

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

COMMISSIONERS: Brett Taylor, Liz Wynn, Chris Gomez, Marvin Hansen, Sarrah Peariso

**ON MONDAY, APRIL 9, 2018 AT 7:00 P.M., AT THE VISALIA CONVENTION CENTER
LOCATED AT 303 E. ACEQUIA AVENUE, VISALIA:**

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA –
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - No Items on Consent Calendar
5. PUBLIC HEARING – Paul Bernal
Continued Public Hearing for Conditional Use Permit No. 2017-22: A request to develop a 1.91-acre area within the Cameron Creek Marketplace Shopping Center with an ARCO AM/PM gas station consisting of a 6,000 square foot convenience store building with a future fast-food restaurant space (no tenant has identified), a 4,933 square foot automated carwash building, and a 6,775 square foot fuel canopy with 10 fuel dispensers. The Cameron Creek ARCO AM/PM is part of the Cameron Creek Shopping Center and zoned C-MU (Commercial Mixed Use). The project area for the proposed ARCO AM/PM gas station is located on the southeast corner of West Caldwell Avenue and South West Street (APN: 126-870-037 & 126-870-039).
6. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, APRIL 19, 2018 BEFORE 5 PM

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, APRIL 23, 2018

Attachment 1

Correspondence received from
Oppose ARCO AM/PM Steering Committee

01/29/2018

03/07/2018

03/13/2018

Correspondence received from
Oppose ARCO AM/PM Steering Committee

01/29/2018



3524 South Johnson Court

Visalia

CA 93277

559 732 4142

oppose.arco@gmail.com

15 January, 2018

Dear Visalia City Council and Planning Commission Members,

This cover letter and the attached documents relate to the Oppose ARCO AM/PM Steering Committee's opposition to the Chandi Group USA's application to the Visalia Planning Commission for permission to build and operate a 24 hour gasoline station, convenience store, fast food restaurant and car wash at the south east corner of the intersection of West Street and Caldwell Avenue. The application is Conditional Use Permit No. 2017-22 and the last Planning Commission hearing on the matter was 8/28/17.

We request that the entire package be incorporated in the Planning Commission's public record of its administration of the development application. We are available at any time to answer any questions which you may have about this cover letter and its attached document package.

The attached documents are identified by title and author below.

1. Oppose ARCO AM/PM flyer. (Distributed to 600 households.)
2. Overall Traffic and Safety Impact. Robin Hernandez
3. Overall Impact. Bernard Cooker
4. Comparison of ARCO AM/PM Projects at Caldwell Avenue/West Street and Plaza Drive/Crowley Avenue. Bernard Cooker
5. Record of Attempted Negotiation between Oppose ARCO AM/PM Steering Committee and Chandi Group USA.

The record shows that our attempt to negotiate with the Chandi Group USA concerning the project has failed: Thomas Freeman, spokesperson for the company fails to respond to our emails and no response has been received from N. Chandi or anyone else at the company concerning our registered letter of 12/19/18. See below.

- a. Emails between Robin Hernandez, Oppose ARCO AM/PM and Thomas Freeman, Spokesman, Chandi Group USA.
- b. Registered US mail letter to N. Chandi, Chandi Group USA, 12/19/17.
- c. Signed proof of postage, signed proof of receipt of registered US mail letter to N. Chandi, Chandi Group USA, 12/19/17.
- d. Oppose ARCO AM/PM Demands for Negotiation Between Oppose ARCO AM/PM and Thomas Freeman, Chandi Group
6. Interviews with and Testimony of Dove Avenue, Visalia residents on existing ARCO AM/PM impacts on their lives.
7. Testimony to be given at next Planning Commission meeting on the application:
 - a. Light pollution. Susan Cooker

- b. Alcohol. Cheryl Johnson
- c. Noise pollution. William Reeser
- d. Adverse business impact. M. Huda
- e. Environmental impact. Jeanny Chang
- f. Crime. Jerry Rogala
- g. Gasoline, diesel fuel and other deliveries. Bernard Cooker
- h. Application document errors and inaccuracies. Bernard Cooker
- 8. FHA Mortgage Insurance Ineligibility Analysis, Robin Hernandez
- 9. Gasoline Tank Residential Property Proximity Analysis, Bernard Cooker
- 10. Complete Copies of All Signed Petition Sheets

Thank you for your time and consideration in this matter.

Oppose ARCO AM/PM Steering Committee

c/o Robin Hernandez

SAVE OUR NEIGHBORHOOD

24 HR ARCO AM/PM TRUCK STOP

THE THREAT:

- ARCO 24 hr truck stop, SE corner Caldwell/West.
- Pilot-style interstate truck stop.
- 20 hose gas station, convenience store, drive through fast food, car wash, 17,000 ft² buildings, 1.9 acres
- Daily 18 wheel, 30 wheel double tandem trucks through our residential neighborhood.
- Truck fleet fueling accounts.
- School children's bus stop opposite truck stop entrance.
- More traffic, noise and light pollution, alcohol, crime.

STATUS: 8/28/17 Visalia Planning Commission rejected ARCO's Noise Report, new Noise Report commissioned. New Site Plan submitted. Next PC meeting date not known but multiple written testimonies ready. Valley Voice 10/5, 12/7 (letter), Visalia Times Delta 11/15.

HOW TO STOP THIS: Get involved, speak out, contact P. Bernal, Planning Commission, 559 713 4025, paul.bernal@visalia.city and request a mailed meeting notification. ATTEND THE NEXT PC MEETING ON THE TRUCK STOP. Organizing committee: Thursdays, 7 p.m., 3524 South Johnson Court.

MORE INFORMATION: oppose.arco@gmail.com and get on the emailing list for alerts and updates.

FF L
Robin Hernandez
3524 S. Johnson Ct

I respectfully ask the City of Visalia Planning Commission to deny the Conditional Use Permit No. 2017-22 for the ARCO AM/PM development at the corner of West Caldwell and South West St because of traffic, safety, and quality of life issues.

The size and scope of the 24 hour ARCO proposal is too large for the smaller streets and close neighborhoods in the surrounding area. West St, north of Caldwell, is a small street that narrows in areas where the oak trees and city signs protrude into the streets. Cars and trucks are often forced over the double line in order to safely pass each other. As you can see in the pictures, there are no sidewalks for the children who walk to and from nearby Mountain View Elementary School. The increase in traffic on this portion of West St would make an unsafe situation worse. West St, south of Caldwell, is where the proposed entrance to the ARCO AM/PM will be located. This is where the 18 and 30 wheel fuel trucks will enter directly across from the school bus stop where the neighborhood school children are picked up and dropped off. The increase in traffic volume, including 18 and 30 wheel fuel trucks and delivery trucks, would adversely impact the safety of those children. Currently, the connecting streets and cross streets are being used as shortcuts to avoid the traffic signal at the intersection of Caldwell and West St. This "short-cutting" will increase as the traffic worsens at the Caldwell and West intersection. These small, residential streets are not designed to carry this heavy traffic burden. Furthermore, the recent (September 2017) increase in the speed limit on West St to 40 mph is too fast for this narrow street and should be reduced immediately.

There is a 24 hour ARCO AM/PM located at the ~~northeast~~^{southeast} corner of Hwy 63 and Riggins Ave with existing neighborhoods on the northwest side of Hwy 63 and on the southeast side to the south. There are 7 lanes and a center divider from the ARCO AM/PM westward to the neighborhood on N. Willis Ct. N. Willis Ct is surrounded by a high concrete block wall covered with sound reducing vines, large mature trees, and bushes. There is no walking entry/access from Hwy 63 which eliminates foot traffic into their neighborhood. I spoke with some homeowners who live on N. Willis Ct. and they report no impact on their lives since the ARCO AM/PM was built.

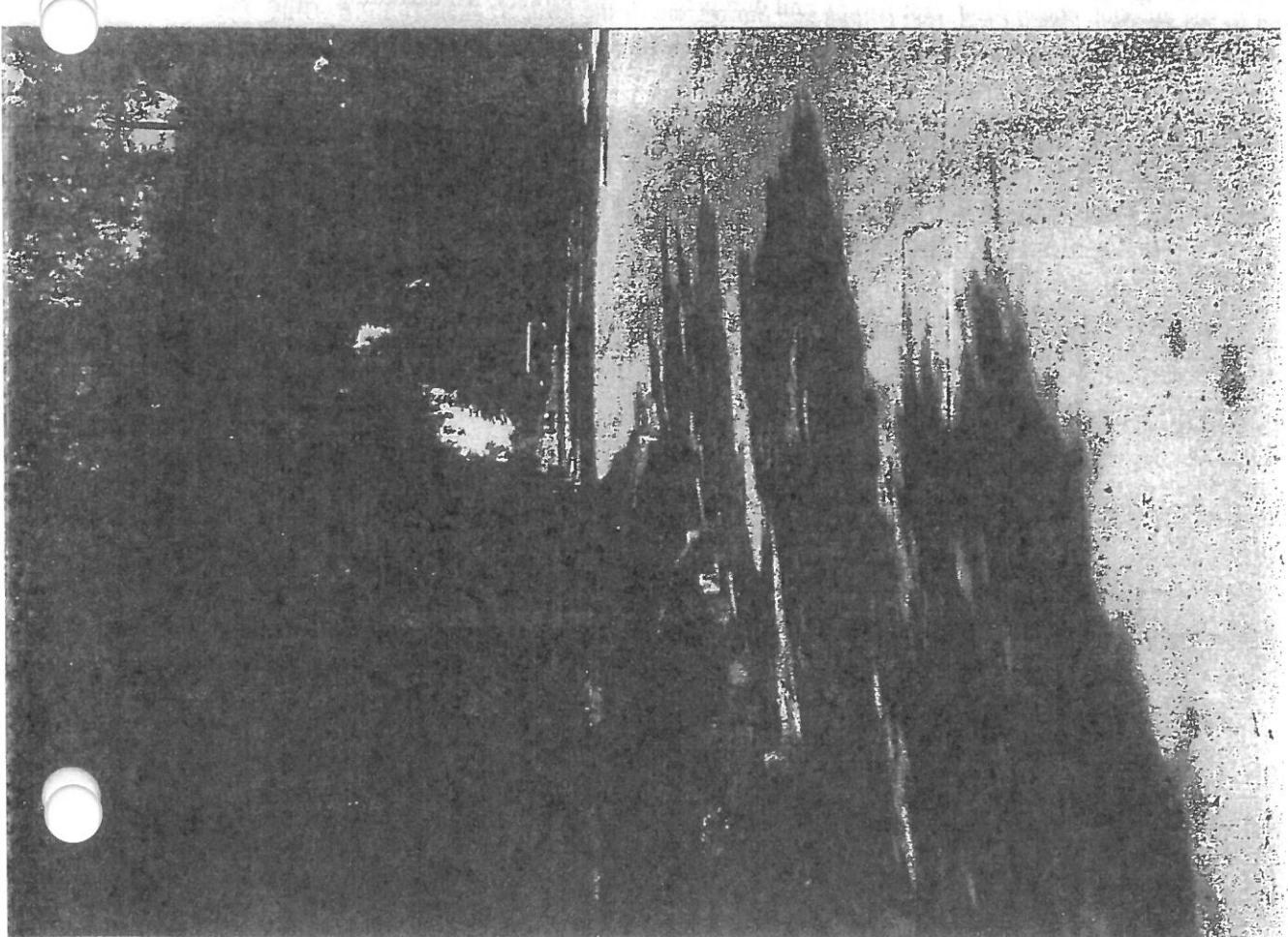
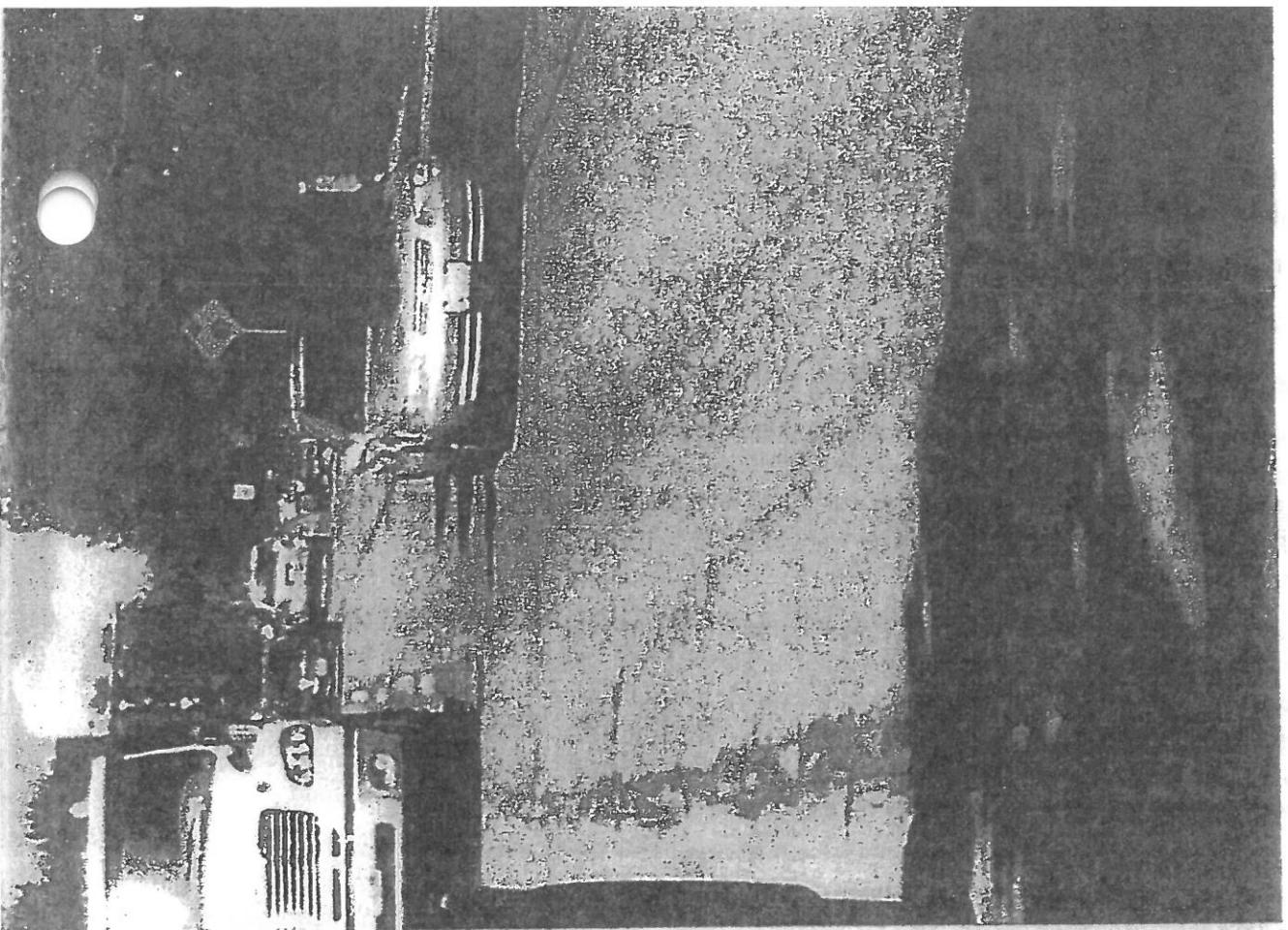
The residential neighborhood to the south is separated from the 24 ARCO AM/PM by a dirt field and the Dove Ave homes have a standard concrete wall behind them. Dove Ave is a cul-de-sac that has foot traffic entry/access from Hwy 63 into Dove Ave. When I spoke to these homeowners, they reported drastic changes in traffic, safety, and peace of mind since the ARCO AM/PM was built. They reported an increase in speeding

traffic, doubling of homeless foot traffic, cars and homes broken into, fires being set behind their homes, noise from the car wash buzzer with every entering vehicle heard inside their homes, light pollution from the ARCO AM/PM visible in their homes every night, people yelling and screaming at all hours, items being stolen from their yards and porches, and alcohol containers littering yards, which must be cleaned up daily. Every home had a to install security doors and many of the homes have had to build locked fencing around their yards. One homeowner reports that they put old clothes, shoes and personal hygiene items in plastic bags and hang them on signs and poles to try to discourage the homeless from stealing from them and breaking into their homes.

Based on the evidence and experiences of the Dove Ave homeowners, it is clear that the proximity of this proposed ARCO AM/PM industrial sized project to the existing adjacent residences and the small streets surrounding the Caldwell/West St intersection makes this ARCO AM/PM project unsuited to this location and would result in a dangerous increase in traffic and safety issues, and a reduction in the quality of life and peace of mind for homeowners. It is where commercial and residential interface each other that extra careful planning needs to occur. The Planning Commissioner's Handbook states: "Planning protects property and property values by separating incompatible land uses. Imagine if a factory sets up shop in the middle of a neighborhood. Planning assures that this will not occur."

I respectfully ask that the Planning Commission deny the request to construct a 24 hour ARCO AM/PM gas station in the Cameron Creek Shopping Center at the intersection of Caldwell and West Streets.

West St. North of Caldwell Ave.



Testimony to Visalia, CA Planning Commission on ARCO AM/PM Development Application,
Conditional Use Permit No. 2017-22

Date of testimony: To be determined

Subject: Overall Impact of Project

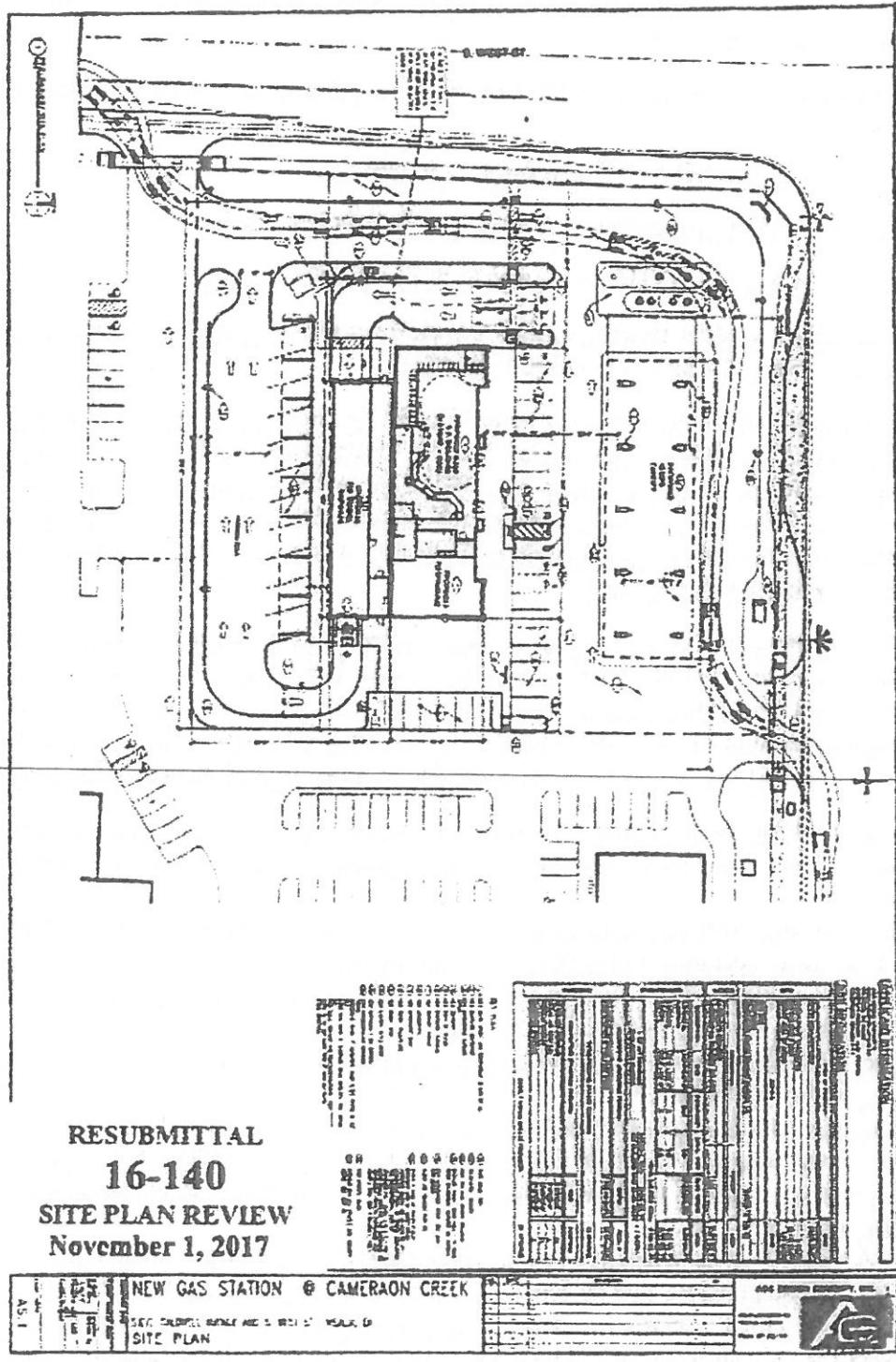
Author: Bernard Cooker, 3515 South Johnson Court, Visalia, CA 93277

I refer to Paul Bernal, Principal Planner's 146 page pdf document package, headed by the Visalia Planning Commission Agenda for 8/28/17 and the Staff Report to the Planning Commission of 8/28/17, Conditional Use Permit No. 2017-22. I also refer to the applicant's Second Site Plan, "Resubmittal, 16-140, Site Plan Review, November 1, 2017, New Gas Station at Cameron Creek", appended to this testimony.

The proposed 24 hour ARCO AM/PM truck stop at Caldwell Avenue and West Street, Visalia is an industrial scale complex, containing gas pumps for 20 vehicles, a convenience store, a drive through fast food restaurant, a car wash and 11 outdoor vacuum stations. It would be under 17,000 square feet of cover and it would be the largest truck stop in the City of Visalia. It has no place in the residential neighborhood around it, including the single family homes on West Street, the retirement community and single family homes on Kimball Avenue, and the hundreds of apartments on the north side of Caldwell Avenue.

Based on the Second Site Plan, 18 wheel, or larger, gasoline delivery trucks would daily travel and maneuver on residential West Street, where there is a children's public school bus stop, across West Street from the proposed development. This project would cause substantial extra traffic and unacceptable levels of noise and light pollution in surrounding homes, day and night. Vagrants and undesirables would be attracted to the alcohol, cheap food, rest rooms and dumpsters of the project, exacerbating crime. The project would be the 16th business selling alcohol within a one mile radius. The project is far too big for the narrowly confined, established residential area.

I request that the Planning Commission take civilized and responsible action to protect the residents in the area from these assaults on the resident's quality of life, their safety and health and their residential property values. The application for this massive, overpowering and thoroughly undesirable project, the largest 24 hour truck stop in the city, must be denied by the Planning Commission.



Comparison of Two ARCO AM/PM Projects, at Caldwell Avenue/West Street and at Plaza Drive/Crowley Avenue, Visalia, CA

B. Cooker, Date: 12/16/17, Version: 12/16/17. This version supersedes all previous versions, which should be discarded.

This document discusses two ARCO AM/PM projects, as follows:

Project 1 is the ARCO AM/PM at Caldwell Avenue and West Street, Visalia

Project 2 is the ARCO AM/PM at Plaza Drive and Crowley Avenue, Visalia

Page 1 of this document presents 10 observations, comparisons and discussion points on the information on Project 1 and on Project 2 which is in Table 1 on page 2.

Page 2 of this document shows the following table: "Table 1. Comparison of ARCO AM/PMs at Caldwell Avenue/West Street and at Plaza Drive/Crowley Avenue, Visalia, CA". Table 1 has 3 columns. The first column of Table 1 contains the factors which describe the projects in the columns to the right. Thus the line in Table 1 with "Proximity to interstate" in the first column, under "Factor" at its head, shows to its right the nature of the proximity to an interstate for Project 1, in column 2, and the nature of the proximity to an interstate for Project 2, in column 3.

Regarding the information in Table 1 on page 2, where Project 1, in the second column, is the Caldwell Avenue/West Street project and Project 2, in the third column, is the Plaza Drive/Crowley Avenue project, the following observations, comparisons and conclusions have been made. The following points are in numbered bullet form and they are to be read as individual statements. They do not constitute a continuous narrative; they are merely individual statements. They should be read after reading Table 1.

1. The residential areas of Caldwell Avenue, West Street and Kimball Avenue are on three sides of Project 1. They would receive an industrial scale project, namely a Pilot-style interstate truck stop.
2. Project 1 (Caldwell/West) includes a 20 hose gas station, convenience store, fast food restaurant and a car wash, operating 24 hours/day, 365 days/year, except the car wash.
3. Project 1 (Caldwell/West) occupies 1.95 acres and is under 17,366 square feet of roof, which is equivalent to a building 132 feet by 132 feet.
4. Project 1 (Caldwell/West) has 9,542 square feet of walled building, which is equivalent to a 98 feet by 98 feet building.
5. The Project 1 truck stop has more facilities (car wash), more walled buildings (car wash), more roofed square footage (by 49%), more walled building area (by 59%) and occupies more land (by 13%) than the Project 2 truck stop (Plaza/Crowley). Project 2 is in an industrial area, without nearby residences.
6. The Project 2 truck stop (Plaza/Crowley) is an industrial scale project in an industrial area. There are no residences nearby and no school bus stops. It lacks the car wash of Project 1.
7. The Project 2 truck stop has interstate access nearby (198, 99). Project 1 lacks this.
8. Project 1 (Caldwell/West) would be the largest, most services-diverse interstate Pilot-style truck stop in Visalia. Yet, it is situated on 2 and 4 lane streets in a residential area (West Street and Caldwell Avenue) and is nowhere near an interstate.
9. Project 1 has a public school children's bus stop across West Street from the truck stop entrance.
10. Project 1 is larger than the existing ARCO AM/PMs on Lovers' Lane (no car wash) and on Dinuba Boulevard (only 16 hoses).

Table 1. Comparison of ARCO AM/PM Projects at Caldwell Avenue/West Street and at Plaza Drive/Crowley Avenue, Visalia, CA

Factor in column below	Project 1. Caldwell/West	Project 2. Plaza/Crowley
Project identification	ARCO AM/PM, southeast corner of Caldwell Avenue and West Street. Project 1	ARCO AM/PM, southwest corner of Plaza Drive and Crowley Avenue. Project 2
Source of information	"Resubmittal 16-140 Site Plan Review, November 1, 2017, New Gas Station @ Cameron Creek, S.E.C. Caldwell Ave and S. West Street, Visalia, CA, Site Plan", Second Site Plan, Paul Bernal	"Proposed ARCO AM/PM Store S.W. corner of Crowley Ave and Plaza Drive, Visalia, CA 93291, CUP Amendment 2014-19", Site Plan", Paul Bernal
Type of project	Interstate Pilot-style truck stop	Interstate Pilot-style truck stop
Current status	Application before PC	Approved by PC, construction starting
Scale relative to similar existing facilities	Largest truck stop in Visalia: 20 hoses, convenience store, fast food restaurant, car wash	Equivalent to, smaller, existing Lovers' Lane, Dinuba Boulevard installations
Surrounding zoning and use	Residential (single family homes, retirement community, apartments), public school children's bus stop	Industrial, interstate access
Proximity to interstate	None	Interstate 198 within $\frac{1}{4}$ mile, Interstate 99 within 2 miles
Abutting roads	2 lane (West), 4 lane (Caldwell)	4 lane
Total project area	1.95 acres	1.73 acres
Total covered area	17,366 square feet	11,610 square feet
Total walled building area	9,542 square feet	6,000 square feet
Gasoline	20 hoses, 10 pumps, 24 hours	20 hoses, 10 pumps, 24 hours
Canopy	7,824 square feet, 15+ feet high	5,610 square feet, 15+ feet high
Convenience store	Part of 6,000 square foot building, 24 hours	Part of 6,000 square foot building, 24 hours
Fast food restaurant	Part of 6,000 square foot building, 24 hours	Part of 6,000 square foot building, 24 hours
Car wash	3,542 square feet, 6 a.m. to 9 p.m., 365 days, with 11 outside vacuum stations	None
Gasoline deliveries	18, 30 wheel tractor trailers and double tandems, through West Street	18 and/or 30 wheel tractor trailers and double tandems, via Interstate 198 to Plaza Drive



Robin Hernandez <oppose.arco@gmail.com>

#5 a.

Negotiation Ideas

5 messages

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Mon, Nov 13, 2017 at 8:02 PM

Mr. Freeman,

Thank you for your email and the opportunity to negotiate. Our first concern is the location of the project. Based on these concerns our ideas are as follows:

1. Abandon the project.
2. Move the project to Caldwell nearer 99. This will generate more business; property is less expensive in that area; there wouldn't be opposition from existing residential neighborhoods.
3. Move the project eastward to abut the Jack in the Box where there would be less residential impact.

Respectfully,
Oppose ARCO AM/PM

tomfreeman2010 <tomfreeman2010@yahoo.com>
To: Robin Hernandez <oppose.arco@gmail.com>

Mon, Nov 13, 2017 at 8:08 PM

Thank you for your reply. I will share your suggestions with the leadership at Chandi Group USA.

Please forgive me for a delay in response as it may take some time for the team to thoughtfully consider your suggestions.

I might add that based on your comments at the hearing the site was altered to reduce noise, we are working with the city police department to address any prevention of crime, and a new. Noise study was commenced and completed.

These steps we the result of your comments and others to be Commission.

Tom

Sent from Yahoo Mail for iPhone
[Quoted text hidden]

 ARCO Negotiations Response

1 message

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Mon, Nov 20, 2017 at 12:56 PM

Mr. Freeman,

We respectfully request a response, within a week, to our negotiation ideas submitted to you in an email dated Monday, November 13, 2017.

Thank you,
Oppose ARCO AM/PM



Robin Hernandez <oppose.arco@gmail.com>

ARCO AM/PM Negotiations response

1 message

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Tue, Nov 28, 2017 at 12:02 PM

Mr. Freeman,

We respectfully request a response to our negotiation emails submitted to you dated November 13, 2017 and November 20, 2017.

Thank you,
Oppose ARCO AM/PM

 **Request for ARCO AM/PM Negotiations Response**

1 message

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Fri, Dec 1, 2017 at 10:51 AM

Mr. Freeman,

We are still awaiting a response to our previous emails.

Thank you,
Oppose ARCO AM/PM

To: Mr. N. Chandi
 Chandi Group USA
 42270 Spectrum Street
 Indio
 CA 92208

From: Oppose ARCO AM/PM Steering Committee
 c/o Robin Hernandez
 3524 South Johnson Court
 Visalia
 CA 93277
 559 732 4142
Oppose.ARCO@gmail.com

December 19, 2017

Mr. Chandi,

This letter concerns your proposed ARCO AM/PM truck stop at the intersection of South West Street and Caldwell Avenue in Visalia, CA. We, the Oppose ARCO AM/PM Steering Committee, who represent the residents and homeowners surrounding the proposed site, would like to express our deep concerns and fears regarding the seriously adverse impacts which this industrial-size project would have on our lives, those of our families and on our homes.

The Steering Committee has distributed informational flyers to over 600 homes, collected hundreds of signatures on petitions, placed over 100 signs in homeowner's front yards, developed our email/phone contact list and provided information and interviews to the Valley Voice and the Visalia Times Delta. Our press briefings are ongoing and our signs await posting of the date of the next Visalia Planning Commission meeting on this matter.

We have analyzed the 146 pages of the Visalia Planning Commission's project document package, issued at their 8/28/17 public meeting, including the Chandi Group's Site Plan and its recent Second Site Plan. We have researched the adverse impacts of the proposed development on the surrounding residential neighborhoods, including the retirement community to the immediate south of the site. The negative impacts include safety, traffic, alcohol sales, light pollution, noise pollution, daily trucked fuel deliveries at night via our residential streets, fuel emissions and crime. Our field research on existing ARCO AM/PM facilities elsewhere in Visalia found blighted residential neighborhoods battling carwash alarm noise, light pollution, crime, vagrancy, alcohol consumption, trespassing, fires, burglaries, theft, littering and property damage in nearby homes.

Additionally, we know from analyzing your project's Second Site Plan that 18 and 30 wheel tractor trailers and double tandem trucks would travel our exclusively residential West Street at any hour to reach the truck stop entrance, on West Street. This entrance is across from a children's school bus stop, the street being a narrow two lane thoroughfare. The deliveries would endanger the school children.

Sixteen establishments currently sell alcohol within a mile of the proposed project location. We object to the ABC licensing of the ARCO establishment to sell alcohol in our neighborhood, especially given its close proximity to the children's school bus stop.

As part of our research, we have read newspaper articles, some including interviews, regarding yourself and your success in business. Many of your public comments lead us to believe that you are open to the concerns of the communities and neighborhoods within which you propose projects. For example, you have stated that you "want to be a good community partner" and "my parents have always taught me, make sure you work with the community, work with the people". See The Desert Sun, 12/2/15. Our hope is that you will listen to our concerns and work with us. Mr. Tom Freeman contacted us in October, asking for our concerns, and we responded with 3 items to be considered in negotiation. We have never received a response, even after numerous attempts to reach him. Those first three items are as follows:

1. Abandon the project.
2. Move the project to Caldwell Avenue, close to Interstate 99. This would generate more business, property is less expensive in that area and there would not be opposition from residential neighborhoods.
3. Move the project eastwards to abut the Jack in the Box on Court Street, where there would be less residential impact.

Our main goal is for you to abandon the proposed project site and move to a location away from established residences and residential neighborhoods, as is the case with your current, smaller truck stop project at Plaza Drive and Crowley Avenue, off Highway 198, in the Visalia industrial zone.

Our next three negotiating points are as follows:

4. Eliminate the car wash. There is an existing car wash one block west of this site and a new car wash less than $\frac{1}{4}$ mile from here.
5. Reduce the gas station from 5 bays to 3 bays, with 6 islands and 12 hoses.
6. Restrict the gasoline station and convenience store/fast food restaurant operating hours to 6 a.m. to 10 p.m. and the car wash to 8 a.m. to 6 p.m., in line with almost every commercial enterprise in the area.

We ask you to listen to the concerns and fears of the residents and abandon this industrial-sized truck stop, which our research shows would be the largest truck stop in Visalia, with residential neighborhoods on three sides. Relative to the industrial zone truck stop off Highway 198 at Plaza Drive and Crowley Avenue, it would have more facilities (car wash), more walled buildings (car wash), more roofed square footage (by 49%), more walled building area (by 59%) and occupy more land (by 13%).

We would publicly support building commercial establishments compatible in scale, use and design with our residential area, including a grocery store, pharmacy, other retail, coffee shop, sit-down restaurant, medical buildings and office buildings. Tulare County, including our neighborhood, would be grateful and energized if you could bring a Trader Joe's or a Whole Foods to this location.

The Steering Committee extends an invitation to you, personally, to attend one of our organizing committee meetings, at your convenience, to hear our concerns directly, tour our neighborhood and review the proposed project site in its residential context. We look forward to hearing from you; our contact information, by phone, email and U.S. mail, is at the head of this letter.

Thank you for your time and consideration in this matter.

Sincerely,

Oppose ARCO AM/PM Steering Committee

SENDER: COMPLETE THIS SECTION**COMPLETE THIS SECTION ON DELIVERY**

■ Complete items 1, 2, and 3.
 ■ Print your name and address on the reverse so that we can return the card to you.
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. W. Chandi

Chandi Group USA

42270 Spectrum Street
Encino, CA 91303

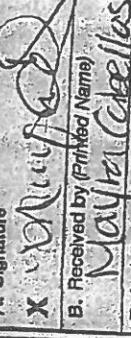


9590 9403 0167 5120 4931 60

2. Article Number (Transfer from service label)

701b 1970 0001 1000 5323

PS Form 3811, April 2015 PSN 7550-02-000-9053

A. Signature	
 <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Date of Delivery	
B. Received by (Printed Name)	
 W. Chandi	
C. Is delivery address different from item 1?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

D. Is delivery address different from item 1?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
E. Service Type	
<input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (or \$500) <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	

Domestic Return Receipt

**U.S. Postal Service[™]
CERTIFIED MAIL® RECEIPT**

Domestic Mail Only

For delivery information, visit our website at www.usps.com

INDIANAPOLIS, IN 46267

0577 21

Postmark
Here

Certified Mail Fee	\$3.35	\$2.75
Extra Services & Fees (check box and fee as applicable)		
<input type="checkbox"/> Return Receipt (Hardcopy)	\$ 0.00	
<input type="checkbox"/> Return Receipt (Electronic)	\$ 0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00	
<input type="checkbox"/> Adult Signature Required	\$ 0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00	
Postage	\$0.49	
Total Postage and Fees	\$6.59	

12/22/2017

Sent To

Street and Apt. No., or P.O. Box No.

City, State, ZIP+4

See Reverse for Instructions

PS Form 3800, April 2015 PSN 7550-02-000-9017

Proposed Oppose ARCO AM/PM Demands for Negotiation Between Oppose ARCO AM/PM and Thomas Freeman, Chandi Group

11/11/17, Bernard and Susan Cooker

Demand No.	Demand	Comments
1	Abandon project	Our ideal outcome
2	Move project westwards to Caldwell Avenue at or near 99	More business, less community opposition, cheaper land
3	Move project eastwards to abut the Jack in the Box, with only access on Caldwell Avenue and Court Street	Closer to existing commercial businesses on Caldwell Avenue and Court Street
4	Eliminate the car wash	Demand 4 and following assume Demands 1 to 3 fail. Lovers Lane ARCO has no car wash
5	Reduce the gas station from 5 bays to 3 bays, 12 hoses, 6 islands	The Rte 63 ARCO has 16 hoses
6	Restrict gasoline station and convenience store operating hours to 6 a.m. to 10 p.m. and car wash to 8 a.m. to 6 p.m.	Shell is 6 a.m. to 10 p.m., Jack in the Box is 24 hour, all other businesses in area are 8 a.m. to 6 p.m., no exceptions
7	Move car wash furthest east on same site, especially the 10 loudest noise sources, including the vacuum cleaner stations	Moves worst noise further from West Street and homes
8	Install state of the art lowest noise source equipment throughout car wash. To be vetted and approved by third party engineer.	Mitigates noise
9	Install noise muffling shields around the 10 loudest noise sources at the sources. To be vetted and approved by third party engineer.	Mitigates noise
10	Install 10 feet high 2 feet thick concrete wall along West Street from 50 feet south of West Street/Caldwell Avenue intersection to the West Street/Kimball Avenue intersection and thence east to eastern boundary of Land Parcel APN 126-870-36	Noise and light barrier
11	Redesign the lighting to conform to the following, subject to review and approval by third party engineer. Include the following extra Conditions in the Conditional Use Permit. Condition A. All lighting must be designed, installed and operated without significant direct or indirect light or glare from falling on any adjacent residential property, including on the north, west and south sides. Condition B. Parking lot and drive aisle lighting shall use 15 foot high poles, with the lighting element completely recessed into the can, to reduce or eliminate direct and indirect light and glare which may adversely impact adjacent residential areas, including on the north, west and south sides. Condition C. Building and security lights must be shielded so that the light element is not visible from any adjacent residential properties, on the north, west and south sides. Condition D. In no case shall 0.5 lux be exceeded at any property line. Condition E. Failure to meet any part of Conditions A, B, C, D, 11, 12, 13 or 14 shall, result in no occupancy of the property until all the Conditions are met in their entirety.	This is based directly on the City's own boiler plate. See this cited on pdf page 131, Site Plan Review Comments.
12	Eliminate the fast food drive through	Odor, crime, vagrancy, vermin
13	Execute the Conditional Use Permit landscaping plan for West Street with double the number of trees, every one of which shall be native to the CA Central Valley and have a fully functioning automatic water irrigation point source. Property owner responsible for tree maintenance, including replacement.	Light and noise barrier
14	Execute the Conditional Use Permit landscaping plan for Caldwell Avenue with double the number of trees, every one of which shall be native to the CA Central Valley and shall have a fully functioning automatic water irrigation point source. Property owner responsible for tree maintenance, including replacement.	Light and noise barrier

CONFIDENTIAL

Residents on Dove:

Standing outside of their homes and talking to them, the traffic noise was so LOUD I couldn't imagine trying to enjoy sitting in the backyard. ALL of the homes have security doors and some have code entry pads instead of key locks. You can see where the doors have been forced in the past. The property where the ARCO is built was zoned "Residential" then changed to commercial after the owner's purchased their homes.

^{Home}

Jamie: Increase in crime and homeless; items being stolen from her yard, boat, and car. She put a chain link fence around her entire house to keep them out. Asked if we were going to try to get rid of the ARCO there at Riggin.

Angel: He lives on the end of the cul-de-sac next to the opening on Dinuba. He reports a doubling of homeless in their neighborhood. His car has been broken into; fires set behind his fence; he can hear the car wash alarm going off from inside his home; the lights from the ARCO are visible in his home especially when they are trying eat dinner at the table in the dining room; they hear people yelling and screaming at all hours; there is a huge problem with beer cans (alcohol containers) and trash along his yard which he has to clean up everyday (he will send us a picture); he is concerned about the safety of his children. Angel remembers receiving notices that make him think the project was stopped at least twice (he did receive at least 4 different meeting notices) He did not go to the meetings. If he had to do it over, he would have fought it being built.

Efren: Reports increase in homeless traffic, home break-ins, and thefts. He wants the opening closed off and are trying or tried to get that done. (Petition?). Efren states that he puts old clothes, shoes, and personal hygiene items in plastic bags and hangs them on the signs to try to discourage the homeless from stealing from them. Speeding is an issue because the street went through at one time and people using gps still thinks goes through. Homes from Jamie eastward were give extra land when the street behind them was abandoned when the zoning was changed.

After visiting this neighborhood, my impression is that whatever the residents of West St think is going to be bad when this is built, isn't even close to the reality of what is going to happen. The openings in our cul-de-sacs are going to result in open invitations to the homeless.

The residents on the west side of Dinuba do not have any issues with the ARCO. The design and distance from this neighborhood is drastically different from the neighborhood on the east side; therefore, they do not suffer the same problems.

Susan Cooker

3515 South Johnson Court, Visalia, CA 93277

Development Site Lighting

I wish to protest the applicants building plan on the following grounds.

I have visited both existing ARCO AM/PM sites (Lovers Lane and Noble; Dinuba and Riggins) by night and made the following observations:

Using a light meter, (see data chart for details) I found that the levels of light intensity at the public sidewalk of both site exceed 0.5 lux by a high degree. My results are listed on the tables at the end of this report.

I was able to find the sites driving while two blocks away and around curves in the road due to the sky glow they created. The sites are brighter than all of the other businesses in the same area. However much the lighting has been focused down and inward, these sites glow like Chernobyl at night. A permanent, in your face reality for the residents in nearby homes and the adjacent nursing facility. At the other two sites, the homes are much further away than the proposed site will be to homes in our neighborho

Our copy of the pdf document from Paul Bernal states, on page 7, "The applicant has provided a lighting photometric diagram for the gas station site. Staff has determined that the photometric diagram demonstrates that there are a few instances where lighting exceeds the 0.5 lumens beyond the property lines of the commercial site." A "Light Study for the residential area to the west" is cited on pdf page 131, under "Site Plan Review Comments, Lighting". However, no such Photometric Diagram or Light Study was included in our own copy. Were they ever done? If they were, why are they not available? Additionally, I measured light levels at both of the existing sites (see table at end of report) and they are considerably more than 5 LUX.

The CUP conditions on lighting listed on pg 19 of the pdf document (Conditions 11 to 14) do not address lighting and its impact on Caldwell Avenue and Kimball Ave and they do not address more than canopy signage. There are many other light sources, great whopping security pole lights for example.

On page 131 of the pdf the Planning Commission specifies their guidelines for lighting. However, they are not actually being imposed on the applicant. We insist that the City of Visalia make the applicant adhere to the City Lighting Standards: written in as Conditions of any CUP. If it is not in writing and enforced, it doesn't happen.

Finally, I love to stargaze at night from my hammock in the back yard. The glare from the new site would erase the stars. There's no escape from these impacts for locals who also pay taxes to the City of Visalia. This is not a good way for Mr. Chandi to be a good neighbor to our community.

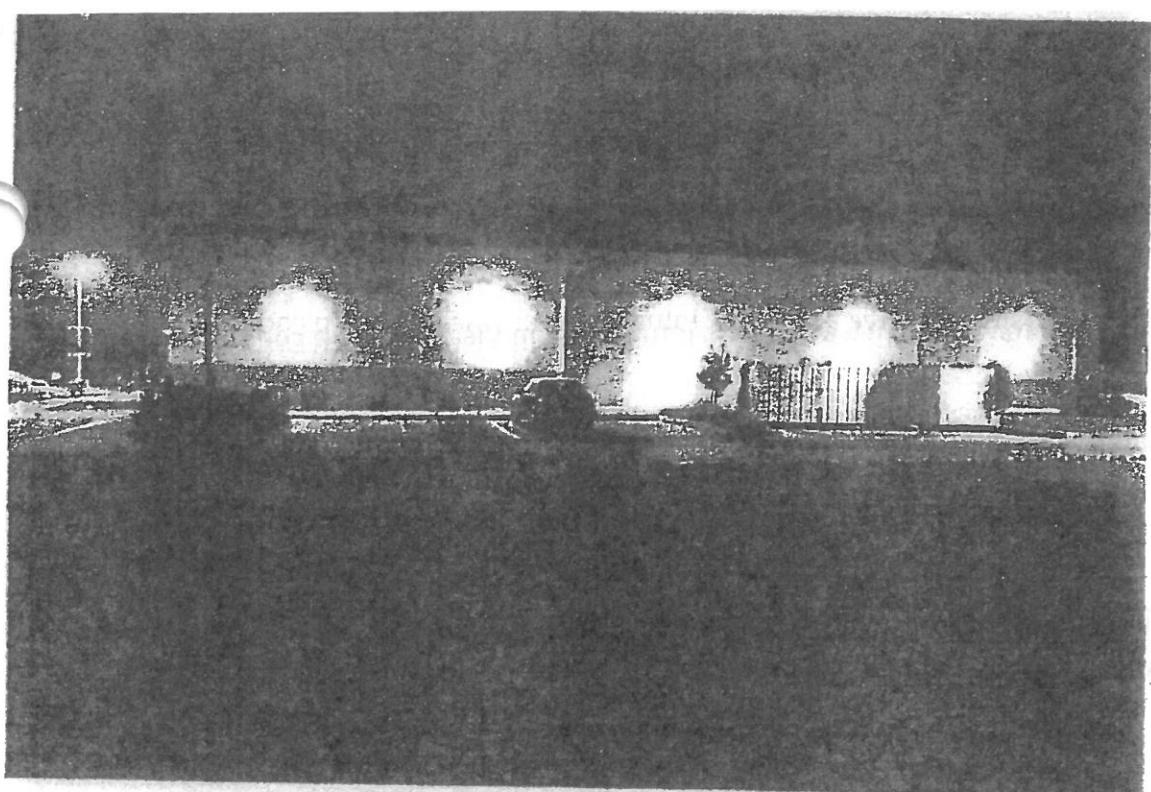
We do not want to see this specific installation approved.

Table 1. Measured Night Time Light Levels at Operating ARCO AM/PM Site, Lover's Lane, Visalia, CA. As measured from public side walk areas. Approximate distances measured by 2 ft 6 inch pace of 6'2" tall human.

Photograph Number, date, time	Light meter location	Light meter orientation	Approximate distance from meter to nearest ARCO AM/PM element in photograph in ft	Measured light intensity at meter in lux
1 10/15/17 7:05 p.m.	Curb, east side of N/S road, rear of rear parking lot	Horizontal. 5 ft elevation. Facing west across rear parking lot	100	1.5
2 10/15/17 7:06 p.m.	Sidewalk, south east corner of Lover's Lane and Route 198 access ramp	Horizontal. 5 ft elevation. Facing south east across gas pump forecourt to north west corner of canopy	100	10.6
3 10/15/17 7:09 p.m.	Sidewalk, Lover's Lane, opposite canopy east/west center line	Horizontal. 5 ft elevation. Facing east across gas pump forecourt to west side of canopy	72.5	12.5

Table 2. Measured Night Time Light Levels at Operating ARCO AM/PM Site, Dinuba Avenue, Visalia, CA. As measured from public side walk areas. Approximate distances measured by 2 ft 6 inch paces of 6'2" tall human.

Photograph Number, date, time	Light meter location	Light meter orientation	Approximate distance from meter to nearest ARCO AM/PM element in photograph in ft	Measured light intensity at meter in lux
1 10/15/17 7:29 p.m.	Sidewalk, south east corner of Dinuba Avenue, And Riggins	Horizontal. 5 ft elevation. Facing south east across gas pump forecourt to north west corner of canopy	75	5.6
2 10/15/17 7:32 p.m.	Sidewalk, east side Dinuba Avenue, facing canopy west side, opposite canopy east/west oriented center line	Horizontal. 5 ft elevation. Facing east across gas pump forecourt to west side of canopy	75	42.3
3 10/15/17 7:34 p.m.	Left side front midway between building and Riggins Avenue.	Horizontal. 5 ft elevation. Facing east across gas pump forecourt to west side of canopy	62.5	2.3



Lovers Lane
Back of
site



Lovers
Lane
s: decent,
center, front

Hello.

My name is Cheryl Johnson. I live at 3506 S. Johnson Ct. in Visalia. My zip code is 93277.

The Visalia City's Mission Statement's first and second points state that citizens are assured:

One:

- a clean, safe, well-managed, financially sound, aesthetically pleasing, and environmentally pleasant city in which to live;

And two:

- a forum for meaningful participation in political decisions affecting their well-being;

Which is why I am here tonight. The proposed ARCO AM/PM gas station, convenience store, fast food drive-through and car wash facility, violates the City's Mission statement in several serious ways. The primary one is the selling of alcohol. First, let me clarify that I am not anti-alcohol per say, but alcohol is a legal intoxicant which has the potential for serious abuse, which in turn, puts the public at risk. Due to the potential harm, it is necessary for alcohol to be regulated by federal and state laws. I have grave concerns with yet another establishment opening that sells alcohol, since our neighborhood is saturated with eighteen businesses already selling alcohol, within a mile of the proposed ARCO AM/PM facility. The new ARCO AM/PM would make the nineteenth licensed facility to sell alcohol in a one mile radius.

Studies are clear that not only does the convenience of obtaining alcohol increase the rate of consumption, but that in the case of off-site sales of alcohol, there is an increase in people consuming alcohol in their vehicles, often parking on the edge of the property where it was obtained, to do so. This increases the chance of residents being hit by inebriated drivers, inebriated pedestrians being hit by vehicles, as well as an increase in vehicular upon vehicular accidents. This is especially true when considering the increase in traffic that such a large facility as the ARCO AM/PM station would attract. This would result in serious injury or death. Furthermore, it will increase the need of law enforcement, because where there is alcohol use, there is an increase in police calls. To make matters worse, there is a bus stop within feet of the proposed entrance to the ARCO AM/PM station, which endangers active youngsters.

Furthermore, if the ARCO AM/PM facility is built, impressionable children would be exposed to individuals, or groups, of people in an inebriated condition with

resultant drunken behaviors, at various times of the day and night. Children will, at times, be exposed to such behaviors as intoxicated people are known to have, such as using foul language, yelling, screaming, arguing, fighting with their fists or weapons and generally being out of control.

Children will be frequenting the AM/PM facility to buy snacks, or when their parents send them to buy milk or other items, where these kids will be exposed to shelf upon shelf of alcohol being sold, and the behavior of people who use it inappropriately. Studies show that the more children are exposed to alcohol and the use of alcohol, the more likely they are to drink it before the age of majority and beyond. In a large facility like the proposed AM/PM it would be difficult to monitor or stop children from stealing alcohol, or from minors getting adults to supply alcohol to them.

I also have grave concerns regarding the effect the proposed ARCO AM/PM station will have on the ability for child predators to have access to children, especially while under the influence of a substance such as alcohol. The proposed ARCO station is a prime example of where a predator could easily observe children when they are waiting for the school bus, are walking home, or are on the ARCO site. Predators could easily spend time at the twenty-four ARCO, planning how to molest and/or abduct a child. Studies have shown that predators under the influence of an intoxicant are more likely to offend against a child and that most child abductions happen at or near school bus stops. Given these facts, building an ARCO AM/PM facility at the proposed site puts children in increased danger.

In conclusion, the building of the proposed ARCO AM/PM truck stop style facility does not honor the city's mission statement in protecting the safety and health of our citizens, especially children.

Thank-you for your attention.

Noise Pollution, William Reeser

1/15/18

The applicant's first Noise Report was rejected by the Visalia Planning Commission on 8/28/17 as unusable and a second Noise Report was requested of the applicant by the Commission. As of 1/15/18 we have not been notified by the Planning Commission that the second Noise Report has been received by the Planning Commission or that it is available to the public from them.

August 20, 2017



City of Visalia Planning Division

315 East Acequia Ave

Visalia CA 93291

Subject: Mitigated Negative Declaration

(Conditional Use Permit No. 2017-22)

Reasons this Mitigated Negative Declaration should not be approved:

1. Excessive lighting to existing home owners in affect area.
2. Hours of operation will diminish property values in addition to the increased noise level and street traffic from autos, customers, and trucks used to fill the tanks. Further, deliveries made to the Arco in various times and days will disrupt normal sleeping habits and create congestion to the existing owners affected by this location.
3. Significantly reduce resale and existing home owner values.
4. Existing bus stop for small children is across the street on West Street this could increase the risk of injury to parents and children.
5. Liquor sales and consumption in the immediate area will increase risks of accidents and injury to the affected area.
6. Added traffic will increase exhaust emission to affect area.
7. Sound barriers must be established to reduce noise and enhance "quiet enjoyment of existing homes". Sound travels through wooden fences in far greater decibels than from a brick fence or other sound resistant material.
8. Combined future projects contribution is cumulatively considerable
9. Project is not within zoning, plans, and land use controls.
10. Greenhouse gas hazards and hazardous material will exist at the proposed location.

11. West Street from Coldwell and Kimball Ave has a high degree of excessive speed from motorist traveling this route.
12. Has an EIR been conducted and has CEQA been contacted to verify the site.
13. CEQA policies prefer EIRs, the law effectively protects those who prepare them by applying the "substantial evidence" standard of judicial review.
14. The California Environment Quality Act (CEQA) is the primary state law that requires public agencies and their decision-makers to understand and evaluate the environmental consequences of their discretionary decisions before making them.
15. Quantitative thresholds, such as traffic intersection level of standards as well as noise thresholds must be maintained.
16. The local agency handling this has not provided "substantial evidence" to support their claim for Mitigated Negative Declaration.
17. Existing issues have not been adequately addressed. CEQA defines adequately addressed as "they cannot be mitigated to avoid or substantially lessen the significant impacts despite the project proponent's willingness to accept all feasible mitigation measures, and the only purpose of including analysis of such effects in another environmental impact report would be to put the agency in a position to adopt a statement of overriding considerations with respect to the effects"
18. In an MND, reduction of impacts must be "clearly" to a less than significant level.
19. Adequate Mitigation, must include (a) physically modifying the project, such as design changes to avoid or substantially reduce an effect. (b) Limiting project activities, such as operational limits like seasonal or daily time restrictions. (c) Constructing improvements intended for mitigation such as BMPs. (d) Compensatory actions, such as replacement of lost habitat through restoration or enhancement.

On these grounds and further arguments presented to the Visalia Planning Commission in the future I strongly urge the Agency to reconsider their proposed adoption of the "Mitigated Negative Declaration"

Regards

A handwritten signature in black ink, appearing to read "William Reeser". The signature is fluid and cursive, with "William" on the top line and "Reeser" on the bottom line.

William Reeser

William Reeser

508 W Kimball Ave

Visalia CA 93277

Breeser55@aol.com

(559) 308-8716

August 22, 2017

RECEIVED

AUG 23 2017

COMM. DEVELOP.
CITY OF VISALIA

Comments on proposed Mitigated Negative Declaration

1. Noise is defined as unwanted or objectionable sound. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and in extreme circumstances, hearing impairment. All of which will occur if this MND is allowed to be approved by the City.
2. Distance from noise emitting sources is too close to existing homes. Evening and nighttime hours for levels of noise (7:00PM to 10:00 PM) is in excess of CNEL.
3. Vibration, from heavy trucks during the operating hours exceed the standard.
4. As stated in the MNC the noise level for proposed dryers is above the city's standards.
5. No remedy for home owners with small children and varying hours of work, not all families work from 8 to 5 Monday through Friday. Noise levels created by this proposed MND will be everyday not just on a normal work schedule meaning Monday to Friday.
6. Added traffic on West Street will increase vibrations and noise levels
7. Construction will add dust and possible health issues due to dust.
8. Crime will increase within the proposed site, has the Visalia Police Dept been allowed to evaluate the site.
9. Proposed curb cuts shift traffic on West to single family area.
10. Speed limits are not consistent with existing city requirements.
11. Traffic counts will significantly increase on existing road way further creating noise.
12. Lighting from proposed MND will create glare and unreasonable lighting for homes on West street. Lighting has not been address in the MND.
13. No need for another gas station in this area, 4 exist with a 1 mile radius.
14. Quiet enjoyment of life is the main reason people choose Visalia.

#7d

Mehdi Huda
450 W. Caldwell Ave

I respectfully ask the City of Visalia Planning Commission to deny the Conditional Use Permit No. 2017-22 for the ARCO AM/PM development at the corner of West Caldwell and South West St.

My family and I have lived in and been in business in Visalia for 38 years. My children were born in Visalia and attended Visalia schools. We have purchased our home here, shopped locally, and paid taxes for 38 years. The Chandi family, who owns the ARCO AM/PM lives in Indio, CA where the profits and earnings will be sent and spent. The following research supports the fact that Visalia will benefit from a locally owned business remaining in business.

Known as Hypermarts, large combination convenience stores and numerous fueling pumps are becoming increasingly common. These hypermarts are part of regional or national chains which can buy and sell gas for less than traditional, locally-owned gas stations. These hypermarts usually cause one or more older, local businesses to go out of business when one of these big newcomers opens.

A number of studies have shown that local economies are better off with locally owned businesses compared to those which are part of a regional or national chain. These studies show that on average 48% of each purchase at a locally-owned business circulates through the local economy compared to less than 14% of purchases from regional or national chain stores.

I respectfully ask that the Planning Commission deny the request to construct a 24 hour ARCO AM/PM gas station in the Cameron Creek Shopping Center at the intersection of Caldwell and West Streets.

7e

Jeanny Chang, M.S.,R.D.
3535 S. Johnson Court
Visalia, CA 93277

Environmental Concern

Many of us that live in the Central Valley of California suffer environmental allergy due to poor air quality. Vehicle emissions are the greatest single source of air pollution, which leads to health problems, particularly respiratory conditions. Data from California Air Resources Board shows the transportation sector accounts for the biggest share of California's greenhouse gas emissions. It made up roughly 40% in 2015.

On October 10, 2017, Governor Jerry Brown signed a handful of bills aimed at helping the state's quest to achieve its ambitious greenhouse gas reduction goals. California is working to put 1.5million zero-emission vehicles on its roads by 2025.

There are 3 gas stations with a total of 34 gas pumps within one mile radius of the proposed Arco AM/PM site. The proposed Arco AM/PM project will add another 20 gas pumps. We anticipate with the additional 1.5 million Zero-emission vehicles on the road by 2025, the need for gasoline pumps will be vastly reduced. Is it a wise decision for the Planning Commission to approve such project? Do we want to see many vacant gas stations in less than a decade?

Jerry Rogala
702 W. Kimball Ave

Negative Declaration-Conditional Use Permit No. 2017-22 for the ARCO AM/PM development at the corner of West Caldwell and South West St because of crime and safety issues.

For multiple reasons, convenience stores are often a very popular target for a variety of crimes, most notably shoplifting and robbery. American convenience stores are often direct targets of armed robbery and FBI statistics show robberies up 16.8 percent in c-stores/gas stations. VPD reports an increase in calls to 24 hour businesses in Visalia especially the 24 hour ARCO AM/PM at Lover's Lane.

Reasons for higher rate of crime at convenience stores may be attributable to various factors, including:

- the small number of employees per store makes it difficult to stop or deter criminals
- the extended hours of many convenience stores present more opportunities when few customers and/or witnesses are present
- the smaller size of the store makes it easy for criminals to quickly navigate the floor plan and enter and exit close to the cash registers
- the majority of purchases are in cash as opposed to electronic transactions, leading to a relatively large amount of cash (often minimally secured) at any point

Chronic homelessness in Visalia has increased by 67 percent since last year. VPD has been made aware of homeless setting up in and near our neighborhood. However, as our homeless population increases VPD are unable to track all the problems.

- The proposed 24 hour ARCO delivers new opportunity for Low cost, Low risk and benefits to the unlawful that is not currently present at this location.
- The proposed 24 hour ARCO provides a new loitering, 24/7 meeting place that is not currently present at this location.
- Cheap food, alcohol and public restrooms will be conveniently available 24/7 that are not currently present at this location.

Pedestrian Safety-Neighborhood Quality of Life

What does crime and development have to do with one another? When development substantially increases the volume of traffic on residential streets, then the crime rate rises. Increase in population are not matched by an equivalent increase in the number

of police officers, then response time slows considerably. The perception of rampant crime has a significant effect upon quality of life. It will discourage people from taking an evening jog or stroll through the community or cause parents to keep their children indoors.

It concerns me that in the Report to the City of Visalia Planning Commission, on page 137 of the report dated August 28, 2017 includes the VPD Site Plan Review Comments, dated February 22, 2017, endorsed by officer O. Dominguez of the VPD. The nearly blank report states; "no comment at this time" and then scratched that out and added an arrow pointing to a line item titled: "surveillance" where is hand written in "Security/Camera System". (See attached sheet). There are no other requirements stated by the VPD to mitigate the increase of crime a new 24 hour ARCO invites.

I respectfully ask that the Planning Commission deny the request to construct a 24 hour ARCO AM/PM gas station in the Cameron Creek Shopping Center at the intersection of Calwell and West St.

**City of Visalia
Police Department**
303 S. Johnson St.
Visalia, Ca. 93292
(559) 713-4370

ITEM NO: 4 DATE: February 22, 2017
SITE PLAN NO: SPR16140 RESUBMIT
PROJECT TITLE: CAMERON CREEK ARCO AMPM
DESCRIPTION: NEW SERVICE STATION W/ 600CSF CONVENIENCE
STORE, 10 DISPENSER CANOPY AND AUTOMATED
CARWASH. STORE TO OPERATE 24 HOUR W/
SALES OF BEER AND WINE (CN) (X) (A)
CAMERON CREEK ARCO AMPM
CAMERON CREEK MARKETPLACE LLC
SWC OF EAST CALDWELL AVE AND S COURT
126-870-037

Site Plan Review Comments



No Comment at this time.



Request opportunity to comment or make recommendations as to safety issues as plans are developed.



Public Safety Impact fee:

Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
Effective date - August 17, 2001

Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure or improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.



Not enough information provided. Please provide additional information pertaining to:



Territorial Reinforcement: Define property lines (private/public space).



Access Controlled / Restricted etc:



Lighting Concerns:



Landscaping Concerns:



Traffic Concerns:



Surveillance Issues:

SECURITY / SURVEILLANCE SYSTEM



Line of Sight Issues:



Other Concerns:

O. Dominguez 6166

Visalia Police Department

Testimony to Visalia, CA Planning Commission on ARCO AM/PM Development Application, Conditional Use Permit No. 2017-22

Date of testimony: To be determined

Subject: Gasoline, Diesel Fuel and Other Deliveries

Author: Bernard Cooker, 3515 South Johnson Court, Visalia, CA 93277

I refer to Paul Bernal, Principal Planner's "146 page pdf" document package, headed by the Visalia Planning Commission Agenda of 8/28/17 and the Staff Report to the Planning Commission of 8/28/17, Conditional Use Permit No. 2017-22. I also refer to the Second Site Plan, titled "Resubmittal, 16-140, Site Plan Review, November 1, 2017, New Gas Station at Cameron Creek, S.E.C. Caldwell Avenue and S. West St, Visalia, CA, Site Plan", which is appended.

The applicant states in his Operational Statement for CUP submittal, in the 146 page pdf, page 23:

Bullet 7. "Other than the fuel supplier truck, which would be a standard 18-wheeler type, the typical merchandise delivery vehicles are box truck type and we generally have about five key suppliers making deliveries of this merchandise." Their statement does not exclude 18 wheel tractor trailers for non-gasoline deliveries.

The Second Site Plan shows trucks, their access point and their paths through the proposed truck stop. They are not 18 wheel trucks: they are drawn as double tandem articulated, with 1. Cab, usually with 10 wheels. 2. First trailer, usually with 8 wheels. 3. Second trailer, usually with 12 wheels. The inter-trailer tow bar is clearly shown in each of the 5 cases on the Second Site Plan. These 30 wheel double articulated vehicles are very difficult to manoeuvre in confined spaces and impossible to safely and reliably reverse. Vehicle elements 1 and 2 above are the normal 18 wheeler truck, yet no 18 wheelers are shown on the Second Site Plan.

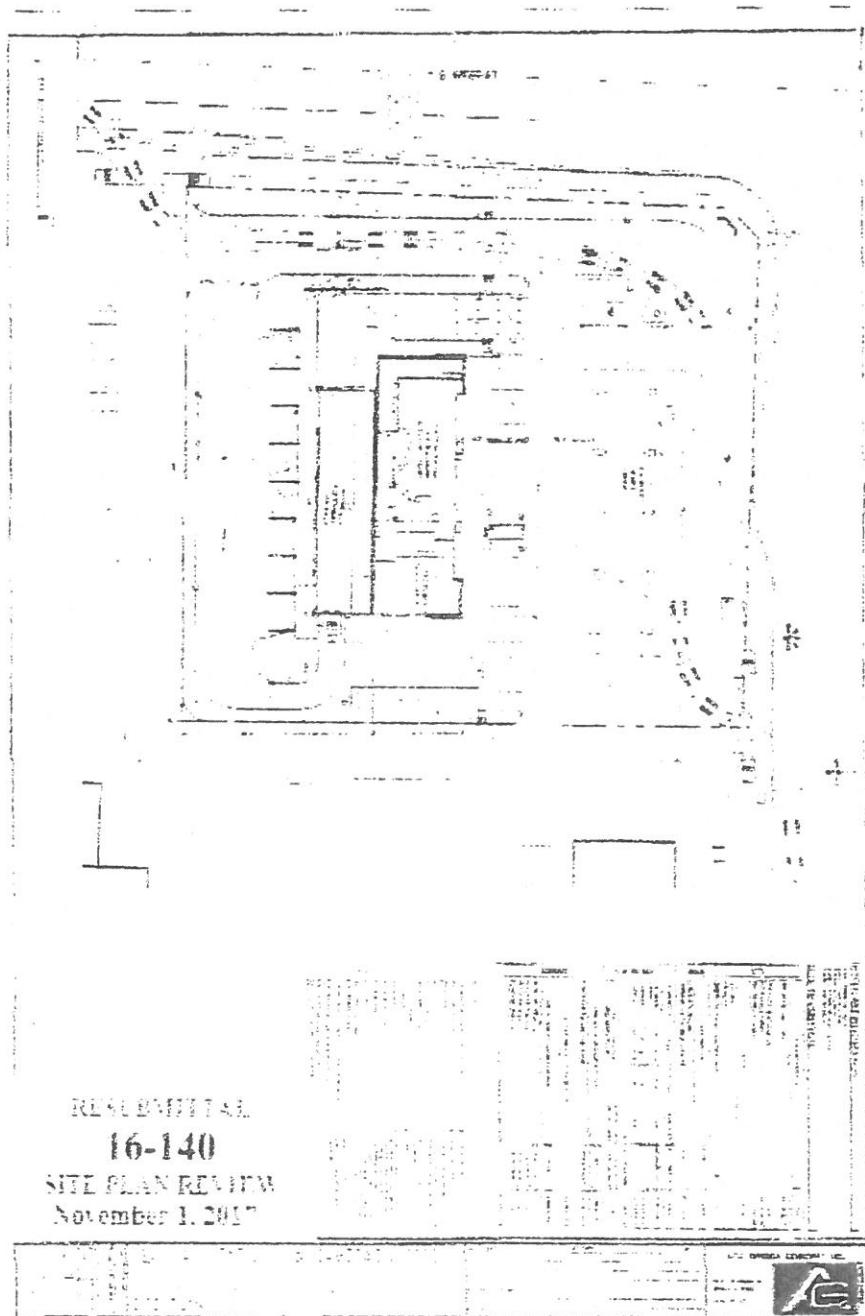
Assuming 24 hour operation, 42 vehicles buying gas per hour and 15 gallons per fill, 15,120 gallons of daily sale result, requiring an 18 wheel, 11,600 gallon delivery truck every 18 hours or a 30 wheel, 23,200 gallon capacity gasoline truck road train every 36 hours, 7 days per week, 52 weeks of the year. The Second Site Plan, shows these 30 wheel road trains arriving through the West Street entrance, travelling northwards. We conclude that the trucks would pass from Cameron Avenue, through the residential area, including Kimball Avenue and West Street, to reach the project. They would pass the West Street public school children's bus stop, opposite the track stop, to do so.

No trucks enter the truck stop from Caldwell Avenue in the Second Site Plan: they only exit onto Caldwell Avenue, heading east. West Street is shown as the project's only large commercial vehicle entrance.

The same adverse considerations apply to diesel fuel and other supplies. The same problems from narrow streets, tight corners and the presence of the public school children's bus stop on West Street opposite the truck stop will apply.

The logistical challenges, daily deliveries of flammable liquid fuel by 18 wheel or 30 wheel gasoline trucks at unrestricted times of day and night, frequent non-fuel deliveries of commercial supplies, the daily passage of these vehicles and their cargo through an exclusively residential neighborhood and the failure by the applicant to disclose in writing the use of 30 wheel double tandem truck road trains, together with the proposed 24 hour, 365 day operation, should prompt denial of the application.

Fig. 1. ARCO AM/PM Development Application, Caldwell Avenue/West Street, Second Site Plan, 11/1/17.



Testimony to Visalia, CA Planning Commission on ARCO AM/PM Development Application, Conditional Use Permit No. 2017-22

Date of testimony: To be determined.

Subject: Application Document Errors and Inaccuracies

Author: Bernard Cooker, 3515 South Johnson Court, Visalia, CA 93277

I refer to Paul Bernal's 146 page pdf document package, headed by the Visalia Planning Commission Agenda for 8/28/17 and the Staff Report of 8/28/17, CUP 2017-22.

Location. The Site Plan Review Comments, pdf page 126, incorrectly give the proposed development at "SWC of East Caldwell Avenue and South Court Street". Jack in the Box built there in 2016 and is now operating.

Land Parcel Numbers.

The following applicant and Planning Commission documents incorrectly show, on plans and in text, the development land parcel number solely as APN 126-870-37. The applicant wants to develop Parcel 1, APN 126-870-37 and the northern part of Parcel 3, APN 126-870-38, which extends to Kimball Avenue. See the 146 page pdf, page 22.

Report to ... Planning Commission, ... CUP 2017-22, pdf page 4.

Environmental Document 2017-39, ... Notice of a Proposed Mitigated Negative Declaration ..., pdf page 32. Two incorrect citations.

MND, pdf page 33. Three incorrect citations.

Environmental Document 2017-39, ... MND ..., pdf page 35. Three incorrect citations.

Site Plan Review Comments, ..., pdf page 126.

Site Plan Review ..., pdf page 129.

CUP 2017-22, ... General Land Use Map, pdf page 142. Two incorrect citations.

The correct land parcel numbers are cited in:

Exhibit B. ... Marketplace Overall Site Plan, pdf page 22.

Of the 14 citations of the Land Parcel Numbers, 13 or 93% are incorrect and just 1 or 7% is correct.

Developed Acreage.

The following applicant and Planning Commission documents incorrectly show, on plans and in text, the developed acreage as 1.29 acres, instead of the actual 1.99 acres. It uses two land parcels, developing 54% more area than the erroneous 1.29 acres.

Environmental Document No. 2017-39, ... Proposed MND, ..., pdf page 32. Incorrect twice.

MND, pdf page 33. Incorrect twice.

Environmental Document No. 2017-39, ... Initial Study, ... CUP 2017-22, pdf page 35. Incorrect three times.

CUP 2017-22, ... , Zoning Map, pdf page 143.

CUP ... 2016 Aerial Photograph, pdf page 144.

CUP ... 2016 Aerial Photograph, pdf page 145.

CUP ... Vicinity Map, pdf page 146.

Exhibit A. ... Marketplace – ARCO AM/PM Scale Plan, pdf page 21.

The following documents correctly cite in text or illustrate the 1.99 acre developed area:

... Cameron Creek Marketplace Overall Site Plan, pdf page 22.

... New Gas Station, ... Preliminary Sign Program (and Map), pdf page 24.

Kunzman Associates Inc., ... Noise Impact Analysis, ... , pdf pages 54, 55, 56, 76, 77 and 78.

Thus of the 20 citations of the Developed Acreage, there are 12 or 60% incorrect and just 8 or 40% correct.

Site Boundaries.

The Site Boundaries are shown incorrectly in the following documents:

“Cameron Creek Marketplace – ARCO AM/PM” Scale Site Plan, ... pdf page 21.

CUP 2017-22, ... , General Plan Land Use Map, pdf page 142.

CUP 2017-22, ... , Zoning Map, pdf page 143.

CUP 2017-22, ... , 2016 Aerial Photo, pdf page 144.

CUP 2017-22, ... , 2016 Aerial Photo, pdf page 145.

CUP 20017-22, ... , Vicinity Map, pdf page 146.

The site boundaries are shown correctly in the following documents:

“ ... Marketplace Overall Site Plan”, ... , pdf page 22.

Exhibit D. ... Preliminary Sign Program (includes map), pdf page 24.

Kunzman Associates Inc., ... Operational Noise Impact Analysis, pdf page 76

Operational Noise Level Contours (Leq), pdf page 77.

Operational Noise Levels (Lmax), pdf page 78.

Thus of 11 citations of the Site Boundaries, there are 6 or 55% incorrect and 5 or 45% correct.

I have shown that the document package is dominated by fundamental factual errors on the development location, identification of the land parcels involved, acreage to actually be built on and the development

site boundaries. These project descriptors are factually incorrect and misleading in the majority of cases where citation was attempted. The document package has no credibility and the application should be denied.

FHA Mortgage Insurance Ineligibility

According to the Federal Housing Authority(FHA), properties that are located near gas stations are not eligible for mortgage insurance from FHA. FHA states that "if the subject property line is within 300 feet of an above ground or subsurface stationary storage tank with the capacity of 1,000 gallons or more of flammable or explosive material, then the property is ineligible for FHA insurance. The Appraiser must notify the Mortgagee of the deficiency of Minimum Property Requirements (MPR) or Minimum Property Standards (MPS), so the Mortgagee can determine the eligibility. This includes domestic and commercial uses as well as automotive service stations tanks." For additional information see Handbook 4000.1.11.D.3.c.iii.(C)(7) at https://www.hud.gov/program_offices/administration/hudclips/handbooks/hsgch

The Resubmittal 16-140 Site Plan for the proposed ARCO AM/PM shows the location of the fuel tanks in the northwest quadrant of the site on the corner of Caldwell and West St. Measurements of the distance from the east side of the fuel tanks to the rear of the homes located on the west side of West Street were taken and it was determined that the distance is less than the 300 feet making the properties ineligible for FHA mortgage insurance. Results indicate that the 30,000 plus gallon fuel tanks are located entirely within 164 feet of the perimeter boundaries of at least three residences located on James Court.

FHA is a major lender and insurer of home loans in America. They offer low down payments, are easy to qualify for, and offer low interest rates for first time buyers. The proposed ARCO AM/PM would impose restrictions on the current property owners on James Court who might want to sell their homes to FHA qualified buyers as well as restrict prospective homeowners who might want to buy a home in this neighborhood. The ramifications of having a 24 hr ARCO AM/PM in their backyards presents an unfair disadvantage to the existing homeowners. They may find themselves without insurance, property values reduced, a limited pool of buyers, and possible loss of mortgage insurance.

Please protect the existing homeowners and future homeowners by rejecting the application for the proposed ARCO AM/PM at Caldwell and West St.

Chandi Group USA Application to Visalia, CA Planning Commission for ARCO AM/PM Gas Station and Other Businesses at SE Corner of Caldwell Avenue and West Street: 1. Gasoline Tank Location Relative to Adjacent Residential Property 2. Gasoline Tank Capacity

Bernard Cooker, 1/25/18

Summary

The analysis below of the subject Chandi Group USA application for an ARCO AM/PM shows that the fuel tanks, including that for gasoline, are entirely within 300 feet of the perimeter boundaries of the following four residential properties: 512 James Court, 517 James Court 518 James Court and 532 James Court. The underground fuel tanks in question are up to 30,687 gallons in maximum volumetric capacity, assuming cylindrical straight sides and hemispherical ends. See Appendix 1 for further information on the tanks proximity and Appendix 2 for the calculation of their volume.

Appendix 1. Detailed Analysis of Proximity of Gasoline Tanks to Residential Properties

1. Introduction

The Chandi Group USA's application to the Visalia, CA Planning Commission for the construction and operation of an ARCO AM/PM gas station and other businesses at the southeast corner of Caldwell Avenue and West Street is subject to Conditional Use Permit 2017-22 16-140. The applicant's second and latest project site plan has the legend "Resubmittal 16-140 Site Plan Review, 11/1/17". It shows the underground gasoline tanks in the northwest quadrant of the site, referencing detail number 14, "New underground gasoline tanks". The tanks in this plan appear to be cylindrical, with hemispherical ends. There are either two or three shown in the plan. Their volumetric capacities are not shown in the second site plan.

2. Distance From Gasoline Tanks to Nearest Residential Properties

The four residential properties which are nearest to the gasoline tanks are on the west side of the existing 7 feet high concrete block wall on the west side of West Street and south of a similar wall on Caldwell Avenue. The homes are at the inner terminus of the cul de sac James Court, which runs eastwards from Oak View Street. Number 512 James Court, which faces down the axis of the cul de sac, backs squarely onto the 7 feet high concrete wall. Numbers 518 and 517 James Court are adjacent, to the left and right respectively, to number 512 and both houses are oriented at approximately 45 degrees to the 7 feet high concrete wall. 532 James Court is on the northern side of the street and its northern boundary is the 7 feet high concrete wall, running parallel to Caldwell Avenue. The back yards of all four residential properties extend to the wall, as do other residential properties adjacent to West Street further south and north of Kimball Avenue.

The applicant's second site plan shows multiple labelled dimensions, in feet. Printing the second site plan and measuring the largest discernable marked east/west dimensions on the plan using a ruler graduated in cm and mm yields Table 1. The plan has a scale of 2.9164 feet equals 1 mm, or 2.9164 feet per mm for east/west dimensions. Similarly, Table 1 shows that in the north/south direction, the plan has a scale of 2.8960 feet equals 1 mm, 2.8960 feet per mm. The second site plan also shows the existing curb on the south side of Caldwell Avenue and the existing curb at the southeast corner of the intersection of Caldwell Avenue and West Street. The plan also shows the existing side walk, the two corner wheelchair ramps and the bus stop or layby along Caldwell Avenue. The west-facing point at the western end of the existing corner curb was used as the Common Fixed Point on the second site plan, on site and on the scale

plan in Fig. 1. Fig. 1 shows the existing residential properties which are most proximate to the gasoline tanks and the related detail.

The second site plan shows the eastern edge of the vault of the underground tank cluster as 26.8 mm east of the CFP, which is $26.8 \text{ mm} \times 2.9164 \text{ feet/mm} = \text{Dimension 1} = 78.16 \text{ feet}$ east of the CFP. This is shown in Fig. 1, with the vault shown to scale. The centerline of the eastern edge of the vault, point P in Fig. 1, is 48.65 feet south of the east/west line in Fig. 1 which intersects with the terminus of the existing curb at the SE corner of the intersection. See Fig. 1.

Site measurements by the author and other local residents using a 100 feet long surveyor's tape on 1/21 - 23/18 produced the following:

Distance, from CFP westwards across West Street to curb on west side of West Street = Dimension 2 = 64.0 feet. See Fig. 1.

Distance, from curb on west side of West Street westwards to line of main section of 7 feet high concrete block boundary wall at rear of 512, 518 and 517 James Court = 19 feet 6 inches = Dimension 3 = 19.5 feet. See Fig. 1.

Distance, thickness of 7 feet high concrete block boundary wall at rear of 512, 518 and 517 James Court = Dimension 4 = 2 feet (conservatively).

Total length of wall at 45 degrees to main runs on West Street and Caldwell Avenue = 34.0 feet and distance from main run on West Street to intersection of east/west line from curb corner at SE corner of intersection = 5.66 feet. See Fig. 1.

The above measurements permitted the completion of Fig. 1 to scale. All distances shown there are in feet. The 100 feet tape was used to mark off 100 feet intervals of distance along the sidewalk down West Street and the properties beyond the wall were visually inspected at these locations. The houses and the fenced property boundaries between them were identified and they are shown in Fig. 1. Similarly, distances were measured along the sidewalk parallel to Caldwell Avenue from the line of the curb on the west side of West Street and the properties beyond the Caldwell Avenue were inspected visually. The board fence between 518 and 532 James Court was identified at the 103 feet mark, the gazebo of 532 James Court was also identified. See Fig. 1. An arc of 300 feet radius with center at the mid-point of the eastern side of the gasoline tank vault, point P, was drawn on Fig. 1, leading to the conclusion in the Summary above that four identified residential properties are within 300 feet of the gasoline tanks. See the Summary.

Appendix 2. Volumetric Capacities of the Gasoline Tanks

The single tank on the west side of the tank cluster on the second site plan has straight sides of 15.0 mm and a diameter of 3.5 mm on the plan. These dimensions scale to $15.0 \text{ mm} \times 2.8960 \text{ feet per mm} = 43.4 \text{ feet}$ and $3.5 \text{ mm} \times 2.9164 \text{ feet per mm} = 10.2 \text{ feet}$ respectively. If the tank is cylindrical with hemispherical ends, the 100% full fuel capacity is 26,531 gallons for the cylindrical portion and 2,078 gallons for each of the hemispherical portions, for a maximum, total, 100% full volumetric capacity of 30,687 gallons.

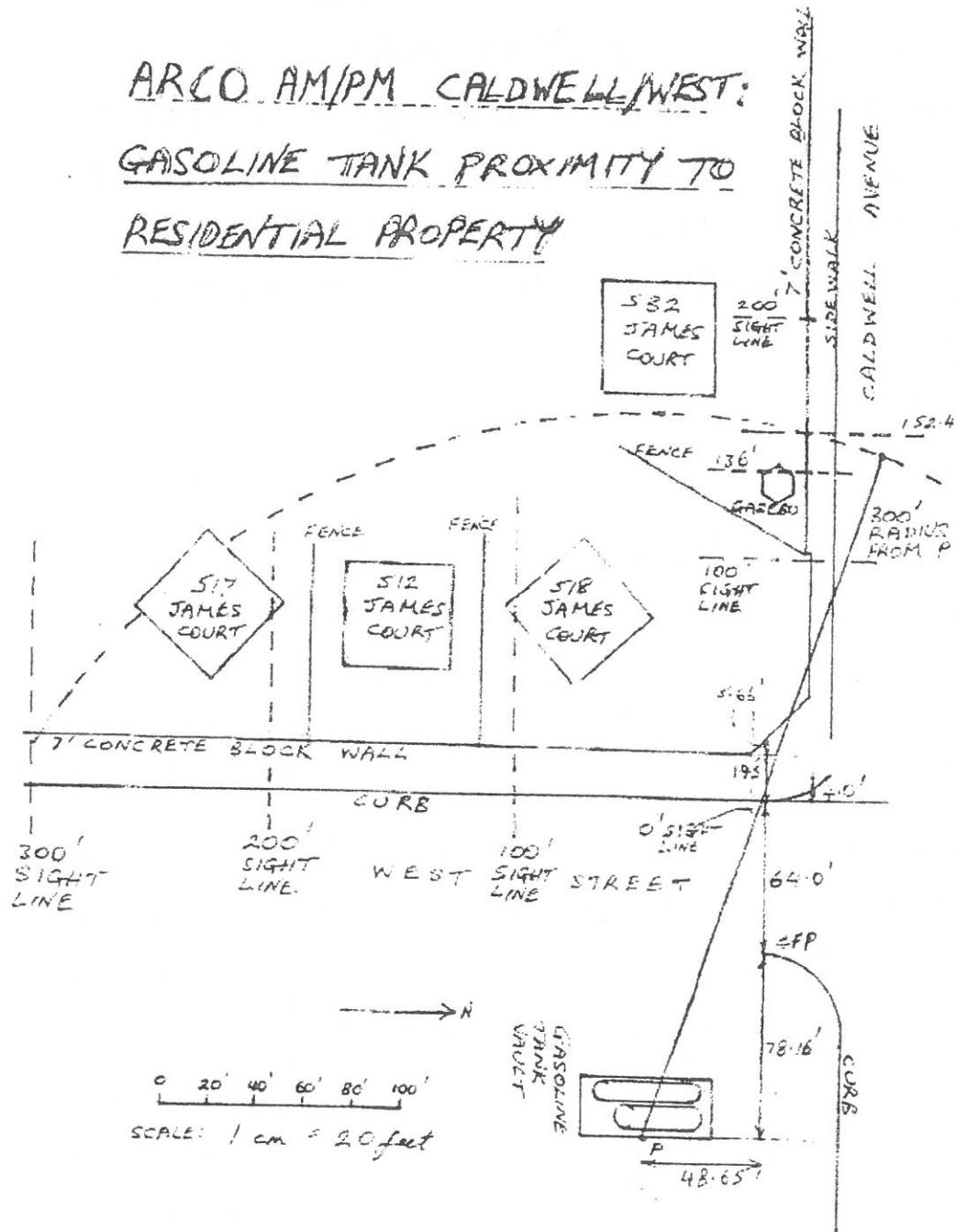
Table 1. Distances on Scale Plan, Second Site Plan for ARCO AM/PM, SE Corner Caldwell Avenue and West Street, Visalia, CA. Labelled "Resubmittal 16-140, Site Plan Review, 11/1/17".

Mean scale for east/west dimensions = 2.9164 feet in field per mm on printed copy of plan.

Mean scale for north/south dimensions = 2.8960 feet in field per mm on printed copy of plan

Dimension on Resubmittal 16-140 Site Plan Review, 11/1/17, New Gas Station @ Cameron Creek	Dimension length shown on plan (feet)	Measured dimension length on printed copy of document (mm)	Dimension orientation	Dimension scale (feet per mm)
Car wash tunnel length	120.0	41.0	East/west	2.9268
Length of convenience store building	136.0	46.8	East/west	2.9060
Separation of parallel dashed lines under canopy	44.3	15.3	North/south	2.8954
Convenience store parking stalls, end of markings to gas pump	33.6	11.6	North/south	2.8966

Fig. 1. ARCO M/PM Caldwell/West: Gasoline Tank Proximity to Residential Property



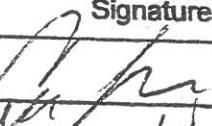
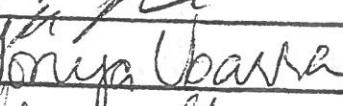
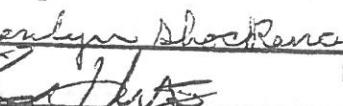
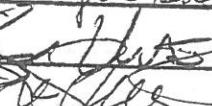
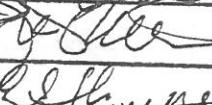
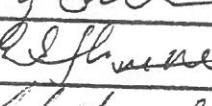
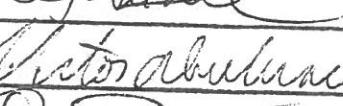
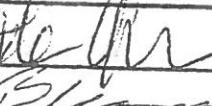
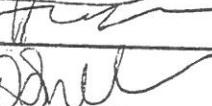
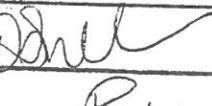
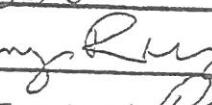
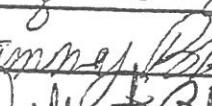
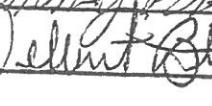
STOP ARCO AM/PM

We, the undersigned, respectfully ask the City of Visalia Planning Commission to deny the conditional use permit no. 2017-22 for the ARCO development at the corner of West Caldwell Ave and South West Street because of traffic, safety, environmental and noise issues.

Name	Address	Signature
Robert Larsen	619 W. Kimball	Robert Larsen
Elaine Larsen	6019 W. Kimball	Elaine Larsen
Grace Larsen	1619 W. Kimball	Grace Larsen
Barbara Carey	603 W. Kimball	Barbara Carey
Tony Rendon	628 W. Kimball	Tony Rendon
Evette Rendon	1028 W. Kimball	Evette Rendon
Doug Ivers	611 W. Kimball Ave	Doug Ivers
Cathy Gage Ivers	611 W. Kimball Ave	Cathy Gage Ivers
Saint Jones	545 W. Kimball Ave	Saint Jones
Willie Jones	545 W. Kimball Ave	Willie Jones
Amelia Ramirez	608 W. Kimball Ave	Amelia Ramirez
Silvia Ramirez	618 W. Kimball Ave	Silvia Ramirez
TO K	530 W. Kimball Ave	TO K
Samantha Mohar	1029 W. Kimball Ave	Samantha Mohar
Ashley Oden	600 W. Kimball	Ashley Oden
Marylene	600 W. Kimball	Marylene
ARUSHA BAIG	538 W Kimball	ARUSHA BAIG

STOP ARCO AM/PM

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Name	Address	Signature
Cecily Salazar	708 W Kimball Ave	
onya Ibarra	902 W Kimball Ave.	
Ieena Ibarra	124 West Caldwell Ave	
MARILYN SHACKENY	926 W. KIMBALL AVE	
SALVADOR UIBE	956 W KIMBALL AVE	
MARC FIORENTZ	949 W. KIMBALL AVE	
ES floRENTZ	949 W Kimball	
Victor Abularras	915 W. Kimball Ave	
David Lam	935 W. Kimball	
Sasher Givales	803 W. Kimball Ave.	
London Maris	718 W Kimball Ave	
the	718 W Kimball Ave	
Kaitlyn O'Sullivan	728 W Kimball	
bryan raynor	728 W Kimball	
Jammy Blythe	717 W. Kimball	
Delint Blythe	717 W. Kimball Ave	

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STOP ARCO AM/PM

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Name	Address	Signature
Lisa Robinson	701 W. Kimball Ave	Lisa Robinson
Bobbi Wex	701 W. Noble	Bobbi Wex
Rick Robinson	701 W. KIMBALL	Rick Robinson
Rocky Robinson	701 W. Kimball Ave	Rocky Robinson
Irma Marroquin	727 W. Kimball Ave	Irma Marroquin
Britanie Marroquin	734 Apt G	Britanie Marroquin
Anthony Hafley	727 W. Kimball	Anthony Hafley
Connie Woodard	709 W. Kimball	Connie Woodard
Jim Woodard	709 W. Kimball	Jim Woodard
Carrie Rogale	702 W. Kimball	Carrie Rogale
Jerry Bogata	701 W. Kimball	Jerry Bogata

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Name	Address	Signature
Derek Gauthier	5905 W. Oriole Ave.	Derek Gauthier
DUSTIN BONNEMA	2205 S. PEPPERMINT ST.	Dustin Bonnema
Sara Groff	5609 W. Laura Ct	Sara Groff
Quinn Pg	707 W. Marilyn Ct	Quinn Pg
Silvia Flores	707 W. Marilyn Ct	Silvia Flores
Sandra Perez	707 W. Marilyn Ct	Sandra Perez
Marco A. Martinez	707 W. Marilyn Ct	Marco A. Martinez
Michelle Gomez	5609 W. Laura Ct	Michelle Gomez
Lerardo Perez	550 Redwood Woodlake	Lerardo Perez
hue Atamirano	543 W. Russell Ave	hue Atamirano
Ryan Dias	3420 E Rosalind	Ryan Dias
Alberto Hernandez	284 N. Basely St.	Alberto Hernandez
Carly Phillips	112 N. Callejona Carly Phillips	Carly Phillips
Macaulier Mers	4016 E. Sun Ave	Macaulier Mers
Kristen Bonnema	839 N Vista	Kristen Bonnema
JESUS CASTRO	2301 S. DIVISADERO ST.	JESUS CASTRO

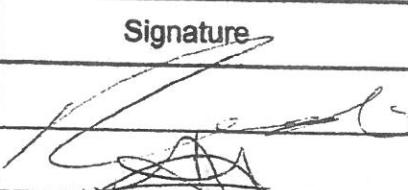
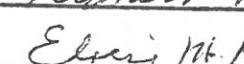
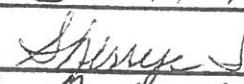
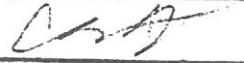
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Name	Address	Signature
Chris Saenz	16229 S Pepperrell	Chris Saenz
Ashlee Williams	307 N. Brandage	Ashlee Williams
Jesus Villa	500 N. Arroyo	Jesus Villa
Dathan Snow	132 N. Boise	Dathan Snow
MARC DWYER	1817 MANOR AVE	MARC DWYER
Kaylynn Charles	3005 W Laura Ave	Kaylynn Charles
Gursharan Singh	4223 S. Fulgham St	Gursharan Singh
Robin Williams	33700 Rd 150	Robin Williams
Sandra Campo	R. O BOX 2930 Vis	Sandra Campo
James Bowell	4935 W Elkhorn	James Bowell
Susan F Goode	4216 S. Moonen Blvd.	Susan F Goode
DAVID Lynch	43816 SIERRA, Three Rivers	DAVID Lynch
Ray Lopez	2148 E La Vida	Ray Lopez
Edward Murray	650 E Front St	Edward Murray
Eric Andrade	2549 Kloth DR	Eric Andrade

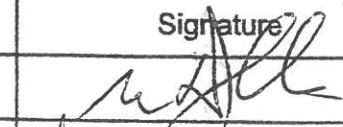
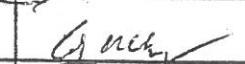
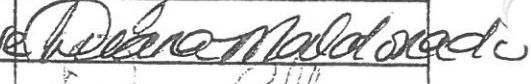
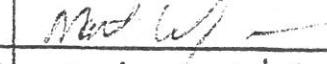
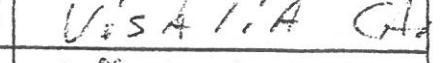
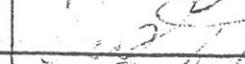
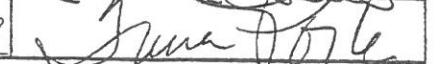
STOP ARCO AM/PM

We, the undersigned, respectfully ask the City of Visalia Planning Commission to deny the conditional use permit no. 2017-22 for the ARCO development at the corner of West Caldwell Ave and South West Street because of traffic, safety, environmental and noise issues.

Name	Address	Signature	email
Derrick Pedigo wesn - Samantha Pedigo	624 Dorothy 4216 W. Dorothy		pedigo.derrick@gmail.com samantha.wesn@gmail.com
Kenneth Harback	3034 S. Johnson St		HARBACK@SBCGLOBAL.NET
Eric M. Harback	11		Eric.M.Harback
Sherrye Shaw	3009 S. Johnson St		sherrye3009@att.net
Richard J. Shaw	3009 S. Johnson St		" " "
Classie Soldini	643 W. Dorothy		Classie.Soldini
Mitchell Viduk	3042 South Johnson		ironmanviduk@Yahoo.com
MICHAEL EVERHART	3037 S. Johnson		everhart.mic@yahoo.com
Lana Everhart	3037 S. Johnson		everhart.lk@Rhome.com
Clifford Miller	3049 S. Johnson		millertime1469@msn.com
Stuart Hendricks	3020 S. Johnson		

STOP ARCO AM/PM

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Name	Address	Signature
NATHAN J	235 W LOYOLA	
Andrew N	232 W Caldwell	
Cody H	4147 S Willis	
Diana Maldonado	613 W. Myrtle Ave	
John Miller	2815 S. Willis	
Swan H	3740 S. Flores St	
Carolyn P	211 W Caldwell Ave	
Patricia Hernandez	1003 E. Packwood	
AL HERNANDEZ	3111 W. Packwood Ct.	
DESA	832 W. ARLEN CT	
Lita Paschall	1035 W. Orchard Ct	
Terry Berni	1143 W. MISSION	
Carol Soto	1931 S. Flores Ln	
Beth Tamm	950 W. McINTYRE AVE	
TRINA PETER	3130 S. Green Lake	
	500 E. Laurel Ave	

STOP ARCO AM/PM

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Name	Address	Signature
BERNARD COOKER	3575 SOUTH JOHNSON CT, VISALIA CA 93277	R. Cooker
SUSAN L. COOKER	3575 S. JOHNSON CT, VISALIA CA 93277	Susan L. Cooker
Nick Giotta	725 W. OAKVIEW DR. VISALIA, CA 93277	Nick Giotta
Cheryl A Johnson	3506 S. JOHNSON CT, VISALIA, CA 93277	Cheryl A Johnson
Roberta Zugay	3517 S. WILLIS CT, VISALIA, CA 93277	Roberta Zugay (Harrington)
Carl Zugay Jr	3532 S. WILLIS CT	Carl Zugay Jr
Dale S. Hetherley	3500 S. WILSON	Dale S. Hetherley
Jessica Rodriguez	3516 S. OAKVIEW DR. VISALIA, CA	Jessica Rodriguez
Don Karky	3540 OAKVIEW DR.	Don Karky
Steve Domski	38430 SQUAW VALLEY RD	Steve Domski
Ernie Cabrera	3537 S. OAKVIEW DR	Ernie Cabrera
Paul Cussen	3507 S. OAKVIEW DR. VISALIA 93277	Paul Cussen
William R. Pellec	3051 S. OAKVIEW	William R. Pellec
Taryn Giotta	725 W. OAKVIEW	Taryn Giotta
Larry Newman	610 W. OAKVIEW DR.	Larry Newman
Jacqueline Newman	610 W. OAKVIEW DR.	Jacqueline Newman

STOP ARCO AM/PM

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Name	Address	Signature
Julie Christiansen	3130 S. Green Oaks	Julie Christiansen
Julie Christiansen	3130 S. Green Oaks	Julie Christiansen
Julie Christiansen	3130 S. Green Oaks	Julie Christiansen
Fred Laramore	300 Parkview Ct	Fred Laramore
Patricia Johnson	3070 W. Green Oaks	Patricia Johnson
Desky McPherson	3211 S. Oak View	Desky McPherson
Dorinda Shaw	3017 S. Oak View	Dorinda Shaw
Ellen Whipple	3218 S. Oak View	Ellen Whipple
Sally Upton	3203 W. Green Oaks	Sally Upton
Mark Farmer	128 Oak View	Mark Farmer
Caron Nylinder	3043 S. Oak View	Caron Nylinder
Bob Thaeler	3107 W. Green Oaks	Bob Thaeler
Elaine Montanez	3134 W. Green Oaks	Elaine Montanez
Mike Johnson	3200 West Green Oaks	Mike Johnson
Sally Farmer	3202 W. Green Oaks	Sally Farmer
Catherine Naylor	316 W. Parkview	Catherine Naylor

STOP ARCO AM/PM

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Name	Address	Signature
Joe Rodriguez	3939 S. Encinas St.	Joe A.
Donna Martin	3342 S. Stevenson	Donna Martin
Walter Hurd	606 W. Coyote Ave	Walter Hurd
C. Fay	422 W. Russell	C. Fay
Len Moody	531 James Ct.	Len Moody
Nick Miller	3229 S. Oakview	Nick Miller
Die Sanchez	2221 S. Willis St.	Die Sanchez
Mark Neff	2850 S. Oakhurst	Mark Neff
SHIRLEY PARSONS	3303 S. Tipton St.	Shirley Parsons
DAVIE WILLIAMS	240 E. Paradise View Ave.	Davie Williams
V.A. Hayes	111 Ed brother ct.	V. Hayes
Susana Vargas	3936 S. West St.	Susana Vargas
Victoria Fernandez	501 W. Ashland Ct.	Victoria Fernandez
Rita Runyon	939 W. Ashland Ct.	Rita Runyon
Robert Fernandez	3534 S. Martin Ct.	Robert Fernandez
Helen Korsgaden	3034 S. West	Helen Korsgaden 739-8007

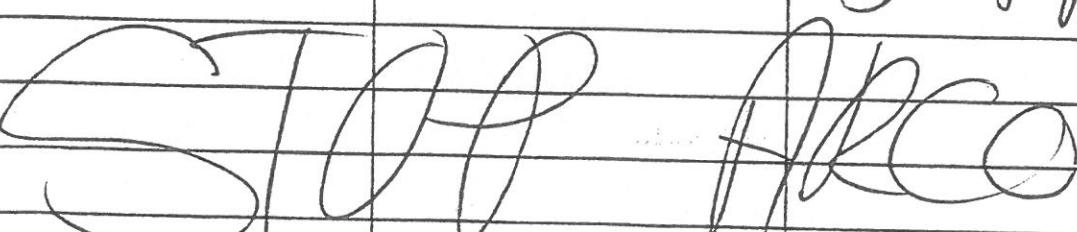
STOP ARCO AM/PM

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Name	Address	Signature
Robert Dchua	2000 E. Buena Vista	Robert Dchua
Andrew Ramos		AKD
Dennis FAYARD		
DARREN W. CARTER		DW
James Allen		James Allen
Paul Azuara		Paul Azuara
Marken Santos		Marken
Zara Maldonado		Zara Maldonado
Mike Orth		Mike Orth
Scott Suprat		Scott Suprat
Randy Pava		Randy Pava
Rich		Rich
James Brion Sumpter		James Brion Sumpter
Jim Fong	3800 Shady St	Jim Fong
ALEX TORICES		ALEX TORICES
GRANDE MILLANI	2441 S. Stevenson	GRANDE MILLANI

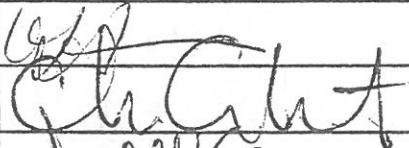
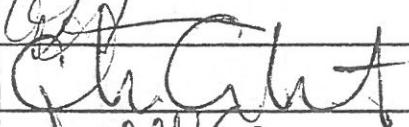
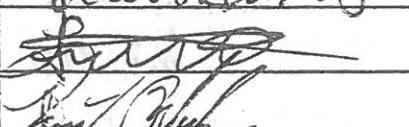
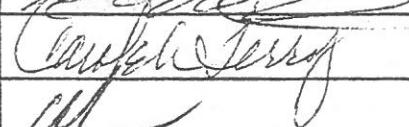
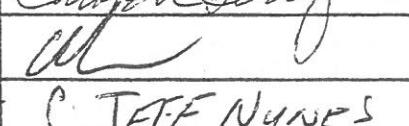
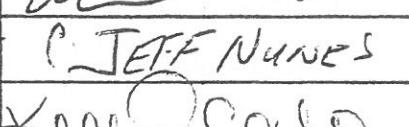
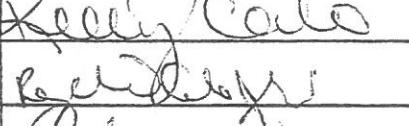
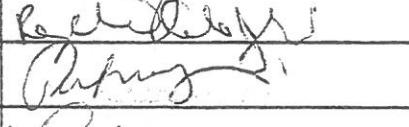
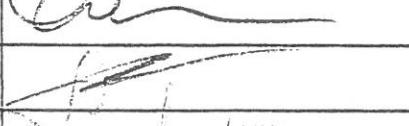
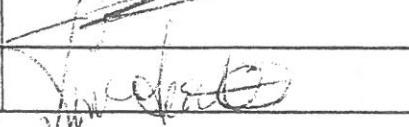
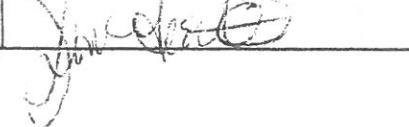
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Name	Address	Signature
JESSE MELNDEZ	3942- WEST	for Luis Sanchez
Kaitlen Davis	4001 E. Sue Ave	Kaitlyn Davis
Alvaro Marcos	874 W. Larson Ave	Alvaro Marcos
BRIC Thomas	933 W. Chaffey	Bric Thomas
Juanita Scowling	3942 S. Encina	Juanita Scowling
DAVE ADAMS	3330 S. Williscy	Dave Adams
Dawn Moller	330 S. Williscy	Dawn Moller
Barbara Contreras	2829 S. West St	Barbara Contreras
Steve Guy	922 W. Russell	Steve Guy
Braden Winding	2925 E. Stewart Ave	Braden Winding
		
Bill	180 Hermosa Walk	Bill

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Name	Address	Signature
Brian Springmeyer	319 W Oak View Dr.	
Chris Gerhart	608 W Rose Ave	
Janeil Rameis	1002 E. LaSalle Ave	
Tim Pena	3524 S. Heritage	
Nico Degrado	7541 Ave 310	
Donna Rosario	2320 S. Stovest	
Bret Minyard	136 W Loyola Ave	
Carole Terrell	2840 S. WEST	
Morgan Lucco	3442 S. 9th St	
Jeff Nunes	3536 S. Lincoln Ct	
Kelly Cole	651 W. Packwood Ct	
Patricia Cole	651 W. Packwood Ct	
Patricia Cole	539 W. 7th St	
Lacey Graham	114 W. Dorothy Ave	
Jeff Nunes	544 W. Russell	
Jeff Nunes	515 W. 7th St	

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Name	Address	Signature
Dr. Steven Serrins	1618 E. Caldwell Ave	Steven Serrins
Valarie Hornsby	1618 E. Caldwell Ave	Valarie Hornsby
Eileen Ruiz	1549 W. Walnut Ave	Eileen Ruiz
Cassandra Flanagan	1525 W. Beach	Cassandra Flanagan
Shannon L. Malignani	3501 S. Giddings	Shannon L. Malignani
STEVE CONNLEY	4045 W. Orchard	Steve Connley
Joe V. Braga	3824 S. WEST	Joe V. Braga
David S.	3505 S. Court St	David S.
Andrea Huerta	4132 S. Creekside	Andrea Huerta
Karen Gray	839 1/2 Dorothy	Karen Gray
Virginia Brown	1601 E. Dorothy Ave	Virginia Brown
Adelio Ramon F.	749 W. James St.	Adelio Ramon F.
Jasper Martin	700 W. Caldwell Ave	Jasper Martin
Nilika Simony	205 S. Loyola	Nilika Simony
Weston Anderson	2834 E. Laramie	Weston Anderson
ANDREW BELLINGER	935 W. Allen Ct.	Andrew Bellinger

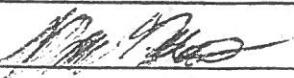
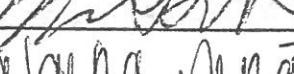
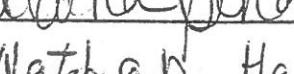
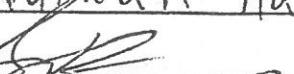
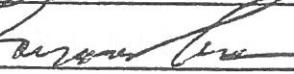
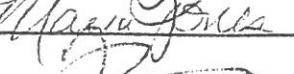
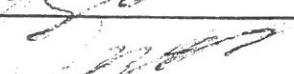
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Name	Address	Signature
John Stiles	16240 15930	
Kodger Close	██████████ Stover	██████████
Brock Paschall	1035 W. Orchard Ct.	Brock Paschall
Chadie Ser	1120 W. Franklin	Chadie Ser
ESSE Other	2723 S. Elmira	
MANUEL CEBALLOS	2014 CALDWELL	Manuel Ceballos
K. Leal	218 Caldwell	K. Leal
Michael Scotsman	1631 S. Clark St.	Michael Scotsman
DAE SPENCER	236 W. LOYOLA AVE	DAE SPENCER
Clairia M. Ramirez	3439 S. Alvarado St	Clairia M. Ramirez
Patti Stafford	435 Paseo St.	Patti Stafford
David	3120 S. Laramie St	David
Allan Stein	409 W. Packwood	Allan Stein
Justin Ross	409 W. Packwood Ave	Justin Ross
David Trevethan	3923 S. Creekside	David Trevethan
DeeDee Johnson	2033 E. Victoria Ave	DeeDee Johnson

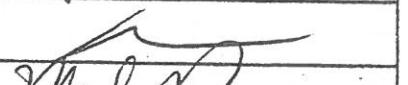
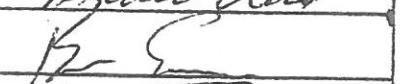
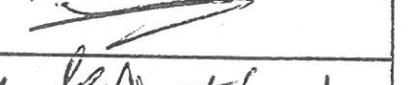
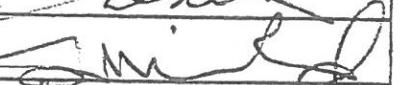
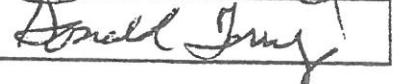
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Name	Address	Signature
Aimee Thao	10066 CTA	
C. Bowers	613 W Russell Ave	
T. Hove	614 Quigley	
Frankie Pimentel	1337 E Sunnyside	
MARI Ralphy	2805 S. Lomita	
Alaina Pena	731 W. James	
Nathan Haley	1415 E Sunnyside	
Santos Quintero	740 W. Orange CT	
Eduardo Gonzalez	349 W. Whittier	
J. Cardenas	2253 E. Chestnut	
Alexi Chomacki	26114 Rd 140	
Ken Jones	1124 W. Laura	
Maria Jones	1124 W. Laura	
Toni Bailey	525 W. Kimball	
Fawzia	In Salma	
John E	1751 W. 17th	

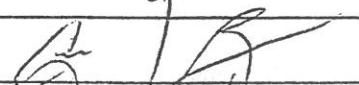
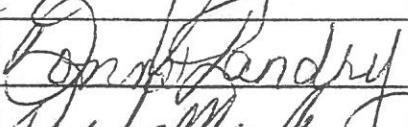
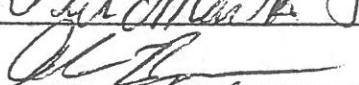
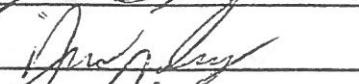
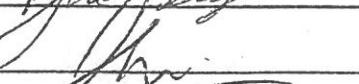
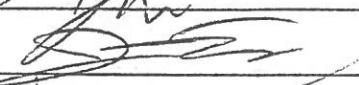
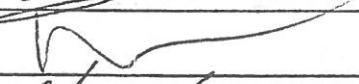
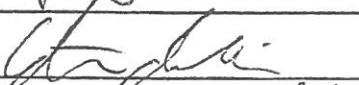
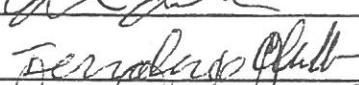
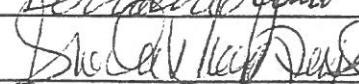
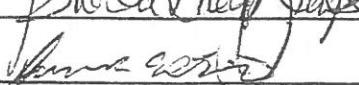
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Name	Address	Signature
Challenbiss	3801 S West St	
Tom Gratz	614 Doctora	
Jessi Mosey	1002 Whistler	
Melissa Rodriguez	26814 S. Rooney	
Erica Jeffcoate	1228 Hause 322	
Thomas Galls	2215 S. Court	
Lance Arnold	3800 Shady Ave	
Rachel Prendez	700 W. James St	
Tulita Chapman	1039 S Cain St	
Maria Perez	734 W. James St	
Blair Encavez	2809 TERRA Linda	
Jess Brinson	2930 S. Bridge St.	
Connie Kuhl Jr	1400 W. Northwood	
Melissa Guff	2261 Chestnut St	
Shawn Michael	(31 E. Elkwood)	
Don Terry	1610 W. Arlen Av.	

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Name	Address	Signature
Carlos Valasquez	2526 E. La Vista Ave	
Donna Andry	136 W. Caldwell Ave.	
Victor Marcha	232 W. Caldwell Ave Visalia VCA	
Josh Bryan	2924 S. Conyer St	
Jared Iizsy	249 E. La Vista Ave	
Jared Kelly	707 E. Oakview Ave	
Jacob Leveck	4912 S. Santa Fe	
Pete Lopez	4018 W. Comanches	
Ethan de la Cruz	5942 W. Iris Ct	
Teradene Clark	232 W. Caldwell #	
Skyla Dugay	3032 Selanda	
Jane Goff	845 West 44th St	
Brad Stephen	3345 S. Tipton	
Jonathan Perez	532 W. Oakview Ave	
Derek Vane	41577 Locust Ln	
Dave Henn	1044 W. Nixon	

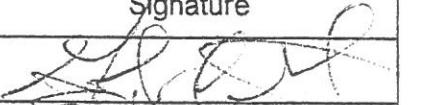
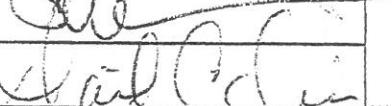
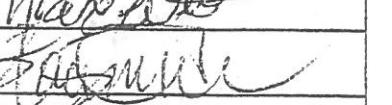
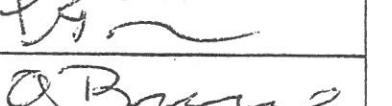
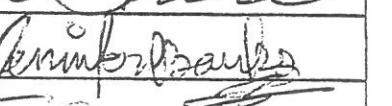
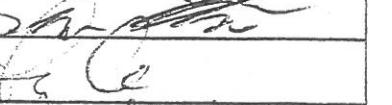
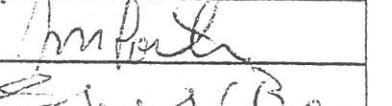
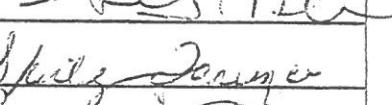
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Name	Address	Signature
Donna Tarvin	2324 W Caldwell Ave	Donna Tarvin
Pickey Jenkins	915 N Encina	Pickey Jenkins
Lynn Merritt	2435 S. Sowell	Lynn Merritt
Brattlebyne	636 E Sunnyside	
John Suntrup	737 W Caldwell	John Suntrup
Chris Cyphers	2010 E Monte Verde Ave Visalia CA 93292	Chris Cyphers
Leslie Villan	733 W. Jones	Leslie Villan
Derrick Morgan	1900 W Visalia Rd	Derrick Morgan
Marcus Gordon	630 W. Jones	Marcus Gordon
Brock Bovetti	123 E. Parkview Ave	Brock Bovetti
Adrian L. Warner	110 W Elkhorn Ave	Adrian L. Warner
Chris Heffelfinger	627 W. West Ave	Chris Heffelfinger
Tim Campbell	1726 Burke	Tim Campbell
Jean Yallow	2107 (American) B	Jean Yallow
Loss Crumpley	1228 W Monte Vista	Loss Crumpley
Mark Bolden	1911 W Sunnyside Ave	Mark Bolden

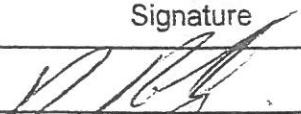
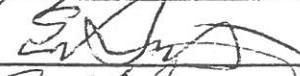
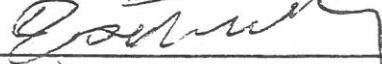
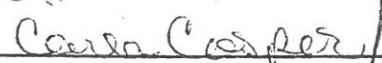
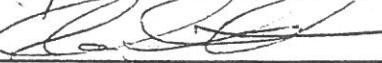
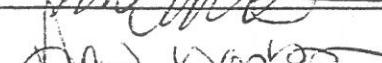
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Name	Address	Signature
Glenn Guglielmo	146 W. Loyola Ave	
Phyllida Dunn	2944 S. Jarvis	
Mike Cucinella	232 W. Encino	
Delynn Cotta	1003-5 Encino	
Judy Lignan	313 South St.	
MARCUS, 11, 1122	619 W. County Cr	
Han Smith	823 W. Lincoln	
Grechitch	5028 10th	
O'Bryan	4324 Paseo	
Jennifer Banks	215 3500 South West street	
Sergio Garcia	2534 E. Street Ave	
Jill Lee	3343 E. 10th	
Ann Parker	3409 S. Giddings	
Steve Belvo	3517 Paseo	
Spencer Lawrence	232 W. Caldwell	
Albert Bahl	1308 - 10th ave	

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Name	Address	Signature
Don Rossell	219 W. Reese	
Eddie Davis	303 W. Kuykendall	
Mike Jennings	3545 S. BRADLEY	
Donald Glare	3112 W. W. 6th	
Carla Cooper	3412 S. MARIN, VIS	
John Sharp	705 W. Monte Verde	
Robert Chapman	2439 S. CAIR	
Marcos Martinez	237 W. Loyola Ave	
Karen Brown	4025 S. WILSON ST	
Deb Clegg	2522 E. REED ST	
Erica Clegg	2929 SW WILSON ST	
Renee Gutierrez	3120 S. Santa	
Albion	465 Edgewater St	
Sheila Taft	406 W. Oakwood	
Mike Murphy	3215 S. Michael St	
Don Yantos	523 W. Russell	

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Name	Address	Signature
D. Teko Holt	Kimball Apt 316 1404 S. Ross	Deko Holt
Tom Yurk		Tom Yurk
Greg Sadt	2301 S Division 303 West Calle	Greg Sadt
Robert White	727 W. Kimball	Robert White
Ashwin Singh	243 S. Silverwood	Ashwin Singh
Morris Pen	734 W. James	Morris Pen
Mike Alba	1021 E Chestnut Ct	Mike Alba
Allen Wagner	235 E La Villa	Allen Wagner
Albert Pena	734 W. James	Albert Pena
Chuk Seng	919 Oro Shea	Chuk Seng
Andrea Frailon	4025 W. Franklin	Andrea Frailon
Suzette Caine	310 S. Canyon	Suzette Caine
Jason Jennings	1225 Mesa Ct	Jason Jennings
Tom Jones	3504 S. Silver	Tom Jones
Bob D	4125 W. Noble	Bob D

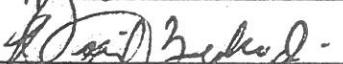
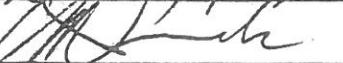
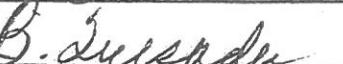
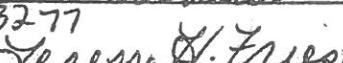
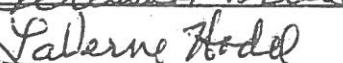
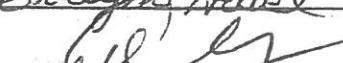
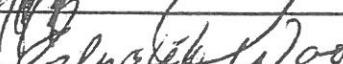
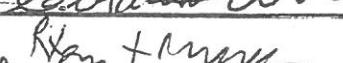
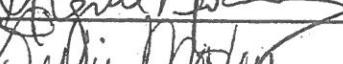
STOP ARCO AM/PM

We, the undersigned, respectfully ask the City of Visalia Planning Commission to deny the conditional use permit no. 2017-22 for the ARCO development at the corner of West Caldwell Ave and South West Street because of traffic, safety, environmental and noise issues.

Name	Address	Signature
Ree Baugh	2030 W. ELKhorn Ave Visalia, CA 93277	Ree Baugh
M. Hicks	623 W. COYOTE AVE Visalia, CA 93277	M. Hicks
Lauren Miller	2222 S. CONYARD Visalia Troy Nichols 220 B9 n Whitetree	Lauren Miller Troy Nichols
Jeff Holmes	3319 S. HILL Visalia, CA 93277	Jeff Holmes
BRENNAN GONZALES	626 W. COYOTE VISALIA CA 93277	BRENNAN GONZALES
Alberto Sanchez	3425 S. COYOTE	Alberto Sanchez
Markay	3535 SWEST	Markay
Theresa Zottli	3507 S West	Theresa Zottli
Sarah Larvin	2326 Caldwell Visalia	Sarah Larvin
Amelia Kenney	909 S. Pauline	Amelia Kenney
Mike Beasley	2017 S. Division Visalia CA	Mike Beasley
W. H. B. M. S.	450 W. CALDELL	W. H. B. M. S.

STOP ARCO AM/PM

We, the undersigned, respectfully ask the City of Visalia Planning Commission to deny the conditional use permit no. 2017-22 for the ARCO development at the corner of West Caldwell Ave and South West Street because of traffic, safety, environmental and noise issues.

Name	Address	Signature
Thomas H Parker	715 Royola Visalia	Thomas H Parker
Michael Sportsman	1631 S. Clark St. Visalia	
David Zebulon DAVID ZEBULON	3043 S. GRID ct 93292	
Makayla Fentz	2926 S Johnson	
B. QUECASA	2926 S Johnson St VISALIA	
Teressa Friesen	3014 S. Johnson St VISALIA	
LAVERNE HODEL	3048 S. Johnson St VISALIA	
Evelyn Hodel	3048 S. Johnson St	
Anastacio Gomez	3327 S. Stevenson Ct	
Kurtis Martin	944 W. CHERRY Ave	
Elizabeth Woerner	303 W. Kimball Ave	
Rian + Ryan	532 W. 18th Ave v.v. P.R.	
Miguel Nevarez	515 W. Oak View Dr.	
Leslie Mosley	3501 S. Willis Ct	
Carlos Araiza	3518 S. Willis Ct	

Correspondence received from
Oppose ARCO AM/PM Steering Committee

03/07/2018

Chandi Group USA, ARCO AM/PM Development Application, Caldwell Avenue/West Street, Visalia, Conditional Use Permit 2017-22: Project Restrictions, Requested by Oppose ARCO AM/PM Steering Committee

Oppose ARCO AM/PM Steering Committee

3/3/18

Version: 2

Abbreviations

- CC Visalia City Council
- CUP Conditional Use Permit
- PC Visalia Planning Commission
- PB Paul Bernal
- VPD Visalia Police Department

Introduction

This entire document is to be incorporated by the Visalia City Planning Commission into the publicly available file on Chandi Group USA's ARCO AM/PM Development Application, at the south east corner of Caldwell Avenue and West Street, Visalia, Conditional Use Permit 2017-22.

The application to the PC by Chandi Group USA to build and operate an ARCO AM/PM truck stop, consisting of a Gas Station, Convenience Store, Fast Food Restaurant and Car Wash at the intersection of Caldwell Avenue and West Street, Visalia is subject to Conditional Use Permit 2017-22. Hereafter, the application for this project is termed "the application" for "the project". Oppose ARCO AM/PM has already made its outright opposition to the project known through the documents filed previously with the PC under ref. 1.

Oppose ARCO AM/PM, a group several hundred concerned residents in the Caldwell Avenue/West Street area, through its Steering Committee, has submitted this document to the PC because the application and the project which it represents fail to conform in many ways to the Visalia City Building Code and the Building Standards, the zoning, the City General Plan and the City Mission Statement. We are very concerned about the risks which the project poses to human health, welfare and public safety, including the health, welfare and safety of neighborhood children. We are also very concerned to protect our families from harm, preserve the quality of life in our neighborhood and protect the value of our residential property from adverse, inappropriate developments. Our specific concerns about the project and its application are based on our thorough review of the PC's application package of 8/28/17, which is ref. 15. The package is so deficient in accuracy and conformance to the city administration's stated standards that we have found it necessary to prepare a significant number of further restrictions, to be imposed on the applicant, over and above the initial and incomplete set of conditions in the Conditional Use Permit 2017-22, in ref. 14.

This document addresses the restrictions which Oppose ARCO AM/PM wants to impose on the project and on the applicant, Chandi Group USA, if the PC intends to approve the application. Oppose ARCO AM/PM remains totally opposed to the project, for the reasons given in ref. 1. The restrictions are



contained in Tables 1 to 7, on pages 5 to 11, where they are in numerical order and specified in detail. The background information and reasons for the restriction are given in each case, under comments.

All the references in Tables 1 to 7 below are presented in the References section, on pages 3 and 4. Almost all the references are from a document package by the Oppose ARCO AM/PM Steering Committee, consisting of a cover letter and attached documents on the Chandi Group USA's application to build an ARCO AM/PM gas station and ancillary businesses at the south east corner of Caldwell Avenue and West Street. This is Conditional Use Permit No. 2017-22. The document package was filed with the PC, the individual PC members and the individual members of the CC, and also as part of the PC case file and public record, on 1/15/18. See ref. 1.

The Oppose ARCO AM/PM Steering Committee formally requests that all the restrictions presented here be applied as Conditions in the Conditional Use Permit 2017-22 for the subject project.

Oppose ARCO AM/PM Contact Information

c/o Robin Hernandez, 559 732 4142, visecrsp@aol.com

Bernard Cooker, 559 738 8826, bcooker@chemprosol.com

References

1. Cover Letter and Attached Documents on Chandi Group USA Application to Build ARCO AM/PM, Conditional Use Permit 2017-22, Author: Oppose ARCO AM/PM Steering Committee, Filed as part of PC case file and public record with Visalia PC and CC, 1/15/18.
2. Cover Letter and Attached Documents on Chandi Group USA Application to Build ARCO AM/PM, Conditional Use Permit 2017-22, Author: Oppose ARCO AM/PM Steering Committee, Filed as part of PC case file and public record with Visalia PC and CC, 1/15/18, Attached documents 8. FHA Mortgage Insurance Ineligibility Analysis and 9. Gasoline Tank Residential Property Proximity Analysis
3. Planning Commission Package on ARCO AM/PM at Caldwell Avenue and West Street, Application, Conditional Use Permit 2017-22, Prepared for PC Public Meeting, 8/28/17, Paul Bernal, PC Principal Planner, Exhibit A, First Site Plan, p. 21
4. Resubmittal, 16-140, Site Plan Review, November 1, 2017, Second Site Plan
5. Cover Letter and Attached Documents on Chandi Group USA Application to Build ARCO AM/PM, Conditional Use Permit 2017-22, Author: Oppose ARCO AM/PM Steering Committee, Filed as part of PC case file and public record with Visalia PC and CC, 1/15/18, Attached document 4. Comparison of ARCO AM/Pm Projects at Caldwell Avenue/West Street and Plaza Dive/Crowley Avenue
6. Cover Letter and Attached Documents on Chandi Group USA Application to Build ARCO AM/PM, Conditional Use Permit 2017-22, Author: Oppose ARCO AM/PM Steering Committee, Filed as part of PC case file and public record with Visalia PC and CC, 1/15/18, Attached document 7.b. Alcohol
7. Cover Letter and Attached Documents on Chandi Group USA Application to Build ARCO AM/PM, Conditional Use Permit 2017-22, Author: Oppose ARCO AM/PM Steering Committee, Filed as part of PC case file and public record with Visalia PC and CC, 1/15/18, Attached document 6. Interviews with and testimony of Dove Avenue, Visalia residents on existing ARCO AM/PM impacts on their lives
8. Planning Commission Agenda, 8/28/17, Regular Meeting, Item 8, Variance No. 2017-19, A request by California Water Service Company to allow a variance to the maximum height limit in the rear yard of an R-1-5 (Single family residential) zoned property, for the installation of two new treatment vessels. The (California Water Service Company's existing) site is located at 621 West Caldwell Avenue, on the south side of Caldwell Avenue between South Oak View Street and South West Street ...
The variance was granted by the PC, subject to the requirement that California Water Service Company plant closely spaced Cypress trees along the entire outer perimeter of the tank site, to conceal the tanks from the adjacent residential properties on James Court. This requirement was confirmed by Mr. Kevin McCusker, Regional Community Affairs Specialist, Corporate Communications, at California Water Service Company's subsequent public meeting on the project, held on 8/31/17, at 210 Café, Visalia.

9. Planning Commission Package on ARCO AM/PM at Caldwell Avenue and West Street, Application, Conditional Use Permit 2017-22, Prepared for PC Public Meeting, 8/28/17, Paul Bernal, PC Principal Planner, Site Plan Review Comments, Lighting, Paragraph 1, p. 131
10. Planning Commission Package on ARCO AM/PM at Caldwell Avenue and West Street, Application, Conditional Use Permit 2017-22, Prepared for PC Public Meeting, 8/28/17, Paul Bernal, PC Principal Planner, Site Plan Review Comments, Lighting, Paragraph 2, p. 131
11. Planning Commission Package on ARCO AM/PM at Caldwell Avenue and West Street, Application, Conditional Use Permit 2017-22, Prepared for PC Public Meeting, 8/28/17, Paul Bernal, PC Principal Planner, Site Plan Review Comments, Lighting, Paragraph 3, p. 131
12. Planning Commission Package on ARCO AM/PM at Caldwell Avenue and West Street, Application, Conditional Use Permit 2017-22, Prepared for PC Public Meeting, 8/28/17, Paul Bernal, PC Principal Planner, Site Plan Review Comments, Lighting, Paragraph 5, p. 131
13. Planning Commission Package on ARCO AM/PM at Caldwell Avenue and West Street, Application, Conditional Use Permit 2017-22, Prepared for PC Public Meeting, 8/28/17, Paul Bernal, PC Principal Planner, Site Plan Review Comments, Lighting, Paragraph 4, p. 131
14. Planning Commission Package on ARCO AM/PM at Caldwell Avenue and West Street, Application, Conditional Use Permit 2017-22, Prepared for PC Public Meeting, 8/28/17, Paul Bernal, PC Principal Planner, Recommended Conditions of Approval, CUP No. 2017-22, Conditions 11 to 14, p. 11
15. Planning Commission Package on ARCO AM/PM at Caldwell Avenue and West Street, Application, Conditional Use Permit 2017-22, Prepared for PC Public Meeting, 8/28/17, Paul Bernal, PC Principal Planner.

Table 1. ARCO AM/PM Development Application, Caldwell Avenue/West Street, Visalia, CUP 2017-22: Project Restrictions 1 to 5.

No.	Restriction	Comments
1	All above and below ground fuel tanks in the project are to be installed more than 300 feet from the exterior boundary of any residential property.	FHA home mortgage insurance is unavailable if any 1,000+ gallon fuel tank is within 300 feet of the residential property. See ref. 2. Four James Court residences are within the 300 feet limit. See ref. 2. The PC, the CC and the applicant risk being sued for homeowners and buyers being unable to adhere to this FHA rule, through no action of their own. Estimated property value reduction, both directly affected (4) and neighbors (4): $(30\% \times 4 \times \$250,000) + (15\% \times 4 \times \$250,000) = \$450,000$.
2	Ban the sale of all alcoholic beverages at the project.	If built, this project would be the 19 th business within 1 mile selling alcoholic beverages. There are two public school children's bus stops on the west side of West Street, opposite a project entrance. Alcohol sales facilitate public intoxication and are a magnet for underage sales of the product, including to children waiting at the two public school bus stops on the west side of West Street. See ref. 6 on alcohol-based antisocial behavior and ref. 7 for the adverse effects of alcohol sales from an existing ARCO AM/PM on Dove Avenue, Visalia.
3	All lighting shall be designed, installed and operated without any direct or indirect light or glare falling on any adjacent residential property, including the properties on Caldwell Avenue, West Street, Kimball Avenue and James Court.	Direct quote of Visalia City PC own written lighting standards, as stated in ref. 9, but not required of applicant by PC to date. This restriction requires them to be enforced.
4	Parking lot and drive aisle lighting shall use 15 feet high poles, with the lighting element completely recessed into the can, to reduce or eliminate direct and indirect light and glare which may adversely impact adjacent residential areas, including the properties on Caldwell Avenue, West Street, Kimball Avenue and James Court.	Direct quote of Visalia City PC own written lighting standards, as stated in ref. 10, but not required of applicant by PC to date. This restriction requires them to be enforced.
5	Building and security lights must be shielded so that the light element is not visible from any adjacent residential properties, including the properties on Caldwell Avenue, West Street, Kimball Avenue and James Court.	Direct quote of Visalia City PC own written lighting standards, as stated in ref. 11, but not required of applicant by PC to date. This restriction requires them to be enforced.

Table 2. ARCO AM/PM Development Application, Caldwell Avenue/West Street, Visalia, CUP 2017-22: Project Restrictions 6 to 10.

No.	Restriction	Comments
6	In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.	Direct quote of Visalia City PC own written lighting standards, as stated in ref. 12, but not required of applicant by PC to date. This restriction requires them to be enforced.
7	Failure to meet any part of Restrictions 3, 4, 5 and 6 20 here or CUP 2017-22 Conditions 11, 12, 13 and 14 in ref. 14 shall result in no permitted occupation of the property until said Conditions and Restrictions are met in their entirety.	Based directly on Visalia City PC statement on enforcement of its lighting standards. This makes clear that all the illumination restrictions on this severely blighting project will be imposed and enforced by the City of Visalia administration. See ref. 13.
8	Eliminate the car wash.	This project element, by Chandi Group USA's own admission, is the noisiest element of the development. See the transposition of the car wash entrance from Site Plan 1 to Site Plan 2 relative to unacceptable noise levels. Refs. 3 and 4. It is also closest to the residences on James Court, Kimball Avenue and West Street. This restriction reduces the size, traffic impact, and noise and light pollution impacts of the project, which is in a residential neighborhood. As planned, this is the largest truck stop in Visalia. See ref. 5. The, smaller, ARCO AM/PM on Lovers Lane, Visalia has no car wash and no public vacuums. The car wash traffic would be a hazard to public school children assembling at and departing from the two bus stops on the west side of West Street, opposite a project entrance.
9	Reduce the gas station capacity from 20 hoses at 10 islands in 5 bays to 12 hoses at 6 islands in 3 bays.	This reduces the size of the project, its noise and light pollution and its visual intrusion, in order to protect the residential neighborhood in which it is located. As planned, this is the largest truck stop in Visalia. See ref. 5. The, smaller, ARCO AM/PM on Dinuba Boulevard, Visalia has 16 hoses, 8 islands and 4 bays.
10	Restrict the gasoline station and convenience store operating hours to 6 a.m. to 10 p.m., like the neighboring businesses.	This reduces the traffic and noise generated by the project at night, when the adjacent residents are at home and trying to sleep. It conforms to the operating hours of all the other (30+) businesses in this area of Caldwell Avenue, between Santa Fe Avenue and Stonebrook Drive. The Jack in the Box, on Court Street at Caldwell Avenue, is the sole exception.

Table 3. ARCO AM/PM Development Application, Caldwell Avenue/West Street, Visalia, CUP 2017-22: Project Restrictions 11 to 14.

No.	Restriction	Comments
11	Restrict the car wash, if built, to operating from 6 a.m. to 6 p.m.	This project element, by Chandi Group USA's own admission, is the noisiest element and it is closest to the residences on James Court, Kimball Avenue and West Street. See the transposition of the car wash entrance from Site Plan 1 to Site Plan 2 relative to unacceptable noise levels. See refs. 3 and 4. This restriction reduces the traffic impact, noise pollution and light pollution in this residential area.
12	Ban ARCO AM/PM from having customer commercial truck fleet accounts refueling at the project.	Chandi Group USA plans to have customer corporate truck fleet account business refueling by other businesses at this location. This would very substantially increase the truck traffic in this residential neighborhood, over and above the increase caused by the gas station. This extra traffic will be a hazard to the children using the two public school bus stops on the west side of West Street, opposite a project entrance.
13	Require 1 to 2 feet thick continuous masonry walls of 10 feet height in the following locations: 1. In proximity to the side walk, from 30 feet south of the south east corner of the West Street/Caldwell Avenue intersection to the north east corner of the West Street/Kimball Avenue intersection, with one gap on West Street, not to exceed 35 feet in size for vehicle access and egress. 2. In proximity to the curb, from the north east corner of the West Street/Kimball Avenue intersection to the south east corner of the project site, on Kimball Avenue.	This requirement is to reduce the impacts of noise, light pollution and visual intrusion on the adjacent residences on James Court, West Street and Kimball Avenue. The alternative to Wall 2 here is a wall of the same height and type running east-west immediately south of the public outside self-service vehicle vacuum area. See the applicant's second site plan, ref. 4, and further marked up detail, which is available from the author.
14	Fully enclose and secure all dumpsters, using roofs, side and rear walls, and locked gates, rendering them inaccessible to all except service personnel.	The dumpsters will contain food, beverages and other items of value to the homeless and derelict, who already populate the neighborhood at night. Unsecured dumpsters are also havens for sleeping and drunkenness by the same people, whose actions pose a potential safety hazard.

Table 4. ARCO AM/PM Development Application, Caldwell Avenue/West Street, Visalia, CUP 2017-22: Project Restrictions 15 to 19.

No.	Restriction	Comments
15	Eliminate the fast food service, both walk in and drive through.	Fast food attracts the homeless and vagrants, who litter the streets with food, beverages and their containers. Fast food generates food waste, which attracts the hungry and destitute to dumpsters and trash bins. Vermin are also attracted to waste food and contaminated trash. Trash currently blights the area. See ref. 7 for this type of blight from an existing ARCO AM/PM in Visalia.
16	If the car wash is approved, require state of the art, lowest noise source equipment throughout the car wash area, both internally and externally, including the self-service vacuum area. The design to be reviewed by an independent sound engineer, appointed by the PC and at the applicant's expense.	This reduces the noise pollution and blight from the car wash experienced by the adjacent residents on West Street, Kimball Avenue and James Court.
17	If the car wash is approved, require state of the art noise muffling insulation and enclosures around each item of noise-generating equipment, throughout the car wash area, both internally and externally, including the self-service vacuum area. The design is to be reviewed by an independent sound engineer, appointed by the PC and at the applicant's expense.	This reduces the noise pollution and blight from the car wash experienced by the adjacent residents on West Street, Kimball Avenue and James Court.
18	Install Cyprus trees at a planting interval of 4 feet on the public side of the existing 7 ft. masonry wall on the west side of West Street, from the south west corner of the intersection of Caldwell Avenue and West Street south to the southern termination of said wall on West Street, at the rear of the residential property at the north west corner of the intersection of Kimball Avenue and West Street. Install an irrigation system and maintain it in good working order, including water supply. Install and maintain mulch for same.	Precedent: CA Water Company, 2017, required by PC to install Cyprus trees around entire perimeter of their property between rear of a James Court residential property and Caldwell Avenue, to conceal two 40,000 gallon water tanks, 15 to 20 feet high. See ref. 8.
19	Install Cyprus trees at a planting interval of 4 feet in the sidewalk strip, adjacent to the curb, along the northern side of Kimball Avenue, from the north east corner of the intersection of Kimball Avenue and West Street eastwards to the east perimeter boundary of the proposed development. Install an irrigation system and maintain it in good working order, including water supply. Install and maintain mulch for same.	Precedent: CA Water Company, 2017, required by PC to install Cyprus trees around entire perimeter of their property between rear of James Court residential property and Caldwell Avenue, to conceal two 40,000 gallon water tanks, 15 to 20 feet high. See ref. 8.

Table 5. ARCO AM/PM Development Application, Caldwell Avenue/West Street, Visalia, CUP 2017-22: Project Restrictions 20 to 23.

No.	Restriction	Comments
20	The outer boundaries of the project, along Caldwell Avenue, West Street and Kimball Avenue, from the street curb inwards by 15 feet, shall be planted with native plants at twice the planting density required in the Visalia City Code, with fully functioning irrigation and mulch. The water supply shall be provided and paid for by the applicant, who shall also install and maintain the mulch.	This restriction reduces the adverse visual and environmental impact of the project. It reduces light pollution and noise impingement on the adjacent residential properties.
21	Reduce the vertical distance from the pavement to the underside of the gasoline station canopy clearance to 10 feet or the minimum allowed by law. Require that the vertical distance from the underside of the gas station canopy to its upper side be limited to 1 foot.	This reduces the total height and visual prominence of the gas station canopy, its roof edge and the displayed corporate logos, names, advertising and illumination, as viewed from the adjacent residential properties.
22	Require a total of at least 15 trash bins on the site, inside and out. Require the convenience store to contain at least 4 bins and the fast food restaurant to contain at least 3 bins. Require all bins to be at least 35 gallons capacity and wide enough to accommodate a used pizza box. Each bin shall be individually overhead illuminated.	Trash currently blights the entire area. The project would add substantially to that burden. These restrictions are imposed to reduce the impact from discarded, unsecured trash, for the benefit of the local residents. See ref. 7 for ongoing trash blight from existing ARCO AM/PM in Visalia.
23	Restrict all car wash klaxons, sirens, audible alarms and other audible warning devices to 60 dB or less at their source.	The car wash audible devices should not be heard on or in the adjacent residential properties. See ref. 7 regarding ongoing ARCO AM/PM car wash klaxon nuisance.

Table 6. ARCO AM/PM Development Application, Caldwell Avenue/West Street, Visalia, CUP 2017-22: Project Restrictions 24 to 28.

No.	Restriction	Comments
24	Ban all parking and idling by any vehicle, including trucks, on West Street north of Kimball Avenue, Kimball Avenue east of West Street and Caldwell Avenue. Post advisory and warning signs and assign VPD to enforce, including fines.	This restriction is necessary because the project will attract large volumes of traffic, including trucks. Drivers waiting to use the car wash will try to park on the nearby residential streets. On-site parking for trucks is absent, causing truckers to park and idle their vehicles on the nearby residential streets. This must be stopped to protect the residents, including the children at the two public school bus stops on the west side of West Street, opposite a project entrance.
25	All 18 wheel single tandem trucks and 30 wheel double tandem trucks, including fuel trucks, delivering to the project, are banned from West Street and Kimball Avenue, and may only use the Caldwell Avenue access point to enter and leave the site.	These trucks should be excluded from the residential area to protect the residents from noise, atmospheric pollution, vibration and visual intrusion. See ref. 4, showing applicant's intention to have 18 and 30 wheel fuel delivery truck single and double tandems travel north on West Street from the south, through the adjacent residential neighborhood, to the project. There are two public school children's bus stops on the west side of West Street, opposite a project entrance.
26	All 18 wheel single tandem trucks and 30 wheel double tandem trucks, including fuel trucks, may only deliver to the project and leave the project between the hours of 8 a.m. and 6 p.m. on any given day.	Restricts the movements of truck servicing the project to normal business hours, to avoid noise, lights and visual intrusion at night in the adjacent residential neighborhood. This also reduces the hazards to the children using the two public school bus stops on the west side of West Street, opposite a project entrance.
27	No truck delivering any goods to the project or hauling goods or trash from the project shall idle for longer than 10 minutes, either at the project or on Court Street, Kimball Avenue, West Street or Caldwell Avenue. Post advisory and warning signs and assign VPD to enforce, including fines.	To minimize air pollution, noise pollution and traffic congestion in the residential neighborhood. This also reduces the hazards to the children using the two public school bus stops on the west side of West Street, opposite a project entrance.
28	Chandi Group USA shall disclose the entire site plumbing plan, including all water supply, heating and distribution and drainage lines. This includes scale plans of the toilets and of the showers, before the PC staff commence their final review.	The actual project scope must be determined. It is unknown whether or not the applicant plans to build showers as well as rest rooms, now or at a later date, as part of the truck stop project. Ref. 3 is incomplete.

Table 7. ARCO AM/PM Development Application, Caldwell Avenue/West Street, Visalia, CUP 2017-22: Project Restriction 29.

No.	Restriction	Comments
29	Chandi Group USA shall disclose all plans for truck parking, including overnight truck parking, on the land parcels described in ref. DDDD and any other land parcels in the block bounded by Court Street, Kimball Avenue, West Street and Caldwell Avenue.	The actual project scope must be determined. Applicant is expected, based on standard practice, to provide truck parking, including overnight parking, as part of the truck stop project.

Correspondence received from
Oppose ARCO AM/PM Steering Committee

03/13/2018


ARCO AM/PM
messages

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Mon, Nov 13, 2017 at 11:00 AM

Mr. Freeman,

In response to your October 13, 2017 email, the Oppose ARCO AM/PM Committee has chosen to negotiate our concerns with you without using legal council at this time. The Committee would like to expedite the negotiation process and it would be appreciated if you could get back to us in a timely manner. We are available via email.

Respectfully,
Oppose ARCO AM/PM

tomfreeman2010 <tomfreeman2010@yahoo.com>
To: Robin Hernandez <oppose.arco@gmail.com>

Mon, Nov 13, 2017 at 11:33 AM

Thank you. Please let me know your concerns and I will see if I can address them .

Sent from Yahoo Mail for iPhone
[Quoted text hidden]

Negotiation Ideas

7 messages

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Mon, Nov 13, 2017 at 8:02 PM

Mr. Freeman,

Thank you for your email and the opportunity to negotiate. Our first concern is the location of the project. Based on these concerns our ideas are as follows:

1. Abandon the project.

2. Move the project to Caldwell nearer 99. This will generate more business; property is less expensive in that area; there wouldn't be opposition from existing residential neighborhoods.

3. Move the project eastward to abut the Jack in the Box where there would be less residential impact.

Respectfully,
Oppose ARCO AM/PM

tomfreeman2010 <tomfreeman2010@yahoo.com>
To: Robin Hernandez <oppose.arco@gmail.com>

Mon, Nov 13, 2017 at 8:08 PM

Thank you for your reply. I will share your suggestions with the leadership at Chandi Group USA.

Please forgive me for a delay in response as it may take some time for the team to thoughtfully consider your suggestions.

I might add that based on your comments at the hearing the site was altered to reduce noise, we are working with the city police department to address any prevention of crime, and a new. Noise study was commenced and completed.

These steps we the result of your comments and others to be Commission.

Tom

Sent from Yahoo Mail for iPhone
[Quoted text hidden]

ARCO Negotiations Response

message

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Mon, Nov 20, 2017 at 12:56 PM

Mr. Freeman,

We respectfully request a response, within a week, to our negotiation ideas submitted to you in an email dated Monday, November 13, 2017.

Thank you,
Oppose ARCO AM/PM

ARCO AM/PM Negotiations response

1 message

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Tue, Nov 28, 2017 at 12:02 PM

Mr. Freeman,

We respectfully request a response to our negotiation emails submitted to you dated November 13, 2017 and November 20, 2017.

Thank you,
Oppose ARCO AM/PM

Request for ARCO AM/PM Negotiations Response

1 message

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Fri, Dec 1, 2017 at 10:51 AM

Mr. Freeman,

We are still awaiting a response to our previous emails.

Thank you,
Oppose ARCO AM/PM

Attachment 2

Planning Response to the 29 item listed in the Oppose ARCO
AM/PM Steering Committee's letter dated March 7, 2018

The following is staff's response to the 29 items listed in the Oppose ARCO AM/PM Steering Committee's letter dated March 3, 2018.

Item 1:

No.	Restriction	Comments
1	All above and below ground fuel tanks in the project are to be installed more than 300 feet from the exterior boundary of any residential property.	FHA home mortgage insurance is unavailable if any 1,000+ gallon fuel tank is within 300 feet of the residential property. See ref. 2. Four James Court residences are within the 300 feet limit. See ref. 2. The PC, the CC and the applicant risk being sued for homeowners and buyers being unable to adhere to this FHA rule, through no action of their own. Estimated property value reduction, both directly affected (4) and neighbors (4): $(30\% \times 4 \times \$250,000) + (15\% \times 4 \times \$250,000) = \$450,000$.

Staff Response: Staff has included a condition that requires the underground storage tanks be relocated to an area on-site that does not result in residential properties being within 300-feet of the underground storage tanks. The revised site plan depicting the relocated underground storage tanks shall be submitted to the Community Development Department Director and City Planner for compliance with this condition.

Item 2:

2	Ban the sale of all alcoholic beverages at the project.	If built, this project would be the 19 th business within 1 mile selling alcoholic beverages. There are two public school children's bus stops on the west side of West Street, opposite a project entrance. Alcohol sales facilitate public intoxication and are a magnet for underage sales of the product, including to children waiting at the two public school bus stops on the west side of West Street. See ref. 6 on alcohol-based antisocial behavior and ref. 7 for the adverse effects of alcohol sales from an existing ARCO AM/PM on Dove Avenue, Visalia.
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Staff Response: If an ABC license request is applied for by the applicant, the request would be processed administratively with final approval coming from the City Manager's Office, with input from Planning staff and the Visalia Police Department. During the Site Plan Review process, staff did not identify any nuisance compatibility issues with the site, however, any ABC license request would go through the proper review process to determine if the license is approved or denied.

Item 3:

3	All lighting shall be designed, installed and operated without any direct or indirect light or glare falling on any adjacent residential property, including the properties on Caldwell Avenue, West Street, Kimball Avenue and James Court.	Direct quote of Visalia City PC own written lighting standards, as stated in ref. 9, but not required of applicant by PC to date. This restriction requires them to be enforced.
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Staff Response: The City's existing development standards require that light be directed and/or shielded so it does not fall upon adjacent properties upon the site's future development as required under Section 17.30.015.H of the Zoning Ordinance. The applicant has submitted a photometric plan (see Exhibit "I"). The photometric plan demonstrates that the ARCO AM/PM's lighting along the north and west property lines does not exceed the 0.5 lumens, as stated in the Site Plan Review No. 2016-140 comments prepared for this project. The on-site lighting for the gas station is directed and focused so as to avoid direct illumination spilling beyond the site boundaries, as stated in the Site Plan Review Comments No. 2016-140 and as required under Section 17.30.015.H of the Zoning Ordinance.

Staff has included a condition requiring the applicant/developer, prior to occupancy and/or operation of the ARCO AM/PM gas station/convenience store/carwash, the conduct, with City staff verification, that the on-site lighting installed for this development complies with the lumen intensity as demonstrated on the Photometric Plan (see Exhibit "I") and shall not exceed 0.5 lumens at the property lines. In addition, any proposed fuel pricing signage located near and/or directed toward the Caldwell/West intersection shall be prohibited from installing the red LED light fixture signage for gas pricing. This requirement has also been included as a condition of project approval.

Item 4:

4	Parking lot and drive aisle lighting shall use 15 feet high poles, with the lighting element completely recessed into the can, to reduce or eliminate direct and indirect light and glare which may adversely impact adjacent residential areas, including the properties on Caldwell Avenue, West Street, Kimball Avenue and James Court.	Direct quote of Visalia City PC own written lighting standards, as stated in ref. 10, but not required of applicant by PC to date. This restriction requires them to be enforced.
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Staff Response: The City's existing development standards require that light be directed and/or shielded so it does not fall upon adjacent properties upon the site's future development as required under Section 17.30.015.H of the Zoning Ordinance.

The applicant has submitted a photometric plan (see Exhibit "I"). The photometric plan depicts parking lot pole lighting fixtures (6 pole fixtures at 16-ft. in height) installed in close proximity to the building/carwash perimeter and directed toward the interior of the site. In addition, the gas canopy lighting located under the canopy is directed downward toward the gas fueling stations. The photometric plan demonstrates that the ARCO AM/PM's lighting along the north and west property lines does not exceed the 0.5 lumens, as stated in the Site Plan Review No. 2016-140 comments prepared for this project. The on-site lighting for the gas station is directed and focused so as to avoid direct illumination spilling beyond the site boundaries, as stated in the Site Plan Review Comments No. 2016-140 and as required under Section 17.30.015.H of the Zoning Ordinance.

Staff has included a condition requiring the applicant/developer, prior to occupancy and/or operation of the ARCO AM/PM gas station/convenience store/carwash, the conduct, with City staff verification, that the on-site lighting installed for this development complies with the lumen intensity as demonstrated on the Photometric Plan (see Exhibit "I") and shall not exceed 0.5 lumens at the property lines. In addition, any proposed fuel pricing signage located near and/or directed toward the Caldwell/West intersection shall be prohibited from installing the red LED light fixture signage for gas pricing. This requirement has also been included as a condition of project approval.

Item 5:

5	Building and security lights must be shielded so that the light element is not visible from any adjacent residential properties, including the properties on Caldwell Avenue, West Street, Kimball Avenue and James Court.	Direct quote of Visalia City PC own written lighting standards, as stated in ref. 11, but not required of applicant by PC to date. This restriction requires them to be enforced.
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Staff Response: The City's existing development standards require that light be directed and/or shielded so it does not fall upon adjacent properties upon the site's future development as required under Section 17.30.015.H of the Zoning Ordinance.

The applicant has submitted a photometric plan (see Exhibit "I"). The photometric plan demonstrates that the ARCO AM/PM's lighting along the north and west property lines does not exceed the 0.5 lumens, as stated in the Site Plan Review No. 2016-140 comments prepared for this project. The on-site lighting for the gas station is directed and focused so as to avoid direct illumination spilling beyond the site boundaries, as stated in the Site Plan Review Comments No. 2016-140 and as required under Section 17.30.015.H of the Zoning Ordinance. Staff has included a condition requiring the applicant/developer, prior to occupancy and/or operation of the ARCO AM/PM gas station/convenience store/carwash, the conduct, with City staff verification, that the on-site lighting installed for this development complies with the lumen intensity as

demonstrated on the Photometric Plan (see Exhibit "I") and shall not exceed 0.5 lumens at the property lines.

Item 6:

7	Failure to meet any part of Restrictions 3, 4, 5 and 6 20 here or CUP 2017-22 Conditions 11, 12, 13 and 14 in ref. 14 shall result in no permitted occupation of the property until said Conditions and Restrictions are met in their entirety.	Based directly on Visalia City PC statement on enforcement of its lighting standards. This makes clear that all the illumination restrictions on this severely blighting project will be imposed and enforced by the City of Visalia administration. See ref. 13.
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Staff Response: If approved, the project and the operations of the ARCO AM/PM gas station, convenience store, and carwash are subject to compliance with all conditions of project approval including complying with Federal, State and local codes, ordinances and laws. Failure to comply with the requirements imposed on the project may result in Code Enforcement Action, including fines and CUP revocation if the violations are not corrected.

Item 7:

No.	Restriction	Comments
6	In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.	Direct quote of Visalia City PC own written lighting standards, as stated in ref. 12, but not required of applicant by PC to date. This restriction requires them to be enforced.

Staff Response: The applicant has submitted a photometric plan (see Exhibit "I"). The photometric plan demonstrates that the ARCO AM/PM's lighting along the north and west property lines does not exceed the 0.5 lumens, as stated in the Site Plan Review No. 2016-140 comments prepared for this project. The on-site lighting for the gas station is directed and focused so as to avoid direct illumination spilling beyond the site boundaries, as stated in the Site Plan Review Comments No. 2016-140 and as required under Section 17.30.015.H of the Zoning Ordinance. Staff has included a condition requiring the applicant/developer, prior to occupancy and/or operation of the ARCO AM/PM gas station/convenience store/carwash, the conduct, with City staff verification, that the on-site lighting installed for this development complies with the lumen intensity as demonstrated on the Photometric Plan (see Exhibit "I") and shall not exceed 0.5 lumens at the property lines.

Item 8:

8	Eliminate the car wash.	<p>This project element, by Chandi Group USA's own admission, is the noisiest element of the development. See the transposition of the car wash entrance from Site Plan 1 to Site Plan 2 relative to unacceptable noise levels. Refs. 3 and 4. It is also closest to the residences on James Court, Kimball Avenue and West Street. This restriction reduces the size, traffic impact, and noise and light pollution impacts of the project, which is in a residential neighborhood. As planned, this is the largest truck stop in Visalia. See ref. 5. The, smaller, ARCO AM/PM on Lovers Lane, Visalia has no car wash and no public vacuums. The car wash traffic would be a hazard to public school children assembling at and departing from the two bus stops on the west side of West Street, opposite a project entrance.</p>
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Staff Response: The applicant submitted a new acoustical analysis. The purpose of the acoustical analysis is to determine if noise levels associated with the project will comply with the City's applicable noise level standards. If noise impacts related to the project are identified, the acoustical analysis shall identify the impacts and identify mitigation measures to attenuate noise levels generated by the project to comply with the City of Visalia's noise level standards.

The applicant has identified the carwash as part of the project and the acoustical analysis concluded that noise levels associated with the blowers would exceed the City's applicable daytime and nighttime noise level standards at the sensitive receiver locations (i.e., residential units) west of the project site. In order to mitigate the carwash-related noise levels to a *less-than-significant impact* at nearby residential land uses, the project shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 through 1.7, which are included in Section IV of the Mitigated Negative Declaration and included in Resolution No. 2017-37.

Item 9:

9	Reduce the gas station capacity from 20 hoses at 10 islands in 5 bays to 12 hoses at 6 islands in 3 bays.	This reduces the size of the project, its noise and light pollution and its visual intrusion, in order to protect the residential neighborhood in which it is located. As planned, this is the largest truck stop in Visalia. See ref. 5. The, smaller, ARCO AM/PM on Dinuba Boulevard, Visalia has 16 hoses, 8 islands and 4 bays.
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Staff Response: The project is proposing to install 10 fueling stations which would permit 20 fueling spaces under the gas canopy. The applicant has provided a new acoustical analysis and photometric plan. The acoustical analysis concludes noise levels associated with the proposed gas station and convenience store operations would result in a *less-than-significant* noise impact and are not expected to exceed the City's applicable daytime or nighttime noise level standards established in the Noise Ordinance as well as those established in the Noise Element of the General Plan.

The photometric plan demonstrates that the ARCO AM/PM's lighting along the north and west property lines does not exceed the 0.5 lumens, as stated in the Site Plan Review No. 2016-140 comments prepared for this project. The on-site lighting for the gas station is directed and focused so as to avoid direct illumination spilling beyond the site boundaries, as stated in the Site Plan Review Comments No. 2016-140 and as required under Section 17.30.015.H of the Zoning Ordinance. Staff has included a condition requiring the applicant/developer, prior to occupancy and/or operation of the ARCO AM/PM gas station/convenience store/carwash, the conduct, with City staff verification, that the on-site lighting installed for this development complies with the lumen intensity as demonstrated on the Photometric Plan (see Exhibit "I") and shall not exceed 0.5 lumens at the property lines.

Item 10:

10	Restrict the gasoline station and convenience store operating hours to 6 a.m. to 10 p.m., like the neighboring businesses.	This reduces the traffic and noise generated by the project at night, when the adjacent residents are at home and trying to sleep. It conforms to the operating hours of all the other (30+) businesses in this area of Caldwell Avenue, between Santa Fe Avenue and Stonebrook Drive. The Jack in the Box, on Court Street at Caldwell Avenue, is the sole exception.
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Staff Response: The applicant has revised their operational statement and has identified hours of operation for the ARCO AM/PM gas station and convenience store from 4:30 a.m. to 12:00 a.m. seven days a week. The applicant has provided a new acoustical analysis. The acoustical analysis concludes noise levels associated with the proposed gas station and convenience store operations would result in a *less-than-significant* noise impact and are not expected to exceed the City's applicable daytime or nighttime noise level standards established in the Noise Ordinance as well as those established in the Noise Element of the General Plan.

Condition No. 3 has been included as part of the CUP conditions that limit the operating hours as those identified in the attached operational statement. Staff has also included additional language requiring the gas fuel pumps be non-operable during the hours the business is closed.

Item 11:

No.	Restriction	Comments
11	Restrict the car wash, if built, to operating from 6 a.m. to 6 p.m.	This project element, by Chandi Group USA's own admission, is the noisiest element and it is closest to the residences on James Court, Kimball Avenue and West Street. See the transposition of the car wash entrance from Site Plan 1 to Site Plan 2 relative to unacceptable noise levels. See refs. 3 and 4. This restriction reduces the traffic impact, noise pollution and light pollution in this residential area.

Staff Response: Staff has also included Condition No. 7, limiting the hours of operation for the carwash from 6:00 a.m. to 7:00 p.m., which comply with the City of Visalia nighttime hours.

Item 12:

12	Ban ARCO AM/PM from having customer commercial truck fleet accounts refueling at the project.	Chandi Group USA plans to have customer corporate truck fleet account business refueling by other businesses at this location. This would very substantially increase the truck traffic in this residential neighborhood, over and above the increase caused by the gas station. This extra traffic will be a hazard to the children using the two public school bus stops on the west side of West Street, opposite a project entrance.
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Staff Response: The applicant's operational statement identifies the gas station will sell vehicle fuel for automobiles and light duty pick-up trucks, which is similar to the gas services provided by the Shell gas station located on the northeast corner of Caldwell Avenue and West Street, and typical of gas stations located in the Visalia community.

Item 13:

13	Require 1 to 2 feet thick continuous masonry walls of 10 feet height in the following locations: 1. In proximity to the side walk, from 30 feet south of the south east corner of the West Street/Caldwell Avenue intersection to the north east corner of the West Street/Kimball Avenue intersection, with one gap on West Street, not to exceed 35 feet in size for vehicle access and egress. 2. In proximity to the curb, from the north east corner of the West Street/Kimball Avenue intersection to the south east corner of the project site, on Kimball Avenue.	<p>This requirement is to reduce the impacts of noise, light pollution and visual intrusion on the adjacent residences on James Court, West Street and Kimball Avenue.</p> <p>The alternative to Wall 2 here is a wall of the same height and type running east-west immediately south of the public outside self-service vehicle vacuum area. See the applicant's second site plan, ref. 4, and further marked up detail, which is available from the author.</p>
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Staff Response: The Zoning Ordinance Section 17.36.050 states, "Where a site in the C-N (Neighborhood Commercial), C-R (Regional Commercial), C-S (Service Commercial), C-MU (Commercial Mixed Use), or D-MU (Downtown Mixed Use) zone adjoins an R-1 or R-M zone, either a concrete block masonry wall not less than seven feet in height shall be located on the property line except in a required front yard and suitably maintained or a landscaped buffer be provided as approved by the planning commission." The commercial site does not adjoin R-1 or R-M property. The entire shopping center site is bounded by an arterial, collector and local roadways. There is no codified requirement for a block wall along the project sites property lines as requested.

The applicant has provided a new acoustical analysis and photometric plan. Those studies demonstrate the project will mitigate or comply with the City's development standards. Conditions have also been incorporated ensuring that project complies with project specific conditions including compliance with Federal, State and city codes, ordinances and laws.

Item 14:

14	Fully enclose and secure all dumpsters, using roofs, side and rear walls, and locked gates, rendering them inaccessible to all except service personnel.	The dumpsters will contain food, beverages and other items of value to the homeless and derelict, who already populate the neighborhood at night. Unsecured dumpsters are also havens for sleeping and drunkenness by the same people, whose actions pose a potential safety hazard.
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Staff Response: The ARCO AM/PM site is required to construct the City Standard 24-foot wide Refuse Container with metal gates. The gates include heavy duty lockable hardware.

Item 15:

No.	Restriction	Comments
15	Eliminate the fast food service, both walk in and drive through.	Fast food attracts the homeless and vagrants, who litter the streets with food, beverages and their containers. Fast food generates food waste, which attracts the hungry and destitute to dumpsters and trash bins. Vermin are also attracted to waste food and contaminated trash. Trash currently blights the area. See ref. 7 for this type of blight from an existing ARCO AM/PM in Visalia.

Staff Response: The site plan, Exhibit "B", depicts a future fast-food restaurant/eatery (no tenant identified at this time). Fast-food restaurants (sit-down or take-out) are Permitted uses in the C-MU zone. The City's Solid Waste Division has reviewed the site plan and is requiring the construction of a City Refuse Enclosure to be developed per City Standards. In addition, the County Environmental Health Department will review any future restaurant, if and when it's proposed.

Item 16:

16	If the car wash is approved, require state of the art, lowest noise source equipment throughout the car wash area, both internally and externally, including the self-service vacuum area. The design to be reviewed by an independent sound engineer, appointed by the PC and at the applicant's expense.	This reduces the noise pollution and blight from the car wash experienced by the adjacent residents on West Street, Kimball Avenue and James Court.
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Staff Response: The applicant submitted a new acoustical analysis. The purpose of the acoustical analysis is to determine if noise levels associated with the project will comply with the City's applicable noise level standards. If noise impacts related to the project are identified, the acoustical analysis shall identify the impacts and identify mitigation measures to attenuate noise levels generated by the project to comply with the City of Visalia's noise level standards.

The applicant has identified the carwash as part of the project and the acoustical analysis concluded that noise levels associated with the blowers would exceed the City's applicable daytime and nighttime noise level standards at the sensitive receiver locations (i.e., residential units) west of the project site. In order to mitigate the carwash-related noise levels to a *less-than-significant impact* at nearby residential land uses, the project shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 through 1.7, which are included in Section IV of the Mitigated Negative Declaration and included in Resolution No. 2017-37.

Furthermore, staff has recommended Condition No. 19 be adopted for CUP No. 2017-22. This condition requires the applicant/developer prior to operating the carwash to verify that the carwash equipment does not exceed Community Noise levels as identified in the acoustical analysis (Cameron Creek Marketplace Carwash Visalia CA, WJV Acoustics, Inc., February 26, 2018). The applicant/developer shall have their acoustical noise consultant conduct noise measurements for the carwash prior to operating. The noise measurement shall be submitted and verified to the Community Development Department Director and City Planner or their designees prior to operation of the carwash. Failure to meet Community Noise requirements shall result in non-operation of the carwash until noise levels are met.

Item 17:

17	If the car wash is approved, require state of the art noise muffling insulation and enclosures around each item of noise-generating equipment, throughout the car wash area, both internally and externally, including the self-service vacuum area. The design is to be reviewed by an independent sound engineer, appointed by the PC and at the applicant's expense.	This reduces the noise pollution and blight from the car wash experienced by the adjacent residents on West Street, Kimball Avenue and James Court.
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Staff Response: The applicant submitted a new acoustical analysis. The purpose of the acoustical analysis is to determine if noise levels associated with the project will comply with the City's applicable noise level standards. If noise impacts related to the project are identified, the acoustical analysis shall identify the impacts and identify mitigation measures to attenuate noise levels generated by the project to comply with the City of Visalia's noise level standards.

The applicant has identified the carwash as part of the project and the acoustical analysis concluded that noise levels associated with the blowers would exceed the City's applicable daytime and nighttime noise level standards at the sensitive receiver locations (i.e., residential units) west of the project site. In order to mitigate the carwash-related noise levels to a *less-than-significant impact* at nearby residential land uses, the project shall be developed and shall operate in substantial compliance with the

Mitigation Measures 1.1 through 1.7, which are included in Section IV of the Mitigated Negative Declaration and included in Resolution No. 2017-37.

Furthermore, staff has recommended Condition No. 19 be adopted for CUP No. 2017-22. This condition requires the applicant/developer prior to operating the carwash to verify that the carwash equipment does not exceed Community Noise levels as identified in the acoustical analysis (Cameron Creek Marketplace Carwash Visalia CA, WJV Acoustics, Inc., February 26, 2018). The applicant/developer shall have their acoustical noise consultant conduct noise measurements for the carwash prior to operating. The noise measurement shall be submitted and verified to the Community Development Department Director and City Planner or their designees prior to operation of the carwash. Failure to meet Community Noise requirements shall result in non-operation of the carwash until noise levels are met.

Item 18:

18	Install Cypress trees at a planting interval of 4 feet on the public side of the existing 7 ft. masonry wall on the west side of West Street, from the south west corner of the intersection of Caldwell Avenue and West Street south to the southern termination of said wall on West Street, at the rear of the residential property at the north west corner of the intersection of Kimball Avenue and West Street. Install an irrigation system and maintain it in good working order, including water supply. Install and maintain mulch for same.	Precedent: CA Water Company, 2017, required by PC to install Cypress trees around entire perimeter of their property between rear of a James Court residential property and Caldwell Avenue, to conceal two 40,000 gallon water tanks, 15 to 20 feet high. See ref. 8.
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Staff Response: The City does not have the authority to require the developer of the commercial site to install landscaping within an off-site Landscape and Lighting Lot nor does the City have the authority to require the developer to install landscaping within the side yard of an off-site private property as requested along Kimball Avenue.

The ARCO AM/PM site is required to install landscaping within the project boundaries. Street tree landscaping within the park strips along Caldwell Avenue and West Street within the boundaries of proposed development is required with this project. The street tree requirement within the parkway for the ARCO AM/PM frontages is included as Condition No. 15. Street tree planting within the parkway shall be one tree planted for every 30-feet of lot frontage while tree planting within the required landscape areas shall generally be one 15-gallon tree for each 20-feet of frontage of a required landscape setback, exclusive of vehicular site lines. The street tree spacing requirements are codified and required per the City's Improvement Standards. In addition, ARCO AM/PM will develop their onsite-landscaping subject to complying with the City's Water Efficient Landscape Ordinance. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State and City's water conservation requirements.

Item 19:

19	Install Cypress trees at a planting interval of 4 feet in the sidewalk strip, adjacent to the curb, along the northern side of Kimball Avenue, from the north east corner of the intersection of Kimball Avenue and West Street eastwards to the east perimeter boundary of the proposed development. Install an irrigation system and maintain it in good working order, including water supply. Install and maintain mulch for same.	Precedent: CA Water Company, 2017, required by PC to install Cypress trees around entire perimeter of their property between rear of James Court residential property and Caldwell Avenue, to conceal two 40,000 gallon water tanks, 15 to 20 feet high. See ref. 8.
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Staff Response: Curb, gutter, parkway, sidewalks and streetlights are not required to be installed along the north side of Kimball Avenue with the ARCO AM/PM project. Installation of these right-of-way improvements for the shopping center site will be done at the time the commercial parcels adjacent to Kimball Avenue are developed.

The ARCO AM/PM site is conditioned to complete West Street frontage improvements from Caldwell Avenue to Kimball Avenue, which includes the construction of curb, gutter, parkway, sidewalks and street lights. In addition, the ARCO AM/PM site is required to install landscaping within the project boundaries. Street tree landscaping within the park strips along Caldwell Avenue and West Street within the boundaries of proposed development is required with this project as noted above. Please note, Italian Cypress are not an approved City street tree.

Item 20:

No.	Restriction	Comments
20	The outer boundaries of the project, along Caldwell Avenue, West Street and Kimball Avenue, from the street curb inwards by 15 feet, shall be planted with native plants at twice the planting density required in the Visalia City Code, with fully functioning irrigation and mulch. The water supply shall be provided and paid for by the applicant, who shall also install and maintain the mulch.	This restriction reduces the adverse visual and environmental impact of the project. It reduces light pollution and noise impingement on the adjacent residential properties.

Staff Response: The ARCO AM/PM site is required to install landscaping within the project boundaries. Street tree landscaping within the park strips along Caldwell Avenue and West Street within the boundaries of proposed development is required with this project. In addition, ARCO AM/PM is required to develop their onsite-landscaping subject to complying with the City's Water Efficient Landscape Ordinance. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State and City's water conservation requirements.

Item 21:

21	Reduce the vertical distance from the pavement to the underside of the gasoline station canopy clearance to 10 feet or the minimum allowed by law. Require that the vertical distance from the underside of the gas station canopy to its upper side be limited to 1 foot.	This reduces the total height and visual prominence of the gas station canopy, its roof edge and the displayed corporate logos, names, advertising and illumination, as viewed from the adjacent residential properties.
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Staff Response: The project is proposing to install a gas canopy that is measured at 18½-feet to the top of the canopy (16-feet to the underside of the gas canopy). The applicant has provided a photometric plan. The photometric plan demonstrates that the ARCO AM/PM's lighting along the north and west property lines does not exceed the 0.5 lumens, as stated in the Site Plan Review No. 2016-140 comments prepared for this project. The on-site lighting for the gas station is directed and focused so as to avoid direct illumination spilling beyond the site boundaries, as stated in the Site Plan Review Comments No. 2016-140 and as required under Section 17.30.015.H of the Zoning Ordinance.

Staff has included a condition requiring the applicant/developer, prior to occupancy and/or operation of the ARCO AM/PM gas station/convenience store/carwash, the conduct, with City staff verification, that the on-site lighting installed for this development complies with the lumen intensity as demonstrated on the Photometric Plan (see Exhibit "I") and shall not exceed 0.5 lumens at the property lines. Furthermore, conditions have been included prohibiting signage along the west facade of the convenience store building and gas canopy for being illuminated.

Item 22:

22	Require a total of at least 15 trash bins on the site, inside and out. Require the convenience store to contain at least 4 bins and the fast food restaurant to contain at least 3 bins. Require all bins to be at least 35 gallons capacity and wide enough to accommodate a used pizza box. Each bin shall be individually overhead illuminated.	Trash currently blights the entire area. The project would add substantially to that burden. These restrictions are imposed to reduce the impact from discarded, unsecured trash, for the benefit of the local residents. See ref. 7 for ongoing trash blight from existing ARCO AM/PM in Visalia.
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Staff Response: The ARCO AM/PM site is required to construct the City Standard 24-foot wide Refuse Container with metal gates as required by the City's Solid Waste Division. The City's 24-foot wide refuse container is constructed with block walls and gates that include heavy duty lockable hardware.

Item 23:

23	Restrict all car wash klaxons, sirens, audible alarms and other audible warning devices to 60 dB or less at their source.	The car wash audible devices should not be heard on or in the adjacent residential properties. See ref. 7 regarding ongoing ARCO AM/PM car wash klaxon nuisance.
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Staff Response: The applicant submitted a new acoustical analysis. The purpose of the acoustical analysis is to determine if noise levels associated with the project will comply with the City's applicable noise level standards. If noise impacts related to the project are identified, the acoustical analysis shall identify the impacts and identify mitigation measures to attenuate noise levels generated by the project to comply with the City of Visalia's noise level standards.

The applicant has identified the carwash as part of the project and the acoustical analysis concluded that noise levels associated with the blowers would exceed the City's applicable daytime and nighttime noise level standards at the sensitive receiver locations (i.e., residential units) west of the project site. In order to mitigate the carwash-related noise levels to a *less-than-significant impact* at nearby residential land uses, the project shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 through 1.7, which are included in Section IV of the Mitigated Negative Declaration and included in Resolution No. 2017-37.

Furthermore, staff has recommended Condition No. 19 be adopted for CUP No. 2017-22. This condition requires the applicant/developer prior to operating the carwash to verify that the carwash equipment does not exceed Community Noise levels as identified in the acoustical analysis (Cameron Creek Marketplace Carwash Visalia CA, WJV Acoustics, Inc., February 26, 2018). The applicant/developer shall have their acoustical noise consultant conduct noise measurements for the carwash prior to operating. The noise measurement shall be submitted and verified to the Community Development Department Director and City Planner or their designees prior to operation of the carwash. Failure to meet Community Noise requirements shall result in non-operation of the carwash until noise levels are met.

Item 24:

No.	Restriction	Comments
24	Ban all parking and idling by any vehicle, including trucks, on West Street north of Kimball Avenue, Kimball Avenue east of West Street and Caldwell Avenue. Post advisory and warning signs and assign VPD to enforce, including fines.	This restriction is necessary because the project will attract large volumes of traffic, including trucks. Drivers waiting to use the car wash will try to park on the nearby residential streets. On-site parking for trucks is absent, causing truckers to park and idle their vehicles on the nearby residential streets. This must be stopped to protect the residents, including the children at the two public school bus stops on the west side of West Street, opposite a project entrance.

Staff Response: Caldwell Avenue is a four lane divided arterial roadway and parking on Caldwell Avenue adjacent to the site is prohibited. West Street is an 84-foot wide collector roadway. Notwithstanding, the Planning Commission does not have the authority to restrict parking along public streets. The site plan exhibit for the ARCO AM/PM site demonstrates that delivery trucks for the purposes of delivery goods to the convenience store can be accommodated on-site.

Item 25:

25	All 18 wheel single tandem trucks and 30 wheel double tandem trucks, including fuel trucks, delivering to the project, are banned from West Street and Kimball Avenue, and may only use the Caldwell Avenue access point to enter and leave the site.	These trucks should be excluded from the residential area to protect the residents from noise, atmospheric pollution, vibration and visual intrusion. See ref. 4, showing applicant's intention to have 18 and 30 wheel fuel delivery truck single and double tandems travel north on West Street from the south, through the adjacent residential neighborhood, to the project. There are two public school children's bus stops on the west side of West Street, opposite a project entrance.
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Staff Response: Caldwell Avenue is a designated truck route as identified in the General Plan Circulation Element Figure 4-6. Notwithstanding, the Planning Commission does not have the authority to prohibit circulation patterns along public roadways. The ARCO AM/PM site plan depicts a vehicular drive-approach on Caldwell Avenue. This vehicular drive-approach is designed to accommodate delivery truck traffic. In addition, the on-site vehicular circulation is designed to allow vehicles to maneuver the site in a safe and efficient manner.

Item 26 & Item 27:

26	All 18 wheel single tandem trucks and 30 wheel double tandem trucks, including fuel trucks, may only deliver to the project and leave the project between the hours of 8 a.m. and 6 p.m. on any given day.	Restricts the movements of truck servicing the project to normal business hours, to avoid noise, lights and visual intrusion at night in the adjacent residential neighborhood. This also reduces the hazards to the children using the two public school bus stops on the west side of West Street, opposite a project entrance.
27	No truck delivering any goods to the project or hauling goods or trash from the project shall idle for longer than 10 minutes, either at the project or on Court Street, Kimball Avenue, West Street or Caldwell Avenue. Post advisory and warning signs and assign VPD to enforce, including fines.	To minimize air pollution, noise pollution and traffic congestion in the residential neighborhood. This also reduces the hazards to the children using the two public school bus stops on the west side of West Street, opposite a project entrance.

Staff Responses to Items 26 & 27: The applicant submitted a new acoustical analysis. The purpose of the acoustical analysis is to determine if noise levels associated with the project will comply with the City's applicable noise level standards. If noise impacts related to the project are identified, the acoustical analysis shall identify the impacts and identify mitigation measures to attenuate noise levels generated by the project to comply with the City of Visalia's noise level standards.

The acoustical analysis concludes noise levels associated with the proposed gas station and convenience store operations would result in a *less-than-significant* noise impact and are not expected to exceed the City's applicable daytime or nighttime noise level standards established in the Noise Ordinance as well as those established in the Noise Element of the General Plan.

The acoustical analysis also included analysis regarding on-site Truck Movements. The analysis stated noise levels associated with on-site truck movements would be expected to be below 57 dB at the closest off-site noise-sensitive receivers. Since noise levels associated with truck and vehicle movements would be periodic, and would occur at varying distances from the closest residential land uses, associated noise levels would not be expected to exceed any of the City's applicable noise level standards.

Item 28:

28	Chandi Group USA shall disclose the entire site plumbing plan, including all water supply, heating and distribution and drainage lines. This includes scale plans of the toilets and of the showers, before the PC staff commence their final review.	The actual project scope must be determined. It is unknown whether or not the applicant plans to build showers as well as rest rooms, now or at a later date, as part of the truck stop project. Ref. 3 is incomplete.
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3515 South Johnson Court

Visalia

CA 93277

26 March, 2018

Dear Mr. Bernal,

Please incorporate complete copies of the attached documents in the legal public record or a development application currently before the Planning Commission and its staff, being an application for an ARCO AM/PM complex, consisting of a gas station, convenience store, fast food restaurant and car wash, which would be located at the south eastern corner of the intersection of Caldwell Avenue and West Street in the City of Visalia. It is officially known as Conditional Use Permit number 2017-22.

Please note that the second document is reference 2 in the first document.

Thank you.

Sincerely,

B. Coal

Bernard Cooker, c/o Oppose ARCO AM/PM



Acoustical Analysis, Cameron Creek Marketplace Car Wash, Visalia CA, Conditional Use Permit 2017-22, Noise Report Dated 2/26/18: Review

Bernard Cooker, Oppose ARCO AM/PM Steering Committee

Version: 2

Date: 3/21/18

This report consists of this summary, the references and the appendix, which gives the detailed analysis as individual tabulated points, in Tables 1 to 10. They analyze the errors, omissions and deficiencies in ref. 1, the Noise Report dated 2/26/18. This summary should be read first and the appendix consulted as needed for substantive detail, including data, calculations and conclusions. Each point in the appendix is uniquely numbered and is so referred to here. The appendix is further explained on its first page.

This document analyzes the Noise Report, dated 2/26/18, on the proposed development of a gasoline station, convenience store, fast food restaurant and car wash, otherwise known as an ARCO AM/PM, by Chandi Group USA, at the south eastern corner of the intersection of Caldwell Avenue and West Street, Visalia, CA. The development application for the project as a whole is subject to Conditional Use Permit 2017-22 and it is currently before the Visalia Planning Commission and their staff. The Noise Report dated 2/26/18 is ref. 1; throughout the appendix, page numbers of the pdf electronic file version are used, as received from Paul Bernal, Principal Planner, of the Visalia Planning Department in March, 2018.

The most serious flaws in the report regarding the project adhering to the City's applicable noise standards during daytime (50 dB) and at night (45 dB) are as follows, here citing numbered points in the tables in the appendix:

1. The use of arbitrary assumptions or those without any stated source or basis: see 14, 15 (Table 3), 15 (Table 3), 28 (Table 7) and 37 (Table 9). Incomplete analysis: see 17 (Table 4), 24 (Table 5) and 26 (Table 6). Incorrect numerical values: see 25, 26 (Table 6), in estimating the quantitative noise impact on the adjacent residential properties, leading to incorrect conclusions, including that noise standards would be adhered to when they would in fact not be. See 27, 28 (Table 7), 29 (Table 8), 38 (Table 9) and 39 (Table 10).
2. The incorrect conclusion that without the car wash, the project would conform to the applicable City nighttime and daytime noise standards. See 27 (cars) and 28 (trucks) (Table 7), 38 (Table 9) and 39 (Table 10).
3. Gas station and convenience store truck noise, especially from the 30 wheel double tractor trailers, which are clearly shown on ref. 1, page 21, Site Plan. The 30 wheel units would be even noisier than the 18 wheel units assumed in ref. 1. See 28 (Table 7).
4. The absence of any analysis of the car wash tunnel entrance vehicle alarm, which operates at 100+ dB at 20 feet on the existing, operating ARCO AM/PM on Dinuba Boulevard, Visalia (refs. 2, 3) or a clear statement that it has been omitted from the subject design. See 17 (Table 4).
5. Probable under-estimate of the noise level on the West Street boundary of the residential property 508 West Kimball Avenue, through the incorrect assumption of the presence of a 6.5 ft high noise wall on its eastern boundary, along West Street. See 12, 13 (Table 2), 16 (Table 3), 22, 23 (Table 5), and 32, 33 (Table 8).

6. Given concerns 1 and 4 above, the car wash remedial measures proposed by the applicant are insufficient. See 18, 19 (Table 4), 30, 31 (Table 8), 35, 36, 37 (Table 9) and 41 (Table 10).

Given that the project without the car wash, consisting of only the gas station, fast food restaurant and the convenience store would fail the City's applicable daytime (50 dB) and nighttime (45 dB) standards, we request that the application for development be denied. Given that the project with the car wash, even with the limited modifications requested by ref. 1, pages 18 and 19, would fail to meet the City's applicable nighttime noise standards (45 dB) and daytime noise standards (50dB), we recommend that the applicant abandon or the Planning Commission deny permission for the proposed car wash, because the car wash contains the loudest noise sources of the project as a whole.

Ref. 1 throughout only estimates and projects noise levels, based partly on similar but not identical actual practice. The documented flaws in ref. 1 (see summary in 1 to 6 above) cause significant uncertainty that the project, if built, would actually adhere in reality to the City's applicable noise standards of 50 dB or less during daytime and 45 dB or less at night. Therefore, the following project modifications are required to ensure adherence to the City's applicable noise standards and they must be Conditions of any Conditional Use Permit for the project:

1. Add a 10 ft high masonry wall running parallel to the east side of West Street, from the south east corner of the intersection of West Street and Caldwell Avenue to the north east corner of the intersection of Kimball Avenue and West Street. Said wall to be between the side walk and the project. A 30 feet wide gap shall be provided for the West Street entrance.
2. Add a 10 ft high masonry wall running parallel to the north side of Kimball Avenue, from the north east corner of the intersection of Kimball Avenue and West Street to the eastern boundary of the project site on Kimball Avenue. Said wall to be between the side walk and the project.
3. Add cypress trees every 4 feet on the public side of the two masonry walls above, with mulch, irrigation water supply and irrigation lines and nozzles.
4. Add a car wash tunnel entrance door, using maximum commercially available sound attention, through door thickness, door interior surface contours and materials of construction.
5. Add a car wash tunnel exit door, using maximum commercially available sound attenuation, through door thickness, door interior surface contours and materials of construction.
6. The car wash tunnel entrance door shall always be closed, unless a vehicle approaches the entrance. Use infra-red and other proximity sensors to activate.
7. The car wash tunnel exit door is always closed, unless a vehicle approaches the exit. Use infra-red and other proximity sensors to activate.
8. Sound insulate the roof and walls of the car wash tunnel.
9. Install infra-red or other proximity sensors outside the car wash tunnel entrance, shutting down the tunnel exit dryer blowers if no waiting vehicles are sensed.
10. Delay restarting the tunnel exit dryer blowers until any vehicle has passed 90 feet (75%) from the tunnel entrance.
11. Install sound insulation around the tunnel exit blowers, except for the blower exit and intake ports.
12. Install sound insulation on the 30 HP vacuum system blower and its electric motor.
13. Install the 30 HP vacuum system blower and its electric motor in a sound-insulated enclosure, with walls and a roof.
14. Design for and assess the noise impact on the adjacent residential properties of intrinsically quieter tunnel exit blowers and vacuum system blower from alternative suppliers.

References

1. "Acoustical Analysis, Cameron Creek Marketplace Car Wash, Visalia, California. WJVA Project No. 17-007. Prepared for 4Creeks Inc., 324 South Santa Fe Avenue, Suite A, Visalia, California. Prepared by wjv acoustics, February 26, 2018, 113 N. Church Street, Suite 203, Visalia, CA 93291, 559 627 4923. Reviewed as electronic pdf file. The electronic file name of the same document is: 17-007_(CameronCreekMarketplaceCarWashVisalia)2-26-18.pdf.
2. Observations of Noise and Distances at ARCO AM/PM, Dinuba Boulevard, Visalia, CA, 3/13/18. Taken 3/13/18. Author: Oppose ARCO AM/PM Steering Committee.
3. Cover Letter and Attached Documents on Chandi Group USA Application to Build ARCO AM/PM, Conditional Use Permit 2017-22, Author: Oppose ARCO AM/PM Steering Committee, Filed as part of PC case file and public record with Visalia PC and CC, 1/15/18, Attached document 6. Interviews with and testimony of Dove Avenue, Visalia residents on existing ARCO AM/PM impacts on their lives.

Appendix 1. Tabulated Detailed Analysis of Second Noise Report (Ref. 1)

The ten tables which follow in this appendix present the individual points of our analysis of the Noise Report dated 2/26/18 (ref. 1). Each point has a line in a table, with three columns. The first column gives the unique serial number of the individual point, in bold type, with the page number and section number of the location in the original pdf version of the document being analyzed, namely ref. 1. Column two of the entry gives the particular error, omission or deficiency in the Noise Report dated 2/26/18 (ref. 1), including citation of the relevant text. Column three of the entry gives our analysis of the issue and what is required to correct the error, omission or deficiency.

The reader is given the summary of our analysis, most significant findings and our recommendations on project remediation in the first section of this document above. That summary cites specific numbered tabulated entries in this appendix to illustrate the summary.

The initial, brief section of this document should be read first, using this appendix as the source of any substantive detail which the reader may need.

Table 1. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 1 to 8.

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency
1 p. 1	The title refers solely to "car wash". The report studies the entire project – gas station, convenience store, fast food restaurant and car wash.	Substitute "truck stop" or "gas station, convenience store, restaurant and car wash".
2 p. 2, para. 1	No mention of the 100+ apartments to the north east, even though the houses to the north west are mentioned.	Insert the 100+ apartments to the north east in the list of adjacent residential areas.
3 p. 2, para. 1	"Proposed Restaurant" (p. 21, Fig. 1 Site Plan) is omitted from the project element list.	Substitute "truck stop" or "gas station, convenience store, restaurant and car wash".
4 p. 2, Project Description	"10 dispensers" is misleading. Each "dispenser" has 2 hoses, so 20 vehicles can be filled simultaneously.	Insert "10 dispensers, each with 2 hoses, having a total gasoline filling capacity for 20 vehicles simultaneously.
5 p. 2, Purpose and Objectives	"... noise level standards <u>at nearby sensitive receivers</u> appropriate mitigation measures ... " The author means people hearing the noise and should say so.	Correct the passage to read "... noise level standards inside and outside the nearby homes of residents appropriate mitigation measures ..."
6 p. 3, Table I and preceding text	Table I fails to show whether the individual daytime and nighttime standards are indoor or outdoor standards.	Correct Table I to state whether the daytime and nighttime standards are interior or exterior.
7 p. 3, para. 1, sentence 1	"The exterior noise level standard of the noise element is 65 dB L _{dn} for outdoor activity areas of residential uses."	See p. 36, Appendix B. Examples of Sound Levels. Note that 40 - 60 dB is "moderate" and 60 – 80 dB is "loud", as is 65 dB. 60 dB: conversation at 6 ft. 70 dB: freeway traffic at 50 ft. The standard is unacceptable.
8 p. 4, last para.	The City's noise ordinance also states "in the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level."	Translation: if the measured existing ambient noise level without new sources exceeds the standard, the standard is changed to equal the measurement. Why have standards if they are neither fixed nor enforced? The cited ordinance is clearly adverse to the health and welfare of all Visalia residents.

Table 2. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 9 to 13.

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency
9 p. 5, Existing Noise Environment, para. 1	"the project is ... at ... South West Avenue". Incorrect.	Correct to read South West Street.
10 p. 5, Existing Noise Environment, para. 1	No mention of the 100+ apartments to the north east, even though the houses to the north west are mentioned.	Insert the 100+ apartments to the north east in the list of adjacent residential areas.
11 p. 5, Existing Noise Environment, para. 2	Fails to state that the 7 noise measurement locations were at ST1 to ST7 in p. 25, Fig. 3 and do not include LT1 and LT2.	Specify that the 7 noise measurement locations are ST1 to ST7 and that they are shown on p. 25, Fig. 3.
12 p. 5, Existing Noise Environment, para. 4 and Table IV, p. 6	States that the measurements at ST2 and ST4 are in compliance. They are not. Like ST1, ST3, ST5, ST6 and ST7, all 7 sets of measurements in Table IV were entirely or partly in violation of the City's daytime standard. L_{eq} was always exceeded. L_{50} was always exceeded, except for ST4.	Correct the paragraph to state that all 7 sets of measurements, ST1 to ST7, in Table IV, were entirely or partly in violation of the City's daytime standard, presented in Tables I and II. Specifically, L_{eq} was always exceeded and L_{50} was always violated, except for ST4.
13 p. 6, para. 1, sentence 1	"It should be noted, noise levels described in Table IV for short-term monitoring sites ST1, ST3, ST4 and ST6 do not take into consideration acoustical shielding provided by the existing sound walls that are shielding the nearby backyards of these residences." Incorrect statement. ST3 (508 West Kimball Avenue) borders West Street at the east side and has no masonry sound walls on any boundary, side, front or back. The west side of West Street 6.5 feet high masonry wall extends north from the north east corner of the 508 West Kimball Avenue lot.	The incorrect statement must be corrected to read "It should be noted that noise levels described in Table IV for short-term noise monitoring sites ST1, ST4 and ST6 do not take into consideration acoustical shielding provided by the existing sound walls that are shielding the nearby backyards of these residences. See Fig. 3, p. 25. ST3 (508 West Kimball Avenue) has no such sound wall protection on any side."

Table 3. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 14 to 16.

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency
14 p. 6, para. 1, sentence 2 and p. 7, para. 2	<p>“It is assumed that existing ambient noise levels within the backyards of the residences located near these short-term monitoring sites would be approximately 5-6 dB lower than those described in Table IV.”</p>	<p>What is the source of the assumed 5 – 6 dB reduction? If it is published, give the full bibliographic citation. Is it based on experiments, measurements, calculations? Is it an estimate, based on someone’s experience?</p>
15 p. 6, para. 2	<p>“... WJVA staff conducted nighttime noise measurements on the night/morning of January 22-23, 2018. Noise measurements were conducted at two locations (LT1 and LT2) within the project area. The intent of the measurements was to quantify existing (without project) ambient noise levels during the nighttime hours. The two measurement sites were intended to approximate the distances from both Caldwell Avenue and West Avenue (sic) to the closest existing residential backyards. The locations of the nighttime ambient noise measurement sites are provided on Figure 3 as LT1 and LT2.” LT1 and LT2 are on the project site. This is unjustified and not rational as a measurement strategy.</p>	<p>“West Avenue” does not exist. West Street does. Should have taken nighttime ambient noise measurements at the locations of interest or the nearest locations in question. Delete the current passage. Insert an account of the new measurements. Why were nighttime noise measurements “to quantify existing (without project) ambient noise levels during the nighttime hours ... to approximate the distances from both Caldwell Avenue and West Avenue (sic) to the closest existing residential backyards” not taken in proximity to the east side of the 6.5 feet high masonry wall running N/S down the west side of West Street and corrected for the 6.5 feet wall as per the daytime measurements? Why were the measurements at LT1 and LT2 taken nowhere near the claimed target location? Why were nighttime noise measurements taken at locations different from the daytime locations ST1 to ST7 above?</p>
16 p. 7, para. 2	<p>“As the homes along West Street have an existing 6.5 foot sound wall, noise levels would be expected to be approximately 5 – 6 dB less than those measured at nighttime ambient noise monitoring sites LT1 and LT2.” Incorrect. Locations ST1 and ST6 have the 6.5 foot back wall. ST3 (508 West Kimball Avenue), bordering West Street, does not have any sound wall protection.</p>	<p>Replace the text with: “As the homes along West Street, except 508 West Kimball Avenue, which borders West Street on its east side but has no wall, have an existing 6.5 foot sound wall, noise levels would be expected to be approximately 5 – 6 dB less than those measured at nighttime ambient noise monitoring sites LT1 and LT2. These shielded locations are 517, 512 and 518 James Court. ST6 is behind 518 and ST1 is behind the common boundary of 517 and 512. See Fig. 3, p. 25.”</p>

Table 4. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 17 to 21.

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency
17 p. 8, Project- Related Noise Levels: Car Wash Operations	The car wash tunnel entrance vehicle alarm is not mentioned and it was not assessed for noise pollution.	The car wash tunnel entrance vehicle alarm is expected to emit approximately 100 to 110 dB at 20 feet. See ref. 2 for measurements and ref. 3 for resident's testimony regarding existing, operating ARCO AM/PM car wash alarm, Dinuba Blvd., Visalia. The alarm manufacturer must be disclosed, its noise level measured and the noise pollution impact on the residents quantified.
18 p. 8, Car Wash Tunnel, para. 1	Is the "Belanger Drying Systems three fixed nozzle 30 HP blower system" the quietest available? Can sound insulation be installed around the blowers, except for their intake and discharge ports? Can sound insulation be installed on the interiors of the tunnel walls and roof to reduce the noise pollution at source? This is not discussed.	Find quieter alternatives to the "Belanger Drying Systems three fixed nozzle 30 HP blower system". Install sound insulation around the blowers, except for their entrance and discharge ports. Install sound insulation on the interiors of the tunnel walls and roof to reduce the noise pollution at source.
19 p. 8, Car Wash Tunnel, para. 4	"During peak hours of operation the blowers do not cycle off and remain in use for ongoing periods of time." Off-peak hours are not addressed.	Add an interlock system that detects vehicles waiting at the tunnel entrance and if there are none, switches the blower system off. This will reduce the cumulative noise from the blower system by not operating it when no vehicles are present.
20 p. 8, Car Wash Tunnel, final para.	No mention of the 100+ apartments to the north east, even though the houses to the north west are mentioned.	Insert the 100+ apartments to the north east in the list of adjacent residential areas.
21 p. 8, Car Wash Tunnel, final para.	"WJVA analyzed potential car wash noise levels at 13 locations. These locations are provided as Figure 5, and are labeled A through M." Fig. 5, p. 29 labels A, F, I and M are on house rooves. Labels B, C, D, E, G and H are on the ground.	State clearly which of the locations "analyzed" were exterior locations at ground level or on a roof and which are interior locations. State the methodology of the analysis and any mathematical or computer software models used.

Table 5. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 22 to 24.

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency
22 p. 9, Car Wash Tunnel, para. 2	<p>“... the residences located west of the project site (along West Street) and south of the project site (along Kimball Avenue, east of Watson Street) have an existing 6.5 foot sound wall along the property line.” Incorrect. 508 West Kimball Avenue, bounded on the east by West Street, has no 6.5 foot wall: the wall ends at the southern boundary of 517 James Court.</p>	<p>Insert that the residential properties 517, 512 and 518 James Court, bordering West Street abut the 6.5 feet wall. 508 West Kimball Avenue also borders West Street but has no sound wall protection and no 6 dB decrement in noise level occurs there. Review and correct the noise levels projected for 508 West Kimball Avenue. State whether the values meet the applicable City noise level standards.</p>
23 p. 9, Car Wash Tunnel, para. 3, para. 4	<p>Locations on Fig. 5, p. 29: Loc. A 47.0 dB Loc. B 46.6 dB Loc. C 53.4 dB (6.5 ft wall) Loc. D 54.7 dB (6.5 ft wall) Loc. E 54.5 dB (6.5 ft wall) Loc. F 49.8 dB (no wall) Incorrect? Loc. G 48.0 dB (no wall) Loc. H 46.0 – 48.3 dB (no wall) Loc. I 46.0 – 48.3 dB (no wall) Loc. J 46.0 – 48.3 dB (6.5 ft wall) Loc. K 46.0 – 48.3 dB (6.5 ft wall) Loc. L 46.0 – 48.3 dB (6.5 ft wall) Loc. M 46.0 – 48.3 dB (6.5 ft wall)</p>	<p>Insert that location F has no protective sound wall and there is no 6 dB decrement. State the correct location F noise value. Is it 49.8 dB or is it 55.8 dB? Insert that the following locations are out of compliance with the daytime noise standard: C, D, E and F(?). Insert that all the locations are out of compliance with the nighttime noise standard.</p>
24 p. 9, Vacuum System, para. 6	<p>Fig. 1, p. 21 shows 11 vehicle stalls, accommodating 11 vehicles and 11 vacuum nozzles, which can be operated simultaneously. Collective noise source of up to eleven individual 65 dB vacuum nozzle sources, not just one. This is ignored; the noise level from 11 nozzles is computed here as up to 86 dB at 3 ft.</p>	<p>Doubling distance from noise source halves noise intensity, assuming radial propagation at ground level. This is the 6 dB decrement cited in ref. 1. Generally, $\ln(\text{distance from source}) = A + B$ (dB reading). Thus 6 dB delta is equivalent to $\ln(2) = 0.6931$. If sound intensity rises by x11 at source, delta dB rise is equivalent to $\ln(11) = 2.3979$. Thus delta dB for x11 hose nozzles relative to 1 nozzle = $(2.3979/0.6931) \times 6 = 20.8$ dB rise relative to 1 hose nozzle. Thus 11 vacuum nozzles in 100% use emit 65 dB + 20.8 dB = 85.8 dB at 3 ft. The report must quantitatively analyze the noise pollution effects on the local residents of the vacuum nozzles all in use i.e. approximately 86 dB at 3 ft. We expect most of the adjacent residential properties to be out of compliance with the City's applicable daytime (50 dB) and nighttime (45 dB) standards.</p>

Table 6. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 25 to 26.

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency																		
25 p. 9, final para., p. 10, para. 1	<p>“vacuum equipment itself is ... 95 dB at 3 ft” and “... if the vacuum equipment was not enclosed or shielded it would need to be located at least 275 feet from a noise sensitive receiver, taking into account standard attenuation with increased distance from a point source.” 275 feet is incorrect distance. It is 50 dB (daytime standard) at 543 feet and 45 dB (nighttime standard) at 968 feet.</p>	<p>Assume $\ln(\text{distance from source}) = A + B(\text{dB reading})$. Delta dB for x2 distance = 6 dB.</p> <table> <tbody> <tr> <td>3 ft.</td> <td>95 dB</td> <td>First 4 cases do not meet standards</td> </tr> <tr> <td>6 ft</td> <td>89 dB</td> <td></td> </tr> <tr> <td>12 ft</td> <td>83 dB</td> <td></td> </tr> <tr> <td>275 ft</td> <td>55.9 dB</td> <td></td> </tr> <tr> <td>543 ft</td> <td>50 dB</td> <td>Meets daytime standard</td> </tr> <tr> <td>968 ft</td> <td>45 dB</td> <td>Meets daytime, nighttime standards.</td> </tr> </tbody> </table> <p>Correct the text with the correct distance and dB values and state that the vacuum equipment (fan and drive) would cause applicable City daytime and nighttime standards to be violated at adjacent residences at up to 543 feet by day and 968 feet by night.</p>	3 ft.	95 dB	First 4 cases do not meet standards	6 ft	89 dB		12 ft	83 dB		275 ft	55.9 dB		543 ft	50 dB	Meets daytime standard	968 ft	45 dB	Meets daytime, nighttime standards.
3 ft.	95 dB	First 4 cases do not meet standards																		
6 ft	89 dB																			
12 ft	83 dB																			
275 ft	55.9 dB																			
543 ft	50 dB	Meets daytime standard																		
968 ft	45 dB	Meets daytime, nighttime standards.																		
26 p. 10, para. 1	<p>“The closest proposed vacuum hose (vacuum stall) would be located approximately 200 feet from the closest noise sensitive receivers (receivers D and E). Vacuum noise levels at this distance was calculated to be 28.5 dB.” The 200 feet and the dB value at residences are both incorrect.</p>	<p>1 vacuum hose is 65 dB at 3 ft. Assume $\ln(\text{distance}) = A + B (\text{dB value})$. Assume distance x2 gives decrement of 6 dB in reading.</p> <table> <tbody> <tr> <td>3 ft</td> <td>65 dB</td> <td></td> </tr> <tr> <td>6 ft</td> <td>59 dB</td> <td></td> </tr> <tr> <td>12 ft</td> <td>53 dB</td> <td></td> </tr> <tr> <td>200 ft</td> <td>28.6 dB</td> <td>But see below:</td> </tr> </tbody> </table> <p>See Map 1 – overdrawn on p. 21 Site Plan and Map 2 – overdrawn on p. 25 Aerial Photo. Scaling from dimensioned features on Map 1 to Map 2, A on Map 2 is the western vacuum stall center. 200 ft on Map 2 = 49.5 mm. See 200 ft radius circle, center A on Map 2. Circle crosses 508 West Kimball Avenue and 517 and 512 James Court. A on Map 2 is 161 ft from the 6.5 ft high wall behind 517 James Court, not the 200 feet claimed. This must be corrected. 65 dB at 3 ft (1 vacuum hose) is 30.5 dB at the 161 ft location.</p>	3 ft	65 dB		6 ft	59 dB		12 ft	53 dB		200 ft	28.6 dB	But see below:						
3 ft	65 dB																			
6 ft	59 dB																			
12 ft	53 dB																			
200 ft	28.6 dB	But see below:																		

Table 7. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 27 to 28

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency
27 p. 10, Vehicle Movements, para. 1	<p>"It is typical for a passing car in a parking lot to produce a maximum noise level of 60 to 65 dB at a distance of 50 ft ... For this project the closest proposed on-site vehicle movements to off-site noise sensitive receivers would occur at distances of 150 ft or greater. Noise levels associated with vehicle movements and parking lot activities would be below 50 dB at the closest off-site noise-sensitive receivers." 65 dB at 50 ft at the western end of the gas station canopy or at parking stall 2 violates the nighttime noise standard of 45 dB at the rear of 518 and 512 James Court respectively, even assuming a 5 dB decrement from the 6.5 ft masonry wall.</p>	<p>Assume 60 dB at 50 ft, delta dB = 6 dB for distance x2 and $\ln(\text{distance}) = A + B(\text{dB reading})$ 50 ft 60 dB 173.3 ft (Map 3, overdrawn p. 25, location B, W end pumps) 49.2 dB = 44.2 dB due to wall. 176.5 ft (Map 3, overdrawn p. 25, park stall 2) 49.1 dB = 44.1 dB due to wall. 60 dB meets day and nighttime standards. Assume 65 dB at 50 ft, delta dB = 6 dB for distance x2 and $\ln(\text{distance}) = A + B(\text{dB reading})$ 50 ft 65 dB 173.3 ft (Map 3, overdrawn p. 25, B, W end pumps) 54.2 dB = 49.2 dB due to wall. 176.5 ft (Map 3, overdrawn p. 25, park stall 2) 54.1 dB = 49.1 dB due to wall. 65 dB meets daytime standard of 50 dB and fails nighttime standard of 45 dB. Insert this in the report.</p>
28 p. 10, Gas Station/ Convenience Store, Truck Movements, para. 1	<p>"File data for slowly moving heavy trucks indicate that the maximum noise level (L_{max}) is approximately 73 dB at 50 feet. Truck movements that do not occur on a public roadway are considered to be stationary noise source. Noise levels associated with on-site truck movements would be expected to be below 57 dB at the closest off-site noise-sensitive receivers. associated noise levels would not be expected to exceed any of the City's applicable noise level standards." Incorrect. 57 dB exceeds both the City's applicable daytime (50 dB) and nighttime standards (45 dB). The size of truck is not specified: they may be 18 wheel or the 30 wheel double tandem trucks clearly shown in Fig. 1 Site Plan, p. 21, entering, traversing and exiting the project.</p>	<p>Fully cite the "file data" source. Slowly moving trucks 73 dB at 50 ft. Assume $\ln(\text{distance}) = A + B(\text{dB reading})$. Delta dB = 6 dB for distance x2 50 ft - 73 dB, 90 ft - 67.9 dB, 150 ft - 63.5 dB 317.5 ft 57 dB Claimed by applicant as maximum dB on residential property. See Map 3. 414.2 ft 54.7 dB, ST3, 508 West Kimball Ave, on p. 25 430.4 ft 54.4 dB, at ST5/ST2 on p. 25 503.5 ft 53.0 dB, at ST4 on p. 25 712.7 ft 50 dB. Meets daytime noise standard 1,269.9 ft 45 dB. Meets nighttime noise standard. The noise levels from the trucks on site, emitting 73 dB at 50 ft, will violate the applicable daytime (50 dB) and the nighttime (45 dB) noise level standards at multiple residences. See above. The report requires correction, including the computed dB and distance values, the conclusions immediately preceding, and a statement as to the size of the trucks emitting 73 dB at 50 feet: 18 wheels, 30 wheels or other.</p>

15 12
Table 8. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 29 to 33.

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency
29 p. 15, para. 1, sentence 1	Incorrect conclusion: applicable City noise standards are violated by the gas station and convenience store. See 27 and 28 above.	Correct by consulting and inserting the information cited at 27 and 28 above.
30 p. 15, para. 2	"During hours of peak operation, the blower noise would remain relatively constant." Off-peak hours are not addressed. This noise pollution and inefficiency can and should be reduced.	Add an interlock system that detects vehicles waiting at the car wash tunnel entrance and if there are none, switches the blower system off. This will reduce the cumulative noise from the blower system by not operating it when no vehicles are present.
31 p. 15 Exterior Noise Mitigation	The report discloses no information on noise insulation and acoustic shielding, at source, of the car wash 30 HP public vehicle vacuum system blower and the car wash tunnel exit dryer blower systems.	Design and quantify the noise reduction effects of noise insulation and acoustic shielding of the car wash 30 HP public vehicle vacuum system blower and the car wash tunnel exit dryer blower systems, at source.
32 p. 15, Exterior Noise Mitigation, para. 3 (and p. 9, Car Wash Tunnel. para. 3, para. 4)	"... project-related noise levels at the receiver locations C, D and E (west of the project site) would be expected to be exposed to hourly L_{eq}/L_{50} levels of 53.4, 54.7 and 54.5 dB, respectively (assuming the tunnel is oriented such that the entrance is facing toward West Street). These calculated noise level take into consideration the existing 6.5-foot sound wall located at the residences. In order to mitigate project-related noise levels to City of Visalia standards at nearby residential land uses, additional mitigation measures are required." Location F has no 6.5 foot sound wall: clarify projected noise level.	Correct by citing p. 29, Fig. 5, showing the locations. C (518 James Court), D (512 James Court) and E (517 James Court) are correctly described. F (508 West Kimball Avenue) abuts the west side of West Street, with no sound wall protection. This must be clearly stated, with the correct noise level; it is either 49.8 dB or 55.8 dB.
33 p. 15, Sound Wall, para. 2	"... it was determined that a sound wall with a minimum height of 7 feet above ground elevation would mitigate project related noise levels at ... locations C, D and E to 48.6, 49.8 and 49.7 dB L_{eq}/L_{50} ." F abuts the west side of West Street, like C, D and E. Unlike them, it has no sound wall at that boundary. The projected noise level at F here is uncertain.	Clearly state that 508 West Kimball Avenue (location F) is on the west side of West Street, like locations C, D and E but unlike them, F is not protected by a sound wall. State the noise level at F with the car wash tunnel noise wall. Is it 49.8 dB or in fact higher, due to the absence of the 6.5 ft high wall there?

Table 9. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 34 to 38.

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency
34 p. 16, Reconfigure Car Wash Tunnel, para. 1	"Figure 3 shows the location of the 12-foot sound wall (on a previous site Plan), if the tunnel exit were to be oriented with the exit facing west." Incorrect. Fig. 3, p. 25 is an aerial photo of the site.	Correct by referring to Fig. 1 Project Site Plan and Sound Wall Protection on p. 20 (legend) and p. 21 (scale site plan). P. 21 shows the car tunnel exit facing east and the car tunnel entrance facing west, which is the opposite of what is stated in the subject report, which must also be corrected.
35 p. 16, Tunnel/Bay Door, para. 1	The proposed tunnel entrance door would be open every time a vehicle entered the tunnel, downgrading the noise reduction benefit of the door. This is worst if the exit blowers run continuously.	Install an interlock sensing a vehicle 90 feet (75%) into the tunnel, which starts the dryer blowers at that point and shuts them off when the vehicle exits.
36 p. 16 Tunnel/Bay Door, para. 1	The noisiest equipment (the vehicle dryer blowers) is at the exit of the tunnel. No door has been provided there.	Install a door which is normally closed and opens only when a vehicle is exiting the car wash tunnel.
37 p. 17, Tunnel/Bay Door, para.1	"According to test data by Baywatch Car Wash Tunnel Door Solutions, the inclusion of a polycarbonate door would reduce noise levels by approximately 11 – 14 dB at the residential land uses." Proposed upgrade has not been fully exploited.	The tunnel door decrement of 11 to 14 dB is a significant improvement, though the door would be open and ineffective during all vehicle entrances. Applicant should install Baywatch's tunnel door with the highest dB decrement available, achieved through door thickness, material selection and noise-muffling interior surface texture. Doubling the door thickness should decrease the received noise by approximately a further 6 dB.
38 p. 17, Elimination of Car Wash	"If the project applicant chose to eliminate the car wash entirely from project design, noise levels associated with the remaining gas station and convenience store operations would not be expected to exceed the City's applicable noise level standards." Incorrect – applicable City daytime and nighttime noise standards would still be violated: see 27 (cars) and 28 (trucks) above.	Read 27 and 28 above and correct report.

15 /4
Table 10. Errors, Omissions and Deficiencies in Second Noise Report, Ref. 1. Numbers 39 to 41.

Correction no., pdf page no.	Error, omission or deficiency	Correction of error, omission or deficiency
39 p. 18, Conclusions and Recommendations, introductory para.	<p>“The proposed Cameron Creek Marketplace Car Wash will comply with applicable City of Visalia exterior and interior noise level requirements provided that one of the following noise mitigation measures is included in the proposed project design and the car wash operations are limited to daytime hours.”</p> <p>Incorrect: gas station and convenience store will violate the City’s applicable daytime and nighttime noise standards.</p>	Read 27 (cars) and 28 (trucks) above and correct report.
40 p. 18, Conclusions and Recommendations, para. 2	<p>“... a sound wall with a minimum height of twelve (12) feet above ground level must be constructed along the exit tunnel (as shown on Figure 3).” Figure 3, p. 25 is an aerial photo of the site. No sound wall on a scale plan for a west end exiting tunnel is included in the report.</p>	Correct the report by including a figure showing Project Site Plan (Exit at West End) and Sound Wall Installation
41 p. 18, Conclusions and Recommendations, para. 4	<p>Existing measures are inadequate relative to ensuring reliable adherence to the applicable City noise standards. See 27 and 28 above. The report draws conclusions that specific noise sources will not violate the City’s applicable noise standards when they in fact would do so.</p>	<p>Substitute the following text: The project design shall include the following:</p> <ol style="list-style-type: none"> 1. A tunnel entrance door, designed (thickness, material, interior surface contours) with maximum commercially available sound attenuation. 2. A tunnel exit door, designed with maximum commercially available sound attention. 3. Entrance door interlock to keep closed, except during vehicle passage. 4. Exit door interlock to keep closed, except during vehicle passage. 5. Exit dryer blower automatically off if no vehicles. 6. Sound insulate tunnel walls and roof. 7. Sound insulate and enclose car wash vacuum blower and motor. 8. Sound insulate and enclose tunnel dryer blowers and motors, except for intake and discharge ports.

Observations of Noise and Distances at ARCO AM/PM, Dinuba Boulevard, Visalia, CA, Taken 3/13/18

Observations made and recorded by Robin Hernandez, Bernard Cooker, Oppose ARCO AM/PM Steering Committee

3/22/18

The observations and measurements which follow were made on 3/13/18 at the ARCO AM/PM, Dinuba Boulevard, Visalia, CA.

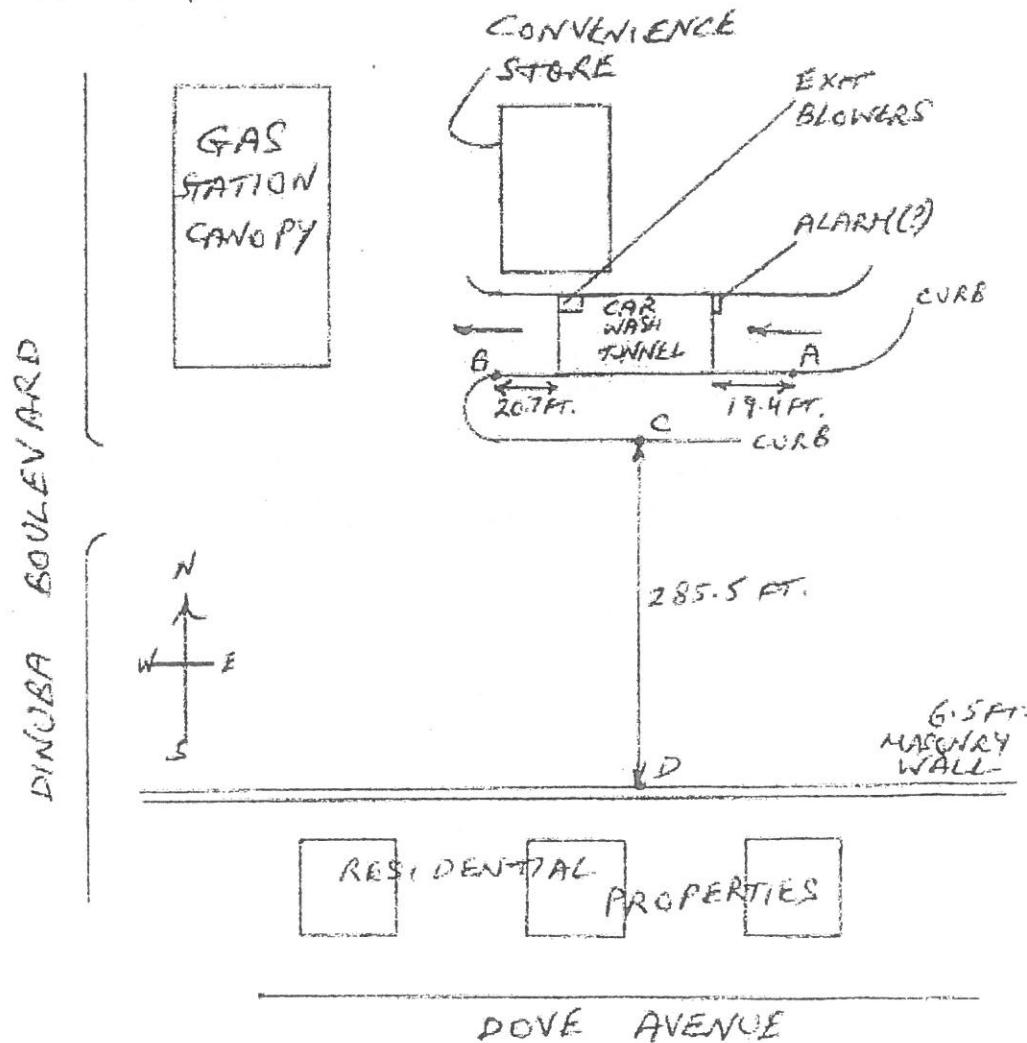
See Fig. 1, which is not to scale.

At 2:53 p.m. on 3/13/18 we recorded the noise level from the car alarm at the entrance to the car wash at the ARCO AM/PM. The alarm sounded for a few seconds whenever a vehicle approached the car wash tunnel entrance, to signify the presence of the vehicle. The loud speaker appeared to be in a box of electrical components on the north side of the entrance at about 4 feet in elevation. The car wash tunnel is oriented east/west and the entrance is at the east end. The sound was recorded with a cell phone, held at approximately 4 feet elevation, the observer standing 19.4 feet east of the car wash tunnel entrance, on the curb of the entrance road on its southern side. This distance was determined by pacing from the entrance wall to the observation point (7.5 paces) and measuring the length of the pace (31 inches), yielding 19.4 feet. The cell phone used an app which had been previously loaded to the device, which converts the received noise to numerical and graphical decibel (dB) noise readings. The peak reading during the alarm sounding was 101.1 dB, at 19.4 feet. The noise readings are available on the cell phone which was used.

Shortly after 2:53 p.m. on 3/13/18, we recorded the noise level from the vehicle dryer blowers at the exit from the car wash at the ARCO AM/PM. These three blowers are mounted immediately inside the tunnel exit, at approximately 8 feet in elevation. They operate whenever a vehicle exits the car wash tunnel. The blower sound was recorded with the same cell phone, using the same app, held at approximately 4 feet elevation, the observer standing 20.7 feet west of the car wash tunnel exit, on the curb of the exit road on its southern side. This distance was determined by pacing from the exit wall to the observation point (8 paces) and measuring the length of the pace (31 inches), yielding 20.7 feet. The peak reading during the blower operation was 91.1 dB, at 20.7 feet. These noise readings are also available on the cell phone which was used.

Between 4:00 and 4:30 p.m. on 3/13/18, the distance from the curb immediately south of the car wash tunnel, at its mid-point, running east/west, to the masonry wall immediately behind the residential properties on Dove Avenue, due south, was paced off. There were 110 paces from the curb to the wall and 111 paces from the wall to the curb. The pace length was 31 inches, yielding a distance of 285.5 feet from the curb immediately south of the car wash tunnel to the masonry wall. The wall is approximately 7 feet high and runs east/west, parallel to the car wash tunnel and Dove Avenue. The wall extends from close to Dinuba Boulevard to the east for most of the length of Dove Avenue.

FIG. 1.
OBSERVATIONS OF NOISE AND DISTANCES AT
ARCO AM/PM, DINUBA BOULEVARD, VISALIA, CA
TAKEN 3/13/18



Attachment 4

Correspondence Received from Oppose ARCO
AM/PM Steering Committee Response dated April 2, 2018

4/2/2018

Visalia Planning Commission, Public Meeting April 9, 2018, Agenda Item Concerning ARCO AM/PM CUP 2017-22. Questions posed by Oppose ARCO AM/PM.

1. What will the City of Visalia do to assure the safety of the school children at the school bus stops?
2. What does the City of Visalia plan to do to protect the residents from the increase in crime to the adjacent neighborhoods?
3. Commissioners-Do you want this in your backyard?
4. Are there showers? Yes or no?
5. Will there be showers in the future? Yes or no?
6. Do you have anything to say to the owners of the houses on James Court who will not be able to qualify for FHA mortgage insurance?
7. Do you have anything to say to the homeowner's who would live less than 100 feet from the largest truck stop in Visalia?
8. Who is going to enforce the mitigations of the ARCO e.g. the reduced hours, etc?
9. What was the criteria used to determine that this property's zoning be changed from NC to CMU? And when was it changed?
10. Why was the vehicle weight limit sign removed from South West Street? This question has been asked of the City Planning Staff and the City General Manager and has not been answered with a clear, coherent response.



4/2/2018

Visalia Planning Commission, Public Meeting 4/9/2018, Agenda Item Concerning
ARCO Am/PM Development Application, CUP 2017-22.

Allen Chang

INGRESS/EGRESS

The proposed ARCO facility is an industrial complex that will cause a major traffic problem if it is built, as passenger vehicles try to enter one of the two entrances/exits that it offers. In the case of traffic heading east on Caldwell, passenger vehicles can go in and out of the Caldwell entrance/exit site. West bound traffic heading west on Caldwell cannot make a left hand turn into the facility, due to the central island barrier, on Caldwell. Thus, they would need to go south, by making a left hand turn on West St., crossing the east bound traffic. Thus west bound drivers will most likely begin making a left hand turn onto Court Street, driving south, turn right onto Kimball, a neighborhood street, then turn right onto West St., traveling north to the entrance on West St. to avoid the inevitable snarl on West St. and Caldwell. Kimball is a neighborhood street that would be severely negatively impacted by this sequence of events.

Consider please the compounded problem of having commercial vehicles pulling trailers, trying to get in and out of the facility, such as landscapers, contractors, etc., not to mention semi-trucks pulling trailers going in and out of the facility. The site plan appears to show up to thirty-wheeler semi-trucks going into the facility.

According to the site plan map, the measurements are as follows: The entrance off West St. is 40.8 ft. wide from the centerline to the curb. The distance between the vacuum area structures to the south curb equals 35ft. The distance between the block wall island on West St. and item 8, which is the new landscaping, is 51 ft. Egress between the north side of the canopy edge and the property line on Caldwell is 84.4 ft. The distance from the canopy edge to the unidentified infrastructure (near item 8, Caldwell on the north side of the property) and directly in front of the four eastern most pumps is 32.7 ft. The apron onto Caldwell is 35 ft. wide.

In speaking with a professional driver, who has almost 20 years of experience as and holds several endorsements on his Class A license, which includes being authorized to pull trailers loaded with hazardous material, as well as being authorized to pull double and triple trailers, and who has looked at the detailed, scaled site plan, found that making it into and out of the parking lot of the proposed ARCO AM/PM facility would be difficult at best, for commercial vehicles pulling trailers. In addition, in the case of a semi-truck with a trailer, it would require at least four maneuvers by the driver to get out of the parking lot, exiting onto Caldwell.

What all this means is that:

- 1 A tractor-trailer with a straight 48 ft. or 53 ft. trailer cannot make a right turn onto Caldwell without breeching the approaching traffic, while using both lanes to navigate the turn. This is true for both semi-trucks and commercial vehicles with trailers, such as landscapers, industrial and construction vehicles.
- 2 In the case of tractor-trailer combinations, pulling into pumps and facing a north or south direction, cannot get out without swinging into spaces allocated for parking cars in front of the store. Please see items 3; "New Accessible Parking Space," Item 6, "New Standard Parking," and 20, "Clean Air Vehicle Parking". It would also require four maneuvers to be able to exit the parking lot onto Caldwell. Incoming traffic from Caldwell will be blocked by outgoing commercial vehicles exiting the ARCO AM/PM, swinging far left in order to navigate a right hand turn onto Caldwell. See item 7, "New Asphalt Paving."

In summary, this cramped development would cause a traffic snarl on South West Street and Caldwell Avenue. People trying to enter and leave the truck stop in time for work, picking up children or fulfilling appointments would be delayed by commercial vehicles struggling to enter and leave the site. This will aggravate a tortured traffic situation in immediate proximity to a cramped site with limited access. Court Street south of Caldwell and Kimball Avenue would receive increased traffic from the snarl at the West /Caldwell intersection.

Please do not allow the ARCO AM/PM facility to be built. Instead, approve of more appropriate businesses, which the residents need, want and would support.

Thank-you.

Chandi Group USA Application to Visalia Planning Commission for Conditional Use Permit No. 2017-22, Gas Station, Fast Food Restaurant, Convenience Store and Car Wash at Caldwell Avenue and West Street, Visalia: An Alternative Proposal

Oppose ARCO AM/PM Steering Committee

3/22/18

I agree with my fellow area residents, including the hundreds of petition signers, those who posted lawn signs, those who contacted Paul Bernal with their objections and those at this meeting. We can and must do better than the current ARCO proposal. The gas station, fast food restaurant, convenience store and car wash elements duplicate existing businesses which are already in operation in our neighborhood, making Mr. Chandi's planned businesses redundant. We, the residents of the area, know the types of businesses which we need locally, are not currently present, and which we would use. The 19.5 acre tract bounded by Caldwell Avenue, West Street, Kimball Avenue and Court Street is currently zoned Commercial Mixed Use (CMU). The Visalia City General Plan shows that the following commercial uses are permitted by right, subject to any required detailed Planning Commission review and approval. This is not an exhaustive list:

Corporate offices, 0 – 6,000 square feet.

Police station.

Banks and ATMs.

Quality grocery store or supermarket.

Pharmacies.

Sit down restaurants/cafes, catering services.

Florists.

Licensed daycare.

Dentists, eye doctors, other medical specialists, general practitioners and medical equipment suppliers.

Professional offices, including legal practices, realtors, surveyors, wealth managers and accountants.

Barbers, hairstylists, tanning centers, cosmetologists and day spas.

Galleries – art, photographic and crafts. Photographic studios.

Dance, yoga and music studios.

Retail, <4,000 to 60,000 square feet.

The block of land will, no doubt, be commercially developed eventually and it will probably remain zoned Commercial Mixed Use. Proposals, including a neighborhood supermarket, have been made for over 15 years and yielded nothing, except for the Jack in the Box at Caldwell and Court. Tonight we, the neighborhood community, have an opportunity to get this done and do it the right way. Our proposal is that Mr. Chandi withdraw his application for the ARCO complex and meet privately with the neighborhood residents, the land owners, namely Schuil and Associates, and our elected representative on the Visalia City Council, Robert Link, to plan a development accounting for all the vacant land on the

block, with the residents confirming that it meets their actual needs. The Visalia Chamber of Commerce, Visalia realtors and other land development and commercial parties would engage as the project progresses.

It would be an opportunity for Mr. Chandi to grow his business by meeting the resident's actual needs. Such a development would reflect very well on Mr. Chandi and his profile in California, through his constructive engagement with the community, the City's planning process and the City as a whole. In fact it would be an innovative and constructive model for other communities to follow, bringing credit to all parties and making Visalia shine. We have a short video with this testimony which further illustrates this Caldwell/West Project.

Dale Hatherley

The Oppose ARCO AM/PM Steering Committee was established for the sole purpose of advocating for the elimination or reduction of the negative impact the proposed ARCO AM/PM project at the corner of West St. and Caldwell Ave. is anticipated to have on the adjoining residential neighborhood.

It is our understanding that a preferred method of attempting to resolve differences between a developer and members of an affected neighborhood has always been a good faith effort to discuss the issues involved, with view to reach an acceptable compromise.

On October 5, 2017, Mr. Tom Freeman representing the Chandi Group contacted the Steering Committee to ask what changes might be made to the project to make it agreeable to the Committee. Believing the Chandi Group was willing to discuss the matter in good faith, the Committee responded on October 11, asking for Mr. Freeman's input on the issue, and followed up that communication with another on October 13, advising him that the committee would be seeing legal counsel in the matter. Mr. Freeman quite properly responded that he would then remain available to discuss the matter with counsel for the committee.

On November 13 the Committee notified Mr. Freeman that it had elected to proceed without legal counsel, and Mr. Freeman acknowledged the communication, requesting to know the Committee's concerns, and asserting he would see if he could address them. The Committee provided some of those concerns, also on November 13. Mr. Freeman acknowledged receipt of that communication, and claimed he would discuss them with "the leadership at Chandi Group USA." He stated there might be "a delay" in his response for "the team to thoughtfully consider" the suggestions of the Committee.

However, at that point communication from the Chandi Group ceased. Emails of the Committee sent on November 20, November 28 and December 1, 2017, to Mr. Freeman, requesting some response to its previous communication all went unanswered.

Finally, receiving no answer from Mr. Freeman, the Committee sent a letter directly to Mr. Chandi, asking for the opportunity to speak with him regarding the matter. An invitation was extended to Mr. Chandi to meet with the Committee. He was provided with a detailed list of suggestions, to provide a basis for negotiations. No response of any sort was received from the Chandi Group to this attempt by the Committee's to start some sort of negotiation regarding the issues presented by the project.

In a further effort to elicit some response, the Committee made telephone calls to the main office of the Chandi Group, attempting to make contact with Mr. Freeman. The Committee was informed that Mr. Freeman no longer worked for the Chandi Group, and was referred to Mr. Bill Sanchez, who was in charge of the project. However, telephone messages left for Mr. Sanchez went entirely unanswered.

Finally, on March 6, 2018, the Committee received an email from none other than Mr. Freeman, still representing the Chandi Group. After claiming his response was delayed by the Committee's hiring of an attorney (an effort abandoned on November 13, 2017), Mr. Freeman noted that the "position and response" of the Chandi Group was then "a matter of public record and available for" the review of the Committee by contacting the city. Mr. Freeman closed by "looking forward to meeting [the Committee members] at the commission meeting in April."

In short, at no time did the Chandi Group demonstrate any good faith willingness whatever to actually meet with the members of the Visalia Community who would be most closely and seriously impacted by their project to discuss their concerns and attempt to resolve those concerns by compromise and agreement.

Oppose Arco question

12 messages

tomfreeman2010 <tomfreeman2010@yahoo.com>
To: oppose.arco@gmail.com

Thu, Oct 5, 2017 at 6:01 PM

Good evening- I read the article and am wondering what changes could be made to the proposed project that would give you the opportunity to support the project?

I would appreciate a response & reply. Perhaps I might be able to address your concerns & incorporate the changes into the project.

Reapectfully,

Tom Freeman
Vice Chairman (ret)
Chandi Group USA

Sent from Yahoo Mail for iPhone

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Fri, Oct 6, 2017 at 11:17 AM

Good Morning-We appreciate your email. When our committee has had a chance to review and discuss your email, we will contact you, within a week, with our considered response.

Respectfully,
Oppose ARCO
[Quoted text hidden]

tomfreeman2010 <tomfreeman2010@yahoo.com>
To: Robin Hernandez <oppose.arco@gmail.com>

Fri, Oct 6, 2017 at 11:32 AM

Thank you Robin. If you have any questions please feel free to email me and will do my best to respond.

Thanks!

Sent from Yahoo Mail for iPhone

[Quoted text hidden]

 ARCO
messages

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Wed, Oct 11, 2017 at 5:37 PM

Good afternoon-Please provide us with your ideas regarding the ARCO AM/PM project so that we can discuss them at our next meeting.

Respectfully,
Oppose ARCO

tomfreeman2010 <tomfreeman2010@yahoo.com>
To: Robin Hernandez <oppose.arco@gmail.com>

Wed, Oct 11, 2017 at 5:50 PM

Thanks for your email. I am respectfully asking you to give me your ideas so I can see if I can incorporate them in the Arco AM PM. Would like to accommodate if possible.

Thanks

Sent from Yahoo Mail for iPhone
[Quoted text hidden]

ARCO

8 messages

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Fri, Oct 13, 2017 at 3:11 PM

[REDACTED]

Good afternoon,

We are currently securing legal council and anticipate a response to you next week regarding the ARCO project.

Oppose ARCO Committee

tomfreeman2010 <tomfreeman2010@yahoo.com>

Fri, Oct 13, 2017 at 4:03 PM

To: Robin Hernandez <oppose.arco@gmail.com>, Thomas Freeman <tfreeman@chandigroupusa.com>

Ok . Since you are retaining an attorney it would be inappropriate for me to engage you at this point.

I remain available to discuss concerns and address your desires for the project.

Should your attorney wish to reach me I am also available via email to him / her.

Thanks,

Tom Freeman
Vice Chairman, Retired
CGUSA

Sent from Yahoo Mail for iPhone
[Quoted text hidden]

 ARCO AM/PM
messages

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Mon, Nov 13, 2017 at 11:00 AM

Mr. Freeman,

In response to your October 13, 2017 email, the Oppose ARCO AM/PM Committee has chosen to negotiate our concerns with you without using legal council at this time. The Committee would like to expedite the negotiation process and it would be appreciated if you could get back to us in a timely manner. We are available via email.

Respectfully,
Oppose ARCO AM/PM

tomfreeman2010 <tomfreeman2010@yahoo.com>
To: Robin Hernandez <oppose.arco@gmail.com>

Mon, Nov 13, 2017 at 11:33 AM

Thank you. Please let me know your concerns and I will see if I can address them .

Sent from Yahoo Mail for iPhone
[Quoted text hidden]

Negotiation Ideas

7 messages

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Mon, Nov 13, 2017 at 8:02 PM

Mr. Freeman,

Thank you for your email and the opportunity to negotiate. Our first concern is the location of the project. Based on these concerns our ideas are as follows:

1. Abandon the project.
2. Move the project to Caldwell nearer 99. This will generate more business; property is less expensive in that area; there wouldn't be opposition from existing residential neighborhoods.
3. Move the project eastward to abut the Jack in the Box where there would be less residential impact.

Respectfully,
Oppose ARCO AM/PM

tomfreeman2010 <tomfreeman2010@yahoo.com>
To: Robin Hernandez <oppose.arco@gmail.com>

Mon, Nov 13, 2017 at 8:08 PM

Thank you for your reply. I will share your suggestions with the leadership at Chandi Group USA.

Please forgive me for a delay in response as it may take some time for the team to thoughtfully consider your suggestions.

I might add that based on your comments at the hearing the site was altered to reduce noise, we are working with the city police department to address any prevention of crime, and a new. Noise study was commenced and completed.

These steps were the result of your comments and others to be Commission.

Tom

Sent from Yahoo Mail for iPhone
[Quoted text hidden]

ARCO Negotiations Response

message

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Mon, Nov 20, 2017 at 12:56 PM

Mr. Freeman,

We respectfully request a response, within a week, to our negotiation ideas submitted to you in an email dated Monday, November 13, 2017.

Thank you,
Oppose ARCO AM/PM

ARCO AM/PM Negotiations response

1 message

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Tue, Nov 28, 2017 at 12:02 PM

Mr. Freeman,

We respectfully request a response to our negotiation emails submitted to you dated November 13, 2017 and November 20, 2017.

Thank you,
Oppose ARCO AM/PM

Request for ARCO AM/PM Negotiations Response message

Robin Hernandez <oppose.arco@gmail.com>
To: tomfreeman2010 <tomfreeman2010@yahoo.com>

Fri, Dec 1, 2017 at 10:51 AM

Mr. Freeman,

We are still awaiting a response to our previous emails.

Thank you,
Oppose ARCO AM/PM

Re: ARCO Negotiations Response(confidentiality requested)

2 messages

tomfreeman2010 <tomfreeman2010@yahoo.com>
To: Robin Hernandez <oppose.arco@gmail.com>

Fri, Mar 9, 2018 at 9:29 PM

Good evening Ms. Hernandez:

First allow me to apologize in advance for any spelling errors as I am writing to you using my iPhone.

I would like you to understand that my response to you has been delayed following your sharing your engagement of an attorney and awaiting his contact. To my knowledge that contact was never received by me.

Please understand that it is common practice in local government or business to stand down communication with a party once legal representation is engaged. That was my decision in this case as it has been in others.

We are a family owned and operated business and for 26 years have always tried to work out our differences without attorneys. That is not to say we don't respect those in the profession or practicing law, it is just our experience that hiring lawyers should be a last resort if and when negotiations don't progress or Legal representation is mandated by other circumstances.

That said, our position and response is now a matter of public record and available for your review by contacting the city. California state law requires that information be released to you or others under the Public Records Act. We are not asserting attorney-client privilege as we have no attorney corresponding on our behalf with the city.

That said I am pleased to report that Mr. Chandi has made a number of changes to the store, car wash, and fueling pumps in a effort to address your personal concerns.

Additionally, we clarified for the city and public, this has never been a site proposed for a truck stop. We also reduced our hours of operation, restricted fuel delivery to the store, specified we use state of the art fuel vapor recovery systems for automobiles and light pick up trucks , and the same can be said for the fuel delivery vehicle.

A noise study has been supplied to the city as well. This is a new study and is a credible account of that teams findings. We have worked diligently to reduce our lighting footprint and fully comply with the cities lighting regulations.

We added a sound wall to address your concerns and completely changed the direction of our proposed car wash. We have also pledged to work closely with the police department, county sheriff, and district attorney to ensure the safety of our community, customers, and public. Our building and grounds are designed with prevention in mind.

Mr. Chandi directed these changes , in good faith, to address concerns we learned of while reading newspaper reports.

While we made the above changes we will not be able to meet your demands to move the project.

I look forward to meeting you at the commission meeting in April. You have my word that we will be good neighbors and present the community with a project we can all be proud of provided we are approved to proceed.

We respect your right to share your concerns and hope that our efforts in this matter are appreciated. I wish you well.

Respectfully,

Tom Freeman, Vice Chairman (Ret)
Chandi Group USA

Sent from Yahoo Mail for iPhone

To: Mr. N. Chandi
Chandi Group USA
42270 Spectrum Street
Indio
CA 92208

From: Oppose ARCO AM/PM Steering Committee
c/o Robin Hernandez
3524 South Johnson Court
Visalia
CA 93277
559 732 4142
Oppose.ARCO@gmail.com

December 19, 2017

Mr. Chandi,

This letter concerns your proposed ARCO AM/PM truck stop at the intersection of South West Street and Caldwell Avenue in Visalia, CA. We, the Oppose ARCO AM/PM Steering Committee, who represent the residents and homeowners surrounding the proposed site, would like to express our deep concerns and fears regarding the seriously adverse impacts which this industrial-sized project would have on our lives, those of our families and on our homes.

The Steering Committee has distributed informational flyers to over 600 homes, collected hundreds of signatures on petitions, placed over 100 signs in homeowner's front yards, developed our email/phone contact list and provided information and interviews to the Valley Voice and the Visalia Times Delta. Our press briefings are ongoing and our signs await posting of the date of the next Visalia Planning Commission meeting on this matter.

We have analyzed the 146 pages of the Visalia Planning Commission's project document package, issued at their 8/28/17 public meeting, including the Chandi Group's Site Plan and its recent Second Site Plan. We have researched the adverse impacts of the proposed development on the surrounding residential neighborhoods, including the retirement community to the immediate south of the site. The negative impacts include safety, traffic, alcohol sales, light pollution, noise pollution, daily trucked fuel deliveries at night via our residential streets, fuel emissions and crime. Our field research on existing ARCO AM/PM facilities elsewhere in Visalia found blighted residential neighborhoods battling carwash alarm noise, light pollution, crime, vagrancy, alcohol consumption, trespassing, fires, burglaries, theft, littering and property damage in nearby homes.

Additionally, we know from analyzing your project's Second Site Plan that 18 and 30 wheel tractor trailers and double tandem trucks would travel our exclusively residential West Street at any hour to reach the truck stop entrance, on West Street. This entrance is across from a children's school bus stop, the street being a narrow two lane thoroughfare. The deliveries would endanger the school children.

Sixteen establishments currently sell alcohol within a mile of the proposed project location. We object to the ABC licensing of the ARCO establishment to sell alcohol in our neighborhood, especially given its close proximity to the children's school bus stop.

As part of our research, we have read newspaper articles, some including interviews, regarding yourself and your success in business. Many of your public comments lead us to believe that you are open to the concerns of the communities and neighborhoods within which you propose projects. For example, you have stated that you "want to be a good community partner" and "my parents have always taught me, make sure you work with the community, work with the people". See The Desert Sun, 12/2/15. Our hope is that you will listen to our concerns and work with us. Mr. Tom Freeman contacted us in October, asking for our concerns, and we responded with 3 items to be considered in negotiation. We have never received a response, even after numerous attempts to reach him. Those first three items are as follows:

1. Abandon the project.
2. Move the project to Caldwell Avenue, close to Interstate 99. This would generate more business, property is less expensive in that area and there would not be opposition from residential neighborhoods.
3. Move the project eastwards to abut the Jack in the Box on Court Street, where there would be less residential impact.

Our main goal is for you to abandon the proposed project site and move to a location away from established residences and residential neighborhoods, as is the case with your current, smaller truck stop project at Plaza Drive and Crowley Avenue, off Highway 198, in the Visalia industrial zone.

Our next three negotiating points are as follows:

4. Eliminate the car wash. There is an existing car wash one block west of this site and a new car wash less than $\frac{1}{4}$ mile from here.
5. Reduce the gas station from 5 bays to 3 bays, with 6 islands and 12 hoses.
6. Restrict the gasoline station and convenience store/fast food restaurant operating hours to 6 a.m. to 10 p.m. and the car wash to 8 a.m. to 6 p.m., in line with almost every commercial enterprise in the area.

We ask you to listen to the concerns and fears of the residents and abandon this industrial-sized truck stop, which our research shows would be the largest truck stop in Visalia, with residential neighborhoods on three sides. Relative to the industrial zone truck stop off Highway 198 at Plaza Drive and Crowley Avenue, it would have more facilities (car wash), more walled buildings (car wash), more roofed square footage (by 49%), more walled building area (by 59%) and occupy more land (by 13%).

We would publicly support building commercial establishments compatible in scale, use and design with our residential area, including a grocery store, pharmacy, other retail, coffee shop, sit-down restaurant, medical buildings and office buildings. Tulare County, including our neighborhood, would be grateful and energized if you could bring a Trader Joe's or a Whole Foods to this location.

The Steering Committee extends an invitation to you, personally, to attend one of our organizing committee meetings, at your convenience, to hear our concerns directly, tour our neighborhood and review the proposed project site in its residential context. We look forward to hearing from you; our contact information, by phone, email and U.S. mail, is at the head of this letter.

Thank you for your time and consideration in this matter.

Sincerely,

Oppose ARCO AM/PM Steering Committee

The proposed ARCO AM/PM at the corner of Caldwell and West St is an industrial size project that is too large for the smaller streets and close neighborhoods that surround the area, especially West St. West St, north of Caldwell, is a narrow, two-lane street that becomes more narrow in four places where the oak trees and city signs protrude into the street. These protrusions often force cars and trucks over the double line in order to safely pass each other. As you can see in the pictures, numbered 1-3, there are no sidewalks on this section of West St for the children who walk to and from nearby Mountain View Elementary School. In addition, there are three public school bus stops on this section of West St. The increase in the volume of traffic that this ARCO would bring to the area would make an already unsafe situation worse for the school children and residents of West St. Furthermore, the September 2017 increase in the speed limit on this section of West St to 40 mph is too fast for this narrow street. Currently, the connecting streets and cross streets are being used as shortcuts to avoid the traffic signal at the intersection of Caldwell and West St. This "short-cutting" will increase as the traffic worsens at the intersection. These small residential streets where children walk, bike, and play are not designed to carry this heavy traffic burden.

West St, south of Caldwell, is where the entrance to the proposed ARCO AM/PM will be located. This entrance is directly across from two public school bus stops where the neighborhood school children are picked up and dropped off. The increase in traffic volume, including 18 and 30 wheel fuel trucks (See applicant's site plan) and delivery trucks, would adversely impact the safety of those children. It is not hard to imagine elementary school children being hit while running across the street to the allure of candy and snacks.

It is clear that the proximity of this proposed ARCO AM/PM industrial sized project to the existing adjacent residences and the small streets surrounding the Caldwell/West St intersection makes this ARCO AM/PM project unsuited to this location and would result in a dangerous increase in traffic and safety issues for the children, and a reduction in the quality of life and peace of mind for the homeowners. If passed, this will be the largest gas station in Visalia including the ARCO AM/PM being built by this applicant on Hwy 198 in the Industrial Park. It is where commercial and residential meet that extra careful planning needs to occur. The Planning Commissioner's Handbook states: "Planning protects property and property values by separating incompatible land uses. Imagine if a factory sets up shop in the middle of a neighborhood. Planning assures that this will not occur."

I respectfully ask the Planning Commission to deny the request to build an ARCO AM/PM at the intersection of Caldwell and West St.

My name is Cheryl Johnson. I live at 3506 S. Johnson Ct. in Visalia. My zip code is 93277.

The Visalia City's Mission Statement states, in part, that citizens are assured: A clean, safe, well-managed, financially sound, aesthetically pleasing, and environmentally pleasant city in which to live."

Allowing the ARCO AM/PM facility to be built would violate the City's Mission statement, because this would be the nineteenth facility selling alcohol within a one-mile radius. Studies are clear that the convenience of obtaining off-site alcohol increases the rate of consumption on the property where it was obtained. This increases the chance of vehicles hitting pedestrians or other vehicles. There is also a school bus stop within feet of this facility and one can see the potential harm to active children, especially with the increase in traffic that such a large facility as the ARCO AM/PM would attract. This could result in serious injury or death. Furthermore, it will increase the need for law enforcement. When discussing vagrants, I was recently told by a law enforcement officer that facilities such as the proposed ARCO, "acts as a magnet for them."

Furthermore, if the ARCO AM/PM facility is built, impressionable children would be exposed to individuals, or groups of people, in an inebriated condition, with resultant drunken behaviors during various times of the day and night, not just when they are at the school bus stop, but also when frequenting the AM/PM facility to buy snacks, or when parents send them to buy milk or other items. These kids will be exposed to shelf upon shelf of alcohol, as well as the behavior of people who use it inappropriately. Studies show that the more children are exposed to the use of alcohol, the more likely they are to drink it before the age of majority and beyond. Furthermore, in a large facility like the proposed AM/PM, it would be difficult to monitor or stop children from stealing alcohol, or from children getting adults to supply alcohol to them.

I also have grave concerns regarding the effect that the proposed ARCO AM/PM will have in giving child predators access to children. The proposed ARCO station is a prime example of where a predator could easily observe children when they are near, or on the ARCO site. Predators could easily spend time at the ARCO, planning how to molest and/or abduct a child. Predators are known to most likely offend when under the influence of an intoxicant and that most child abductions happen at or near school bus stops. Given these facts, building an ARCO AM/PM facility at the proposed site puts children in increased danger.

In conclusion, the building of the proposed ARCO AM/PM facility does not honor the city's mission statement to protect the safety of its citizens, and is the opposite of providing us with an "aesthetically pleasing, and environmentally pleasant city in which to live."

Thank-you.

Oppose ARCO AM/PM Steering Committee: Videographer Briefing and Video Outline

Version: 1, 3/27/18

Bernard and Susan Cooker

559 738 8826, bcooker@chemprosol.com, 3515 South Johnson Court, Visalia, CA 93277

Purpose of the video: To persuade the Visalia Planning Commission at their public meeting on 9 April, 2018 to deny the application by Chandi Group USA for a 20 hr/day truck stop in a residential neighborhood within the City of Visalia.

Video message: This is an established, upscale neighborhood, on 3 sides of the proposed development, with hundreds of affected residents. This industrial scale project would be the largest truck stop in Visalia. It has no place in this residential location. It belongs on the interstate.

(We know the land is zoned Commercial Mixed Use and know that it will be commercially developed. We want commercial uses for the applicant's site and the whole block which meet the resident's needs and are compatible with the neighborhood.)

Background: To be shown at the public Visalia Planning Commission meeting on 9 April, 2018 at 7:00 p.m. at the Visalia Convention Center on West Acequia Avenue, Visalia. The Planning Commission will review and vote on the ARCO AM/PM project that evening. The video will be part of the testimony by neighborhood residents who oppose the construction of a 20 hour/day truck stop at the south east corner of the intersection of Caldwell Avenue and West Street. It consists of a 20 hose, 10 island gas station, a convenience store, a fast food restaurant and a car wash.

The proposed development site is 1.95 acres in total area and part of a 19.5 acre block, bounded by Caldwell Avenue, West Street, Kimball Avenue and Court Street. It has had 3 different commercial zoning designations in over 15 years. Nothing has been built to date, except a Jack in the Box at Caldwell and Court, in the north eastern corner. The 19.5 acres are referred to by the developer as Cameron Creek Marketplace CCMP).

Duration of video: 3 minutes minimum, 5 minutes maximum. The Planning Commission allow testimony of 3 minutes duration but will stretch it to 5 minutes with a high profile issue.

The residential neighborhood:

Established single family homes (West Street south of Caldwell, Kimball Avenue and streets off. West Street north of Caldwell, Oak View and other streets off, including cul de sacs adjacent to Caldwell)

Established residential retirement community (south side of Kimball Avenue)

Established apartments (north side of Caldwell, east to Court Street, northeast of the proposed development)

The residentially zoned areas were all built out decades ago. The single family homes are estimated at \$200,000 to \$450,000 in value.

Established businesses opening 6 to 9 a.m. and closing between 5 and 10:30 p.m. This, relative to Chandi's (redundant and unneeded) proposed business, includes gas station and convenience store (across Caldwell from the proposed development), fast food (Jack in the Box, at Caldwell/Court, pizza parlor and

Table 1. Video Outline: Duration, Vision, Sound

Duration (seconds)	Vision	Sound
15 (15)	Still, slide: Welcome to Our Neighborhood, by, The Residents of the West Street/Caldwell Avenue Neighborhood. Originally publicly presented to the Visalia, CA Planning Commission, 9 th April, 2018	Voiceover: The residents of the Visalia, CA neighborhood centered on Caldwell Avenue and West Street extend a warm welcome as we show you around. Please forgive our sincere pride in our homes, our streets and the residential area in which we live. We also use and value the existing businesses in our area.
25 (40)	West Street/Dorothea. Pan clockwise from S to W to N to E to SE. Emphasize single family homes, trees, greenery, landscaping. Shoot Sunday early a.m.	Voiceover: West Street is a long-established, pleasant residential neighborhood, with diverse single family homes on lots varying from 0.1/4 acre to 1 acre plus. Note the substantial Valley Oak trees, with stately trunks and substantial summer shade, which the City has skirted in order to protect them.
25 (65)	West Street at S side Kimball Avenue at Kimball Avenue/West Street. Pan anticlockwise from N to W to S to E.	Voiceover: Further south on West Street are more modern single family homes on one quarter to half acre lots. Completed in the 1990s, this area is a prized residential neighborhood, which families call home and children can be raised in peace and safety.
25 (90)	West Street, one of the three public school children's bus stops. Children waiting. Bus arrives, children board, bus leaves.	West Street has three public school children's bus stops, used daily by children anxious to arrive safely at their school and arrive safely at home at the end of the day. These bus stops are across West Street from the West Street truck entrance of the proposed ARCO AM/PM truck stop.
25 (115)	Pan clockwise, viewed from south side of Caldwell between West Street and Court Street, from west end of apartments on north side of Caldwell Avenue to corner with Court Street.	Voiceover: Hundreds of our fellow Visalia citizens are accommodated in these apartments, which offer cost-effective living, with attractive communal facilities, including the quiet and shady court yards as a refuge from the heat of the summer.
25 (130)	Camera on south side of the CCMP block, pan left to right, from east end to west end of the Retirement Homes on south side of Kimball Avenue. Include the front gate, landscaping and residents arriving and leaving in their own cars and on foot, preferably with attractive dogs.	Voiceover: Our older residents have chosen this retirement community, on the south side of Kimball Avenue, in the Caldwell Avenue/West Street area. They expect that their golden years will be peaceful and that the retirement will be serene and intrusion-free.

Table 2. Video Outline: Duration, Video, Sound

Duration (seconds)	Vision	Sound
25 (155)	Pan left to right viewed from parking lot of commercial businesses on N side of Caldwell Avenue, E of Court Street.	Our established, mature residential area is graced by familiar, successful nearby commercial businesses on Caldwell Avenue west and east of Court Street, providing much needed retail services, which we prize. They are useful, needed, and open at 6 to 9 a.m. and close by 10:30 p.m.
25 (180)	Pan clockwise, camera in center of ARCO AM/PM site. Start viewing SW (retirement community), to single family homes on Kimball Avenue to SW (single family homes on West Street and Kimball Avenue) to W (rear of single family homes on James Court) to NW (Single family homes across Caldwell Avenue) to N (West Street) to NW (business uses already provided) to NE (apartments, Jack in the Box) to E (rest of CCMP site).	We welcome businesses into the 19.5 acre Commercial Mixed Use site in the center of our precious neighborhood. The site is surrounded by the residential retirement community on Kimball Avenue, the single family homes on Kimball Avenue and West Street, the rear of residences on James Court, the rear of homes and residential cul de sacs immediately north and north east of Caldwell Avenue, valued, existing businesses north of Caldwell Avenue and hundreds of apartments to the north east. We want to know why anyone would tolerate a 20 hour/day truck stop, including a 20 hose gasoline station, fast food restaurant, convenience store and car wash in the center of our neighborhood. We want to know why any Planning Commission would approve of such a thing. We ask the applicant, Nachhatter Chandi, who said to the Desert Sun newspaper on December 2, 2016 "I do what's needed in the area. My parents taught me, make sure you work with the community, work with the people." Mr. Chandi, are you prepared to actually live by your beliefs? We will meet with you anywhere at any time. Please cancel the ARCO AM/PM project.
15 (195)	Still: West Street, looking N at Dorothea. Daylight. Feature mature valley oaks, taken early Sunday. Overlay Acknowledgements: The residents of the Caldwell/West neighborhood, Visalia Planning Commission.	Beethoven's Ode to Joy from final movement of 9 th Symphony

March 21, 2018
Jeanny Chang, M.S.,R.D.
3535 S. Johnson Court
Visalia, CA 93277

Emission and Green House Gas Reduction Concern

My husband and I have lived at the current address for over 40 years. We love the quiet neighborhood and friendly neighbors. I am a Registered Dietitian and have practiced in this profession for over 43 years. I preached to my clients to eat healthy foods and maintain healthy lifestyle. However, we don't have any choice for breathing healthy air. Many of us that live in the Central Valley of California suffer environmental allergy due to poor air quality. Vehicle emissions are the greatest single source of air pollution, which leads to health problems, particularly respiratory conditions. Data from California Air Resources Board shows the transportation sector accounts for the biggest share of California's greenhouse gas emissions. It made up roughly 40% in 2015.

In October, 2017, Governor Jerry Brown signed a handful of bills aimed at helping the state's quest to achieve its ambitious greenhouse gas reduction goals. California is working to put 1.5million zero-emission vehicles on its roads by 2025. Our immediate families own 5 vehicles. We replaced Two with Zero-emission cars within the past 9 months.

In January, 2018, my husband and I visited Harris Ranch, they have 10 Electric Charging Stations installed. The new building for Tulare County Office of Education located on Mooney Boulevard also has Electric Charging Station. Some hotels are installing Electric Charging Station to prepare for the influx of millions of Electric Cars. In March, we visited a strip mall in Clovis and found 6 parking spaces designated for Clean Air Vehicles.

There are 3 gas stations with a total of 34 gas pumps within one-mile radius of the proposed Arco AM/PM site. The proposed Arco AM/PM Truck Stop will add another 20 gas pumps. We anticipate with the additional 1.5 million Zero-emission vehicles on the road by 2025, the need for gasoline pumps will be vastly reduced. Is it a wise decision for the Planning Commission to approve such project? Do we want to see many vacant gas stations in less than a decade?

Attachment 5

E-mail in support of ARCO AM/PM dated March 19, 2018

Paul Bernal

From: Wilma Michelson <wmichelson@yahoo.com>
Sent: Monday, March 19, 2018 10:12 AM
To: Paul Bernal
Subject: AM/PM Caldwell & West

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

I am writing in support of the project CUP 2017-22.

We need a convenient, reasonably priced gas station in this area other than Costco, which as I'm sure you know, almost impossible to get into because of long lines. I currently go to AM/ PM on Lovers Lane but that is not convenient. Since there is no grocery store close by, I'm sure many people will use the convenience store as well. I ask for approval if this great project.

Wilma Michelson
3300 S Stover St
Visalia, CA. 93292

Sent from my iPhone

CITY OF VISALIA
315 E. ACEQUIA STREET
VISALIA, CA 93291

NOTICE OF A PROPOSED
REVISED MITIGATED NEGATIVE DECLARATION

Project Title: Conditional Use Permit No. 2017-22

Initial Study Revisions: The "Revised" Initial Study/Mitigated Negative Declaration is being recirculated pursuant to Section 15073.5 of the California Environmental Quality Act (CEQA) to address the following changes incorporated into the environmental document as follows:

1. Project Description: The project description has been revised to accurately account for the proposed building square footage for the convenience store with future fast-foot restaurant space building (no tenant identified but fast-foot and/or sit-down eatery/restaurants are permitted in the C-MU zone), square footage of the gas canopy and square footage of carwash building (see attached Exhibit "A"). The correct square footages for the convenience store, gas canopy and carwash building are revised in the project description below. The revisions to the project description also account for the change in hours of operation for the proposed ARCO AM/PM gas station with a carwash facility. The hours of operation, as stated in the attached Operational Statement, have been revised from the initial 24-hour operation request to operating between the hours of 4:30 a.m. to 12:00 am seven days a week.

The proposed carwash facility has been reoriented with the entrance of the carwash facility located to the west of the site while the exit and blower drying equipment are located to the east, away from the residential land uses located across South West Street. The vehicle queuing lane for the carwash is directly to the west of the ARCO AM/PM convenience store building. A proposed 7-foot above ground-level block wall between the opening of the carwash entrance and a portion of the vehicle queuing lanes is incorporated into the project design to attenuate noise levels for the carwash during operating (see Exhibit "A") for the residential land uses directly to the west of the ARCO AM/PM project site. In addition, the hours of operation for the carwash have been revised with the operating hours being identified from 6:00 a.m. to 7:00 p.m. seven days a week.

Furthermore, the project description has been revised to account for the parcel acreage proposed for development, which was initially identified as a 1.29-acre site as cited in the previously prepared Initial Study. The project area proposed for development is a 1.91-acre site. The 1.91-acre site accounts for Lot Line Adjustment No. 2017-05 approved on July 10, 2017 adjusting the property lines of Parcels 1, 2 3 and 5 of Parcel Map No. 5141. The Lot Line Adjustment is subject to the provisions of the California Subdivision Map Act Exclusions Section 66412. The Lot Line Adjustment has not been recorded; however, recordation of the lot line adjustment will be included as a condition of the CUP project.

2. Aesthetics: A new Photometric Plan has been submitted that demonstrates the ARCO AM/PM's lighting plan along the north and west property lines does not exceed the 0.5 lumens as required per Planning's Site Plan Review No. 2016-140 comments and with Section 17.30.015.H of the Zoning Ordinance. In addition, the Photometric Plan demonstrates a maximum light pole height of 16-feet and lights fixtures located under the canopy to have lighting elements with a maximum of 10K Lumen.
3. Air Quality: The applicant identified as part of the revised operational statement that the ARCO AM/PM gas station will comply with California Air Resource Board (CARB) Air Quality management regulations by incorporating vapor recovery systems, typically referred to as Type 1 and Type 2 vapor recovery systems (gasoline vapor recovery is a control strategy to capture gasoline vapors during the transfer process). This was not initially identified as part of the previous initial study but is a State requirement for all new gas stations.
4. Noise: A new Acoustical Analysis was prepared for the proposed project (ref.: Cameron Creek Marketplace Carwash Visalia CA, WJV Acoustics, Inc., February 26, 2018 attached). The new Acoustical Analysis analyzed project-related noise levels for all aspects of the proposed project, and as result, identified new mitigation measures that were not identified with the previous initial study. The mitigation measures are included in Section IV below as part of this Mitigated Negative Declaration.



5. Transportation/Traffic: The traffic counts for W. Caldwell Ave. and S. West St. are included in the Transportation/Traffic section of the revised Initial Study. The traffic counts identified West Caldwell Ave. (a designated four-lane divided arterial roadway) between Fairway Street to the west and Court Street to the east are 15,500 Average Daily Trips (ADT) (Spring 2016). The traffic Counts for South West St. (between Caldwell Avenue and Cameron Avenue) are 2,600 Average Daily Trips (ADT) (October 10-14, 2016).

Project Description: The project applicant is requesting to develop a 1.91-acre area within the Cameron Creek Marketplace Shopping Center with an ARCO AM/PM gas station consisting of a 6,000 square foot convenience store building with a future fast-food restaurant space (no tenant has identified but fast-food and/or sit-down eatery/restaurants are permitted in the C-MU zone), a 4,933 square foot automated carwash building, and a 6,775 square foot fuel canopy with 10 fuel dispensers (see Exhibit "A"). The proposed 1.91-acre area is subject to the applicant/property owner recording the approved Lot Line Adjustment No. 2017-05 approved on July 10, 2017, adjusting the property lines of Parcels 1, 2, 3 and 5 of Parcel Map No. 5141. Lot Line Adjustments are subject to the provisions of the California Subdivision Map Act Exclusions Section 66412. Lot Line Adjustments are exempt from CEQA review and approved administratively. Lot Line Adjustment No. 2017-05 has not been recorded; however, recordation of the lot line adjustment will be included as a condition of the CUP project. The Cameron Creek ARCO project sited is zoned C-MU (Commercial Mixed Use) and located on the southeast corner of West Caldwell Avenue and South West Street (APNs: 126-870-037 & 126-870-039).

The ARCO AM/PM gas station site will be developed with 27 parking spaces, excluding the 20 fueling station spaces located under the fueling island canopy. In addition, 11 vacuum parking stations will be provided south of the carwash building. The ARCO gas station site will be accessible by the drive approach constructed just to the east of the new bus-turn out along Caldwell Avenue and a new drive approach along West Street. In addition, curb, gutter, sidewalk and park strip landscaping will be installed along the West Street frontage providing pedestrian access to the residential neighborhood to the south of the ARCO gas station project site. Additional on-site improvements include construction of the primary drive aisle which will extend to the east which will allow on-site vehicular access from the ARCO gas station site to the Jack and the Box site as depicted on the overall Cameron Creek Marketplace Shopping Center site plan.

The proposed carwash facility has been reoriented with the entrance of the carwash facility located to the west of the site while the exit and blower drying equipment are located to the east, away from the residential land uses located across South West Street. The vehicle queuing lane for the carwash is directly to the west of the ARCO AM/PM convenience store building. A proposed 7-foot above ground-level block wall between the opening of the carwash entrance and a portion of the vehicle queuing lanes is incorporated into the project design to attenuate noise levels for the carwash during operating (see Exhibit "A") for the residential land uses directly to the west of the ARCO AM/PM project site. In addition, the hours of operation for the carwash have been revised with the operating hours being identified from 6:00 a.m. to 7:00 p.m. seven days a week.

The ARCO AM/PM gas station has identified hours of operation between 4:30 a.m. to 12:00 a.m. seven days a week while the carwash facility is proposing hours of operation between the hours of 6:00 a.m. to 7:00 p.m. seven days a week. The Operational Statement for the ARCO AM/PM has been attached to the Initial Study/Mitigated Negative Declaration.

No other development entitlements beyond the conditional use permit have been filed for the Cameron Creek Marketplace Shopping Center.

Project Location: The proposed 1.91-acre project area is located within the planned Cameron Creek Marketplace Shopping Center and is located on the southeast corner of West Caldwell Avenue and South West Street (APNs: 126-870-037).

Contact Person: Paul Bernal, City Planner

Phone: (559) 713-4025

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Mitigated Negative Declaration: Initial Study No. 2017-39 has identified environmental impact(s) that may occur because of the project; however, with the implementation of mitigation measures identified, impact(s) will be reduced to a level that is less than significant. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 East Acequia Avenue, Visalia, CA.

Comments on this proposed Mitigated Negative Declaration will be accepted from March 15, 2018 to April 04, 2018.

Date: 3-15-18

Signed:



Paul Scheibel, AICP
Environmental Coordinator
City of Visalia

MITIGATED NEGATIVE DECLARATION

Initial Study Revisions: The "Revised" Initial Study/Mitigated Negative Declaration is being recirculated pursuant to Section 15073.5 of the California Environmental Quality Act (CEQA) to address the following changes incorporated into the environmental document as follows:

1. Project Description: The project description has been revised to accurately account for the proposed building square footage for the convenience store with future fast-foot restaurant space building (no tenant identified but fast-foot and/or sit-down eatery/restaurants are permitted in the C-MU zone), square footage of the gas canopy and square footage of carwash building (see attached Exhibit "A"). The correct square footages for the convenience store, gas canopy and carwash building are revised in the project description below. The revisions to the project description also account for the change in hours of operation for the proposed ARCO AM/PM gas station with a carwash facility. The hours of operation, as stated in the attached Operational Statement, have been revised from the initial 24-hour operation request to operating between the hours of 4:30 a.m. to 12:00 am seven days a week.

The proposed carwash facility has been reoriented with the entrance of the carwash facility located to the west of the site while the exit and blower drying equipment are located to the east, away from the residential land uses located across South West Street. The vehicle queuing lane for the carwash is directly to the west of the ARCO AM/PM convenience store building. A proposed 7-foot above ground-level block wall between the opening of the carwash entrance and a portion of the vehicle queuing lanes is incorporated into the project design to attenuate noise levels for the carwash during operating (see Exhibit "A") for the residential land uses directly to the west of the ARCO AM/PM project site. In addition, the hours of operation for the carwash have been revised with the operating hours being identified from 6:00 a.m. to 7:00 p.m. seven days a week.

Furthermore, the project description has been revised to account for the parcel acreage proposed for development, which was initially identified as a 1.29-acre site as cited in the previously prepared Initial Study. The project area proposed for development is a 1.91-acre site. The 1.91-acre site accounts for Lot Line Adjustment No. 2017-05 approved on July 10, 2017 adjusting the property lines of Parcels 1, 2 3 and 5 of Parcel Map No. 5141. The Lot Line Adjustment is subject to the provisions of the California Subdivision Map Act Exclusions Section 66412. The Lot Line Adjustment has not been recorded; however, recordation of the lot line adjustment will be included as a condition of the CUP project.

2. Aesthetics: A new Photometric Plan has been submitted that demonstrates the ARCO AM/PM's lighting plan along the north and west property lines does not exceed the 0.5 lumens as required per Planning's Site Plan Review No. 2016-140 comments and with Section 17.30.015.H of the Zoning Ordinance. In addition, the Photometric Plan demonstrates a maximum light pole height of 16-feet and lights fixtures located under the canopy to have lighting elements with a maximum of 10K Lumen.
3. Air Quality: The applicant identified as part of the revised operational statement that the ARCO AM/PM gas station will comply with California Air Resource Board (CARB) Air Quality management regulations by incorporating vapor recovery systems, typically referred to as Type 1 and Type 2 vapor recovery systems (gasoline vapor recovery is a control strategy to capture gasoline vapors during the transfer process). This was not initially identified as part of the previous initial study but is a State requirement for all new gas stations.
4. Noise: A new Acoustical Analysis was prepared for the proposed project (ref.: Cameron Creek Marketplace Carwash Visalia CA, WJV Acoustics, Inc., February 26, 2018 attached). The new Acoustical Analysis analyzed project-related noise levels for all aspects of the proposed project, and as result, identified new mitigation measures that were not identified with the previous initial study. The mitigation measures are included in Section IV below as part of this Mitigated Negative Declaration.

5. Transportation/Traffic: The traffic counts for W. Caldwell Ave. and S. West St. are included in the Transportation/Traffic section of the revised Initial Study. The traffic counts identified W. Caldwell Ave. (a designated four-lane divided arterial roadway) between Fairway Street to the west and Court Street to the east are 15,500 Average Daily Trips (ADT) (Spring 2016). The traffic Counts for S. West St. (between Caldwell Avenue and Cameron Avenue) are 2,600 Average Daily Trips (ADT) (October 10-14, 2016).

A. Conditional Use Permit No. 2017-22: The project applicant is requesting to develop a 1.91-acre area within the Cameron Creek Marketplace Shopping Center with an ARCO AM/PM gas station consisting of a 6,000 square foot convenience store building with a future fast-food restaurant space (no tenant has identified but fast-food and/or sit-down eatery/restaurants are permitted in the C-MU zone), a 4,933 square foot automated carwash building, and a 6,775 square foot fuel canopy with 10 fuel dispensers (see Exhibit "A"). The proposed 1.91-acre area is subject to the applicant/property owner recording the approved Lot Line Adjustment No. 2017-05 approved on July 10, 2017, adjusting the property lines of Parcels 1, 2, 3 and 5 of Parcel Map No. 5141. Lot Line Adjustments are subject to the provisions of the California Subdivision Map Act Exclusions Section 66412. Lot Line Adjustments are exempt from CEQA review and approved administratively. Lot Line Adjustment No. 2017-05 has not been recorded; however, recordation of the lot line adjustment will be included as a condition of the CUP project. The Cameron Creek ARCO project sited is zoned C-MU (Commercial Mixed Use) and located on the southeast corner of West Caldwell Avenue and South West Street (APNs: 126-870-037 & 126-870-039).

The ARCO AM/PM gas station site will be developed with 27 parking spaces, excluding the 20 fueling station spaces located under the fueling island canopy. In addition, 11 vacuum parking stations will be provided south of the carwash building. The ARCO gas station site will be accessible by the drive approach constructed just to the east of the new bus-turn out along Caldwell Avenue and a new drive approach along West Street. In addition, curb, gutter, sidewalk and park strip landscaping will be installed along the West Street frontage providing pedestrian access to the residential neighborhood to the south of the ARCO gas station project site. Additional on-site improvements include construction of the primary drive aisle which will extend to the east which will allow on-site vehicular access from the ARCO gas station site to the Jack and the Box site as depicted on the overall Cameron Creek Marketplace Shopping Center site plan.

The proposed carwash facility has been reoriented with the entrance of the carwash facility located to the west of the site while the exit and blower drying equipment are located to the east, away from the residential land uses located across South West Street. The vehicle queuing lane for the carwash is directly to the west of the ARCO AM/PM convenience store building. A proposed 7-foot above ground-level block wall between the opening of the carwash entrance and a portion of the vehicle queuing lanes is incorporated into the project design to attenuate noise levels for the carwash during operating (see Exhibit "A") for the residential land uses directly to the west of the ARCO AM/PM project site. In addition, the hours of operation for the carwash have been revised with the operating hours being identified from 6:00 a.m. to 7:00 p.m. seven days a week.

The ARCO AM/PM gas station has identified hours of operation between 4:30 a.m. to 12:00 a.m. seven days a week while the carwash facility is proposing hours of operation between the hours of 6:00 a.m. to 7:00 p.m. seven days a week. The Operational Statement for the ARCO AM/PM has been attached to the Initial Study/Mitigated Negative Declaration.

No other development entitlements beyond the conditional use permit have been filed for the Cameron Creek Marketplace Shopping Center.

Project Location: The proposed 1.91-acre project area is located within the planned Cameron Creek Marketplace Shopping Center and is located on the southeast corner of West Caldwell Avenue and South West Street (APNs: 126-870-037 & 126-870-039).

Project Facts: Refer to Initial Study for project facts, plans and policies, and discussion of environmental effects.

Attachments:

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)
Mitigation Measures	(X)
Noise Study	(X)
Traffic Impact Study	()
Site Plan	(X)
Photometric Plan	(X)
Operational Statement	(X)

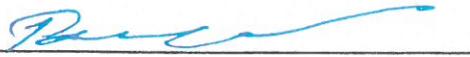
DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

- (a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Mitigated Negative Declaration has been prepared by the City of Visalia Planning Division in accordance with the California Environmental Quality Act of 1970, as amended. A copy may be obtained from the City of Visalia Planning Division Staff during normal business hours.

APPROVED
Paul Scheibel, AICP
Environmental Coordinator

By: 
Date Approved: 3/15/18
Review Period: 20 days

B. Identification of the Environmental Setting:

The overall Cameron Creek Marketplace Shopping Center is located on the south side of West Caldwell Avenue and is bounded by West Kimball Avenue to the south, South Court Street to the east and South West Street to the west. The ARCO gas station project site is proposed to be constructed on the southeast corner of West Caldwell Avenue and South West Street on portions of Parcel 1 and Parcel 3 of Parcel Map No. 5141.

The surrounding uses, Zoning, and General Plan for the project site are as follows:

	General Plan	Zoning	Existing uses
North:	West Caldwell Avenue (Arterial Roadway)	West Caldwell Avenue (Arterial Roadway)	West Caldwell Avenue (Arterial Roadway) / Shell Gas Station / Dance Studio Office Buildings
South:	Commercial Mixed Use	C-MU – Commercial Mixed Use	Vacant property (Parcel 3 of PM 5141) / part of the Cameron Creek Marketplace Shopping Center
East:	Commercial Mixed Use	C-MU – Commercial Mixed Use	Vacant property (Parcel 2 of PM 5141) / part of the Cameron Creek Marketplace Shopping Center
West:	South West Street (Collector Roadway)	South West Street (Collector Roadway)	South West Street (Collector Roadway) / Cameron Creek Ranch residential Subdivision

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia.

C. Plans and Policies: The General Plan Land Use Diagram, adopted October 14, 2014, designates the project site as Commercial Mixed Use. The Zoning Map, adopted on April 6, 2017, designates the entire Cameron Creek Shopping Center as Commercial Mixed Use, including the proposed ARCO AM/PM project site. The land use and zoning designations of Commercial Mixed Use are consistent with the Table 9-1 "Consistency Between the Plan and Zoning of the General Plan" of the General Plan.

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project that cannot be mitigated to a *less than significant impact*. The City of Visalia Land Use Element, Circulation Element, Zoning and Subdivision Ordinances contain policies and regulations that are designed to mitigate impacts to a level of non-significance.

III. MITIGATION MEASURES

The following mitigation measures, which are listed below, will reduce potential environmental impacts related to Noise Impacts to a less than significant level as shown below:

Noise – An Acoustical Analysis prepared for the proposed project (ref.: Cameron Creek Marketplace Carwash Visalia CA, WJV Acoustics, Inc., February 26, 2018). The purpose of the study is to determine if noise levels associated with the project will comply with the City's applicable noise level standards. The acoustical analysis is intended to determine project-related noise levels for all aspects of the proposed project.

The analysis is based upon the project site plan dated September 8, 2017, noise measurements obtained by WJV Acoustics, Inc. (WJVA) at the project site, reference noise measurements obtained at existing gas station and car wash facilities and information provided to WJVA by the project applicant concerning the proposed equipment and hours of operation of the project.

The analysis conducted background/ambient short-term noise level measurements on near the project site. The intent of the noise measurements was to document existing ambient noise levels near the project site. Additionally, nighttime noise measurements were taken on the night/morning of January 22-23, 2018. Noise measurements were conducted at two locations within the project area. The intent of the measurements was to quantify existing (without project) ambient noise levels during the nighttime hours.

To further quantify noise levels that could be expected from typical gas station/convenience store operations, WJVA staff conducted reference noise measurements at an existing ARCO-AM/PM facility located on Lover's Lane in Visalia. The Lover's Lane location is a similar facility to that being proposed for the Cameron Creek Marketplace project.

The analysis concludes noise levels associated with the proposed gas station and convenience store operations would result in a *less-than-significant* noise impact and are not expected to exceed the City's applicable daytime or nighttime noise level standards established in the Noise Ordinance as well as those established in the Noise Element of the General Plan. Mitigation is not required for the gas station and convenience store operations portion of the proposed project.

In regards to the proposed car wash operations, the removal of the carwash from the project would eliminate noise impacts associated with the operation of the carwash facility and therefore no mitigation is required. However, the project includes the carwash facility and the analysis concluded that noise levels associated with the blowers would exceed the City's applicable daytime and nighttime noise level standards at the sensitive receiver locations (i.e., residential units) west of the project site. In order to mitigate project-related noise levels to a *less-than-significant impact* at nearby residential land uses, mitigation measures are required.

To attenuate the noise from the carwash, the following specific mitigation measures should be incorporated into the project design and construction:

Sound Wall (preferred mitigation measure):

A sound wall could be constructed along the tunnel entrance, between the west entrance opening and the existing residential land uses west of the project site. The minimum required height of the sound wall along the car wash tunnel entrance was calculated using a sound wall insertion loss model. The model calculates the insertion loss of a wall of a given height based on the effective height of the noise source, height of the receiver, distance from the receiver to the wall, and distance from the noise source to the wall.

Based upon the above-described project-related noise levels and insertion loss model, it was determined that a sound wall with a minimum height of seven (7) feet above ground elevation would mitigate project related noise levels at receiver locations noted in the report to 48.6 dB, 49.8 dB and 49.7 Leq/L50, which meets the City's daytime noise standards. The sound wall should be continuous from the south side of the tunnel entrance, and continue as the tunnel entrance lane turns to the north, as shown in red on Figure 1. The sound wall would reduce project-related noise levels to below applicable City of Visalia daytime standards, but would not reduce project-related noise levels to below the City's applicable nighttime standards.

Tunnel/Bay Door:

The inclusion of a tunnel (bay) door at west side of the tunnel could be included into project design. WJVA staff analyzed noise level test data provided by Baywatch Car Wash Tunnel Door Solutions. Baywatch provides custom car wash doors constructed to provide acoustic attenuation in noise-sensitive environments (other similar products could be assessed). The door could be installed at the west side of the tunnel (facing the nearby residential land uses), and would close once the vehicle has entered the car wash tunnel. The door would remain closed until the dry cycle has completed and the vehicle has exited the tunnel.

Reconfigure Car Wash Tunnel:

180 Degree Rotation: Noise levels associated with car wash blowers are louder at the exit end of the tunnel than the entrance end of the tunnel. If the tunnel was rotated 180 degrees from its currently proposed location, so that the exit is west-facing, noise levels associated with the car wash would be approximately 59 dB L50 at the closest residential land uses west of the project site. Such levels would exceed the City's applicable noise level standards. Using the above described sound wall insertion loss model, it was determined that a sound wall constructed to a minimum height of twelve (12) feet would be required at the tunnel exit if the tunnel exit were to be located facing West Street.

90/270 Degree Rotation: The tunnel could be rotated 90 or 270 degrees from its currently proposed alignment. Doing so would result in acoustic shielding (provided by the tunnel) at the existing residential land uses west of the project site, and would reduce project-related noise levels to below the City's standards at the homes along West Street. However, the residential land uses south of the site, along Kimball Avenue, would be exposed to unshielded project-related noise levels. Additionally, the homes along Kimball Avenue, between West Street and Watson Street, do not have an existing sound wall that would provide additional noise attenuation. If the tunnel were to be rotated 90 degrees from its currently proposed alignment (exit facing Caldwell Avenue) or 270 degrees (exit facing Kimball Avenue), project-related noise levels at the closest homes south of the project site would be expected to be approximately 56 dB (exit facing Caldwell Avenue) and 62 dB (exit facing Kimball Avenue), respectively. Such levels would also exceed the City's applicable noise level standards, and these configurations would also require the inclusion of a sound wall.

Using the above-described sound wall insertion loss model, it was determined that a sound wall constructed to a minimum height of ten (10) feet would be required along the tunnel entrance, if the tunnel was configured with the entrance facing south (toward Kimball Avenue) and the exit facing north (toward Caldwell Avenue). Additionally, the required height of a sound wall (20+ feet) necessary to mitigate project noise levels if the tunnel exit were to be facing south (toward Kimball Avenue), is not considered to be a feasible option.

aff has incorporated these recommendations as required mitigation measures. Therefore, to ensure that community noise standards are met for the proposed project, the project shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 through 1.7. These mitigation measures are included in Section IV below as part of this Mitigated Negative Declaration.

The City of Visalia Zoning Ordinance contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.

IV. MITIGATION MONITORING PROGRAM

<u>Mitigation Measure</u>	<u>Responsible Party</u>	<u>Timeline</u>
Operation Noise Impact Mitigation Measure 1.1: If the proposed tunnel is constructed with the exit facing east (entrance facing West Street), a sound wall with a minimum height of seven (7) feet above ground level must be constructed along the tunnel entrance (as shown on Figure 1). Suitable construction materials include concrete blocks, masonry or stucco on both sides of a wood or steel stud wall.	Project Applicant	Noise Impact Mitigation for specified barriers (walls) shall be enforced through the building permit and construction inspection.
Operation Noise Impact Mitigation Measure 1.2: If the proposed tunnel is constructed with the exit facing west (toward West Street), a sound wall with a minimum height of twelve (12) feet above ground level must be constructed along the exit tunnel (as shown on Figure 3). Suitable construction materials include concrete blocks, masonry or stucco on both sides of a wood or steel stud wall.	Project Applicant	Noise Impact Mitigation for specified barriers (walls) shall be enforced through the building permit and construction inspection.
Operation Noise Impact Mitigation Measure 1.3: If the proposed tunnel is constructed with the exit facing north (toward Caldwell Avenue) a sound wall with a minimum height of ten (10) feet above ground level must be constructed along the tunnel entrance, (in the same relative location as shown on Figure 1). Suitable construction materials include concrete blocks, masonry or stucco on both sides of a wood or steel stud wall.	Project Applicant	Noise Impact Mitigation for specified barriers (walls) shall be enforced through the building permit and construction inspection.
Operation Noise Impact Mitigation Measure 1.4: The inclusion of a tunnel (bay) door at the tunnel side facing existing residential land uses could be included into project design. This would be sufficient with any tunnel orientation scenario.	Project Applicant	Noise Impact Mitigation for specified barriers (tunnel bay doors) shall be enforced through the building permit and construction inspection.
Operation Noise Impact Mitigation Measure 1.5: Vacuum system equipment shall be enclosed.	Project Applicant	Noise Impact Mitigation for specified barriers (tunnel bay doors) shall be enforced through the building permit and construction inspection.
Operation Noise Impact Mitigation Measure 1.6: Car wash activities shall not occur between the hours of 7:00 p.m. and 6:00 a.m., as the mitigation options would not reduce project-related noise levels to below the City's applicable nighttime noise level standards.	Project Applicant / Planning Division	Noise Impact Mitigation shall be enforced as a part of the daily operation for the site as a condition of the Conditional Use Permit which provides remedies for non-compliance.
Construction Noise Impact Mitigation Measure 1.7: Hours of construction to be between 6:00 a.m. and 7:00 p.m., Monday through Friday and 9:00 a.m. to 7:00 p.m. on Saturdays and Sundays.	Project Applicant / Planning Division	Noise Impact Mitigation for specified equipment shall be enforced through the building permit and construction inspection.

V. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

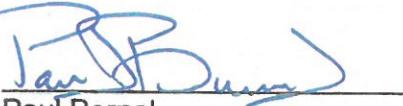
The project is compatible with the General Plan and Zoning Ordinance as the project relates to surrounding properties.

VI. SUPPORTING DOCUMENTATION

The following documents are hereby incorporated into this Mitigated Negative Declaration and Initial Study by reference:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan), passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.
- Revised ARCO AM/PM Site Plan Exhibit (see attached Exhibit "A")
- Revised Photometric Plan (see attached Exhibit "B")
- Revised ARCO AM/PM Operational Statement date stamped received March 8, 2018
- Acoustical Analysis for the Cameron Creek Market Place Car Wash & ARCO AM/PM, WJV Acoustics, Inc., February 26, 2018.

VII. NAME OF PERSON WHO PREPARED INITIAL STUDY



Paul Bernal
City Planner



Paul Scheibel, AICP
Environmental Coordinator

REVISED INITIAL STUDY ENVIRONMENTAL CHECKLIST

Name of Proposal	Conditional Use Permit No. 2017-22		
NAME OF PROPONENT:	Chandi Group USA, Inc.	NAME OF AGENT:	Steven Macias - 4Creeks, Inc.
Address of Proponent:	42270 Spectrum St. Indio CA 92203	Address of Agent:	324 S. Santa Fe St. Ste. A Visalia CA 93292
Telephone Number:	(760) 396-9260	Telephone Number:	(559) 802-3052
Date of Review	March 15, 2018	Lead Agency:	City of Visalia

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

I. AESTHETICS

Would the project:

- 2 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 2 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- 2 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 1 c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

II. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 2 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 2 d) Expose sensitive receptors to substantial pollutant concentrations?
- 2 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

2 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

2 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

2 c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

2 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

2 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

2 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

V CULTURAL RESOURCES

Would the project:

1 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?

1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?

1 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?

1 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI GEOLOGY AND SOILS

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

1 ii) Strong seismic ground shaking?

1 iii) Seismic-related ground failure, including liquefaction?

1 iv) Landslides?

1 b) Result in substantial soil erosion or loss of topsoil?

1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

VII. GREENHOUSE GAS EMISSIONS

Would the project:

2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

2 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

2 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

2 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

IX. HYDROLOGY AND WATER QUALITY

Would the project:

2 a) Violate any water quality standards of waste discharge requirements?

2 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

2 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

1 f) Otherwise substantially degrade water quality?

1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

1 j) Inundation by seiche, tsunami, or mudflow?

X. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

XI. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

XII. NOISE

Would the project:

- 3 a) Cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 3 b) Cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 3 c) Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 3 d) Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XIII. POPULATION AND HOUSING

Would the project:

- 2 a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIV. PUBLIC SERVICES

Would the project:

- 1 a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically

altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- 2 i) Fire protection?
- 2 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?

XV. RECREATION

Would the project:

- 1 a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- 1 b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XVI. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- 2 b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 2 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?

- 1 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 1 a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- 1 b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2 b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- 3 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2009

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

- a. This project will not adversely affect the view of any scenic vistas. The Sierra Nevada mountain range may be considered a scenic vista, but views of the range will not be adversely impacted or significantly by the project. Gas stations and drive-thru carwash facilities are considered compatible uses in commercial areas where potential impacts can be addressed through the CUP process. The site is located along Caldwell Avenue and West Street, which are designated arterial and collector roadways. The City's General Plan Land Use Map designates the site as Commercial Mixed Use. Staff believes that the proposed gas station and drive-thru carwash is consistent in nature and character with existing and future uses surrounding the project site, subject to the inclusion of mitigation measures and the conditions of project approval for this project.
- b. There are no scenic resources on the site.
- c. The City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is not degraded upon any future development. The proposed project in itself will not change the visual character or quality of the site.

The project will facilitate the future development of the Cameron Creek Marketplace Shopping center. New sources of light would be created on the site's future development that is typical of urban development. The City's existing development standards require that light be directed and/or shielded so it does not fall upon adjacent properties upon the site's future development as required under Section 17.30.015.H of the Zoning Ordinance.

The ARCO AM/PM will require full-coverage lighting throughout the parking areas, and lighting to illuminate the building and gas pumps. ARCO has submitted a photometric plan demonstrating the parking lot pole lighting fixtures (6 pole fixtures at 16-ft. in height) installed in close proximity to the building/carwash perimeter and directed toward the interior of the site. In addition, the gas canopy lighting located under the canopy is directed downward toward the gas fueling stations. The on-site lighting for the gas station is directed and focused so as to avoid direct illumination spilling beyond the site boundaries, as stated in the Site Plan Review Comments No. 2016-140 and as required under Section 17.30.015.H of the Zoning Ordinance. The photometric plan demonstrates that the ARCO AM/PM's lighting along the north and west property lines does not exceed the 0.5 lumens, as stated in the Site Plan Review No. 2016-140 comments prepared for this project.

Potentially sensitive receptors to unwanted illumination and glare from the project primarily include the existing residences on the northwest, west and south of the project site. Given the general urbanized character of the project vicinity, these residences are currently subject to night lighting from existing street / traffic lights, and vehicle headlights.

The project will add night lighting, which would introduce new source of illumination to the area. However, direct illumination of the off-site residences would be avoided by focusing parking lot lighting, building/gas canopy lighting, and security lighting away from the site perimeter, and installing the six (6) pole fixtures at a height not to exceed 16-ft, as identified the photometric plan submitted for this project and attached as Exhibit "B". In addition, the landscape trees to be planted along the site perimeter will help in providing screening from parking lot lighting, particularly to the residences near the project site.

Project signage for the ARCO AM/PM will also conform to the Sign Ordinance and illuminated building wall signage is prohibited along the west façade of the building and west façade of the gas canopy. In addition, any proposed fuel pricing signage located near and/or directed toward the Caldwell/West intersection shall be prohibited from installing the red LED light fixture signage for gas pricing. Any price sign facing residential areas shall be internally illuminated by a low-intensity LED fixture with no neon lighting.

The City requirements and project design would ensure sufficient lighting for security and safety purposes, and would minimize the potential for unnecessary illumination and glare resulting from the project. Therefore, the potential lighting and glare effects associated with the proposed project would result in a *less-than-significant* land use impact.

II. AGRICULTURAL RESOURCES

- a. The project is located on property that is not identified as farmland based on maps prepared by the California Department of Conservation and contained within the Visalia General Plan, Figure 6-4.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area, which includes the subject property, into non-agriculture uses. Overall, the General Plan results in the conversion of over 14,000 acres of Important Farmland to urban uses, which is considered significant and unavoidable. Aside from preventing development altogether the conversion of Important Farmland to urban uses cannot be directly mitigated. However, the General Plan contains multiple policies that together work to limit conversion only to the extent needed to accommodate long-term growth. The General Plan policies identified under Impact 3.5-1 of the EIR serve as the mitigation, which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space around the City fringe and maintaining compact development within the City limits.

The project is within the Urban Development Tier 1 Boundary. Development of commercial lands in Tier 1 may occur at any time.

The project site is zoned C-MU (Commercial Mixed Use) and is part of the Cameron Creek Marketplace Shopping Center. The project is bordered by Caldwell Avenue to the north, West Street to the west and vacant property to the east and south. The properties to the east and south are planned and zoned for commercial development as part of the Cameron Creek Marketplace Shopping Center.

- c. There is no forest or timber land currently located on the site.
- d. There is no forest or timber land currently located on the site.
- e. The project will not involve any changes that would promote or result in the conversion of farmland to non-agriculture use. The subject property is currently designated for urban development rather than agricultural land use. Properties that are vacant may develop in a way that is consistent with their land use and zoning designations at any time. The adopted Visalia General Plan's implementation of a three-tier growth boundary system further assists in protecting open space around the City fringe to ensure that premature conversion of farmland to non-agricultural uses does not occur.

III. AIR QUALITY

- a. The project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project in itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will therefore be a less than significant impact.

In addition, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006 and amended December 21, 2017 (but not in effect until March 21, 2018). The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

Furthermore, the ARCO AM/PM gas station will comply with California Air Resource Board (CARB) Air Quality management regulations using vapor recovery systems, typically referred to as Type 1 and Type 2 vapor recovery systems (gasoline vapor recovery is a control strategy to capture gasoline vapors during the transfer process). Type 1 vapor recovery is a control strategy that captures and contains the gasoline vapors during the transfer of gasoline from the truck to the underground storage tanks while a Type 2 vapor recovery is a control strategy that captures and contains the gasoline vapors when a vehicle is being fueled. CARB adopts the vapor recovery system standards and certifies compliance with Type 1 and Type 2 recovery methods. Through the building permit review process, the Building Department will ensure that the recovery tanks/ventilation will be installed to comply with building and fire codes.

- h. Development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The project will contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds. Also the

project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

The project is required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's grading regulations. Compliance with the SJVAPCD's rules and regulations will reduce potential impacts associated with air quality standard violations to a less than significant level.

In addition, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006 and amended December 21, 2017 (but not in effect until March 21, 2018). The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

Furthermore, the ARCO AM/PM gas station will comply with California Air Resource Board (CARB) Air Quality management regulations using vapor recovery systems, typically referred to as Type 1 and Type 2 vapor recovery systems (gasoline vapor recovery is a control strategy to capture gasoline vapors during the transfer process). Type 1 vapor recovery is a control strategy that captures and contains the gasoline vapors during the transfer of gasoline from the truck to the underground storage tanks while a Type 2 vapor recovery is a control strategy that captures and contains the gasoline vapors when a vehicle is being fueled. CARB adopts the vapor recovery system standards and certifies compliance with Type 1 and Type 2 recovery methods. Through the building permit review process, the Building Department will ensure that the recovery tanks/ventilation will be installed to comply with building and fire codes.

- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. The project will result in a net increase of criteria pollutants. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1, 3.3-2, and 3.3-3 serve as the mitigation, which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

The project is required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's grading regulations. Compliance with the SJVAPCD's rules and regulations will reduce potential impacts associated with air quality standard violations to a less than significant level.

In addition, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006 and amended December 21, 2017 (but not in effect until March 21, 2018). The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

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d. Residences located near the proposed project may be intermittently exposed to pollutant concentrations due to construction activities. The use of construction equipment will be temporary and is subject to SJVAPCD rules and regulations. The impact is considered as less than significant.

The ARCO AM/PM gas station will comply with California Air Resource Board (CARB) Air Quality management regulations using vapor recovery systems, typically referred to as Type 1 and Type 2 vapor recovery systems (gasoline vapor recovery is a control strategy to capture gasoline vapors during the transfer process). Type 1 vapor recovery is a control strategy that captures and contains the gasoline vapors during the transfer of gasoline from the truck to the underground storage tanks while a Type 2 vapor recovery is a control strategy that captures and contains the gasoline vapors when a vehicle is being fueled. CARB adopts the vapor recovery system standards and certifies compliance with Type 1 and Type 2 recovery methods. Through the building permit review process, the Building Department will ensure that the recovery tanks/ventilation will be installed to comply with building and fire codes.

e. The proposed project will not involve the generation of objectionable odors that would affect a substantial number of people.

The ARCO AM/PM gas station will comply with California Air Resource Board (CARB) Air Quality management regulations using vapor recovery systems, typically referred to as Type 1 and Type 2 vapor recovery systems (gasoline vapor recovery is a control strategy to capture

gasoline vapors during the transfer process). Type 1 vapor recovery is a control strategy that captures and contains the gasoline vapors during the transfer of gasoline from the truck to the underground storage tanks while a Type 2 vapor recovery is a control strategy that captures and contains the gasoline vapors when a vehicle is being fueled. CARB adopts the vapor recovery system standards and certifies compliance with Type 1 and Type 2 recovery methods. Through the building permit review process, the Building Department will ensure that the recovery tanks/ventilation will be installed to comply with building and fire codes.

IV. BIOLOGICAL RESOURCES

a. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for conversion to urban use. In addition, staff had conducted on-site visits to the site between the months of July 2017 to March 2018 to observe biological conditions, and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species.

Based on the above, the site has no known species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project would therefore not have a substantial adverse effect on a sensitive, candidate, or special species.

b. The project is not located within or adjacent to an identified sensitive riparian habitat or other natural community.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within the Planning Area. With implementation of these policies, impacts on woodlands will be less than significant.

c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain protected wetlands and other waters may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-3 of the EIR, that together work to reduce the potential for impacts on wetlands and other waters located within the Planning Area. With implementation of these policies, impacts on wetlands will be less than significant.

d. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that the movement of wildlife species may be directly or indirectly affected by future development within the General Plan Planning. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within the Planning Area. With implementation of these policies, impacts on wildlife movement corridors will be less than significant.

e. The City has a municipal ordinance in place to protect valley oak trees. There are no valley oak trees on-site.

f. There are no local or regional habitat conservation plans for the area.

CULTURAL RESOURCES

a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.

b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.

There are no known unique paleontological resources or geologic features located within the project area.

There are no known human remains buried in the project vicinity. If human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

GEOLOGY AND SOILS

a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.

b. The development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.

c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.

d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.

e. The project does not involve the use of septic tanks or alternative wastewater disposal systems since sanitary sewer lines are used for the disposal of wastewater at this location.

GREENHOUSE GAS EMISSIONS

a. The project is expected to generate Greenhouse Gas (GHG) emissions in the short-term as a result of the construction of the ARCO AM/PM gas station and carwash facility and long-term as a result of day-to-day operation of the proposed commercial development.

The City has prepared and adopted a Climate Action Plan (CAP), which includes a baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR.

The Visalia General Plan and the CAP both include policies intended to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan. Although emissions will be generated as a result of the project, implementation of the General Plan and CAP policies will result in fewer emissions than would be associated with a continuation of baseline conditions. Thus, the impact to GHG emissions will be less than significant.

b. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 "baseline" levels by 2020.

The proposed project will not impede the State's ability to meet the GHG emission reduction targets under AB 32. Current and probable future state and local GHG reduction measures will continue to reduce the project's contribution to climate change. As a result, the project will not contribute significantly, either individually or cumulatively, to GHG emissions.

HAZARDS AND HAZARDOUS MATERIALS

a. No hazardous materials are anticipated with the project.

b. Construction activities associated with development of the project may include maintenance of on-site construction equipment, which could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.

c. There are no schools located within one-quarter mile from the project site. There is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites or areas within one-quarter mile of school sites.

d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.

e. The project area is not located within any airport land use plan or within 2 miles of a public airport.

- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. There are no wild lands within or near the project area.

IX. HYDROLOGY AND WATER QUALITY

- a. The project will not violate any water quality standards of waste discharge requirements. The site, when developed, will meet the City's improvement standards for directing storm water runoff to existing City storm water drainage systems; consistent with the City's adopted City Storm Drain Master Plan.
- b. The project will not substantially deplete groundwater supplies in the project vicinity. The project will be served by a water lateral for domestic, irrigation, and fire protection use. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. The project will result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer. However, as the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. The project therefore might affect the amount of precipitation that is recharged to the aquifer. The City of Visalia's water conservation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.
- c. Development of the site has the potential to affect drainage patterns in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. Impaired storm water runoff may then be intercepted and directed to a storm drain or water body, unless allowed to stand in a detention area. The City's existing standards may require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

The Visalia General Plan contains multiple policies, identified under Impact 3.6-1 of the EIR, that together work to reduce the potential for erosion. With implementation of these policies and the existing City standards, impacts to erosion will be less than significant.

- d. Development of the site will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts to a less than significant level.

Polices identified under Impact 3.6-2 of the EIR will reduce any potential impacts to a less than significant level. With implementation of these policies and the existing City standards, impacts to groundwater supplies will be less than significant.

- e. Development of the site will create additional impervious surfaces. However, existing and planned improvements to storm water drainage facilities as required through the

Visalia General Plan policies will reduce any potential impacts to a less than significant level.

Polices identified under Impact 3.6-2 of the EIR will reduce any potential impacts to a less than significant level. With implementation of these policies and the existing City standards, impacts to groundwater supplies will be less than significant.

Furthermore, the project will be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system, consistent with the City's adopted City Storm Drain Master Plan.

- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality. As previously discussed, the Visalia General Plan contains multiple polices, identified under Impact 3.6-2 and 3.9-3 of the EIR, that together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.
- g. The project area is located within Zone X02, which indicates an area that is outside of the 100-year flood hazard area.
- h. The project area is located within Zone X02, which indicates an area that is outside of the 100-year flood hazard area.
- i. The project would not expose people or structures to risks from failure of levee or dam. The project is located downstream from the Terminus Dam; in the case of dam failure, there will be 4 hours of warning to evacuate the site.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, which will contribute to the lack of impacts by mudflow occurrence.

X. LAND USE AND PLANNING

- a. The project will not physically divide an established community. The General Plan Land Use Diagram, adopted October 14, 2014, designates the 1.91-acre project area as Commercial Mixed Use. The Zoning Map, adopted on April 6, 2017, designates the site as Commercial Mixed Use (C-MU), which is consistent with the General Plan Land Use Designation of Commercial Mixed Use as identified in Table 9-1 "Consistency Between the Plan and Zoning" of the General Plan. The General Plan Land Use Map was adopted in October of 2014. The project will not physically divide an established community. Gas stations and drive-thru carwash facilities are considered compatible uses in commercial areas where potential impacts can be addressed through the CUP process. The site is located along Caldwell Avenue, a designated arterial roadway and West Street, which is a designated collector roadway for that segment of West Street between Caldwell and Cameron Avenues. Staff concludes that the proposed gas station/drive-thru carwash is consistent with the development plans of the Cameron Creek Marketplace Shopping Center and existing and future uses surrounding the project site, subject to the Mitigation Measures identified for this project and subject to any future project conditions that may be adopted for this project.

The Visalia General Plan contains multiple policies, identified under Impact 3.1-2 of the EIR, that together work to reduce the potential for impacts to the development of land as designated by the General Plan. With implementation of these policies and the existing City standards, impacts to land use development consistent with the General Plan will be less than significant.

The project site is within the Urban Development Tier 1 Boundary. Development of commercial lands in Tier 1 may occur at any time. The proposed project is consistent with Land Use Policies LU-P-19 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy."

b. The project does not conflict with any land use plan, policy or regulation of the City of Visalia. The recently adopted General Plan did not rezone or otherwise disrupt residential communities or commercial areas, and provides additional space to accommodate any potentially displaced residents or businesses.

The entire 15.5-acre shopping center site has had a commercial designation since 1999. During the 2014 General Plan update, the site was designated as Commercial Mixed Use. Staff concludes that the proposed ARCO AM/PM gas station and drive-thru carwash is consistent with the development plans of the Cameron Creek Marketplace Shopping Center and existing and future uses surrounding the project site, subject to the Mitigation Measures identified for this project and subject to any future conditions that may be adopted for this project. The 1.91-acre area is part of the Cameron Creek Marketplace Shopping Center. The development of the entire 15.5-acre shopping center site consisted of a total building area of 106,132 square feet. The commercial center consisted of anchor pads and various retail/office buildings along the southern portion of the site. The remaining balance of the site includes the development of out-pads buildings with drive-thru lanes along the Caldwell Avenue street frontage. Thus, staff finds that the development of the site with the proposed use at this time is consistent with the overall master plan, subject to the Conditional Use Permit process.

The project site is within the Urban Development Tier 1 Boundary. Development of commercial lands in Tier 1 may occur at any time. The proposed project is consistent with Land Use Policies LU-P-19 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy."

c. The project does not conflict with any applicable habitat conservation plan or natural community conservation plan as it is located on a vacant dirt lot with no significant natural habitat present.

XI. MINERAL RESOURCES

a. No mineral areas of regional or statewide importance exist within the Visalia area.

b. There are no mineral resource recovery sites delineated in the Visalia area.

XII. NOISE

a. The project will result in noise generation typical of urban development. The Visalia Noise Element and City Ordinance contain criterion for acceptable noise levels inside and outside residential living spaces. This standard is 65 dB DNL for outdoor activity areas associated with residences and 45 dB DNL for indoor areas.

An Acoustical Analysis prepared for the proposed project (ref.: Cameron Creek Marketplace Carwash Visalia CA, WJV Acoustics, Inc., February 26, 2018). The purpose of the study is to determine if noise levels associated with the project will comply with the City's applicable noise level standards. The acoustical analysis is intended to determine project-related noise levels for all aspects of the proposed project.

The analysis is based upon the project site plan dated September 8, 2017, noise measurements obtained by WJV Acoustics, Inc. (WJVA) at the project site, reference noise measurements obtained at existing gas station and car wash facilities and information provided to WJVA by the project applicant concerning the proposed equipment and hours of operation of the project.

The analysis conducted background/ambient short-term noise level measurements on near the project site. The intent of the noise measurements was to document existing ambient noise levels near the project site. Additionally, nighttime noise measurements were taken on the night/morning of January 22-23, 2018. Noise measurements were conducted at two locations within the project area. The intent of the measurements was to quantify existing (without project) ambient noise levels during the nighttime hours.

To further quantify noise levels that could be expected from typical gas station/convenience store operations, WJVA staff conducted reference noise measurements at an existing ARCO-AM/PM facility located on Lover's Lane in Visalia. The Lover's Lane location is a similar facility to that being proposed for the Cameron Creek Marketplace project.

The analysis concludes noise levels associated with the proposed gas station and convenience store operations would result in a *less-than-significant* noise impact and are not expected to exceed the City's applicable daytime or nighttime noise level standards established in the Noise Ordinance as well as those established in the Noise Element of the General Plan. Mitigation is not required for the gas station and convenience store operations portion of the proposed project.

In regards to the proposed car wash operations, the removal of the carwash from the project would eliminate noise impacts associated with the operation of the carwash facility and therefore no mitigation is required. However, the project includes the carwash facility and the analysis concluded that noise levels associated with the blowers would exceed the City's applicable daytime and nighttime noise level standards at the sensitive receiver locations (i.e., residential units) west of the project site. In order to mitigate project-related noise levels to a *less-than-Significant Impact* at nearby residential land uses, mitigation measures are required.

Therefore, to ensure that community noise standards are met for the proposed project, the project site shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 through 1.7. These mitigation measures are included in Section IV as part of this Mitigated Negative Declaration.

- b. Ground-borne vibration or ground-borne noise levels may occur as part of construction activities associated with the project. Construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period of time. Therefore, to ensure that community noise standards are met for the proposed project, the project site shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 through 1.7. These mitigation measures are included in Section IV below as part of this Mitigated Negative Declaration.
- c. Ambient noise levels will increase beyond current levels as a result of the project, however these levels will be typical of noise levels associated with urban development and not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. Noise associated with the establishment of new urban uses was previously evaluated with the General Plan for the conversion of land to urban uses.

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Therefore, to ensure that community noise standards are met for the proposed project, the project site shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 through 1.7. These mitigation measures are included in Section IV as part of this Mitigated Negative Declaration.

- d. Noise levels will increase during the construction of the project but shall remain within the limits defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is considered to be less than significant. Therefore, to ensure that community noise standards are met for the proposed project, the project site shall be developed and shall operate in substantial compliance with the Mitigation Measures 1.1 through 1.7. These mitigation measures are included in Section IV below as part of this Mitigated Negative Declaration.
- e. The project area is not within an airport land use plan, nor is it within 2 miles of a public airport.
- f. There is no private airstrip near the project area.

XIII. POPULATION AND HOUSING

- a. The project will not directly induce substantial population growth that is in excess of that planned in the General Plan.
- b. Development of the site will not displace any housing on the site.
- c. Development of the site will not displace any people on the site.

XIV. PUBLIC SERVICES

- a.
 - i. Fire protection facilities are located at the Visalia Station 52 can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
 - ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be paid to mitigate the project's proportionate impact on these facilities.
 - iii. The project will not generate new students for which existing schools in the area may accommodate. In addition, to address direct impacts, the future development of the site will be required to pay residential impact fees. These fees are considered to be

conclusive mitigation for direct impacts. The project includes residential units that will create a need for park facilities.

- iv. Other public facilities can adequately serve the site without a need for alteration.

XV. RECREATION

- a. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

XVI. TRANSPORTATION AND TRAFFIC

- a. Development and operation of the project is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system. The project will result in an increase in traffic levels on arterial and collector roadways, although the City of Visalia's Circulation Element has been prepared to address this increase in traffic.

The Cameron Creek Marketplace Shopping Center is bounded by two arterial streets to the north and east, Caldwell Ave. and Court St., a collector street to the west (West St.) and a local street to the south (Kimball Ave.). The ARCO AM/PM site located on the southeast corner of the Caldwell Avenue (arterial roadway) and West Street (collector roadway between Caldwell and Cameron Avenues) intersection. West Street north of Caldwell Avenue is a designated local street.

Arterial streets are designed to move large amounts of traffic throughout the community. Caldwell Avenue is a designated four-lane divided arterial roadway with a median island constructed down the center of the Caldwell Avenue between Santa Fe Street to the east and Mooney Blvd. to the west. Traffic counts on Caldwell Avenue between Fairway Street to the west and Court Street to the east are 15,500 Average Daily Trips (ADT) (Spring 2016).

Collector streets connect local and arterial streets and provide direct access to parcels. Collectors are generally designed to carry two lanes of traffic. Traffic counts on West Street between Caldwell Avenue and Cameron Avenue are 2,600 Average Daily Trips (ADT) (October 10-14, 2016).

The entire Cameron Creek Marketplace Shopping Center is an approved development and traffic patterns for the area were studied with the adoption of the General Plan's Circulation Element that accounted for the vehicle trips generated by the commercial land use designation of the entire 15.55-acre site.

- b. Development of the site will result in increased traffic in the area, but will not cause a substantial increase in traffic on the city's existing circulation pattern. This site was evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for urban use.

The Cameron Creek Marketplace Shopping Center is bounded by two arterial streets to the north and east,

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- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs that are considered hazardous.
- e. The project will not result in inadequate emergency access.
- f. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVII. UTILITIES AND SERVICE SYSTEMS

- a. The project will be connecting to existing City sanitary sewer lines, consistent with the City Sewer Master Plan. The Visalia wastewater treatment plant has a current rated capacity of 22 million gallons per day, but currently treats an average daily maximum month flow of 12.5 million gallons per day. With the completed project, the plant has more than sufficient capacity to accommodate impacts associated with the proposed project. The proposed project will therefore not cause significant environmental impacts.
- b. The project will not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c. There are currently stubbed storm drain lines in South West Street and West Kimball Avenue. The project, when developed, will be required to connect to the master planned on-site storm drain lines that are part of the shopping center development. The on-site master storm drain lines on-site are/shall be connected to the existing City storm water drainage lines that handle on-site and street runoff. Usage of these lines shall be consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.
- d. California Water Service Company has determined that there are sufficient water supplies to support the site, and that service can be extended to the site.

- e. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project will be able to meet the applicable regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements.

XVIII. TRIBAL CULTURAL RESOURCES

The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a. The site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- b. The site has been determined to not be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Further, the EIR (SCH 2010041078) for the 2014 General Plan update included a thorough review of sacred lands files through the California Native American Heritage Commission. The sacred lands file did not contain any known cultural resources information for the Visalia Planning Area.

XIX.

MANDATORY FINDINGS OF SIGNIFICANCE

- a. The project will not affect the habitat of a fish or wildlife species or a plant or animal community. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia's General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- b. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

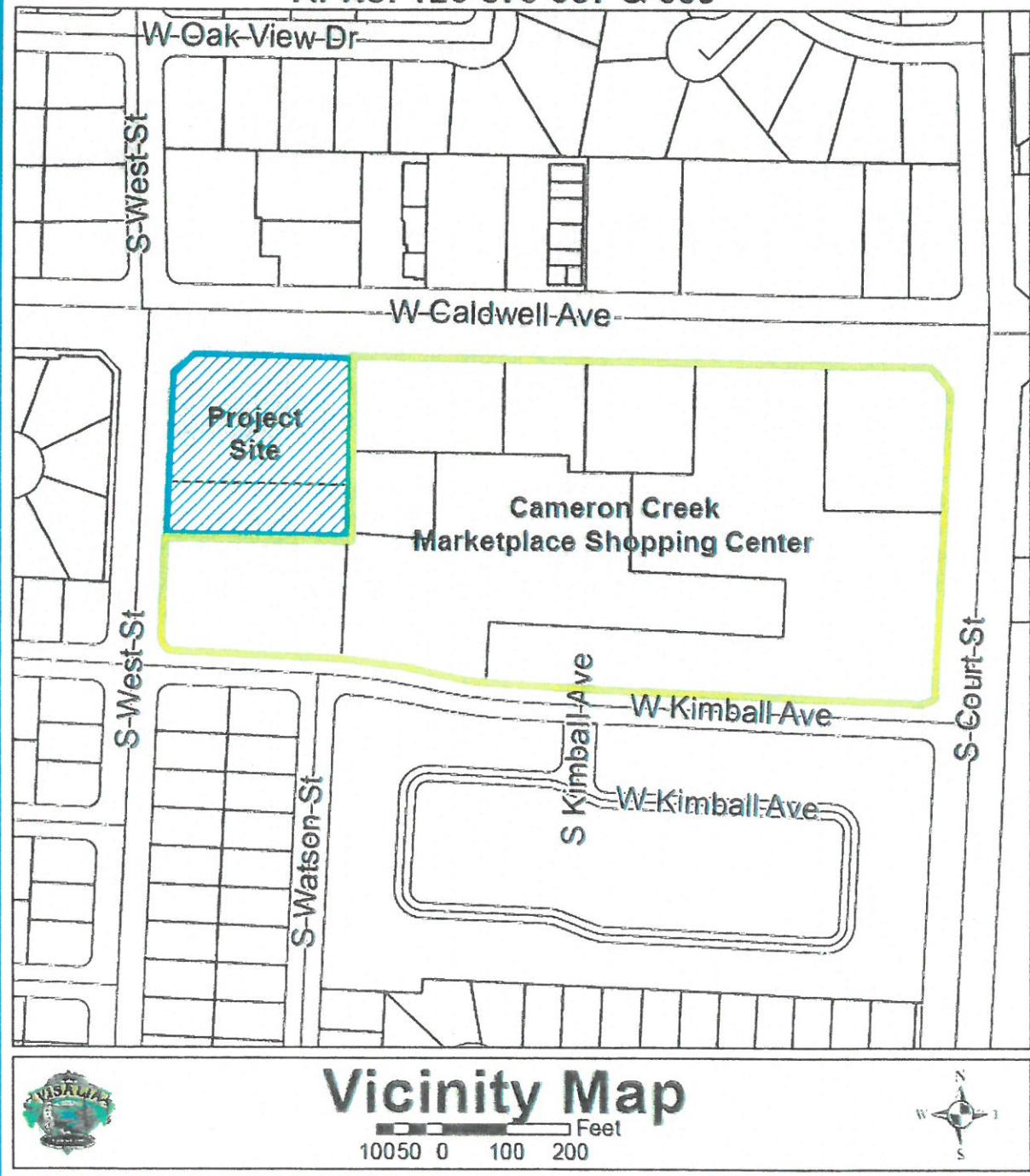
- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37 adopted on October 14, 2014. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**


Paul Scheibel, AICP
Environmental Coordinator

March 15, 2018
Date

Conditional Use Permit No. 2017-22

APNs: 126-870-037 & 039



INFORMATION

NEVADA

10

AREA OF PROPERTY		AREA		
D		63,402 SQ.FT.		
MTB		0 SQ.FT.		
(b)		63,402 SQ.FT.		
		1.91 ACRES		
ZONING		ZONE		
		-		
		-		
NUMBER (PARCEL 1-4)		126-070-127/130/130		
DESCRIPTION		PERCENT		
ED (ON-SITE)		15.58		
		13,010 SQ.FT.		
SIZE	OCCUPANCY	CONS. TYPE	BLDG. SPECS	AREA
5'-0" x 47'-6"	B/A1	V-N	SPRINKLED	6,000 SQ.FT.
6'-0" x 125'-4"	B	V-N		4,833 SQ.FT.
4'-0" x 151'-8"	1d	B-N		4,775 SQ.FT.
				TOTAL BUILDING AREA: 17,708 SQ.FT.
OVERAGE CANOPY)		BUILDING AREA 10,833 SQ.FT.		(= 13.00%)
IN (REQUIRED PARKING)		NET BUILDING AREA 63,402 SQ.FT.		
FAST FOOD		1 PER 300 SQ.FT.		20 SPACE(S)
PARKING SPACES REQUIRED:				20 SPACE(S)
PROVIDED PARKING)		SIZE		PROVIDED
		8'-0"X19'-0"		23
		8'-0"X19'-0"		2
		12'-0"X19'-0"		11
		17'-0"X18'-0"		2
TOTAL PARKING SPACES PROVIDED:				38 - SPACE(S)

- 15) YARD LIGHT, TYP.
- 16) TRUNCATED DOMES
- 17) NEW AIR AND WATER MACHINE
- 18) BICYCLE RACK, OSC11292 - 5-BIKE RACK (SURFACE MOUNT) BY BARCO
- 19) NEW ACCESSIBLE RAMP, SEE CIVL DOCUMENTS
- 20) CLEAN AIR VEHICLE PARKING
- 21) PLACE A SIGN AT EVERY PUBLIC ENTRANCE AND AT EVERY MAJOR JUNCTION ALONG OR LEADING TO AN ACCESSIBLE PATH OF TRAVEL DISPLAYING THE INTERNATIONAL SIGN ACCORDING TO CAN/CSA-Z662-11B-216.3 AND 6) SIGNS SHALL INDICATE THE DIRECTION TO ACCESSIBLE FACILITY ENTRANCES AND COMPLY WITH CBC 11B-216.1, 703.1
- 22) NEW CANOPY SUB
- 23) PARKING VEHICLE SPACES WITH CANOPY ABOVE SEE CUP-3
- 24) CONCRETE SIDEWALK
- 25) 7' H. CHU SOUND BARRIER WALL

NEW GAS STATION @ CAMERON CREEK

S.E.C. CALDWELL AVENUE AND S. WEST ST. VISALIA, CA
SITE PLAN

AGC DESIGN CONCEPT, INC.

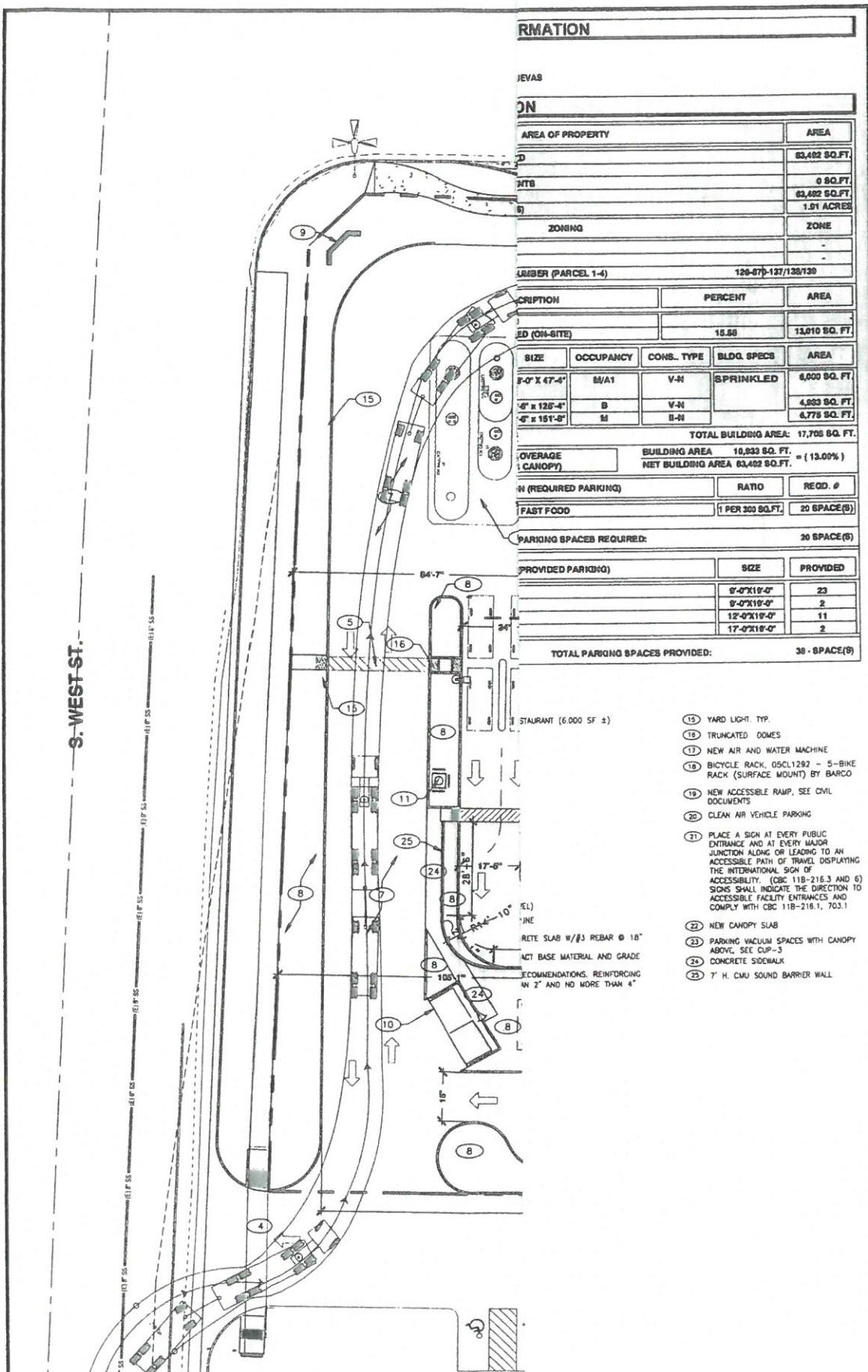


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28524 Constellation Rd
Valencia, CA 91355
Phone: 661.295.1111

NEW GAS STATION @ CAMERAON CREEK
S.E.C. CALDWELL AVENUE AND S. WEST ST. VISALIA, CA
consultant job#
master release date
project exe date 9/8/17 master drawn by
Filename AGC-465 AS.1
Facility/Project
sheet name AS.1

3. WEST ST. -

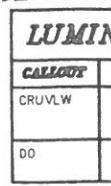
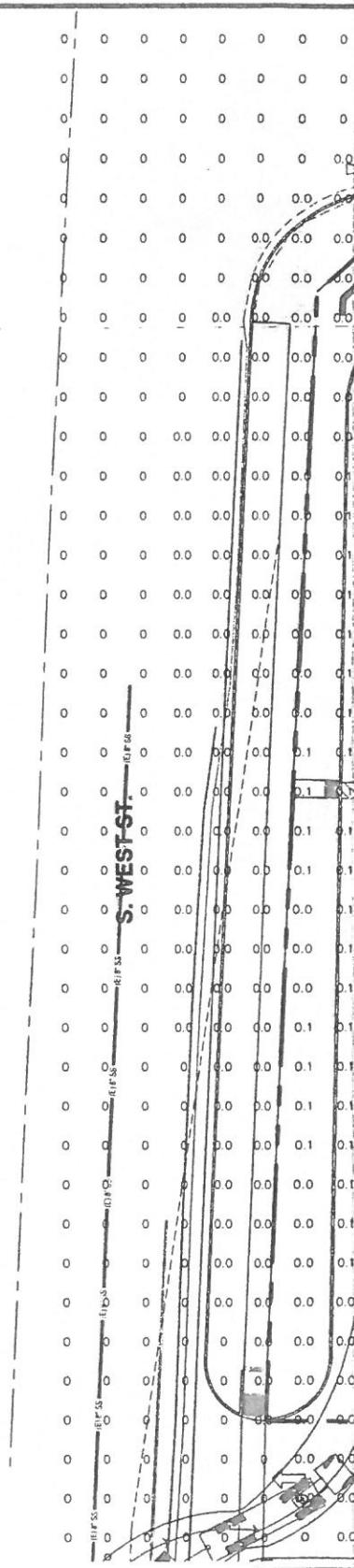


1 PRELIMINARY SITE PLAN



AMPM @ CAMERON CREEK MARKETPLACE

PARCEL NO. 1 RECORDED IN BOOK 126 OF PARCEL MAPS AT PAGE 87, OF TULARE COUNTY RECORDS, LOCATED IN THE NORTHWEST HALF OF THE NORTHWEST QUARTER OF SECTION B, TOWNSHIP 19 SOUTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN.



PREPARED BY:

211 S. SANTE FE ST., STE. A
VISALIA, CA 93292
TEL: 559.802.3052
FAX: 559.802.3215

**PROPOSED PROJECT: CAMERON CREEK ARCO AMPM @ Caldwell & West, Visalia
DEVELOPER / OWNER: NACHHATTAR SINGH CHANDI / CHANDI GROUP USA**

OPERATIONAL STATEMENT FOR CUP SUBMITTAL

- Owner will construct an ARCO am/pm gas station with c-store and express tunnel car wash at the site.
- The business will sell vehicle fuel (For autos and light duty pick up trucks) along with typical convenience store goods. Products offered include quick-serve food, snacks, and beverages, additional coffee, sodas, beer and wine are offered. The car wash is a state-of-the-art self-service express tunnel car wash, with vacuum canopy for self-service vacuum.
- The site is currently vacant, raw land that is zoned commercial. The site has frontages along Caldwell and West Street, which are designated as an Arterial and an Existing Collector, respectively.
- Business is not seasonal and will be open year-round. Gas station and c-store will be open from 4:30am to 12am. Additionally the proposed Car wash will be open 7 days a week, from 6 am – 7 pm.
- Based on other similarly owned businesses, we anticipate that the store would have an average of 10 – 20 customers at most during peak times. (at any one given time)
- We anticipate that we will have a total of 18 -24 employees, between the gas station, c-store and car wash operations. Employees include manager, supervisors, cashiers, clerks & maintenance personnel. The average shift will have between 3-6 employees.
- The typical merchandise delivery vehicles are box truck type and we generally have about five key suppliers making deliveries of this merchandise. Fuel deliveries will be made with a standard fuel supply truck that is compliant with the Department of Transportation and Industry standards. Deliveries are based on sales and the owner/operator will make every effort to limit fuel deliveries to take place during the approved hours of operation.
- The business operates with typical fuel station and convenience store equipment and does not produce any hazardous waste material.



- The owner/operator is an experienced owner-operator with 26+ years of experience in the industry. The Owner operator currently owns over twenty similar gas station sites, the last several which have been ground-up construction projects comparable to this proposed site.
- Owner/operator works with local police departments to reduce loitering, pan handling, and Part 1 & Part 2 crimes. This is achieved by working hand in hand with local law enforcement and crime prevention analyst. Additionally it is our stated goal to work closely with code enforcement officials to achieve success in complying with appearance standards set by the City.
- This facility will fully comply with Air Quality management regulations using state of the art vapor recovery systems, typically referred to as Type 1 and Type 2 vapor recovery systems. Type 1 vapor recover occurs at the point where the fuel is delivered to the facility and Type 2 vapor recovery occurs at the fuel dispenser as customers are refueling. These systems are proven to be effective systems for vapor recovery and meet or exceed State and Local requirements.