surface elevation of the 100-year flood event.
- (3) All development and/or permanent improvement activity which, if located within the primary floodway, may unduly impede, retard or change the direction of flow of water either, by itself, or by the catching or collecting of other debris or is placed where the flow of water would carry such obstruction downstream to the damage or detriment of either life or property, should not be permitted.
- (4) The development shall not cause displacement of any and all floodwaters from that portion of the flood plain to be developed.

OTHER REQUIREMENTS

EXHIBIT NO. 2

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

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



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

January 4, 2022

LU0021552
2604

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

Dear Ms. George:

PROJECT NUMBER: DRC-21-055

Visitor center for the Clovis Botanical Garden.

APN: 562-010-32ST, -33ST, -35ST, -41ST, -42ST ZONING: O ADDRESS: 945 N. Clovis Avenue

Recommended Conditions of Approval:

- Applicants that propose to use and/or store hazardous materials and/or hazardous wastes, they shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 (<http://cers.calepa.ca.gov/>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
- The project has the potential to expose nearby residents to noise levels in excess of standards established in the Noise Element of the City of Clovis General Plan and the Noise Ordinance.
- 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:

Kevin Tsuda

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

(559) 600-3271

KT

cc: Deep Sidhu- Environmental Health Division (CT. 55.13)
Arthur Dyson- Applicant (adyson@dysonjanzen.com)
Dwight Kroll- Applicant (dwrightkroll1@gmail.com)



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: April 28, 2022

SUBJECT: Consider Approval – Res. 22-____, GPA2022-002, A request to amend the General Plan to redesignate approximately 2.51 acres from the Industrial classification to the Office classification for property located on the west side of N. Clovis Avenue, immediately north of Freeway 168. City of Clovis, applicant.

Staff: Dave Merchen, City Planner

Recommendation: Approve

ATTACHMENTS: 1. Draft Resolution

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution recommending the approval of a general plan amendment redesignating approximately 2.51 acres from the I (Industrial) classification to the O (Office) classification for property located on the west side of N. Clovis Avenue, immediately north of Freeway 168.

EXECUTIVE SUMMARY

At its April 4, 2022 meeting, the City Council adopted a resolution initiating the subject general plan amendment application. The proposed amendment will correct an oversight or mapping error made by the City when it adopted the City-wide land use map in conjunction with 2014 General Plan update. If approved, the general plan amendment would allow the property owner to move forward with separate applications for a commercial development project on the site.

FIGURE 1 – Project Location



BACKGROUND

- Current General Plan Designation: Industrial
- Current Zoning: C-P (Commercial Professional)
- Lot Size: 2.51 acres
- Current Land Use: Vacant/undeveloped
- Adjacent Land Uses:
 - North: Multi-Family
 - South: Single-Family / undeveloped
 - East: Clovis Avenue right of way
 - West: Vacant/undeveloped
- Previous Entitlements: GPA1992-11, R1993-02

PROPOSAL AND ANALYSIS

The subject property is 2.51 acres in size, located on the west side of N. Clovis Avenue, immediately north of Freeway 168. The property has street frontage along both Clovis Avenue and Rogers Avenue, the latter of which is a local street running along the site’s western boundary. The Dry Creek Business Park is generally located to the west of the subject property, and uses on surrounding parcels include apartments, a single family home, and vacant properties.

The owner of the subject property is working with staff to evaluate the submittal requirements for a potential commercial development project on the site. In researching the property, staff identified a conflict between the existing general plan designation (Industrial) and the existing zoning (Commercial-Professional). Further investigation indicated that the City-wide land use map adopted in conjunction with the 2014 General Plan redesignated the site from Office to Industrial, despite earlier site-specific approvals which had established the Office designation on the site.

Previous Approvals Affecting the Subject Property

In December of 1992, the Clovis City Council approved GPA1992-11, changing the general plan land use designation on the site from L (Low Density Residential) to O (Office). A few months later, Rezoning 1993-02 was similarly approved to change the zoning from a combination of residential districts to the C-P (Commercial-Professional) district, which generally allows offices and other complimentary uses. The general plan amendment and rezoning applications approved in 1992 and 1993 were intended to prepare the site and the surrounding area for changes that would be brought about by the construction of Freeway 168. The commercial/office designations were viewed as more appropriate for the property that would be located immediately adjacent to the new freeway. Though the owners were contemplating an office building at that time, no construction ever occurred on the site, and it has remained vacant.

2014 General Plan Update

When the 2014 General Plan land use map was adopted for the entire planning area, the land use designation shown for the subject parcel was I (Industrial). It appears that the I (Industrial) designation for the adjacent planned industrial area, which is now developed as the Dry Creek Business Park, was simply extended onto the neighboring undeveloped properties in error. Staff contacted former Planning and Development Services Director Dwight Kroll for background on this matter. Mr. Kroll confirmed that the change to the I (Industrial) land use designation was an inadvertent mapping error, and the City's intention was to see the site developed commercially, preferably with a multi-story building that would rise above the elevated freeway.

Because it was the City's oversight that led to the application of the I (Industrial) land use designation, the City Council authorized Staff to initiate the general plan amendment process to correct the error. If this application is approved, the property owner intends to proceed with separate applications to develop the site with a commercial project.

Findings for Approval of a General Plan Amendment

The findings to consider when making a decision on a general plan amendment application include:

1. The proposed amendment is internally consistent with goals, policies, and actions of the General Plan;

The proposed amendment would correct an oversight and/or mapping error that occurred in conjunction with the adoption of the 2014 General Plan land use map, whereby the

then existing O (Office) land use designation was errantly changed to an I (Industrial) designation. The proposed change would reestablish the O (Office) designation on the site, which sits adjacent to existing residential uses. The proposed change will help to reestablish a land use pattern which is consistent with General Goal S-1 and Policy S-3.4. Goal S-1: An environment in which minimized noise contributes to the public's health, safety, and welfare. Policy S-3.4: Land use and traffic patterns. Discourage land use and traffic patterns that would expose sensitive land uses or noise-sensitive areas to unacceptable noise levels.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

The project is not detrimental to the public interest, health, safety, and convenience, or general welfare of the City. The proposal would reestablish the O (Office) land use designation on the site, which will reduce potential impacts associated with placing industrial uses on properties immediately adjacent to existing residential uses.

3. If applicable, the parcel is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated project;

The proposed amendment would correct an oversight and/or mapping error that occurred in conjunction with the adoption of the 2014 General Plan land use map, whereby the then existing O (Office) land use designation was errantly changed to an I (Industrial) designation. The change would reestablish the O (Office) designation on the site, which sits adjacent to existing residential uses. The project site is physically suitable for the uses which are consistent with the O (Office) land use designation.

4. There is compelling reason for the amendment.

The City-wide land use map adopted in conjunction with the 2014 General Plan redesignated the site from O (Office) to I (Industrial), despite earlier site-specific approvals which had established the O (Office) designation on the site. The amendment would correct the error previously made by the City and provide consistency between the general plan designation and the C-P (Commercial-Professional) zone district. These actions will prepare the site for future commercial development.

Public Comment

A public notice was sent to area residents within 800 feet of the property boundaries. Staff has not received comments or concerns from the public upon finalization of this report.

California Environmental Quality Act (CEQA)

The project is exempt from CEQA pursuant to CEQA section 15061(b)(3). The proposed general plan amendment will correct an oversight and mapping error whereby the O (Office) land use designation established on the property by specific action of the City Council in 1992 was errantly redesignated to the I (Industrial) land use designation in conjunction with the adoption of the City-wide 2014 General Plan land use map. There is no potential for the project to result in a

significant effect on the environment. No changes to the land use on the site or on surrounding properties have occurred, and no substantive changes to the physical environment in the vicinity of the project site have been identified, since the mapping error occurred in 2014.

The Notice of Exemption has been completed. Staff will file the notice with the County Clerk if the project is approved.

The City published notice of this public hearing in The Business Journal on Friday, April 15, 2021.

REASON FOR RECOMMENDATION

The proposed amendment will correct an oversight or mapping error made by the City when it adopted the City-wide land use map in conjunction with 2014 General Plan update despite earlier site-specific approvals which had established the Office designation on the site. Because it was the City's oversight that led to the application of the Industrial land use designation, the City Council authorized Staff to initiate the general plan amendment process to correct the error.

ACTIONS FOLLOWING APPROVAL

The items will continue on to the City Council for final consideration.

NOTICE OF HEARING

Property owners within 800 feet notified:	44
Interested individuals notified:	10

Prepared by:



Dave Merchen
City Planner

**DRAFT
RESOLUTION 22-__**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS
RECOMMENDING APPROVAL TO THE CLOVIS CITY COUNCIL OF GENERAL PLAN
AMENDMENT GPA2022-002 TO AMEND THE 2014 CLOVIS GENERAL PLAN LAND USE
ELEMENT FOR APPROXIMATELY 2.51 ACRES LOCATED ON THE WEST SIDE OF N.
CLOVIS AVENUE, IMMEDIATELY NORTH OF FREEWAY 168 AND FINDING THAT THE
PROJECT IS EXEMPT FROM CEQA PURSUANT TO SECTION 15061(b)(3) OF THE CEQA
GUIDELINES**

WHEREAS, City of Clovis, 1033 Fifth Street, Clovis CA, 93619, initiated an application for General Plan Amendment 2022-002 to amend the land use designation on approximately 2.51 acres of property located on the west side of N. Clovis Avenue, immediately north of Freeway 168 (“Property”); and

WHEREAS, General Plan Amendment GPA2022-002 proposes to amend the 2014 Clovis General Plan Land Use Element for the Property from the I (Industrial) designation to the O (Office) designation; and

WHEREAS, in December of 1992, the Clovis City Council approved GPA1992-11, changing the general plan land use designation on the Property from L (Low Density Residential) to O (Office) to prepare the site for the future construction of Freeway 168 adjacent to the site, and to facilitate the commercial development of the Property; and

WHEREAS, when preparing and adopting the City-wide land use map in conjunction with the 2014 General Plan Update, the I (Industrial) land use designation was errantly applied to the Property when it was applied to the planned industrial area on the adjacent property which is now developed as the Dry Creek Business Park; and

WHEREAS, GPA2022-002 will correct the mapping error and oversight made when the City prepared and adopted the City-wide land use map in conjunction with the 2014 General Plan update; and

WHEREAS, GPA2022-002 is consistent with the intent and purpose of the General Plan; and

WHEREAS, the City published notice of the public hearing in the Fresno Business Journal on April 15, 2022, mailed public notices to property owners within 800 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 April 28, 2022; and

WHEREAS, the Planning Commission considered the CEQA analysis outlined in the staff report and elsewhere in the Administrative Record and finds that there is no possibility the project could have a significant effect on the environment, exempting the project pursuant to CEQA Guidelines Section 15061(b)(3); and

WHEREAS, the Planning Commission has had an opportunity to review and consider the entire Administrative Record relating to the Project, which is on file with the Department, and reviewed and considered those portions of the Administrative Record determined to be necessary to make an informed decision, including, but not necessarily limited to, the staff report, the written materials submitted with the request, and the verbal and written testimony and other evidence presented during the public hearing.

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

1. The Planning Commission hereby recommends approval of General Plan Amendment GPA2022-002.
2. The Project satisfies the required findings for approval of a general plan amendment, as follows:
 - a. The GPA2022-002 is internally consistent with the goals, policies, and actions of the General Plan.
 - b. The GPA2022-002 would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.
 - c. The Property is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the development of the Project.
 - d. There is a compelling reason for the amendment, namely, to correct the mapping error and oversight previously made by the City relative to establishing the land use designation on the property.
3. The Planning Commission finds that there is no possibility the project could have a significant effect on the environment, exempting the project pursuant to CEQA Guidelines section 15061(b)(3).
4. The basis for the findings is detailed in the April 28, 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 approved by the Clovis Planning Commission at its regular meeting on April 28, 2022, upon a motion by _____, seconded by _____ and passed by the following vote, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 22-
DATED: April 28, 2022

Paul Hinkle, Chair

ATTEST: _____
Renee Mathis, Secretary