PLANNING COMMISSION AGENDA

CHAIRPERSON: Brett Taylor



VICE CHAIRPERSON: Liz Wynn

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

TUESDAY, NOVEMBER 13, 2018; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

- 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 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.
 - Time Extension for Orchard Walk Tentative Subdivision Map No. 5543
- 5. PUBLIC HEARING Andrew Chamberlain Conditional Use Permit No. 2018-18: A request by Visalia Adventure Park, Inc. to amend Conditional Use Permit No. 2003-39 to allow the addition of a Water Feature, and to amend Conditional Use Perm it No. 2011-24 to expand the allowed area for alcohol sales to the proposed Water Feature enclosure. The project site has a zoning designation of C-MU (Commercial Mixed Use) and is located at 5600 W. Cypress Avenue (APN: 087-450-019). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-60
- 6. PUBLIC HEARING Paul Scheibel Conditional Use Permit No. 2018-21: A request by Auto Oil Changers to amend CUP 2013-25 (Riverbend Village Commercial Center) by constructing an oil change and automatic carwash facility on parcels originally entitled for an office building and a fast food restaurant. The site is in the CM-U (Commercial Mixed Use) Zone District, located approximately 450 south of the southeast corner of Riggin Avenue and Dinuba Boulevard (APNs: 091-010-045 and 091-010-046). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2018-63.

7. PUBLIC HEARING – Andy Chamberlain

Conditional Use Permit No. 2018-23: A request by California Water Service Company to allow the addition of four 12-foot diameter wellhead treatment vessels and associated site work at an existing water well site in the Professional Administrative Office (PA) zone. The project site is located at 1801 W. Main Street, the southwest corner of Main and Elm Streets (APN: 093-302-005). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301-b, Categorical Exemption No. 2018-67

8. PUBLIC HEARING - Brandon Smith

Conditional Use Permit No. 2018-24: A request by Mike Patel to allow a 32-room expansion of an existing hotel in the C-R (Regional Commercial) zoning designation, wherein the expansion will occur on vacant property located east of the existing hotel. The project site is located at 4645 W. Noble Avenue (APN: 087-330-052). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2018-66

9. PUBLIC HEARING – Paul Bernal

Conditional Use Permit No. 2018-25: A request by Central Valley Christian School to amend Conditional Use Permit No. 97-12 to construct a new 17,500 sq. ft. building to be used for Agricultural Science, Art, Metal and Woodshop classes. The new 17,500 sq. ft. building is proposed west of the gymnasium on the 7-acre school campus in the QP (Quasi-Public) zone located at 5600 West Tulare Avenue (APN: 087-460-006). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15314, Categorical Exemption No. 2018-64

10. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- December 10, 2018 Planning Commission meeting
- 5-Pack City Council Work Session Update
- Planning Associate New Hire

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 MONDAY, NOVEMBER 26, 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, DECEMBER 10, 2018



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: November 13, 2018

PROJECT PLANNER: Andrew Chamberlain, Principal Planner

Phone No.: (559) 713-4003

E-Mail: andrew.chamberlain@visalia.city

SUBJECT: Conditional Use Permit No. 2018-18: A request by Visalia Adventure Park, Inc. to amend Conditional Use Permit No. 2003-39 to allow the addition of a Water

Feature, and to amend Conditional Use Permit No. 2011-24 to expand the allowed area for alcohol sales to the proposed Water Feature enclosure. The project site has a zoning designation of C-MU (Commercial Mixed Use) and is located at 5600

W. Cypress Avenue (APN: 087-450-019).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2018-18, as conditioned, based upon the conditions and findings in Resolution No. 2018-45. Staff's recommendation is based on the required conditional use permit findings and the project's consistency with the policies and intent of the City's General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2018-18, as conditioned, based on the findings and conditions in Resolution No. 2018-45.

PROJECT DESCRIPTION

The applicant is requesting to amend Conditional Use Permit No. 2003-39 to allow the addition of a Water Feature, and to amend Conditional Use Permit No. 2011-24 to expand the allowed area for alcohol sales to the proposed Water Feature enclosure. The proposed water feature

would be located on what is now the "fast track" for cars which is next to the bumper-boats and miniature golf as shown in Exhibit "A".

The water slide attraction would seasonal (April through September) with basic operating hours between 10:00 a.m. to 7:00 p.m. seven days a week. Per the applicant's attached Operational Statement (see Exhibit "B"), the owner/operator is requesting that the water slide attraction hours be extend to 10:00 p.m. for the months of May through August. In addition, the water slide attraction will be operational until 12:00 a.m. to coincide with the Family Night



operating hours that are held on the last Friday of every month during the summer season. Conversely, the Visalia Adventure Park is used for special events, which include Sober Grad parties. During these special events, the water feature attraction will be operational.

The water feature would be comprised primarily of water slides and splash pad play areas as shown in Exhibit "D". The overall structure would be approximately 39 feet tall and visible from Highway 198. water feature does not have a pool area for water slide landings. The water slides utilize long slide areas at the bottom to slow/stop The users. open areas surrounding the water slides at



the base of the attraction will have splash pads. In addition areas within the new water feature area will include open seating/benches and 17 cabanas available for rent to guests of the Adventure Park as shown in Exhibit "A". The cabanas will provide guests with the ability to have catered food and drink services. Adventure Park employees will be stationed at various points around the water feature for safety and guest assistance.

Other on-site modifications include the conversion of the 675 sq. ft. fast track race car building. The applicant is proposing to expand the existing building to approximately 2,475 sq. ft. to be used as the check in, food service and lounge area for guest using the water feature. The lounge also provides indoor seating for parents/guests not wishing to be outdoors around the water feature. Floor plans and elevations of the Lounge building are provided in Exhibit "E".

In addition to food and soft drink services, the applicant is requesting the ability to serve alcohol (beer and wine only) for guest using the lounge and water feature area. The requested expansion of the existing on-site alcohol service would be limited to the water feature lounge, cabanas, and general public area which will be fenced and secured from the other outdoor amenities (i.e., water bumper boats, miniature golf course, race track, etc.) as depicted in Exhibit "A".

Guest and patrons will be prohibited from bringing any type of food or beverage onto and/or within the water slide structure and splash pad areas. The employees servicing the cabanas will enforce the alcohol consumption requirements, while employees supervising the lounge and general use areas will be charged with watching patrons for inappropriate behavior, including alcohol consumption.

Alcohol sales within the new water feature area will be limited from 12:00 p.m. to 7:00 p.m., excluding any special events. Staff recommends Condition No. 7 be adopted prohibiting the sale of alcoholic beverages in the water feature/lounge when this area is not in operation. Staff also recommends Condition No. 8 be adopted prohibiting the sale of alcohol during Sober Grad Night and similar school events.

The applicant has indicated that they have not had incidents or issues with on-site alcohol service. Similar to the existing alcohol sales in the restaurant area, the owner has indicated that they will continue to work with private and community groups to determine if alcohol will be sold during any of their scheduled special events.

BACKGROUND INFORMATION

General Plan Land Use Designation: Commercial Mixed Use

Zoning: C-MU (Commercial Mixed Use)

Surrounding Land Use and Zoning: North: Highway 198 and Persian Ditch

South: C-MU (Commercial Mixed Use) / High School

& Middle School

East: C-MU / Commercial Development
West: C-MU / Agriculture and Vacant Land

Environmental Review: Categorical Exemption No. 2018-60

Site Plan: SPR No. 2018-058

RELATED PROJECTS

On October 10, 2011, the Planning Commission approved (5-0) Conditional Use Permit No. 2011-24, allowing the sale of beer and wine in the Sports Bar portion of the Adventure Park Restaurant. Resolution No. 2011-45 is attached as Exhibit "H".

On April 3, 2006, the City Council upheld (5-0) an appeal of the Planning Commission approval of Conditional Use Permit No. 2006-14, overturning the Planning Commission approval and denying the sale of beer and wine at the Visalia Adventure Park facility. The denial findings indicated that the sale of alcohol will be detrimental to the public health, safety and welfare, in that the proposed methods of physically separating the alcohol consumption from the youth-oriented activities at the facility would be inadequate to ensure the health, safety, and welfare of the community.

On February 27, 2006, the Planning Commission approved (5-0) Conditional Use Permit No. 2006-14, allowing the sale of beer and wine at the Visalia Adventure Park facility.

On September 22, 2003, the Planning Commission passed and adopted Resolution No. 2003-94, approving Conditional Use Permit No. 2003-39. The Conditional Use Permit was a request to allow development of a family fun park with a miniature golf course, batting cage, and miniature race track and bumper boats.

PROJECT EVALUATION

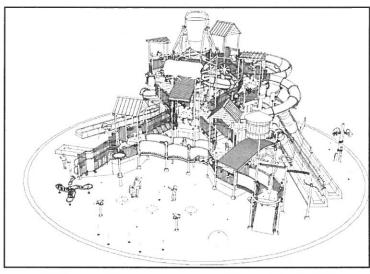
Staff recommends approval of the applicant's request based upon the findings and conditions in Resolution No. 2018-45. Recreational facilities are a conditional use in the Commercial Mixed Use zone. The proposed water feature constitutes a significant change to the existing facility prompting the need to amend Conditional Use Permit No. 2003-39.

The request to expand the serving area for beer and wine sales, within the new water feature area is considered an extension of the existing alcohol service provided by Adventure Park in the restaurant area located in the main building.

Water Park Feature

The proposed addition of the water feature to the existing Adventure Park facility is consistent with the outdoor entertainment amenities provided by Adventure Park. The new water park provides patrons feature additional outdoor water activity. Although this new feature eliminates the fast track race cars the park will still operate the family car track west of the proposed water feature.

The water feature is approximately 39 feet high and would be visible from portions of Highway 198. The maximum



height in the Commercial Mixed Use zone is 50 feet. By comparison, the main building at Adventure Park is approximately 45 feet high. The expansion of the Fast Track Race Car building will provide a lounge for guests not wishing to be outside.

Alcohol Service

The proposed alcohol sales would occur in a similar fashion to the existing alcohol sales provided for within the restaurant area. Based upon the Alcohol Control Security Plan in Exhibit "F", patrons are limited to four alcoholic beverages. Each customer who purchase alcoholic beverages will have their hand stamped and will be limited to only four alcoholic beverages per visit. Alcoholic beverages would be available in the water feature lounge, cabanas and enclosure area. Patrons will not be allowed onto the water feature with any alcoholic beverage. Patrons utilizing the cabanas are subject to the same Alcohol Control Security Plan rules. Alcoholic beverages are prohibited outside the water feature enclosure area. The water feature area is an enclosed area with access points monitored by staff.

The applicant has identified that Adventure Park is a "Family Oriented" entertainment facility for children and adults, with an emphasis on the "Children". Alcohol sales is a privilege extended to our adult guests, which is intended to supplement their experience, and is not intended to be an attraction or focus of on-site activity and entertainment.

Visalia Police Department

The Visalia Police Department and staff have met with the applicant to discuss the proposed beer and wine sales in the water feature area. The police department has provided comments in Exhibit "G" indicating that the proposed Security Plan in Exhibit "F" and Beer and Wine Operational Statement in Exhibit "G" are satisfactory at this time. The Visalia Police Department has not identified any issues with existing on-site alcohol sales over the past year. Staff has included a recommended condition of approval requiring the operator/owner to meet and resolve any issues that may be identified by the police department which may result in changes to the security plan.

Entertainment and Recreational Facility

Visalia Adventure Park is an entertainment/recreational facility designed for families, youth, teens, young/older adults. The safety of minors is of concern for these types of venues and the applicant understands and accepts the challenges that come with the safety of youth at the Adventure Park facility. Based on the conditions recommended in this conditional use permit, and the applicant's operational statement, the business is willing to go above and beyond the operating conditions that may be found at other bona fide restaurants and recreational venues in the City. This is evidenced by the review of this proposal by the Visalia Police Department, which has not identified any alcohol related issues with the existing alcohol service at the site.

Parking

Adventure Park has two large parking lots located on the east and west side of the facility. Staff has determined that the proposed water feature is consistent with the amenities provided at this facility and that the parking demands associated with the Adventure Park business can be accommodated by the existing parking lots.

Existing Restaurant Alcohol Service

This action would not change or expand the existing restaurant alcohol service provide by Conditional Use Permit No. 2011-24.

Environmental Review

The project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2018-60)

RECOMMENDED FINDINGS

- That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- 3. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2018-60)

RECOMMENDED CONDITIONS

1. That the Conditional Use Permit be developed consistent with the comments and conditions of Site Plan Review No. 2018-058.

- 2. That the water feature be installed and operated consistent with Exhibits "A", "B", "D" and "E".
- That all other applicable conditions of Conditional Use Permit No. 2003-39 and Conditional Use Permit No. 2011-24 shall apply, and the limitations on alcohol sales in the restaurant area of the main building shall be met.
- That alcoholic beverage service and consumption in the Water Feature facility shall be consistent with the Operational Statement and the Security Plan in Exhibits "F" and "G" of this report.
- 5. That private/special events are not restricted to times or locations of alcohol consumption. These restrictions are intended to apply when the facility is open to the public.
- 6. That signs be posted at the Water Feature exits which state, "No adult beverages allowed beyond this point."
- 7. That there shall be no alcohol sales in the Water Feature Lounge when the Water Feature is closed.
- 8. That there shall be no alcohol sales during Sober Grad Night and similar school activities/events.
- 9. That all necessary licenses from the California Alcoholic Beverage Control, commonly known as ABC board, shall be obtained, kept current and complied with.
- 10. That inspection by City representatives on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
- 11. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - a. Conditional Use Permit No. 2011-24 and Conditional Use Permit No. 2018-18.
 - b. Conditions and Requirements of the Alcoholic Beverage Control license for the business.
 - c. All applicable federal, state and city laws, codes and ordinances.
- 12. That the operator/owner shall meet and resolve any issues that may be identified by VPD, which may result in changes to the security plan. The establishment shall correct any safety or security problem as soon as possible after receiving written notice of such problem from the Visalia Police Department.
- 13. That all applicable federal, state, and city laws and codes and ordinances be met, including all necessary licenses from the California Department of Alcohol Beverage Control.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, 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 Street, 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.

Attachments:

- Related Plans and Policies
- Exhibit "A" Water Feature Site Plan
- Exhibit "B" Operational Statement General
- Exhibit "C" Aerial Location of Water Feature
- Exhibit "D" Water Feature Elevations
- Exhibit "E" Water Feature Lounge Floor Plan and Elevations
- Exhibit "F" Alcohol Control Security Plan
- Exhibit "G" Visalia Police Department Comments & Beer and Wine Operational Statement
- Exhibit "H" Resolution No. 2011-45 for Restaurant Alcohol Service
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Sketch

RELATED PLANS AND POLICIES

Zoning Ordinance, Title 17 of Visalia Municipal Code Excerpts from Chapter 17.38: Conditional Use Permits

17.38.010 Purposes and powers.

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits.

17.38.030 Lapse of conditional use permit.

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site that was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section.

17.38.040 Revocation.

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120.

17.38.050 New application.

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council.

17.38.060 Conditional use permit to run with the land.

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure that was the subject of the permit application subject to the provisions of Section 17.38.065.

17.38.065 Abandonment of conditional use permit.

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

17.38.080 Public hearing--Notice.

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use that is the subject of the hearing, and by publication in a newspaper of general circulation within the city.

17.38.090 Investigation and report.

The planning staff shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the planning commission. The report can recommend modifications to the application as a condition of approval.

17.38.100 Public hearing--Procedure.

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary.

17.38.110 Action by planning commission.

- A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:
- 1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
- 2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit.

17.38.120 Appeal to city council.

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of section 17.02.145.

17.38.130 Effective date of conditional use permit.

A conditional use permit shall become effective immediately when granted or affirmed by the council, or ten days following the granting of the conditional use permit by the planning commission if no appeal has been filed.

17.19.060 Development standards in the C-MU zones outside the downtown area.

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: fifteen (15) feet;
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 4. Side: zero (0) feet;
 - 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 - 1. Front: fifteen (15) feet;
 - 2. Rear: five (5) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 - 4. Side: five (5) feet (except where a building is located on side property line);
 - 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 - 6. Street side on corner lot: ten (10) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable.

RESOLUTION NO. 2018-45

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2018-18, A REQUEST BY VISALIA ADVENTURE PARK, INC. TO AMEND CONDITIONAL USE PERMIT NO. 2003-39 TO ALLOW THE ADDITION OF A WATER FEATURE, AND TO AMEND CONDITIONAL USE PERM IT NO. 2011-24 TO EXPAND THE ALLOWED AREA FOR ALCOHOL SALES TO THE PROPOSED WATER FEATURE ENCLOSURE. THE PROJECT SITE HAS A ZONING DESIGNATION OF C-MU (COMMERCIAL MIXED USE) AND IS LOCATED AT 5600 W. CYPRESS AVENUE (APN: 087-450-019)

WHEREAS, Conditional Use Permit No. 2018-18, is a request by Visalia Adventure Park, Inc. to amend Conditional Use Permit No. 2003-39 to allow the addition of a Water Feature, and to amend Conditional Use Perm it No. 2011-24 to expand the allowed area for alcohol sales to the proposed Water Feature enclosure. The project site has a zoning designation of C-MU (Commercial Mixed Use) and is located at 5600 W. Cypress Avenue (APN: 087-450-019); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on November 13, 2018; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2018-18, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

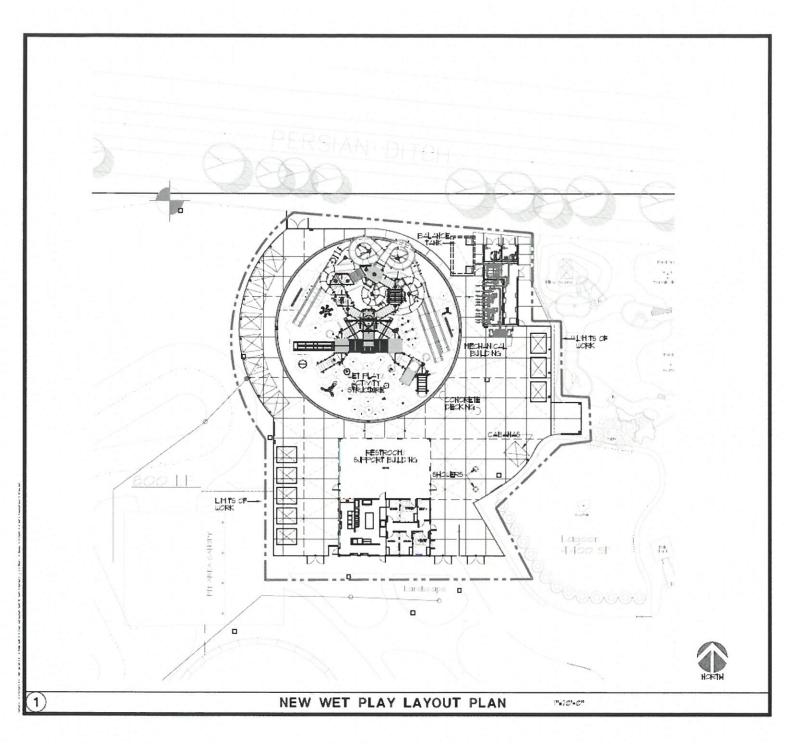
WHEREAS, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15301.

- **NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:
- 1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health,

- safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- 3. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2018-60).
- **BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:
- 1. That the Conditional Use Permit be developed consistent with the comments and conditions of Site Plan Review No. 2018-058.
- 2. That the water feature be installed and operated consistent with Exhibits "A", "B", "D" and "E".
- 3. That all other applicable conditions of Conditional Use Permit No. 2003-39 and Conditional Use Permit No. 2011-24 shall apply, and the limitations on alcohol sales in the restaurant area of the main building shall be met.
- 4. That alcoholic beverage service and consumption in the Water Feature facility shall be consistent with the Operational Statement and the Security Plan in Exhibits "F" and "G" of this report.
- 5. That private/special events are not restricted to times or locations of alcohol consumption. These restrictions are intended to apply when the facility is open to the public.
- 6. That signs be posted at the Water Feature exits which state, "No adult beverages allowed beyond this point."
- 7. That there shall be no alcohol sales in the Water Feature Lounge when the Water Feature is closed.
- 8. That there shall be no alcohol sales during Sober Grad Night and similar school activities/events.
- 9. That all necessary licenses from the California Alcoholic Beverage Control, commonly known as ABC board, shall be obtained, kept current and complied with.
- 10. That inspection by City representatives on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
- 11. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - Conditional Use Permit No. 2011-24 and Conditional Use Permit No. 2018-18.
 - b. Conditions and Requirements of the Alcoholic Beverage Control license for the business.
 - c. All applicable federal, state and city laws, codes and ordinances.
- 12. That the operator/owner shall meet and resolve any issues that may be identified by VPD, which may result in changes to the security plan. The establishment shall

- correct any safety or security problem as soon as possible after receiving written notice of such problem from the Visalia Police Department.
- 13. That all applicable federal, state, and city laws and codes and ordinances be met, including all necessary licenses from the California Department of Alcohol Beverage Control.







5600 W. CYPRESS AVE. VISALIA, CA 93277 (559) 635-7275

OPERATIONAL STATEMENT

Visalia Adventure Park is wanting to add a highly unique and customized interactive Mega Play Waterslide feature along with a wide assortment of individual water play features both on the structure and on the ground for opening Spring 2019. We offer the following for your consideration.

We anticipate an operational season that will begin in April and end in September. Weather permitting, we are looking at plus/minus 140 days. Our primary season will run from Memorial Day weekend through Labor Day weekend. (We expect to hire 40 more employees during this peak season). We plan our attraction to be available for Families, Corporate Groups, Schools, Church's, and Summer Camps. We will draw from about a 25-30-mile radius which will include Tulare, Kings and Fresno Counties.

Hours of operation will be driven by the demand of our guest's. 10am-7pm, 7 days a week. We reserve the right to operate hotter days/months with a night session ending at 10pm. The last Friday of every month we have Family Night from 9pm-12:30am, we would like the option of May, June, July and August operating until midnight. We already have on file a CUP for Sober Grad parties and All-night parties from 11pm-7am. We would like the option to operate this attraction based on demand for these events as well with 3am as our shut off time for this attraction.

We currently have a beer and wine license and wish to allow in the Waterslide gated attraction area the sale of beer and wine. After visiting 4 water park attractions, two like ours, each of them provides this service for their guests.

It is our intention to design and build a safe aquatic play space. We are using Aquatic Design Group for all mechanical, electrical and plumbing design services. Contractors will be used for the main building, underground for the water feature, and the installation of the water slide attraction. The company that we purchased the attraction from is Splashtacular which is made and fabricated here in the United States. Splashtacular will install the Mega Play unit.

This play structure will not have any standing water except at the end of the run-outs for the slides. We will have a storage tank that will be circulating, filtering with ultra-violent light and chemicals to keep up the demand on flow. The savings in loss water compared to a standing pool will be hugh. We are waiting on approval from the State of California if Life Guards will be required since no standing water, (we do have standing water at the end of the slide run-outs). We will operate the Mega Play unit with CPR Certified attendants. During hours of operation, we plan to have 2 to 3 attendants on the play feature within proximity to the entrance of the waterslide tubs and 2 attendants on the ground near the runouts. During peak demand hours we will add additional attendants who will act as rovers, roaming the ground and assisting where required. This of course does not count the people who will be in the building working the snack bar, food prep, runners for the Cabana's, cashiers selling tickets and attendants checking in guests at the entrance and attendants working the changing rooms.

Guest's will pay a designated fee (to be determined) to access the aquatic space and will enter through the defined waterslide entrance. The following is projections (provided by Splashtacular) for instant and hourly capacities:

- Instant Capacity = 4498 SF / 1 person per 15 SF = 300 persons instant capacity
- Hourly throughput based on 20-30-minute turn-over = 600-900 persons hourly throughput.

With this feature, Visalia will have another great "quality of life" living standard, brought to you by Visalia Adventure Park. Where we say, "come for the adventure, stay for the fun".

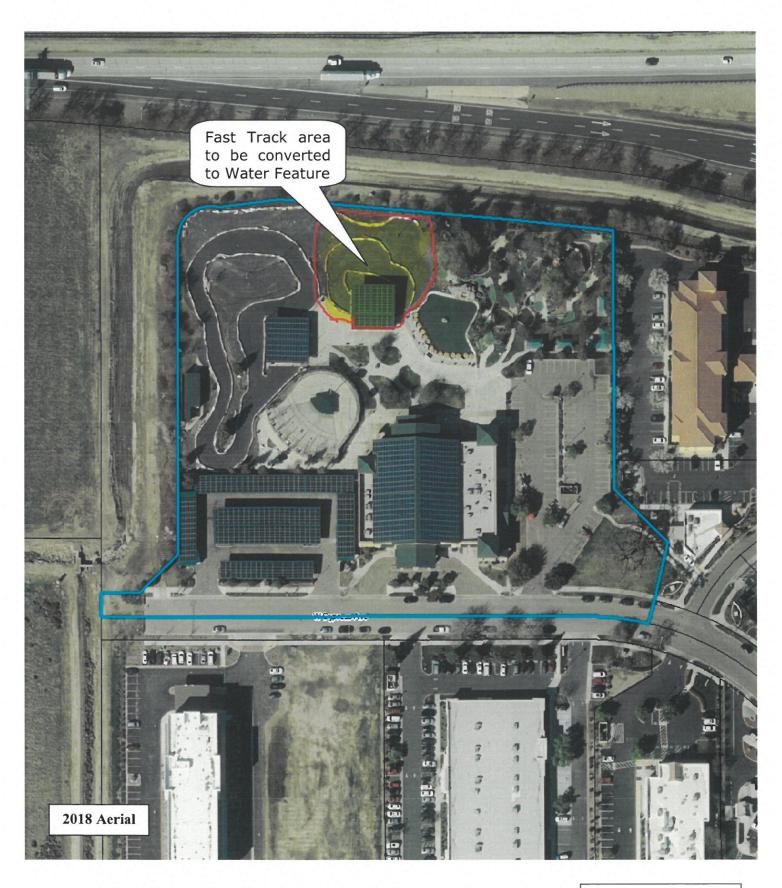
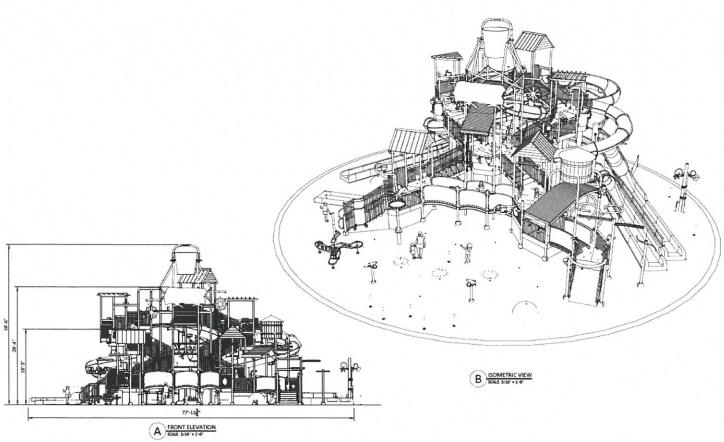
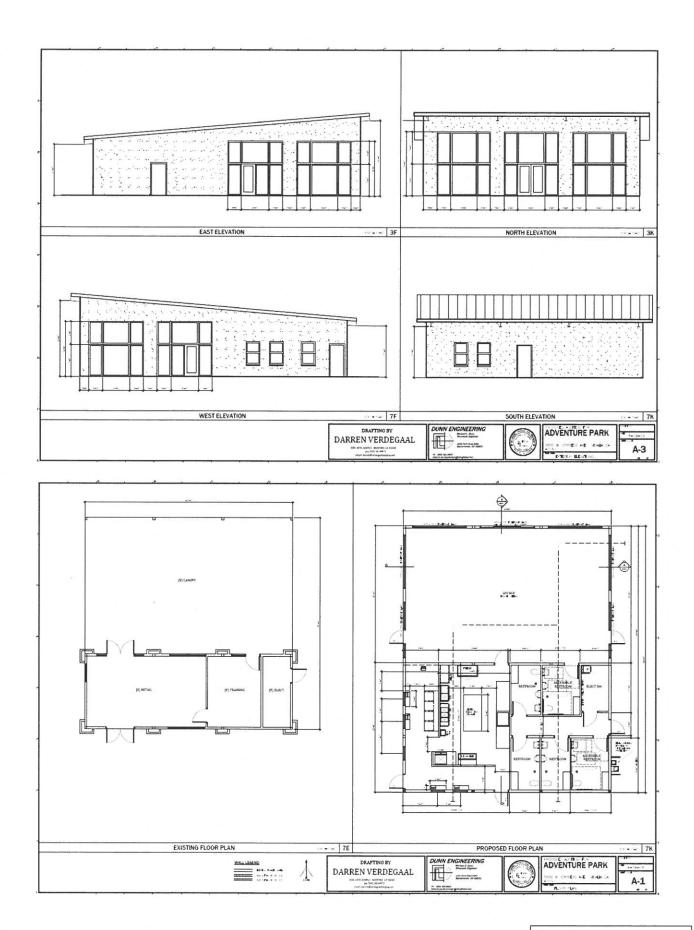


Exhibit - "C"







Adventure Park - Alcohol Control - Security Plan

Our policy is when an adult beverage is purchased, that person gets a special stamp on their right hand. This stamp will show up in the light if the person tries to ride one of the prohibited attractions listed below after consuming an adult beverage. When the first adult beverage is sold for that day, a radio call is made to the employees letting them know they need to check all guests for certain attractions. If a guest is found to be outside the designated areas with a beverage, they are required to return to the designated area or forfeit their beverage. We have used the following guidelines over the last six years and have not had an incident where the local authorities were called related to alcohol sales.

<u>Current</u> operating guidelines that were approved by ABC and the City of Visalia PD will also be applied to the water play area:

- a) Alcohol may not leave the designated area. (At each exit to the restaurant, "NO ALCOHOL BEYOND THIS POINT" is posted)
- b) Guests may only purchase one alcoholic beverage at a time, they may not purchase for other individuals.
- c) All Guests purchasing alcoholic beverages must be stamped for each drink with UV/Water-Resistant ink indicating they have been drinking and how much they have been drinking.
- d) After purchasing an alcoholic beverage, guests are no longer able to use the following attractions: Go-Karts, Batting Cages, and Bumper Boats.
- e) Each guest may only purchase up to (4) alcoholic beverages.
- f) No employee may sell alcohol to any individuals who exhibit signs of being intoxicated.
- g) Attractions attendants must check for hand stamps and are also responsible for not allowing guests who may be under the influence even if they do not have a hand stamp. For individuals appearing or acting under the influence and insist they are not, there is a breathalyzer on site. Please refer to a Supervisor or Manager on where and instructions on procedure.
- h) Employees selling and pouring alcohol must be over the age of 21. Employees serving alcohol must be at least 18 years of age.

All persons are invited to contact us at any time if there is a question about the quidelines/policies and their enforcement.

Adventure Park is a "Family Oriented" entertainment facility for children and adults, with an emphasis on the "Children". Alcohol sales is a privilege extended to our adult guests, which is intended to supplement their experience, and is not intended to be an attraction or focus of on-site activity.

Adventure Park

5600 W. Cypress Ave. Office: (559) 635-7275 Visalia, CA 93277 adventurepark.com

Exhibit - "F"

Visalia Police Department Review of Adventure Park Security Plan for new Water Slide

November 5, 2018

I have attached the letter from Adventure Park indicating their security plan. I have also included the layout plan in case you don't have it. The security plan is well thought out and answered the concerns that I had when I first met with Mr. Hurick. He is also open to make adjustments as needed. However, over the past year, we have not had any problems or calls for service at Adventure Park involving subjects who have been drinking on the premises. Therefore, I do not believe there will be a need to modify his security plan.

Bill Diltz Sergeant-ABC Compliance Visalia Police Department



come for the Adventure... stay for the Fun!

5600 W. CYPRESS AVE. VISALIA, CA 93277 (559) 635-7275

OPERATIONAL STATEMENT Beer & Wine

Visalia Adventure Park is adding a highly unique and customized interactive Mega Play Waterslide feature, along with a wide assortment of individual water play features both on the structure and on the ground, for opening in the Spring of 2019. We would like to offer our guests beer and wine in this closed off area.

Enclosed, you will see that we have only one way in and one way out of the Waterslide attraction. Guests bringing bags in to the attraction will have their bags checked, to make sure they are not bringing in items (glass, drinks, or food, to name a few) that are not allowed in this area. As guests leave, we will do a random search of bags to make sure they are not taking adult beverages out into areas of the Park not allowed, as per the agreement. We will also have an emergency exit, that will be used at closing during peak times, to move people out of the area faster.

Guests will only be able to take one adult beverage at a time, with a maximum of 4 per day, as per the ABC agreement we have on file. Hands will be stamped and black lighted to track the counts. At no time will glass be permitted in the Waterslide area.

We have had our license for some time now, and not once has the Police Department been called out to deal with any adult beverage issues. As a Family Fun Park, parents know that they need to be responsible, especially around children. We, of course, hold them to those standards.

Exhibit - "G"

We will have one of more people at the enter/exit area to prevent adults from exiting with a drink in hand. If someone does walk out of the Waterslide attraction area with an adult beverage in hand, they will be instructed to go back into the attraction or forfeit their drink.

We will not allow drinks of any kind in our splash pad area. All drinks will need to be consumed either in the cabanas, the sitting area around the splash pad, or in the water attraction's building.

We have visited multiple water parks and the guests we spoke to (especially mothers) said that we need to offer beer and wine. We want to offer guests what they want, so that with the experience they have, they will want to return.

Furthermore, the Fresno/Clovis water parks do offer adult beverages to their guests.

If you have any questions or concerns, please do not hesitate to contact us.

Respectfully submitted,

Roger Hurick Managing General Partner

Enclosures: Site Map, ABC license

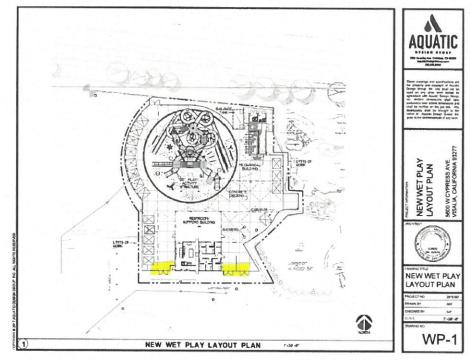


Exhibit - "G"

Exhibit - "H"

AMENDED RESOLUTION NO. 2011-45

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2011-24, A REQUEST BY VISALIA ADVENTURE PARK TO AMEND CUP 2003-39, TO ALLOW ON-SITE SALE OF BEER AND WINE IN CONJUNCTION WITH AN EXISTING PIZZA BUFFET AT A COMMERCIAL RECREATION FACILITY IN THE PLANNED SHOPPING OFFICE (CSO) ZONE, LOCATED AT 5600 W. CYPRESS AVENUE (APN 087-450-019)

WHEREAS, Conditional Use Permit No. 2011-24: A request by Visalia Adventure Park to amend CUP 2003-39, to allow on-site sale of beer and wine in conjunction with an existing pizza buffet at a commercial recreation facility in the Planned Shopping Office Zone (CSO), located at 5600 W. Cypress Avenue (APN 087-450-019); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said Commission on September 26, 2011, the Planning Commission did continue the consideration of Conditional Use Permit No. 2011-24 until October 10, 2011; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit, as conditioned, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15305.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

- 4. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 5. That the proposed CUP is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2011-74)

Exhibit - "H"

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

- 12. All other conditions of Conditional Use Permit No. 2003-39 shall apply, and the applicable conditions of Site Plan Review No. 2011-111 shall apply. This conditional use permit shall only allow the sale of beer and wine in conjunction with the recreational facility shown in Exhibit "B", and only in conjunction with a bona fide restaurant/buffet. There shall be no adult entertainment or nightclub activities authorized by this Conditional Use Permit. The sale and consumption of alcohol be consistent with the operational statement contained in Exhibit "C'
- 13. Private/special events conducted during times the Park is closed to the public are not subject to restricted to times or locations of alcohol sales/consumption contained in these Conditions of Approval. Such restrictions contained in these Conditions of Approval are intended to apply only when the facility is open to the public.
- 14. Alcoholic beverages shall be restricted to the dining area in Exhibit "A" when the Park is open to the public, excepting for events within the outdoor event area, as shown in Exhibit "B", and shall be subject to the Security Plan on file with the Visalia Police Department.
- 15. Guests shall be required to purchase a meal (buffet) to be able to purchase an alcoholic beverage, and there shall be no alcoholic beverage sales when the buffet is closed, excepting for events within the outdoor event area, as shown in Exhibit "B".
- 16. Beer and wine only shall be sold from the alcohol service counter. No soft drinks shall be available for sale from the alcohol service counter.
- 17. Persons who consume alcohol on-site shall be identified by a stamped ink marking which can be identified to Park employees at the batting cages, race tracks, and bumper boats. Stamped individuals shall not be allowed to use these Park attractions after consuming alcoholic beverages. The operator may also use wrist bands in addition to the stamp.
- 18. There shall be no signage inside or on the outside of the facility that identifies or promotes alcoholic beverages or alcoholic beverage brand names or logos. Menu signs may list beer/ wine and costs. Restaurant area may have signs to direct guests to the Sports Dining room for beer and wine sales. The alcohol service counter may have brand identification and related signage within the counter area. Signs be posted at the two exits of the dining area which state, "No alcoholic beverages allowed beyond this point." Signage that displays no alcoholic beverage brand names or logos, may be displayed at the applicant's discretion, with signage copy that "encourages guests to play first and drink later".
- 19. The maximum occupancy limit established by the Visalia Building Department and Fire Marshal shall be posted and not exceeded.
- 20. Inspections by City representatives on the premises may be conducted at any time during business hours to verify ongoing conformance with these Conditions of Approval.
- 21. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - d. Conditional Use Permit No. 2011-24.
 - e. Conditions and Requirements of the Alcoholic Beverage Control license for the business.

Exhibit - "H"

- f. All applicable federal, state and city laws, codes and ordinances.
- 11. A Security Plan for events within the building and outdoor recreation area be approved by, and filed with the Visalia Police Department (VPD).
 - a. The Plan shall indicate the location and types of barriers, any added personnel and other security measures to assure the separation of events which serve alcoholic beverages, from patrons when the park is open to the public.
 - b. The establishment shall correct any safety or security problem as soon as possible after receiving written notice of such problem from the VPD.
 - c. Contact information for the establishment's designated contact person for all safety and security shall be provided to the VPD District Commander. The operator shall also provide the telephone number for direct contact with the business during business hours.
- 12. All applicable federal, state, and city laws and codes and ordinances be met, including all necessary licenses from the California Department of Alcohol Beverage Control which shall be obtained, kept current and complied with.
- 13. All of the conditions and responsibilities of Conditional Use Permit No. 2011-24 shall run with the land. The property owner and business operator shall provide a copy of this resolution and conditions of approval to any and all subsequent owners/operators who shall also be subject to all of the conditions herein, unless amended or revoked.
- 14. Subsequent owners/operators of the facility who chose to utilize this CUP for beer and wine service shall sign a letter of acceptance stating that they understand and agree to all the conditions of Conditional Use Permit No. 2011-24.
- 15. The applicant shall submit to the City of Visalia a signed receipt and acceptance of conditions, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2011-24.
- 16. The property owner shall record in the office of the Tulare County Clerk-Recorder's Office a document in a form acceptable to the City which includes the Planning Commission's resolution of, and conditions for, approval for the proposed uses granted through this Conditional Use Permit. A confirmed copy of said recorded document shall be provided to the City's Planning Division prior to commencing operation of the proposed uses.

Commissioner Peck offered the motion to this resolution. Commissioner Salinas seconded the motion and it carried by the following vote:

AYES: Commissioners Peck, Salinas, Segrue, Lane, Soltesz

NOES:

ABSTAINED:

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Josh McDonnell, AICP Assistant Director / City Planner

I, Josh McDonnell, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2011-45, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on October 10, 2011.

Exhibit - "H"



#11

MEETING DATE: MARCH 28, 2018

SITE PLAN NO. 18-058

PARCEL MAP NO.

SUBDIVISION:

LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project. Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans. During site plan design/policy concerns were identified, schedule a meeting with Planning Engineering prior to resubmittal plans for Site Plan Review. Solid Waste Parks and Recreation Fire Dept. REVISE AND PROCEED (see below) A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions. Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. Your plans must be reviewed by: CITY COUNCIL REDEVELOPMENT PLANNING COMMISSION PARK/RECREATION CUP SEE ADD COMMENTS HISTORIC PRESERVATION OTHER: ADDITIONAL COMMENTS: OUP REQ'D FAR WATER FEATURE COMPONENT If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.



Site Plan Review Committee

BUILDING/DEVELOPMENT PLAN REQUIREMENTS	ITEM NO: 11 DATE:	MARCH 28 2018				
ENGINEERING DIVISION	TEM NO. 11 DATE.	MARCH 20, 2010				
	SITE PLAN NO .:	18-058				
Jason Huckleberry 713-4259	PROJECT TITLE:	WATER FEATURE SUPPORT BUILDING/VISALIA				
Adrian Rubalcaba 713-4271	DECODIDATION	ADVENTURE PARK				
☐Diego Corvera 713-4209	DESCRIPTION:	ADD ON AND REMODEL EXISTING GO-KART SUPPORT BUILDING TO A SUPPORT BUILDING				
		FOR A WATER PLAY FEATURE (CMU) (AE)				
	APPLICANT:	HURICK ROGER				
	PROP OWNER:	VISALIA INVESTMENT ASSOCIATES LLC				
	LOCATION:	5600 W CYPRESS AVE				
SITE DI ANI DEVIENI COMMENTO	APN:	087-450-019				
SITE PLAN REVIEW COMMENTS						
REQUIREMENTS (indicated by						
checked boxes)						
☐Install curb return with ramp, with ☐Install curb; ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	radius;					
	lius return;					
	way width at					
		et frontage(s) of the subject site that has become				
uneven, cracked or damaged and may						
		ge(s) of the subject site that has become uneven				
and has created areas where water ca	n stand	ge(a) of the subject site that has become uneven				
Right-of-way dedication required. A title		or verification of ownership				
Deed required prior to issuing building						
		CESSARY IN THE PUBLIC RIGHT-OF-WAY				
		n each) and workers compensation (\$1 million),				
	valid business license, and appropriate contractor's license must be on file with the City, and valid					
		ermit. Contact Encroachment Tech. at 713-4414.				
□ CalTrans Encroachment Permit required. □ CalTrans comments required prior to issuing building permit.						
Contacts: David Deel (Planning) 488-4088;						
Landscape & Lighting District/Home Owners Association required prior to approval of Final Map.						
		landscaping, street lights, street trees and local				
	ed Landscape and L	ighting District application and filing fee a min. of				
75 days before approval of Final Map.						
□ Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to						
		ns of street trees near intersections will need to				
		. A street tree and landscape master plan for all				
		e initial phase to assist City staff in the formation				
of the landscape and lighting assessme		d there are a section along in a section of fact the confine				
		d, then a master plan is required for the entire				
project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm						
run-off from the project shall be handled as follows: a) \(\subseteq \text{ directed to the City's existing storm drainage} \)						
system; b) \square directed to a permanent on-site basin; or c) \square directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site						
basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for						
maintenance.	poo, pormiotor torio	ing required, provide decede ramp to bettern to				
	and earthwork perfor	med prior to issuance of the building permit.				
☐ Grading permit is required for clearing and earthwork performed prior to issuance of the building permit. ☐ Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter						
=.020%, V-gutter = 0.25%)						
Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than						
0.5 feet at the property line.						
All public streets within the project limit	s and across the pro	ject frontage shall be improved to their full width,				
subject to available right of way, in accordance with City policies, standards and specifications.						

☐Traffic indexes per city standards:
Install street striping as required by the City Engineer.
Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
Design Paving section to traffic index of 5.0 min. for solid waste truck travel path. Provide "R" value tests: each at
 Written comments required from ditch company Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River. □ Access required on ditch bank, 15' minimum □ Provide wide riparian dedication from top of bank.
Show Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during construction in accordance with City requirements.
☐ A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove. ☐ A pre-construction conference is required.
Relocate existing utility poles and/or facilities.
Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
Subject to existing Reimbursement Agreement to reimburse prior developer:
Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
☑ If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
☐ If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage
under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan
(SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
☐ Comply with prior comments. ☐ Resubmit with additional information. ☐ Redesign required.
Additional Comments:
A. Dunnand manner and assembles of the solution of both bullities will be solutified at the solution of the so

- 1. Proposed reuse and expansion of the existing go-kart building will incur additional impact fees related to the additional floor space. Refer to page 3 for applicable fees and summary.
- 2. A building permit is required. Standard plan check and inspection fees apply.
- 3. Addition of the water feature will require further entitlement process through the Planning Dept. Refer to Planning conditions of approval.
- 4. Building remodel/addition can proceed ahead of the required Planning entitlements (which pertain to the added water feature).

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 18-058 Date: 3/28/2018		
	opment Impact Fees to be collected at the time of building prince in the development fee schedule ice.)	
(Fee Schedule Date:8/18/2017) (Project type for fee rates:RETA	IIL)	
Existing uses may qualify for	credits on Development Impact Fees.	
FEE ITEM	FEE RATE	
Groundwater Overdraft Mitigation	Fee	
	\$9,475/1000SF X 2 = \$18,950	
Trunk Line Capacity Fee	\$6/SEAT X NEW OCCUPANCY TREATMENT PLANT FEE: \$14/SEAT X NEW OCCUPANCY	
Sewer Front Foot Fee		
Storm Drain Acq/Dev Fee		
Park Acq/Dev Fee		
Northeast Specific Plan Fees		
☐ Waterways Acquisition Fee		
☐ Public Safety Impact Fee: Police		
Public Safety Impact Fee: Fire		
Public Facility Impact Fee	\$325/1000SF X 2 = \$650	
Parking In-Lieu		
 developer entered into prior to c Reimbursement is available for and funded in the City's transportant right of way dedications as those unit costs utilized as the b Reimbursement is available for City's Storm Water Master Pla 	le except as provided in a written reimbursement agreement between ommencement of construction of the subject facilities. the development of arterial/collector streets as shown in the City's Circortation impact fee program. The developer will be reimbursed for coutlined in Municipal Code Section 16.44. Reimbursement unit costs pasis for the transportation impact fee. the construction of storm drain trunk lines and sanitary sewer trunk lines and Sanitary Sewer System Master Plan. The developer will be with the installation of these trunk lines.	culation Element onstruction costs will be subject to nes shown in the

Adrian Rubalcaba

SITE PLAN REVIEW COMMENTS

Andrew Chamberlain, Planning Division (559) 713-4003

Date: March 28, 2018

SITE PLAN NO:

2018-058

PROJECT TITLE:

Adventure Park – Alteration to Go-Cart Building

DESCRIPTION:

Adventure Park – Alteration to Go-Cart Building (C-MU)

APPLICANT:

Roger Hurick

PROP. OWNER: LOCATION TITLE:

Visalia Investment 5800 W. Cypress

APN TITLE:

078-450-019

GENERAL PLAN:

Commercial Mixed Use

ZONING:

C-MU - Commercial Mixed Use

Planning Division Recommendation:

Revise and Proceed – alterations to go-cart building

Resubmit

Project Requirements

- The proposed alterations to the go-cart building may go to the building permits process.
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: 10/11/2017

- 1. The proposed alterations to the go-cart building may go to the building permits process.
- 2. **NOTE:** The accompanying water park feature is required to go through the Site Plan Review process and to go through the CUP process.
- 3. Meet all other requirements of CUP No. 2003-39.
- 4. Meet all other city codes and ordinances.

17.19.060 Development standards in the C-MU zones outside the downtown area.

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: fifteen (15) feet;
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 4. Side: zero (0) feet;
 - 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 - 1. Front: fifteen (15) feet;
 - 2. Rear: five (5) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 - 4. Side: five (5) feet (except where a building is located on side property line);

- 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
- 6. Street side on corner lot: ten (10) feet.
- 7. The provisions of Chapter 17.58 shall also be met, if applicable.

Parking:

1. No change to parking demand.

Fencing and Screening:

1. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

Landscaping:

No changes

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

Signature ATC

Building: Site Plan Review Comments ITEM NO: 11

DATE: Mar 3, 2018

SITE PLAN NO:

SPR18058

PROJECT TITLE:

WATER FEATURE SUPPORT BUILDING/VISALIA ADD ON AND REMODEL EXISTING GO-KART

SUPPORT BUILDING TO A SUPPORT BUILDING FOR

A WATER PLAY FEATURE. (C-MU) (AE)

APPLICANT:

DESCRIPTION:

HURICK ROGER

PROP OWNER:

VISALIA INVESTMENT ASSOCIATES LLC

LOCATION:

5600 W CYPRESS AVE

APN(S):

087-450-019

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project Please refer to the applicable California Code & local ordinance for additional requirements.

\boldsymbol{X}	A building permit will be required.	For information call (559) 713-4444			
X	Submit 5 sets of professionally prepared plans and 2 sets of calculations.	(Small Tenant Improvements)			
	Submit 5 sets of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional lightness frame construction or submit 2 sets of engineered calculations.				
	Indicate abandoned wells, septic systems and excavations on construction pl	ans.			
X	You are responsible to ensure compliance with the following checked items Meet State and Federal requirements for accessibility for persons with disabi				
X	A path of travel, parking and common area must comply with requirements f	or access for persons with disabilities.			
	All accessible units required to be adaptable for persons with disabilities.				
	Maintain sound transmission control between units minimum of 50 STC.				
	Maintain fire-resistive requirements at property lines.				
	A demolition permit & deposit is required.	For information call (559) 713-4444			
	Obtain required permits from San Joaquin Valley Air Pollution Board.	For information call (559) 230-6000			
X	Plans must be approved by the Tulare County Health Department.	For information call (559) 624-8011			
\square	Project is located in flood zone * Hazardous materials re FLOOP PROF 1-0" A BOY B. F. E. Arrange for an on-site inspection. (Fee for inspection \$157.00)	oort. For information call (559) 713-4444			
X	School Development fees. Commercial \$0.56 per square foot. Residential \$3	45 per square foot.			
	Park Development fee \$ per unit collected with building perm	ts.			
	Existing address must be changed to be consistent with city address.	For information call (559) 713-4320			
	Acceptable as submitted				
	No comments at this time				
	Additional comments:	* 1			
	The Contract of the Contract o	Jun 3/27/18			
		Signature			



Site Plan Review Comments For: Visalia Fire Department Kurtis A. Brown, Fire Marshal 707 W Acequia Visalia, CA 93291 559-713-4261 Office 559-713-4808 Fax

ITEM NO: 11

SITE PLAN NO:

PROJECT TITLE: DESCRIPTION:

APPLICANT:

APN(S):

WATER FEATURE SUPPORT BUILDING/VISALIA ADD ON AND REMODEL EXISTING GO-KART SUPPORT BUILDING TO A SUPPORT BUILDING FOR A WATER PLAY FEATURE. (C-MU) (AE)

HURICK ROGER

8058

DATE: March 28, 2018

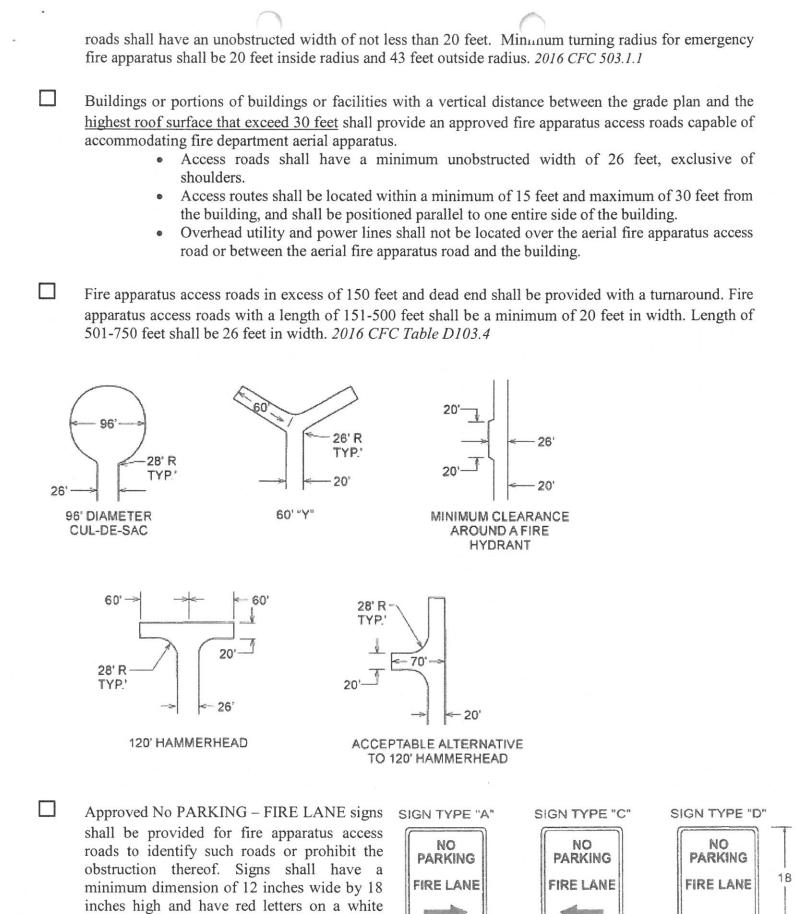
VISALIA INVESTMENT ASSOCIATES LLC PROP OWNER: 5600 W CYPRESS AVE LOCATION:

087-450-019

The following	comments	are	applicable	when	checked:
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	The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2016 California Fire Code (CFC), 2016 California Building Codes (CBC) and City of Visalia Municipal Codes.
	All fire detection, alarm, and extinguishing systems in <u>existing buildings</u> shall be <u>maintained in an operative condition at all times</u> and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. 2016 CFC 901.6
	No fire protection items required for <u>parcel map or lot line adjustment</u> ; however, any future projects will be subject to fire & life safety requirements including fire protection.
	 <u>Construction and demolition</u> sites prior to and during construction shall comply with the following: <u>Water Supply</u> for fire protection, either temporary or permanent, shall be made available as soon as combustible materials arrive on the site. 2016 CFC 3312 An all-weather, 20 feet width <u>Construction Access Road</u> capable of holding a 75,000 pound fire apparatus. Fire apparatus access shall be provided within 100 feet of temporary or permanent fire department connections. 2016 CFC 3310
	More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on
Gener	al:
	Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2016 CFC 505.1
X	All hardware on exit doors, illuminated exit signs and emergency lighting shall comply with the 2016 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
	<u>Commercial dumpsters</u> with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a <u>fire sprinkler system</u> . 2016 CFC 304.3.3

	A <u>Knox Box</u> key lock system is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. The key box shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation. 2016 CFC 506.1
	If your business handles <u>hazardous material</u> in amounts that exceed the Maximum Allowable Quantities listed on <i>Table 5003.1.1(1)</i> , 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2016 California Fire Code, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.
Water	Supply for Residential, Commercial & Industrial:
Reside	ential
	Fire hydrant spacing and location shall comply with the following requirements: The exact location and number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. Visalia Municipal Code 16.36.120(5)
	Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
	Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
	☐ Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
Comm	nercial & Industrial
	Where a portion of the facility or building is more than 400 feet from a hydrant on a fire apparatus access road, on-site fire hydrant(s) shall be provided. 2016 CFC 507.5.1
	Due to insufficient building information, the number and distance between fire hydrants cannot be determined by the Site Plan Review process. The number of fire hydrants and distance between required fire hydrants shall be determined by utilizing type of construction and square footage in accordance with CFC 2016 Appendix C102 & C103 & CFC 507.5.1
	To determine fire hydrant location(s) and distribution the following information was provided to the Site Plan Review committee: Type of construction Square footage
Emer	gency Access
	A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Fire apparatus access



12"

12" -

12"

reflective background. 2013 CFC 503.3/D103.6

	On site Fire Apparatus Access Roads shall be provided and have an unobstructed width of not less than the following;
	 20 feet width, exclusive of shoulders (No Parking) More than 26 feet width, exclusive of shoulders (No Parking one side) More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)
	Marking- approved signs, other approved notices or marking that include the words "NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. CFC 503.3
	 Gates on access roads shall be a minimum width of 20 feet and shall comply with the following: 2016 CFC D103.5 Gates shall be of the swinging or sliding type. Gates shall allow manual operation by one person (power outages). Gates shall be maintained in an operative condition at all times. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (Note: Knox boxes shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation.)
	Streets shall meet the City of Visalia's Design & Improvement Standards for streets to ensure that fire apparatus can make access to all structures in the event of an emergency.
Fire P	Protection Systems
	An <u>automatic fire sprinkler</u> system will be required for this building. Also, a fire hydrant is required within 50 feet of the <u>Fire Department Connection</u> (FDC). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. 2016 CFC 912 and Visalia Municipal Code 8.20.010 subsection C103.4
	Locking fire department connection (FDC) caps are required. The caps shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. 2016 CFC 912.4.1
×	Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. 2016 CFC 904.12 & 609.2
Specia	al Comments:
Kurtis	A Brown

Kurtis A. Brown Fire Marshal ITEM NO: 11

ch 28, 2018

SITE PLAN NO:

SPR18058 PROJECT TITLE: DESCRIPTION:

WATER FEATURE SUPPORT BUILDING/VISALIA ADD ON AND REMODEL EXISTING GO-KART SUPPORT BUILDING TO A SUPPORT BUILDING FOR

A WATER PLAY FEATURE. (C-MU) (AE) HURICK ROGER

APPLICANT: PROP OWNER:

VISALIA INVESTMENT ASSOCIATES LLC

LOCATION: 5600 W CYPRESS AVE APN(S):

087-450-019

City of Visalia Police Department

303 S. Johnson St. Visalia, Ca. 93292 (559) 713-4370

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 of 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: ADD SULVETUONLE/SEZWITY SYSTE Arona DITCH
:	Arone DITCH

Visalia Police Department

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION March 28, 2018

ITEM NO: 11

SITE PLAN NO.

SPR18058

PROJECT TITLE:

WATER FEATURE SUPPORT BUILDING/VISALIA ADVENTURE PARK

DESCRIPTION

ADD ON AND REMODEL EXISTING GO-KART SUPPORT BUILDING TO A SUPPORT BUILDING FOR A

WATER PLAY FEATURE. (C-MU) (AE)

APPLICANT:

HURICK ROGER

PROP. OWNER:

VISALIA INVESTMENT ASSOCIATES LLC

APN:

087-450-019

LOCATION:

5600 W CYPRESS AVE VISA

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

X	No Comments
	See Previous Site Plan Comments
	Install Street Light(s) per City Standards.
	Install Street Name Blades at Locations.
	Install Stop Signs at Locations.
	Construct parking per City Standards PK-1 through PK-4.
	Construct drive approach per City Standards.
	Traffic Impact Analysis required.
	Provide more traffic information such as a TIA may be required. Depending on development size, characteristics, etc.,

Additional Comments:

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Malie Blair

Leslie Blair

CITY OF VISALIA SOLID WASTE DIVISION 336 N, BEN MADDOX VISALIA CA. 93291 713 - 4500

COMMERCIAL BIN SERVICE

SITE PLAN NO: SPK 18058

PROJECT TITLE: WATER FEATURE SUPPORT BUILDING/VISALIA

DESCRIPTION: ADD ON AND REMODEL EXISTING GO-KART SUPPORT BUILDING TO A SUPPORT BUILDING FOR A WATER PLAY FEATURE. (C-MU) (AE)

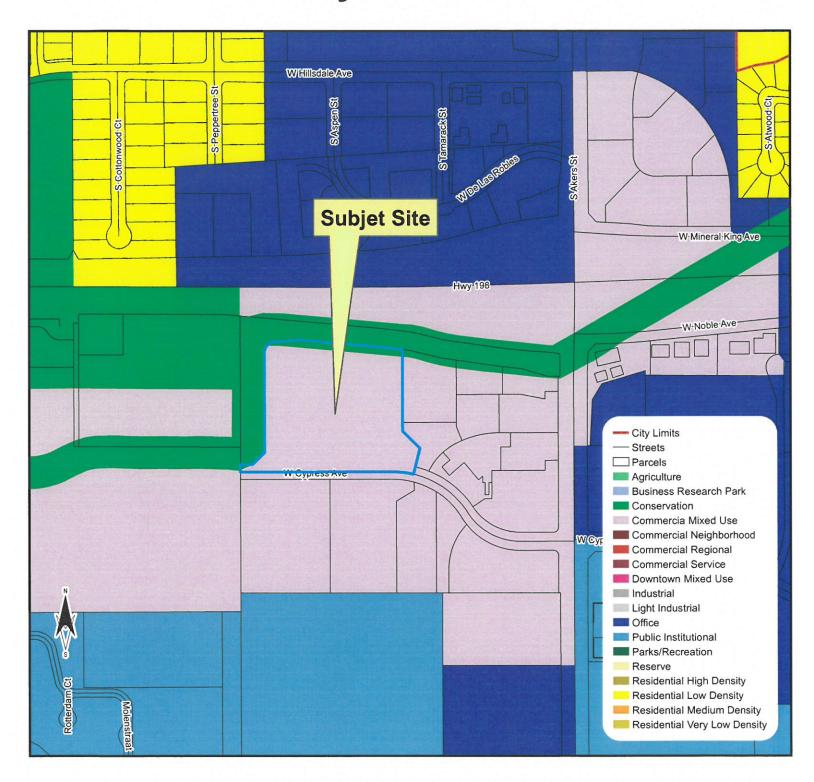
HURICK ROGER

PROP OWNER: VISALIA INVESTMENT ASSOCIATES LLC

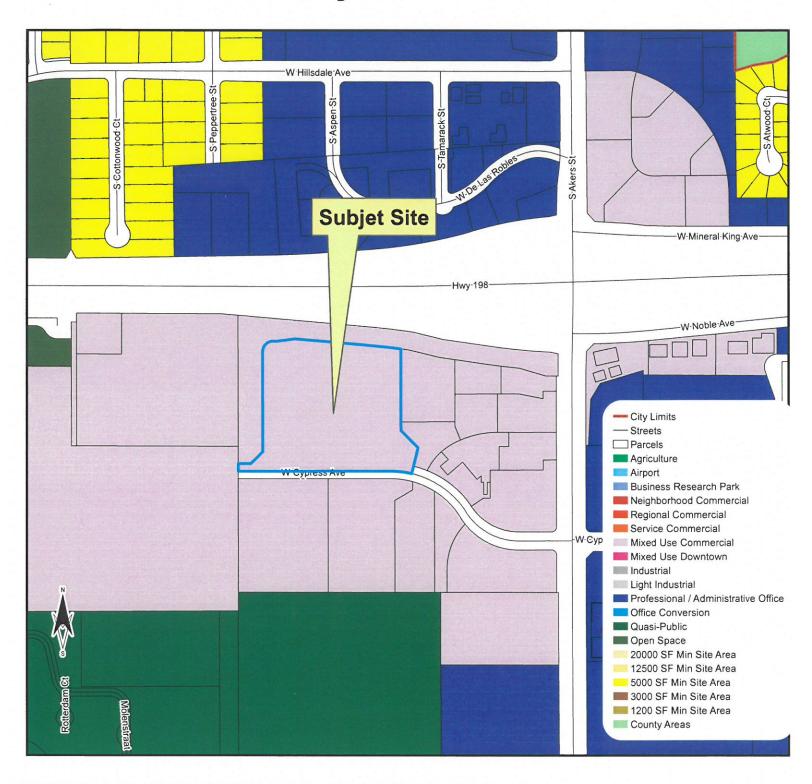
XX	No comments.	PROP OWNER:	VISALIA INVESTMENT ASSOCIATES LLC
	Same comments as	APN(S):	5500 W CYPRESS AVE 087-450-019
	Revisions required prior to submitting final plans.	Sc	
	Resubmittal required. See comments below.		
	Customer responsible for all cardboard and other be fore disposing of in recycle containers.	bulky recyclables t	o be broken down
	ALL refuse enclosures must be R-3 OR I	R-4	
	Customer must provide combination or keys for ac	cess to locked gat	es/bins
	Type of refuse service not indicated.		
	Location of bin enclosure not acceptable. See com	ments below.	
	Bin enclosure not to city standards double.		
	Inadequate number of bins to provide sufficient ser	vice. See commen	ts below.
	Drive approach too narrow for refuse trucks access	s. See comments b	elow.
	Area not adequate for allowing refuse truck turning	radius of :	
	Commercial (X) 50 ft. outside 36 ft. inside; Reside	ntial () 35 ft. outsi	de, 20 ft. inside.
	Paved areas should be engineered to withstand a 5	5,000 lb. refuse tru	ck
	Bin enclosure gates are required		
	Hammerhead turnaround must be built per city stan	dards.	
	Cul - de - sac must be built per city standards.		
	Bin enclosures are for city refuse containers only. Gitems are not allowed to be stored inside bin enclosed.	sures.	
	Area in front of refuse enclosure must be marked of	findicating no pari	läng
	Enclosure will have to be designed and located for a	STAB service (DII	RECT ACCESS)
	with no less than 38' clear space in front of the bin, Customer will be required to roll container out to cu	rb for service.	concrete pad.
	Must be a concrete slab in front of enclosure as per	city standards	The state of the s
	The width of the enclosure by ten(10) feet, minimum	of six(6) inches in	depth.
	Roll off compactor's must have a clearance of 3 feet	from any wall on b	oth sides and
	there must be a minimum of 53 feet clearance in from	nt of the compactor	r
	to allow the truck enough room to provide service.		



Comment



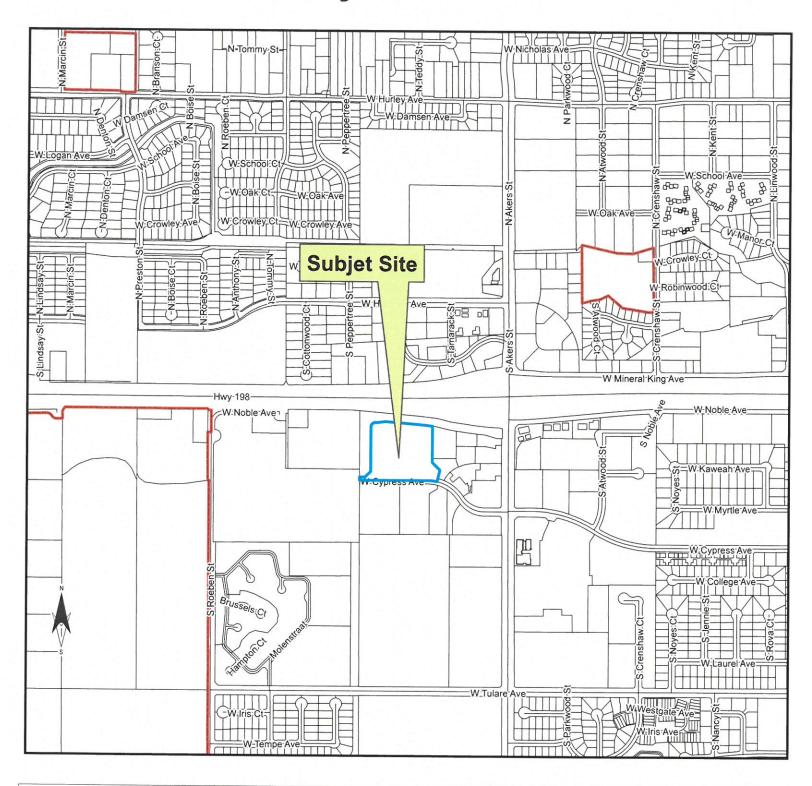
Land Use Designations



Zoning Designations



Aerial Photo



Location Map