

RESOLUTION 23-19

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

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

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

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

WHEREAS, the Planning Commission does find the Project in substantial conformance with the environmental analysis performed for Rezone Amendment R2008-07A2 and Site Plan Review 2017-14. No major revisions to the currently adopted Mitigated Negative Declaration will be required to accommodate the proposed Project, and the Project is consistent with the Loma Vista Specific Plan. Therefore, no further environmental review is required for this Project pursuant to the California Environmental Quality Act (CEQA) Guidelines sections 15162 and 15182; and

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

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

1. CUP2023-002 is hereby approved with incorporation of the conditions of approval (**Attachment A** to this Resolution).
2. The Project satisfies the required findings for approval of a CUP, as follows:
 - a. The proposed use is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of the City's Development Code.

- b. The proposed use is consistent with the General Plan and any applicable specific plan.
 - c. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.
 - d. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
 - e. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.
 - f. The proposed Project has been reviewed in compliance with the provisions of the CEQA.
3. The Planning Commission could not make the findings necessary for approval of CUP2023-002 without the conditions of approval set forth in **Attachment A** to this Resolution.
 4. The Planning Commission finds that the Project is in substantial conformance with the environmental analysis performed for Rezone Amendment R2008-07A2 and Site Plan Review 2017-14. The Project is exempt from further environmental review under CEQA pursuant to CEQA Guidelines sections 15162 and 15182.
 5. The basis for the findings is detailed in the September 28, 2023 staff report, which is hereby incorporated by reference, the entire Administrative Record, as well as the evidence and comments presented during the public hearing.

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The foregoing resolution was adopted by the Clovis Planning Commission at its regular meeting on September 28, 2023, upon a motion by Commissioner Hatcher, seconded by Commissioner Hebert, and passed by the following vote, to wit:

AYES: Commissioners Hatcher, Hebert, Bedsted, Hinkle, and Chair Antuna
 NOES: None
 ABSENT: None
 ABSTAIN: None

PLANNING COMMISSION RESOLUTION NO. 23-19
 DATED: September 28, 2023

 Alma Antuna, Chair

ATTEST: _____
Renee Mathis, Secretary