# PLANNING COMMISSION AGENDA

CHAIRPERSON: Liz Wynn



VICE CHAIRPERSON: Chris Gomez

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

MONDAY, AUGUST 12, 2019; 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-

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 Lance Lane Estates Tentative Subdivision Map No. 5499

- 4. PUBLIC HEARING Cristobal Carrillo Conditional Use Permit No. 2019-18 is a request by Fred E. Scott to add a 4,000 sq. ft. detached storage building to the existing Key Evidence Lock and Safe facility within the C-MU (Mixed Use Commercial) Zone. The project site is located at 2343 W. Whitendale Avenue (APN: 121-090-045). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2019-41.
- 5. PUBLIC HEARING Cristobal Carrillo Tentative Parcel Map No. 2019-10: A request by Dan Bocanegra to subdivide 1.43 acres into two parcels for residential use in the R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) Zone. The site is located at 725 E. Monte Vista Avenue (APN: 123-320-042). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2019-51.
- 6. PUBLIC HEARING Paul Bernal Conditional Use Permit No. 2019-32: A request by Luv 2 Play to permit an indoor children's playground with large playground equipment, small café, party rooms, toddler area, and offices within an existing 21,966 square foot building located west of the Sequoia Mall. The site is zoned C-R (Regional Commercial) and is located at 3515 S. Mooney Blvd. (APN: 121-110-041 & 043). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2019-60.

- 7. PUBLIC HEARING Paul Scheibel
  - Walnut Park Estates Tentative Subdivision Map No. 5572: A request to subdivide 11.9 acres into 34 lots for residential uses, and five lettered lots for common area walls and parkway landscaping in the R-1-5 (Single-family Residential, 5,000 square foot minimum lot size). The project site is located on the west side of Preston St. at Robinwood Ave. (APN: 085-010-102) An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2019-53 was adopted.
- 8. PUBLIC HEARING Paul Scheibel

Appeal of the Site Plan Review Committee's decision to require the closure of an existing residential access point from Lovers Lane, in favor of a recorded easement granted to the property from the adjacent commercial development pursuant to Condition No. 1.B of Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-11. The project, SPR 19-033, is requesting to construct a cold shell building on a 0.98-acre lot in the C-MU (Commercial Mixed Use) Zone District, located at 738 S. Lovers Lane. (APN: 101-030-018)

- 9. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-
  - No Planning Commission Meeting August 26, 2019
  - Variance No. 2019-05 scheduled for August 5, 2019 City Council Meeting Postponed

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, AUGUST 22, 2019 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 <a href="https://www.visalia.city">www.visalia.city</a> or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, SEPTEMBER 9, 2019



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** 

August 12, 2019

PROJECT PLANNER:

Paul Scheibel, AICP, Principal Planner

Phone No. (713-4369)

E-mail: paul.scheibel@visalia.city

SUBJECT: Appeal of the Site Plan Review Committee's decision to require the closure of an existing residential access point from Lovers Lane, in favor of a recorded easement granted to the property from the adjacent commercial development pursuant to Condition No. 1.B of Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-11. The project, SPR 19-033, is requesting to construct a cold shell building on a 0.98-acre lot in the C-MU (Commercial Mixed Use) Zone District, located at 738 S. Lovers Lane. (APN: 101-030-018)

# STAFF RECOMMENDATION

Staff recommends that the Planning Commission receive the staff presentation, consider public testimony, and deny the Appeal of the Site Plan Review Committee's comments for SPR No. 19-033, requiring that the site develop the shared vehicular access drive approach as conditioned with the adoption of Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and CUP No. 2014-11.

## RECOMMENDED MOTION

I move to adopt Resolution No. 2019-60 denying the Appeal and upholding the SPR Committee's comments requiring the closure of an existing residential access point in favor of a shared recorded easement granted to the property from the adjacent commercial development, based on the findings in Resolution No. 2019-60.

## **ALTERNATIVES**

The Planning Commission may consider the following alternative:

Uphold the Appeal, and allow the project to construct their own vehicular drive approach as depicted on the site plan exhibit for the proposed commercial development as submitted per SPR No. 2019-033.

## PROJECT DESCRIPTION

Summary: This is an appeal of the Site Plan Review (SPR) Committee's decision to require that the access point to a proposed commercial development be from an access point granted through a recorded easement from the shopping center developer adjacent to the north of the subject property (see attached site plan exhibit). The easement was granted to the subject property as a Planning Commission condition of approval placed on Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-11.

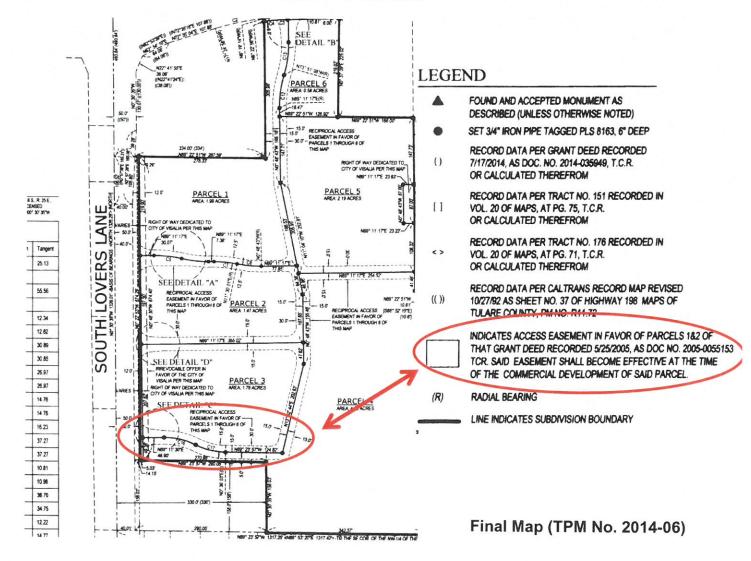
The shopping center project was approved by the Planning Commission on May 27, 2014. Consequently, the SPR Committee's authority and purpose in requiring the use of the easement for the subject project is to apply the conditions applied by the Planning Commission.

The subject site for SPR No. 19-033, is presently developed with a single-family house with a residential access point on Lovers Lane. parcel was not a part of the larger shopping center project directly to the north. However, in anticipation of the subject property converted to a commercial use, the Planning Commission imposed the easement condition to better integrate this parcel with the larger shopping center. It was anticipated that when the parcel developed with a commercial use, the curb cut on Lovers Lane would be eliminated in favor of a shared access drive approach from the larger shopping center to the north.

The final easement was recorded with a slight arc on the north side of the easement area (see attached Final Map exhibit). This slight arc was required to accommodate the future design of the ease-bound Lovers Lane off-ramp at Hwy 198.



Additionally, the street improvements along the east side of Lovers Lane and the "shared" drive approach itself have not been constructed as of this date.



**Discussion:** Despite the slightly altered easement location, and the lack of the completed street improvements along the east side of Lovers Lane, the City Engineer determined that the improvements required to perfect the easement and to provide "shared" access to the subject parcels are reasonable and feasible; and, that constructing the "shared" access drive from Lovers Lane to the subject parcel would be mutually beneficial to the commercial parties. Enforcing the easement rights for the subject parcel would improve traffic safety and efficiency along Lovers Lane by virtue of consolidating driveways to the commercial developments along Lovers Lane. In addition, precluding the current residential driveway from becoming a commercial driveway would help preserve the quality of the houses on the north side of East College Avenue.

Requiring developments to eliminate driveways and share common commercial access drives has been a standard City practice for many years. The Zoning Ordinance (Sections 17.30.015 G. and 17.30.015.1) grants the SPR Committee to apply the requirement to consolidate vehicular access driveways and require shared access easements for vehicular traffic. The SPR Committee has applied these Zoning Ordinance provisions pertaining to applying Planning Commission conditions to subsequent development projects, and to the authority to minimize street access points, as well as to require granting (and by extension using) access easements for that purpose. In addition to the Lovers Lane project, the SPR Committee required either granting an access easement to an adjoining parcel, or using an existing access easement granted from an adjacent development. Examples of these include:

- El Pollo Loco restaurant at 3726 S. Mooney Blvd.
- Parcel Map and new convenience store at Houston Ave. and McAuliff St.
- Multi-parcel office complex development at Akers St. and Noble Ave.
- Medical office building at 2305 Mid Valley Parkway.

Staff acknowledges the applicant's contentions that constructing the new driveway to obtain access to the site is a more complex and costlier solution than would be converting the existing residential driveway to commercial use. However, granting the applicant relief from this obligation would undermine the intended safety and efficiency benefits derived from the City's practice of consolidating drive approaches on major streets. Further, it would undermine the conditions placed on discretionary projects by the Planning Commission. The imposition of the easement condition in this particular case is an example of a long-term planning solution that is purposely intended to yield benefits through its application at a future point in time.

## RECOMMENDED FINDINGS

- 1. That the Site Plan Review Committee's decision to impose the recorded easement granted to the property from the adjacent commercial development pursuant to Condition No. 1.B of Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-11 is consistent with the Planning Commission's approval to have the commercial area develop with shard access drive approaches. The development condition adopted with the Planning Commission's approval for the shopping center project to share a common access drive approach is no more onerous than those imposed to all development projects within Visalia.
- 2. That the conditions regarding development requirements as contained in the Site Plan Review (SPR) Comments for SPR No. 2019-033 are applied based on the Planning Commission's approval that vehicular safety and welfare are protected with no adverse effect on surrounding property and to provide for a site plan which supports adopted Planning Commission Condition No. 1B., which states:

Condition No. 1.B of Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-11: Access Easement to adjacent parcel: The applicant shall record an access easement in favor of the property at 738 S. Lovers Lane (APN: 101-030-018). Such easement shall become effective upon development of said parcel to commercial use standards required by the P-C S/O Zone District and Design District C, or similar Design District.

## APPEAL INFORMATION

According to the City of Visalia Ordinance Section 17.32.030(D), an appeal to the City Council may be submitted within ten (10) days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and 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.ci.visalia.ca.us or from the City Clerk.

#### Attachments:

- 1 Applicable Policies
- 2 Appeal filed by Applicant, received July 12, 2019
- 3- Applicant's Preferred Design
- 4 Resolution No. PC 2019-60, Upholding the SPR Committee's decision regarding SPR No. 19-033
- 5 SPR No. 2019-033 Site Plan
- 6 SPR 19-033 Packet, dated July 3, 2019
- 7 Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-112014
- 8 Planning Commission Staff Report, dated May 27, 2014
- 9 Final Parcel Map 5133
- 10 Aerial Photo

# Chapter 17.28 SITE PLAN REVIEW PERMIT

Sections:	
17.28.010	Purpose and intent.
17.28.015	Applicability.
17.28.020	Site plan review committee.
17.28.030	Application procedure.
17.28.040	Committee findings.
17.28.050	Appeals to the planning commission.
17.28.060	[Reserved]
17.28.070	Site plan review permit issuance.
17.28.080	Required improvements.
17.28.085	Timing of improvements.
17.28.090	Building permits.
17.28.100	Lapse of site plan review permit.
17.28.110	Suspension and revocation.
17.28.120	Permit to run with the land.

## 17.28.010 Purpose and intent.

The purpose of the site plan review permit is to assure that developments, new and remodeled buildings and structures, and improvements to land are reviewed to ensure substantial compliance with the general plan, municipal code, policies, and improvement standards of the city.

## 17.28.015 Applicability.

- A. The provisions of this chapter apply to:
- 1. Any development requiring site plan review permit as per this Title.
- 2. New commercial, industrial and other non-residential structures or additions to existing commercial, industrial or other non-residential structures.
- 3. New multi-family residential development or additions to existing multi-family residential development.

- 4. Divisions of land or adjustments to property lines.
- 5. Interior alterations that increase the useable floor area of a non-residential structure, or the change of use or occupancy of the structure.
- 6. Improvements made in the public right of way, except those initiated by the city, State, or a utility company.
- 7. Other non-residential improvements to land or buildings deemed by the city planner to be subject to the site plan review process. Such improvements include but are not limited to improvements that impact the structural integrity of buildings, that alter electrical wiring, that alter the building's plumbing, that alter the exterior drainage of land, that impacts access to property, that risks substantial visual impacts to surrounding properties, that could potentially alter any applicable zoning requirements, or could otherwise be subject to the criteria set forth in Section 17.02.170.
- B. The provisions of this chapter do not apply to:
- 1. New or remodeled single-family dwellings;
- 2. Repairs and maintenance to a site or structure that does not add to, enlarge, or expand the area occupied by the land use, or the floor area of the structure and that are substantially similar in design as the original construction;
- 3. Interior alterations that do not increase the useable floor area of a structure, or modify the use of a structure;
- 4. Construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities.
- C. The total combined use area of the site of the proposed development shall be subject to site plan review permit procedures and all applicable goals, policies, codes, regulations, and improvement standards of the city.

## 17.28.020 Site plan review committee.

- A. Members. The site plan review committee shall be comprised of staff representatives of the engineering, building, and planning divisions of the community development as well as the fire department; in addition, the city planner may request input from any other city department or public agency, subject to city council policies.
- B. Powers and Duties. The site plan review committee shall have the power to:
- 1. Review site plan review permit applications for consistency with the general plan, municipal code, policies, regulations, and improvement standards of the city.
- 2. Apply requirements to a site to protect the public health, safety and general welfare.
- 3. Require revisions to the site plan to bring it into consistency with the General Plan and local ordinances.
- 4. Identify the city permits necessary to construct the proposed project.

- 5. Require that the site plan be revised, and/or provide direction to the project applicant be permitted to proceed to submit for the necessary city permits; or
- 6. Require that the site plan be resubmitted with required revisions.

## 17.28.030 Application procedure.

- A. Information. The community development department shall make available a site plan review application form. The site plan shall be drawn to a scale that clearly indicates all dimensions and includes the following information as well as information identified in the site plan review application form:
- 1. Address;
- 2. Assessor's parcel number;
- 3. Vicinity map on cover sheet;
- 4. Scale and north arrow;
- 5. Dimensions of property;
- 6. Location of existing and proposed buildings and/or structures showing dimensions from property lines and their intended use;
- 7. Location, height and material of existing and/or proposed fences and walls;
- 8. Location of off-street parking. Indicate the number of parking spaces, type of paving, direction arrows and parking dimensions;
- 9. Location and width of drive approaches;
- 10. Method of on-site drainage;
- 11. Location of existing and/or proposed public improvements (such as curbs, gutters, sidewalks, utility poles, fire hydrants, street lights, traffic signal devices, etc.);
- 12. Method of sanitary disposal;
- 13. Location of signs, their size, height, type of illumination and type of building material;
- 14. Location of trash refuse area;
- 15. Location and type of existing trees. Oak trees must have the approximate diameter size;
- 16. Location of areas to be landscaped;
- 17. Loading and storage areas indicating any fences and walls to be used as screening;
- 18. Location and height of all roof mounted structures;
- 19. Lighting, including the location and height of all exterior fixtures;

- 20. Such other data as may be required to permit the site plan review committee to make the required findings;
- 21. Elevations, if required by the city planner;
- 22. Additional information as required by the city planner or the historic preservation advisory board.
- B. Submittal: The site plan shall be submitted to the community development department along with a completed site plan review application form. The number of copies of the site plan required shall be determined by the site plan review committee and posted at the community development department and on the city website. If all of the required information as outlined within Section 17.28.030(A) is not submitted, the application may be rejected by the city planner.
- C. Review Timeline: Plans submitted by four p.m. on a Thursday shall be reviewed by the site plan committee at their regular meeting at nine a.m. on the following Wednesday. Additional time may be required for site plans that must be reviewed by other agencies and/or city committees. The site plan review committee may modify these times by posting a revised schedule at the community development department and on the city website.

#### 17.28.040 Issuance and Resubmittal.

- A. The site plan review committee shall declare their intention to allow the project to proceed to apply for the necessary city permits, or require resubmittal of the site plan at the site plan review committee meeting.
- B. Within thirty (30) working days after submission, the site plan review committee shall provide, in writing to the applicant, either to proceed with applying for necessary city permits, either with or without required revisions, or require resubmittal of the site plan review and identify required revisions. The site plan review committee shall consider each project's consistency with current city ordinances and whether it will affect the public health, safety and general welfare. In issuing direction to proceed, the committee shall consider the following:
- 1. That all applicable provisions of the Municipal Code are complied with;
- 2. That the following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected with no adverse effect on surrounding property and to provide for a site plan which supports current adopted planning commission and city council policies:
- a. Facilities, improvements and utilities,
- b. Vehicular ingress, egress and internal circulation,
- c. Setbacks,
- d. Location of service use areas,
- e. Walls,
- f. Landscaping:
- 3. That proposed lighting is so arranged as to deflect the light away from adjoining properties and will not cause a traffic hazard;

- 4. That proposed equipment which is used in conjunction with a use is so designed to avoid excessive noise at the property line of the use.
- B. In making the required findings, the site plan review committee shall assure that the approval will be consistent with established policies and regulations relating to public improvements, street improvements, as approved and adopted by the city council, including necessary dedications and traffic safety.
- C. Upon completion or review, the Community Development Department shall notify the applicant of the committee's determination along with a copy of the finally approved site plan.

## 17.28.050 Appeals to the planning commission.

The applicant or any interested person may appeal a decision of the site plan review committee to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing with applicable fees, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The commission shall review the site plan and shall uphold or revise the decision of the site plan review, based on the findings set forth in Section 17.28.040. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.

## 17.28.060 [Reserved]

## 17.28.070 Site plan review permit Determination.

After the final site plan has been directed to proceed, the planning department staff shall notify the applicant of the site plan review determination. Once the applicant receives a site plan review determination notification, building permit applications may be submitted, or if required, applications for discretionary development permits may be submitted. No permits may be issued for the erection or enlargement of building or structures and no persons shall perform any development or construction of work on the site except within full compliance of this section.

## 17.28.080 Required improvements.

Because of changes that may occur in a local neighborhood due to increased vehicular traffic generated by facilities requiring a site plan review permit, and upon the principle that such development should be required to provide street dedications and improvements proportionate to such increased vehicular traffic, the following dedications and improvements may be deemed necessary by the site plan review committee and may be required as a revision to any site plan.

- A. If the development borders or is traversed by an existing street, the applicant may be required to:
- 1. Dedicate all necessary rights-of-way to widen a bordering local streets to the extent of one-half the ultimate width established by the city as the standard for such local streets; as per adopted improvement standards;
- 2. Dedicate all necessary rights-of-way to widen a traversing collector street to its ultimate width established by the city as the standard for such collector streets;

- 3. Dedicate all necessary rights-of-way to widen a bordering or traversing arterial street to its ultimate width established by the city as the standard for such arterial street;
- 4. Install curbs, gutters, sidewalks, street signs, street lights and street trees along one side of a bordering, or along both sides of a traversing, local collector, or arterial street;
- 5. Install utilities and drainage facilities to the full extent of the service requirements generated by the development;
- 6. Grade and improve bordering local, collector, or arterial streets from the curb to the centerline of the ultimate right-of-way;
- 7. Grade and improve traversing local, collector, or arterial streets from curb to curb;
- 8. Grade and improve parking lane and one traffic lane adjacent to the development along a bordering collector or arterial streets;
- 9. Grade and improve both parking lanes and the two outside traffic lanes of a traversing collector or arterial streets.
- B. All new streets shall be dedicated and improved in accordance with the requirements of subsection (A) of this section.
- C. Fire hydrants shall be installed as per city requirements.

## 17.28.085 Timing of improvements.

All improvements shall be to city standards existing at the time the site plan is approved and shall be installed at the time of the proposed development. Where it is determined by the site plan review committee that it is impractical to install any or all improvements at the time of the proposed development, an agreement to make such improvements may be accepted in lieu thereof. In any event, the applicant shall enter into an agreement with the city for the provision of improvements before a building permit may be issued, as specified in Sections 16.24.050 and 16.24.060.

## 17.28.090 Building permits.

Before a building permit may be issued for any building or structure proposed as part of the approved site plan review permit, the building official shall secure written approval from the city planner that the proposed building is in conformity with the regulations, general provisions, and required revisions identified in the site plan review permit. Before a building may be occupied, the building inspector shall certify to the city planner that the site has been developed in conformity with the regulations, general provisions, and required revisions identified in the site plan review permit 1.

## 17.28.100 Lapse of site plan review permit.

A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion.

## 17.28.110 Suspension and revocation.

Upon violation of any of the applicable provisions of this chapter or upon failure to comply with the revisions identified in the permit, a site plan review permit approval shall be suspended by the city planner or site plan review committee. Notice of such suspension shall be sent immediately to the person responsible for noncompliance by the building official or by the City code enforcement officer. Within thirty (30) days of the suspension, the planning commission shall consider the suspension. If not satisfied that the regulation, general provision, or required revisions identified in the site plan review permit are being complied with, the commission may revoke the site plan approval or take such action as may be necessary to insure compliance.

## 17.28.120 Permit to run with the land.

A site plan review permit approved pursuant to the provisions set forth in this Section shall run with the land and shall continue to be valid upon a change of ownership of the site.

Chapter 17.30

#### **DEVELOPMENT STANDARDS**

Sections:

Article 1. General Provisions

17.30.010 Purpose and applicability.

17.30.015 Development standards.

17.30.017 Development in conformance with officially adopted master plans and specific plans.

## Article 2. Central Business District Parking Zone

17.30.020 Pu	irpose	and	intent.
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17.30.025 Location.

17.30.030 Required parking/imposition of in-lieu fee.

17.30.035 Fee.

17.30.040 Payment of parking in-lieu fee.

17.30.045 Timing of fee payment/security.

17.30.050 Parking in-lieu fee trust fund.

17.30.055 Refund of fees paid.

17.30.060 Exemptions and credits/transfer.

#### Article 1. General Provisions

17.30.010 Purpose and applicability.

It is the purpose of this article to establish development standards and requirements that foster a workable relationship among land uses, enhance the aesthetics of the city, and promote the public health and safety. The standards in this article shall apply to all zone districts.

## 17.30.015 Development standards.

- A. Site Area. The minimum parcel size varies according to the zone district in which the parcel is located. However, this title shall not preclude parcels of less than the required minimum, which exist at the time of adoption of this title, from securing site plan review permits and building permits. Parcels of less than the required minimum size may be created upon approval of an acceptable master plan by the site plan review committee.
- B. Setback. The minimum building setbacks in each zone district shall be conformed to the requirements set forth in that zone district. However, the site plan review committee may grant an exception to the required standards based on the uniqueness of the property or the specific design needs of the project. The average setback and landscaping under such exception shall be equal to the required standard.
- C. Landscaping. The city will review and approve all landscaping for developments approved or reviewed through the site plan review permit process in order to maintain high quality developments in Visalia. If landscaping is required as a result of request for building permit, the landscape and irrigation plans shall be submitted as a part of the building plans. The minimum landscaping areas shall conform to the requirements set forth in applicable zone district development standards and also the following standards:

## 1. General.

- a. All areas within a required setback to contain living ground covering or nonliving ground coverings. All plants within required setbacks to be of species suited to valley conditions, using Sunset Western Garden Book Zones 8 and 9 as a guide. The use of low water-using varieties, grouped by similar water usage is strongly recommended. All landscape areas shall meet the requirements of the State Model Water Efficient Landscape Ordinance, or if applicable, the Water Efficient Landscape Ordinance of the City of Visalia.
- b. Islands of a minimum area of eighty square feet shall be established at a maximum separation of ten continuous parking stalls. The islands shall be landscaped with ground covers and with a minimum of one fifteen (15) gallon tree planted in each island. Actual numbers of trees will be based on size of project as determined by the planning division.
- c. All landscaping as required within section shall be reviewed by the planning department as to the type, density of planting and size of plants intended for use. All landscaped areas shall be permanently maintained by the property owner.
- d. All landscaped areas shall be surrounded with six-inch high concrete curbing, unless waived by the site plan review committee.
- e. All landscaping on public property and parks shall conform to standards adopted by the park and recreation commission.
- f. Exceptions to landscaping requirements may be granted by the historic preservation advisory board for sites located within an historic district or for sites listed on the local register.

#### 2. Trees.

a. Spacing of trees to be variable depending on type and eventual size, but that there be a general minimum standard of one fifteen (15) gallon tree for each twenty feet of frontage of a required landscaped setback, exclusive of vehicular site lines.

- b. Trees to be used in parking lots to be of a type that will form a full head on a single trunk, i.e., Chinese Elm, Chinese Pistache, Golden Rain, Valley Oak or other approved species.
- 3. Shrubs.
- a. At least seventy-five (75) percent of shrubs planted to be of five-gallon minimum size. One-gallon plants may be used if planted with approved low water-using varieties.
- b. Shrubs within a required setback to be spaced in such a way so that at maturity the plants will provide eighty (80) percent coverage. This is typically achieved by a plant spacing of five five-gallon plants per one hundred (100) square feet.
- 4. Ground Covers.
- a. Definition. "Living ground cover" means low-growing plants or shrubs that after being planted will grow together to form a solid cover in one year or less, excluding turf. To achieve desired coverage, low growing, groundcover plants taken from flats shall be planted a maximum of twelve (12) inches on center. Low-growing, shrub type ground covers in one gallon cans shall be planted a maximum of two feet on center. Spacing may be increased to three feet on center for fast growing plants as approved by the planning division.
- In areas susceptible to foot traffic, the use of nonliving ground cover or long-lived low-growing shrubs and groundcovers, such as Dwarf Coyote Bush, Lantana and Junipers are required. Other groundcovers that do not last as long, such as Baby Tears, Gazania, African Daisy, and annual or perennial flowers must be limited to fifteen (15) percent of the total living groundcover area.
- b. Definition. "Nonliving ground cover" means artificial turf, forest humus or walk-on bark, rock, and other similar materials. Humus or bark shall be placed in planted areas at a minimum thickness of three (3) inches.
- c. All soil surfaces are to be covered by plant materials or nonliving groundcovers as defined in subsection (C)(5)(b) of this section.
- 5. Parking Lots.
- a. Planter required every other row to a width determined by the site plan review committee.
- b. Such planters to contain approved trees on twenty (20) foot centers.
- c. Shrubs and trees to be arranged in such a way as to avoid damage from the front of parked cars extending into the planter areas.
- 6. Turf.
- a. Living or nonliving turf shall be limited to twenty-five (25) percent of the total landscape area, and the use of low water-using varieties. Public parks, golf courses, cemeteries, schools, properties within a historic district, and residential office conversions are to be reviewed for exemptions on a project by project basis.
- b. No turf will be allowed:
- i. In traffic medians;
- ii. Storm drainage ponds with slopes in excess of 1:6;
- iii. On mounds or slopes exceeding 1:10.
- 7. Irrigation Plans.
- a. Irrigation plans are required to be submitted along with landscape plans. Irrigation plans must show an irrigation water use calculation per the Model Water Efficient Landscape

- Ordinance. If the landscape is required as the result of a request for building permit, the landscape and irrigation plans shall be submitted as a part of the building plans.
- Water efficient systems (drip, minispray, bubbler type, etc.) shall be used whenever feasible.
- c. All irrigation systems shall be equipped with an automatic controller capable of dual or multiple programming. Controllers must have multiple cycle capabilities and a flexible calendar program.
- d. Separate valves shall be installed based on water use of planting and exposures on irrigation systems with seven or more valves. Turf areas should be on a separate valve from nonturf areas on all irrigation systems regardless of size.
- e. Sprinkler heads must have matched precipitation rates within each control valve.
- f. Sprinkler head spacing shall be designed for head-to-head coverage and placed at a maximum of fifty (50) percent of the diameter of throw.
- g. Overhead sprays shall not throw water onto hardscaped or other non-planted, or bare ground areas, including sidewalks between landscaped areas.
- h. A minimum of four-inch pop-up sprinklers are required in turf areas, and areas adjacent to walkways and curbs. All sprinklers must be designed and installed to clear all plant material at maturity and obstacles in its throw zone.
- i. Serviceable check valves or separate valves according to water zones are required where elevation differential may cause low head drainage.
- j. Drip or bubbler irrigation systems are required on all trees and shrubs regardless if planted alone, in groundcover or turf areas.
- k. Irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize automatic rain shut-off devices.
- I. All irrigation systems must meet the latest Model Water Efficient Landscape Ordinance requirements.
- E. Loading. All loading facilities required as part of a proposed use shall be screened from view from both the parking areas and the public right-of-way.
- F. Screening and Storage.
- Where practical, all roof mounted air conditioners, roof vents, etc. should be screened from view from ground level. Such screening must be of a style and material such that it is an integral part of the building architecture. This would not apply to multiple family development.
- 2. Where commercial, office, or industrial site adjoins an R-1 or R-M district, a concrete block or masonry wall to a height recommended by the site plan review committee shall be located on the property line except in a required front yard, or the street side of a corner lot and suitably maintained. This requirement may be waived if an alternative landscaped buffer is provided as approved by the planning commission as an exception.
- 3. A use not conducted entirely within a completely enclosed structure, on a site across a street or alley from an R-1, or R-M district shall be screened by a concrete block or masonry wall to a height to be determined by the site plan review committee, if the site plan committee finds said use to be unsightly.
- 4. Open storage of materials and equipment, except commercial vehicles and used car sales lots, shall be permitted only within an area surrounded and screened by a concrete block or

- masonry wall to a height to be determined by the site plan review committee; provided, that no materials or equipment shall be stored to a height greater than that of the wall or fence.
- 5. In all commercial, office, mixed use, and business research park zone districts all businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, bus depots and transit stations and electric distribution substations.
- 6. Where commercial or office uses abut property zoned R-1, the upper stories of the structure to be occupied with commercial or office uses shall be so designed, or windows screened, to limit visibility onto the R-1 zoned property.
- G. Curb Cuts. Curb cuts for proposed developments shall be limited to the extent that access is provided to the site with a minimum of ingress and egress points so as to protect the safe traffic flow of Visalia's major arterial streets.
- H. Lighting. No on-site lighting shall directly or indirectly illuminate adjacent properties or the public street that provides access. The lights and standard to be used shall be approved by the site plan review committee.
- I. Auto Traffic Easements. When deemed necessary for the traffic safety of the community, the site plan review committee shall have the right to require as a condition of granting a planned development site plan review permit, that a parcel provide an easement for purposes of vehicular traffic.

## APPEAL OF PLANNING COMMISSION ACTION

(The fee to file an Appeal is \$509. Applicants who me to waive this fee. A fee waiver application can be obta at 315 E. Acequia. All Appeal forms with applicable of the City Clerk at 220 N. Santa Fe St., within subject of the appeal. If the final day to file falls on a extended to the next business day by 5:00 p.m.)	ten (10) days after the action which is the weekend or holiday the deadline to file is
Planning Commission Public Hearing Date: Site Plan	D-145 Brentwacel CH 945
Appellant Name: Chad Banuelos	OF VISALIA.
Address: 3130 Balfur Rd	D-145 Brentwasel CH 145
Phone: 510.791-8800	)
Please check the actions appealed and provide the action from the Planning Division at 713-4359.	number. The action number may be obtained
<ul> <li>□ Conditional Use Permit No.</li> <li>□ Variance/Exception No.</li> <li>□ Change of Zone No.</li> <li>□ Tentative Subdivision Map</li> <li>□ Tentative Parcel Map No.</li> <li>■ Site Plan Review Committee Determination SPR</li> </ul>	(Section 17.02.145) (Section 17.44.080) (Section 16.04.040) (Section 16.04.040)
In accordance with the Municipal Code of the City of Vibe appealed to the City Council within ten (10) days after. The appeal must state specifically where it is claimed that Planning Commission or whether the decision of the Correcord.	r the action which is the subject of the appeal. It there was an error or abuse of discretion by the
List reason for appeal in accordance with the above requidocumentation may be attached)  Site Plan Review committee has made a determination based on predictions, not to allow a commercial drive approach to access the parcaccess come from the parcel to the north, however there are not impossible.  Signature:	evious Planning Commission cel in question. SPR Committee has asked that
Office Use Only  Received By: 5/4/2  Date: 7/12/19  Emailed to City Planner: 7/12/19  Planning Comments City Council Hearing Date:	RECEIVED  JUL 1 2 2019  COMM. DEVELOP. CITY OF VISALIA
	Date Stamp

City of Visalia, Planning Commission 315 E. Acequia Ave. Visalia, CA 93291

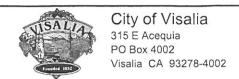
Mad Bareele

Re: Appeal of Site Plan Review Committee Determination for SPR19-033

Dear Commissioners,

We are submitting an appeal to a determination that was made by the City of Visalia Site Plan Review Committee for a commercial project located at 738 Lovers Lane. The Site Plan Review Committee has maintained that a commercial drive approach that allows access to our project from Lovers Lane will not be allowable due to a previous resolution, CUP 2014-11, that was adopted for the project directly adjacent to ours. The infrastructure to access our site through the adjacent parcel does not currently exist and we would like to ask the Planning Commission to consider allowing a right in, right out only drive approach for our site. We thank you for your consideration and look forward to a constructive conversation on how we can get our project to move forward.

**Chad Banuelos** 



# RECEIPT

DATE OF PAYMENT 7/12/2019 2:28:31PM

Receipt Number: 549754

Application:

TID: 426

Address:

Parcel:

Subdivision:

Work Description:

228566

INVOICE NBR FEE CODE FEE DESCRIPTION

Acct. Code: 1821-46540

1540 Appeal

FEE QUANTITY

**AMOUNT** 509.00

PAYMENT METHOD

Check

CASHIER: MDSHAR

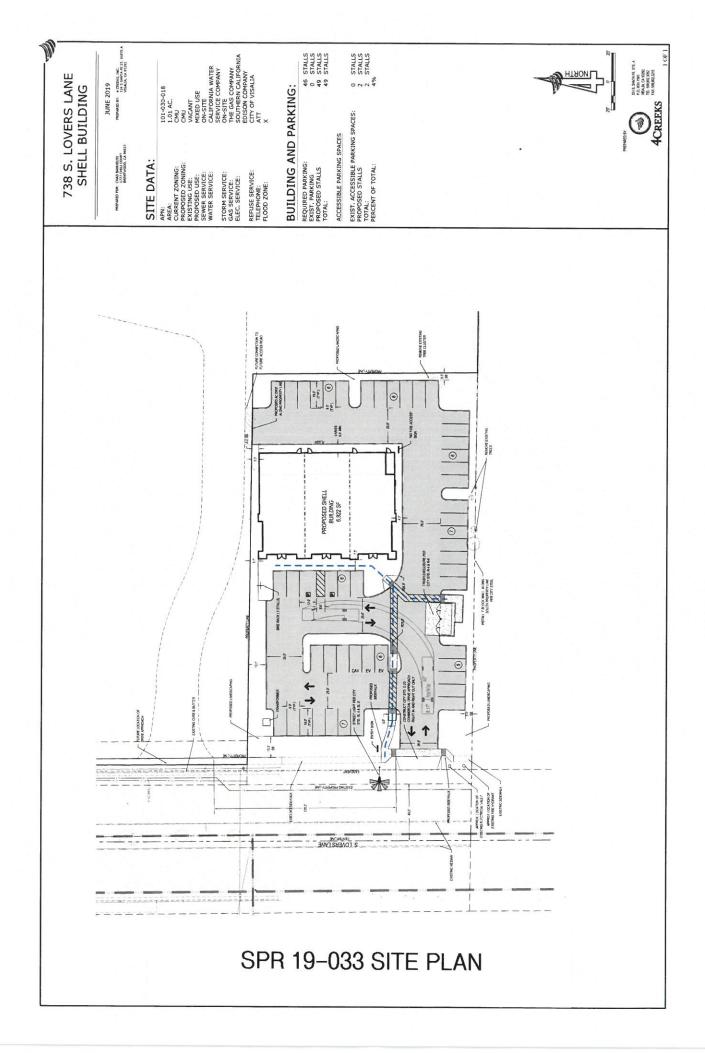
1011

PAYOR: PMP&C PROPERTIES LLC

1777 CHILI CT BRENTWOOD CA

TOTAL PAID: 509.00

Printed: 7/12/2019



### **RESOLUTION NO 2019-60**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA DENYING THE APPEAL OF THE SITE PLAN REVIEW COMMITTEE'S DECISION TO REQUIRE THE CLOSURE OF AN EXISTING RESIDENTIAL ACCESS POINT FROM LOVERS LANE, IN FAVOR OF A RECORDED EASEMENT GRANTED TO THE PROPERTY FROM THE ADJACENT COMMERCIAL DEVELOPMENT PURSUANT TO CONDITION NO. 1.B OF RESOLUTION NOS. 2014-18 AND 2014-19 FOR TENTATIVE PARCEL MAP NO. 2014-06 AND CONDITIONAL USE PERMIT (CUP) NO. 2014-11

WHEREAS, On July 3, 2019, the Site Plan Review Committee (SPR) of the City of Visalia determined that the project pertaining to Site Plan Review No. 19-033 requires the closure of an existing residential access point from Lovers Lane, in favor of a recorded easement granted to the property from the adjacent commercial development pursuant to Condition No. 1.B of Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-11.; and,

WHEREAS, the Appellant desires to convert an existing driveway serving a residential unit for a new commercial project on the site; and,

WHEREAS, on July 12, 2019, the Appellant, appealed the SPR Committee's determination of "Resubmit" for SPR 19-033; and,

**WHEREAS,** on August 12, 2019, the Planning Commission of the City of Visalia, after duly published notice, including a 300-foot radius mailing, did hold a public hearing before said Commission; and,

WHEREAS, the Planning Commission of the City of Visalia finds the SPR Committee's decision to be in accordance with Condition B.1 of Resolution No. PC 2014-18 for Tentative Parcel Map (TPM) No. 2014-06, and Resolution No. 2014-19 for Conditional Use Permit (CUP) No. 2014-11, and with Zoning Ordinance sections 17.30.015 G. and I, based on the evidence contained in the staff report; and.

**AND WHEREAS,** the Planning Commission of the City of Visalia makes the following specific findings:

- 1. That the Site Plan Review Committee's decision to impose the recorded easement granted to the property from the adjacent commercial development pursuant to Condition No. 1.B of Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-11 is consistent with the Planning Commission's approval to have the commercial area develop with shard access drive approaches. The development condition adopted with the Planning Commission's approval for the shopping center project to share a common access drive approach is no more onerous than those imposed to all development projects within Visalia.
- 2. That the conditions regarding development requirements as contained in the Site Plan Review (SPR) Comments for SPR No. 2019-033 are applied based on the Planning Commission's approval that vehicular safety and welfare are protected with no adverse effect on surrounding property and to provide for a site plan

which supports adopted Planning Commission Condition No. 1B., which states: Condition No. 1.B of Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-11: Access Easement to adjacent parcel: The applicant shall record an access easement in favor of the property at 738 S. Lovers Lane (APN: 101-030-018). Such easement shall become effective upon development of said parcel to commercial use standards required by the P-C S/O Zone District and Design District C, or similar Design District.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Visalia denies the appeal and upholds the SPR Committee's decision pertaining to SPR 19-033.



#1

MEETING DATE: July 3, 2019

SITE PLAN NO. 19-033 3rd Resubmittal

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.

$\boxtimes$	for bu revise	BMIT Major changes to your plans are required. Prior to accepting construction drawings ilding permit, your project must return to the Site Plan Review Committee for review of the d 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.
	REVIS	SE 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
		HISTORIC PRESERVATION OTHER:
	ADDIT	IONAL COMMENTS:
If you I	have an	y questions or comments, please call (559) 713-4444.
Site F	lan Re	view Committee

#### BUILDING/DEVELOPMENT PLAN ITEM NO: 1 DATE: JULY 3, 2019 REQUIREMENTS **ENGINEERING DIVISION** 19-033 3RD RESUBMITTAL SITE PLAN NO .: Adrian Rubalcaba 713-4271 PROJECT TITLE: **COLD SHELL BUILDING** Diego Corvera 713-4209 DESCRIPTION: 6299 SF SHELL BUILDING ON 1 ACRE APPLICANT: **4 CREEKS INC** PROP OWNER: **CHAD BANUELOS** LOCATION: 738 S LOVERS LANE APN: 101-030-018 SITE PLAN REVIEW COMMENTS REQUIREMENTS (indicated by checked boxes) Install curb return with ramp, with Ninstall curb: Qutter DRIVEWAY DEMO ON LOVERS LANE □ Drive approach size: SEE ADDL COMMENTS Sidewalk: EXISTING, MATCH WIDTH @ DEMO width; parkway width at Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard. Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand. Right-of-way dedication required. A title report is required for verification of ownership. Deed required prior to issuing building permit; City Encroachment Permit Required. FOR ALL WORK IN THE PUBLIC RIGHT-OF-WAY Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. 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. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting 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 comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district. Grading & Drainage plan required. If the project is phased, 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) directed to a permanent on-site basin; or c) 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 maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance. THE INCREASE IN SD RUN-OFF WILL NEED TO BE ANALYZED 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 limits and across the project 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.
☑Install landscape curbing (typical at parking lot planters).
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 Contacts: James Silva 747-1177 for Modoc,
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 EXISTING OVERHEAD COMM LINES
☑Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over
50kV shall be exempt from undergrounding. <b>LOVERS LANE FRONTAGE</b>
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.
Moonibis with bilot comments. Mixesubilit with additional information. Mixedesign required.

#### **Additional Comments:**

- 1. Project will need to connect to City sewer. Existing sewer main is located on west side of Lovers Lane. Additional lateral work will be required to be extended to the property & proposed building. Refer to City encroachment policy for trenching within arterial streets.
- 2. The increase in storm water run-off (from residential to commercial) will need to be analyzed to determine if existing infrastructure contains capacity in Lovers Lane. It is recommended project install/utilize onsite swale detention designs to lessen impact. Further coordinate with City Engineer.
- 3. Proposed shell building and full land development will incur additional impact fees. Refer to page 4 for applicable fees and estimate due at time of building permit issuance.
- 4. Project will need to plan for future grease interceptor installation locations for a future food service type tenant.
- 5. Refer to further comments by the Fire Dept.
- 6. The trash enclosure will need to meet City 24' refuse enclosure standards. A concrete apron and metal gates will be required. Align enclosure with drive aisle. Refer to further comments by the Solid Waste Dept.
- 7. The change to commercial development will impact existing site access. Lovers Lane is an arterial roadway and access is limited per City standards the distance between drive approaches shall be a min. of 500'. The proposed new drive approach location will not be supported. It was determined with the master commercial development to the north that an additional drive approach be installed near the southern parcel border to allow future access and connectivity should this parcel develop under its current zone. This project will need to coordinate with adjacent parcel owners to utilize/construct the

required drive approach approved with their master plan or provide a shared drive approach, partially split between the parcels, in order to adequately serve as access to proposed development (at proper width) and future access to master development to the north.

- 8. Demo of existing drive approach is required. Replace sidewalk and curb and gutter in-kind.
- 9. Proposed new street light will be required to be installed near the south parcel limits. Refer to City arterial street lighting standards a new service meter pedestal may be required. The master commercial complex to the north is slated to install future street lights and stub south for future connection. Coordinate with commercial complex to extend the required street lighting conduit.
- 10. Street trees and landscaping shall be installed within parkway on Lovers Lane. Refer to City street tree master list and installation requirements.
- 11. Building permits are required. Standard plan check and inspection fees will apply.

## SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 19-033 3rd RESUBMITTAL

Date: 7/3/2019

Summary of applicable Development Impact Fees to be collected at the time of building permit:

(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of <u>building permit</u> issuance.)

(Fee Schedule Date:8/3/2018) (Project type for fee rates:RETAIL)

Existing uses may qualify for credits on Development Impact Fees. 1 SFD + RURAL CR

FEE ITEM	FEE RATE
Groundwater Overdraft Mitigation Fee	\$1,293/AC X 1
	\$14,579/1KSF X 6.9 - (\$5,906CR) = \$94,689
∑ Trunk Line Capacity Fee	\$25/1KSF X 6.9 = \$173 TREATMENT PLANT FEE: \$55/1KSF X 6.9 = \$380
Sewer Front Foot Fee	\$43/LF X 158 (LOVERS LANE) = \$6,794
Storm Drain Acq/Dev Fee	[\$6,504/AC - (\$1,627CR)] X 1 = \$4,877
Park Acq/Dev Fee	
Northeast Specific Plan Fees	
Waterways Acquisition Fee	[\$4,776/AC - (\$1,193CR)] X 1 = \$3,583
Public Safety Impact Fee: Police	[\$8,671/AC - (\$273CR)] X 1 = \$8,398
☐ Public Safety Impact Fee: Fire	
Public Facility Impact Fee	\$556/1KSF X 6.9 - (\$571CR) = \$3,265
Parking In-Lieu	

#### Reimbursement:

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.

Adrian Rubalcaba

## SITE PLAN REVIEW COMMENTS

Paul Scheibel, Planning Division, 559-713-4369

Date: July 3, 2019

SITE PLAN NO:

2019-033 - D

PROJECT:

738 S. Lovers Lane

DESCRIPTION:

6,299 SF COLD SHELL BUILDING. PRIMARY FUTURE USE IS TO BE FOR ONE TO

THREE TENANT SPACES. ANY FUTURE TENANT IMPROVEMENTS WILL BE SUBMITTED ON A CASE BY CASE BASIS, UNDER SEPARATE PERMITS

APPLICANT:

ELSA MAJIA - 4 CREEKS INC.

PROP. OWNER: LOCATION TITLE: CHAD BANUELOS 738 S. LOVERS LANE

APN TITLE:

101-030-018

GENERAL PLAN: ZONING:

Mixed Use Commercial

C-MU (Mixed Use Commercial)

requirements of the San Joaquin Valley Air Pollution Control District see District web-site for information.

Rule 9510 - This project is not

subject to the Rule 9510

## Planning Division Recommendation:

Revise and Proceed Resubmit

## **Project Requirements**

- Building Permits.
- Additional Information as Needed

## PROJECT SPECIFIC INFORMATION: July 3, 2019

1. Same comments as previous. Separate commercial drive access cannot be supported because provisions have been previously made by condition on the CUP granted to the property adjacent to the north.

## PROJECT SPECIFIC INFORMATION: May 15, 2019

1. Staff cannot support converting residential driveway to commercial use. Conditions of approval for map and CUP for adjacent project provides access on north P/L.

#### PROJECT SPECIFIC INFORMATION: April 24, 2019

1. Comply with previous comments, particularly that requiring use of shared access point on north side of parcel.

## PROJECT SPECIFIC INFORMATION: February 13, 2019

- Proposed use is "Permitted" in the C-MU zone.
- 2. See Engineering Department comments for a shared access drive to the north. Resolution No. 2014-19, of PM No. 2014-03.
- 3. Provide a minimum 80 sq. ft. landscape well every 10 contiguous parking stalls.
- 4. Provide a minimum seven-foot high (7) block wall along the south property line.
- 5. Provide a "no parking" stall at the north end of the west parking lot for cars to use as a "turn-around".
- Trash enclosure needs to meet Solid Waste requirements for size and direct stab.
- 7. No illuminated signage visible from the residential area to the south will be allowed, freestanding or on the building.
- 8. Landscape and irrigation plans are required as a part of the building permit package.
- 9. Show all the improvements along the Lovers Lane frontage.
- 10. Comply with all codes and regulations.

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.
  - 1. The provisions of Chapter 17.58 shall also be met, if applicable.

### Parking:

- 1. Provide parking spaces based Zoning Ordinance Section 17.34.020
- 2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot.
- 3. Provide handicapped space(s).
- 4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking.
- 5. A planter is required every other row. (5-9 feet in width containing trees on twenty (20) foot centers.
- 6. No repair work or vehicle servicing allowed in a parking area.
- 7. It is highly recommended that bicycle rack(s) be provided on site plan.
- 8. No parking shall be permitted in a required front/rear/side yard.
- 9. Design/locate parking lot lighting to deflect any glare away from abutting residential areas.
- 10. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street or when across from residential property.
- 11. Front carport area to have a 3 to 6-foot tall screening wall.
- 12. Provide shopping cart storage areas on site plan.
- 13. Provide transit facilities on site plan.
- 14. Provide shared parking/access agreements
- 15. Provide off-street loading facility.
- 16. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.
- 17. Provide a "No Parking" (dead-head) stall at the end of the parking row (for rows over 6 stalls deep with no outlet) to allow vehicles to turn around rather than backing out if no stalls are available.

#### Fencing and Screening:

- 1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
- 2. Provide second-story screening for all windows that may intrude into adjacent residential properties. Details and cross-sections will be required for review/approval prior to issuance of building permits.
- 3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).

- 4. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
- 5. Outdoor retail sales prohibited.
- 6. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
- 7. 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:

- 1. The City has adopted the State Water Efficient Landscape Ordinance. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.
- 2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.015-2).
- In the P(R-M) multi-family residential zone, all multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained. (Zoning Ordinance Section 17.16.180)
- 4. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
- 5. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
- 6. Provide a detailed landscape and irrigation plan as a part of the building permit package.
- 7. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls.
- 8. Provide a detailed landscape and irrigation plan for review prior to issuance of building permits. Please review Zoning Ordinance section 17.30.130-C for current landscaping and irrigation requirements.
- 9. Provide a conceptual landscape plan for resubmittal or planning commission review.
- 10. Maintenance of landscaped areas. A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

#### Lighting:

- All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
- 2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
- 3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
- 4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.

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.

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.





STR 19033 COLD SHELL BUILDING 738 3 LOVERS LANE.

City of Visalia
Building: Site Plan
Review Comments

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.

$\times$	A building permit will be required.	For information call (559) 713-4444
X	Submit 1 digital set of professionally prepared plans and 1 set of calculations.	(Small Tenant Improvements)
	Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2 light-frame construction or submit 1 digital set of engineered calculations.	016 California Building Cod Sec. 2308 for conventional
	Indicate abandoned wells, septic systems and excavations on construction plans.	
$\boxtimes$	You are responsible to ensure compliance with the following checked items:  Meet State and Federal requirements for accessibility for persons with disabilities.	
	A path of travel, parking and common area must comply with requirements for 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.	
X	A demolition permit & deposit is required.	For information call (559) 713-4444
$\boxtimes$	Obtain required permits from San Joaquin Valley Air Pollution Board.	For information call (661) 392-5500
	Plans must be approved by the Tulare County Health Department.	For information call (559) 624-8011
	Project is located in flood zone •  Hazardous materials report.	
	Arrange for an on-site inspection. (Fee for inspection \$157.00)	For information call (559) 713-4444
$\boxtimes$	School Development fees. Commercial \$0.61 per square foot. Residential \$3.79 per sq	uare foot.
	Park Development fee \$ per unit collected with building permits.	
	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: \$2 PERSONE WITH	1 100 OR MORE REQUIRES
	FIRE CAPINKLERS, P	SOVIDE CREACE
	INTERCEPTOR FOR RE	STAUPANT USE.
	AL LANDSCAPING & MWELO REQUIREM	SHALL MEET THE BUTS.
	YOLO	Signature 7/3/19



Site Plan Review Comments For: Visalia Fire Department Corbin Reed, Fire Marshal 420 N. Burke Visalia, CA 93292 559-713-4272 Office 559-713-4808 Fax Date: 07/03/2019

Item #1

Site Plan # 19-033 RESUBMITTAL

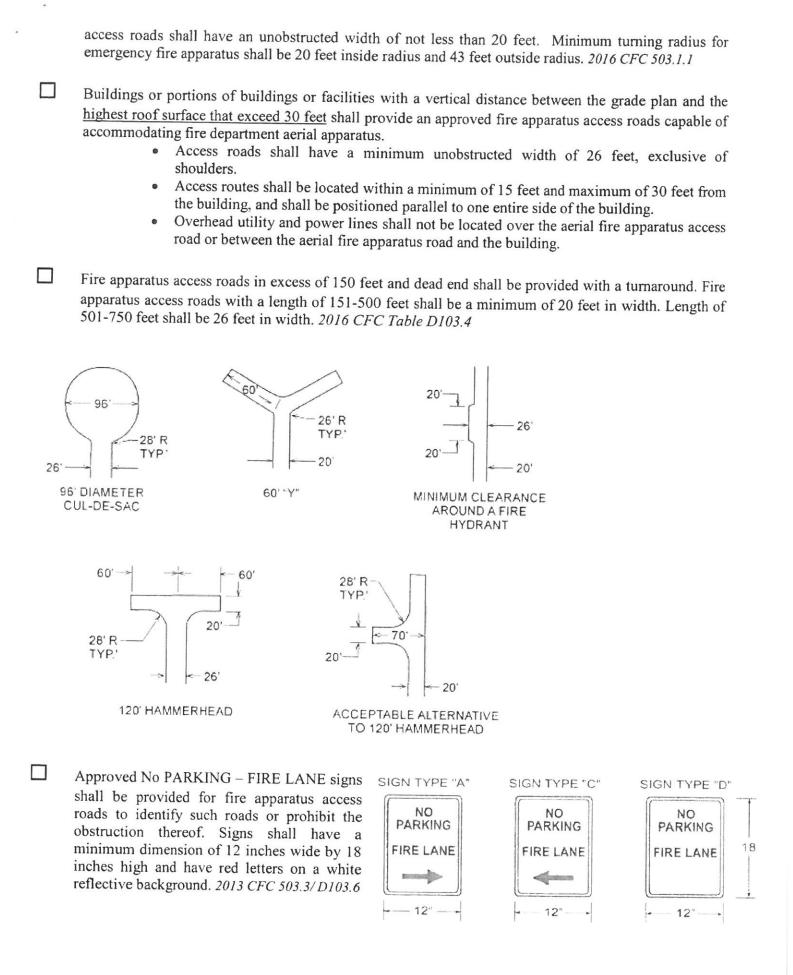
APN: 101-030-018

Location: 738 S. LOVERSLANE

The following comments	are	applicable	when	checked:
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$\boxtimes$	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 existing buildings shall be maintained in an operative condition at all times 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 systems and fire hydrants in accordance with all applicable sections of the California Fire Code.
	<ul> <li>Construction and demolition sites prior to and during construction shall comply with the following:         <ul> <li>Water Supply for fire protection, either temporary or permanent, shall be made available as soon as combustible materials arrive on the site. 2016 CFC 3312</li> </ul> </li> <li>An all-weather, 20 feet width Construction Access Road 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</li> </ul>
	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
	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.
	Commercial dumpsters 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 420 N Burke, Visalia, CA 93292. 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	r Supply for Residential, Commercial & Industrial:
Resido	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.
Comn	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: <b>Type of construction Square footage</b>
Emer	gency Access
	A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend within 150 feet 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



	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)					
	<ul> <li>More than 26 feet width, exclusive of shoulders (No Parking one side)</li> <li>More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)</li> </ul>					
	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					
	<ul> <li>Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:</li> <li>2016 CFC D103.5</li> <li>Gates shall be of the swinging or sliding type.</li> <li>Gates shall allow manual operation by one person (power outages).</li> <li>Gates shall be maintained in an operative condition at all times.</li> <li>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 420 N Burke, Visalia, CA 93292. Please allow adequate time for shipping and installation.)</li> </ul>					
	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	rotection 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 420 N Burke, Visalia, CA 93292. 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					
	l Comments:					
Ø S	see previous comments					
la						
Corbin	Reed					

Fire Marshal

# City of Visalia Police Department

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

# Site Plan Review Comments

	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 penaining to:							
	Territorial Reinforcement: Define property lines (private/public space).							
	Access Controlled / Restricted etc:							
	Lighting Concerns:							
	Landscaping Concerns:							
[] 7	raffic Concerns:							
Si	Surveillance Issues:							
Li Li	Line of Sight Issues:							
1	MERANT							

Visalia Police Department

# SITE PLAN REVIEW COMMENTS

# CITY OF VISALIA TRAFFIC SAFETY DIVISION July 3, 2019

ITEM NO. 1 SITE PLAN NO: RESUBMITTAL

SPR19-033

PROJECT TITLE:

738 S. Lovers Lane

DESCRIPTION:

6299 sf Cold Shell Building. Primary Future use is to be for one to ThreeTenant Spaces. Any Future Tenant Improvements will be Submitted on a Cas by Case Basis, Under

APPLICANT:

Elsa Majia - 4Creeks Inc

OWNER:

Chad Banuelos

APN:

101-030-018

LOCATION:

738 S. Lovers Lane

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

	No Comments						
$\boxtimes$	See Previous Site Plan Comments						
$\boxtimes$	Install Street Light(s) per City Standards.						
	Install Street Name Blades at Locations.						
$\boxtimes$	Install Stop Signs at <i>driveway exit</i> Locations.						
$\boxtimes$	Construct parking per City Standards PK-1 through PK-4.						
$\boxtimes$	Construct drive approach per City Standards.						
	Traffic Impact Analysis required (CUP)  Provide more traffic information such as number of trips generated in peak hour of adjacent street traffic. Depending on development size, characteristics, etc., a TIA may be required.						
	Additional traffic information required (Non Discretionary)  Trip Generation - Provide documentation as to concurrence with General Plan.  Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.  Traffic Impact Fee (TIF) Program - Identify improvments needed in concurrence with TIF.						

#### **Additional Comments:**

- Access drive to be shared with northerly property.
- Per COV Design and Improvement Standard C-32 Drive Approach Locations, minimum distance between driveways for an arterial (Lovers Ln) is 500-ft, minimum width for driveway approach is 36-ft, and minimum distance from adjacent intersection is 200-ft.
- Access restricted to right in, right out only.

Leslie Blair

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

## 19033

#### COMMERCIAL BIN SERVICE

	No comments.
XX	See comments below
	Revisions required prior to submitting final plans. See comments below.
	Resubmittal required. See comments below.
	Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
	ALL refuse enclosures must be R-3 OR R-4
	Customer must provide combination or keys for access to locked gates/bins
	Type of refuse service not indicated.
	Location of bin enclosure not acceptable. See comments below.
	Bin enclosure not to city standards double.
	Inadequate number of bins to provide sufficient service. See comments below.
	Drive approach too narrow for refuse trucks access. See comments below.
	Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
	Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
	Bin enclosure gates are required
	Hammerhead turnaround must be built per city standards.
	Cul - de - sac must be built per city standards.
	Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
	Area In front of refuse enclosure must be marked off indicating no parking
	Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
	Customer will be required to roll container out to curb for service.
	Must be a concrete slab in front of enclosure as per city standards, 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 both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
	City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.
Comment	Same as previous comments.

#### **RESOLUTION NO 2014-18**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2014-1125:

A REQUEST BY THE CHANDI GROUP, USA, INC., A REQUEST TO ALLOW THE PHASED DEVELOPMENT OF A SHOPPING CENTER, CONSISTING OF SIX COMMERCIAL PARCELS TO BE DEVELOPED IN FOUR PHASES WITH A TOTAL OF APPROXIMATELY 106,400 SQUARE FEET OF BUILDING SPACE, INCLUDING OF A GASOLINE SERVICE STATION, FAST FOOD WITH DRIVE-THRU, FOUR-STORY HOTEL, DRUG STORE WITH DRIVE-THRU, AND GENERAL RETAIL SPACE ON 12 ACRES. THE PROJECT IS LOCATED ON EAST SIDE OF LOVERS LANE, APPROXIMATELY 310 FEET SOUTH OF NOBLE AVENUE. (APNS: 101-030-025, -026, -027, AND -028)

WHEREAS, Conditional Use Permit No. 2014-11 —is a request to allow the phased development of a shopping center, consisting of six commercial parcels to be developed in four phases with a total of approximately 106,400 square feet of building space, including of a gasoline service station, fast food with drive-thru, four-story hotel, drug store with drive-thru, and general retail space on 12 acres; and, .

WHEREAS, The Planning Commission of the City of Visalia held a duly published and noticed public hearing on May 27, 2014; and,

WHEREAS, the Planning Commission of the City of Visalia finds the conditional use permit to be in accordance with Section 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, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, if recommended mitigation measures were incorporated in the project.

- NOW, THEREFORE, BE IT RESOLVED, that Mitigated Negative Declaration No. 2014-28 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.
- NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia approves the proposed conditional use permit based on the following specific findings and based on the evidence presented:
- 1. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.

- 2. That the proposed conditional use permit would be compatible with adjacent land uses.
- 3. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Mitigated Negative Declaration No. 2014-28, incorporating the Mitigation Monitoring Program included within, is hereby adopted.
- 4. That the conditional use permit is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
- BE IT FURTHER RESOLVED that the Planning Commission approves the conditional use permit on the real property herein described in accordance with the terms of this resolution under the provisions of Chapter 17.38 of the Ordinance Code of the City of Visalia, subject to the following conditions:
- 1. That the project shall be developed and maintained in substantial compliance with the site plans in Exhibits "A", "B", and "G", except for specific revisions as follows:
- A. Re-location of the northern driveway: The location of the northern-most access point along Lovers Lane shall be re-located in a manner meeting the approval of the City Engineer that meets separation distance and alignment with other access points along the affected roadway, and with Engineering Standard P-12. Further, any costs to reconfigure the existing center median or any other portion of Lovers Lane shall be borne at the applicant's sole expense.

  B. Access easement to adjacent parcel: The applicant shall record an access easement in favor of the property at 738 S. Lovers Lane (APN 101-030-018). Such easement shall become effective upon development of said parcel to commercial use standards required by the P-C S/O Zone District and Design District C, or similar Design District.
- C. Entrance on Parcel 3 with small drive aisle: The north/south drive aisle that bisects the parking area adjacent to Parcel 2 shall be aligned with the northern entrance to the parking area of Parcel 3.
- D. The applicant shall install and maintain vehicle barriers on undeveloped lots. Such barriers shall be installed to preclude vehicle travel and parking on the portions of the project site that are not proposed for immediate development. The typically employed barrier consists of low metal poles with wire cable.
- 2. That the project shall be developed and maintained in substantial compliance with the elevation plans in Exhibits "D" and "G", except for specific revisions as follows:
- A. Detailed loading dock plans: Prior to issuance of building permits for buildings located on Parcel 3 or Parcel 6 of TPM 2014-03, the applicant shall submit detailed development plans for loading docks that will be associated with the retail buildings. Such plans shall demonstrate that: The dock has adequate truck parking space without obstructing vehicle circulation; the dock is fully screened from offsite

view, including public rights of way, and, the noise mitigation standards in the Acoustical Analysis prepared for the project can be met.

- B. Gas Island Canopy Lighting and Signage: Lighting for the fuel island canopy shall be recessed into the canopy and shielded to prevent any significant light or glare from falling upon the adjacent properties or the public right of way. There shall be no fascia illumination on the gas island canopy, including any type of light strips or LED/neon banding. An internally illuminated logo sign is allowed.
- C. No high intensity light sources such as neon and LED lights shall be allowed as accent lighting on buildings.
- 3. That the project and site landscaping and lighting shall be developed and maintained in substantial compliance with Exhibits "E" and "F" unless otherwise specified in the conditions of approval. Detailed landscaping plans shall be submitted with building permits for each individual project allowed by CUP 2014-11.
- 4. That the project be developed in substantial compliance with Site Plan Review No. 2013-194.
- 5. Before issuance of the first building permit or recordation of Parcel Map 2014-03, the applicant shall record a restrictive covenant including vehicular access, landscaping and permanent maintenance of all common areas such as the public street parkways and perimeter landscaping, project identification signage and walls, common lot landscaping, and all similar infrastructure agreements among one and all property owners. The restrictions and/or vehicular access agreements shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review these restrictions or vehicular access agreements verifying compliance with these requirements prior to the covenant's recordation.
- 6. That a separate Conditional Use Permit shall be obtained for any substantial revision to the conditionally approved uses for CUP 2014-11, or for any conditionally-allowed uses that subsequently locate on the project site.
- 7. That all applicable federal, state, regional, and city policies and ordinances be met.
- 8. That all of the conditions and responsibilities of Conditional Use Permit No. 2014-11 shall run with the land and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
- 9. That the applicant 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. 2014-11.

- 10. That the mitigation measures found within the Mitigation Monitoring Plan for Mitigated Negative Declaration No. 2014-28 are hereby incorporated as conditions of this Conditional Use Permit.
- 11. That illuminated building signage shall be placed so as to not allow direct or indirect light or glare from falling upon the adjacent residential properties.

#### **RESOLUTION NO 2014-19**

- A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2014-03:
- A REQUEST BY THE CHANDI GROUP, USA, INC. TO DIVIDE 12 ACRES INTO SIX PARCELS COMMERCIAL PARCELS.
- THE PROJECT IS LOCATED ON THE EAST SIDE OF LOVERS LANE, APPROXIMATELY 310 FEET SOUTH OF NOBLE AVENUE (APNS: 101-030-025, -026, -027, AND -028)
- WHEREAS, Tentative Parcel Map No. 2014-0301 is a request by The Chandi Group, USA, Inc. to divide 12 acres into six commercial parcels. The project is located on the east side of Lovers Lane, approximately 310 feet south of Noble Avenue. (APNs: 101-030-025, -026, -027, and -028); and,
- WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on May 27, 2014; and,
- WHEREAS, the Planning Commission of the City of Visalia finds the tentative parcel map in accordance with Section 16.28.070 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and
- WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, if recommended mitigation measures were incorporated in the project.
- NOW, THEREFORE, BE IT RESOLVED, that a Mitigated Negative Declaration was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.
- NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia approves the proposed tentative parcel map based on the following specific findings and based on the evidence presented:
- 1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
- 2. That the proposed tentative parcel map would be compatible with adjacent land uses.
- 3. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with

mitigation and that Mitigated Negative Declaration No. 2014-28, incorporating the Mitigation Monitoring Program included within, is hereby adopted.

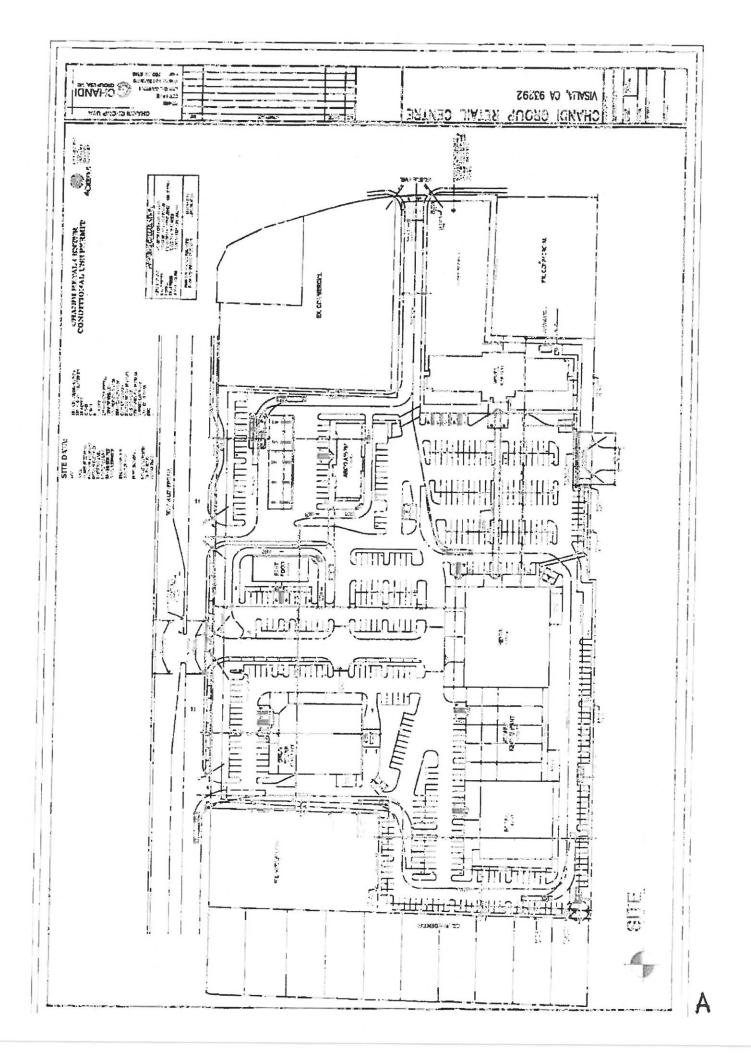
- 4. That the tentative parcel map is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
- BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative parcel map on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.28.070 of the Ordinance Code of the City of Visalia, subject to the following conditions:
- 1. That the tentative parcel map be prepared in substantial compliance with Exhibit "C".
- A. Re-location of the northern driveway: The location of the northern-most access point along Lovers Lane shall be re-located in a manner meeting the approval of the City Engineer that meets separation distance and alignment with other access points along the affected roadway, and with Engineering Standard P-12. Further, any costs to reconfigure the existing center median or any other portion of Lovers Lane shall be borne at the applicant's sole expense.
- B. Access Easement to adjacent parcel: The applicant shall record an access easement in favor of the property at 738 S. Lovers Lane (APN 101-030-018). Such easement shall become effective upon development of said parcel to commercial use standards required by the P-C S/O Zone District and Design District C, or similar Design District.
- 2. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2013-199.
- 3. That Conditional Use Permit No. 2014-11 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
- 4. That a restrictive covenant including vehicular access, landscaping and permanent maintenance of all common areas such as the public street parkways and perimeter landscaping, project identification signage and walls, common lot landscaping, and all similar infrastructure agreements shall be recorded with the final parcel map. The restrictions and/or vehicular access agreements shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review these restrictions or vehicular access agreements verifying compliance with these requirements prior to the covenant's recordation.

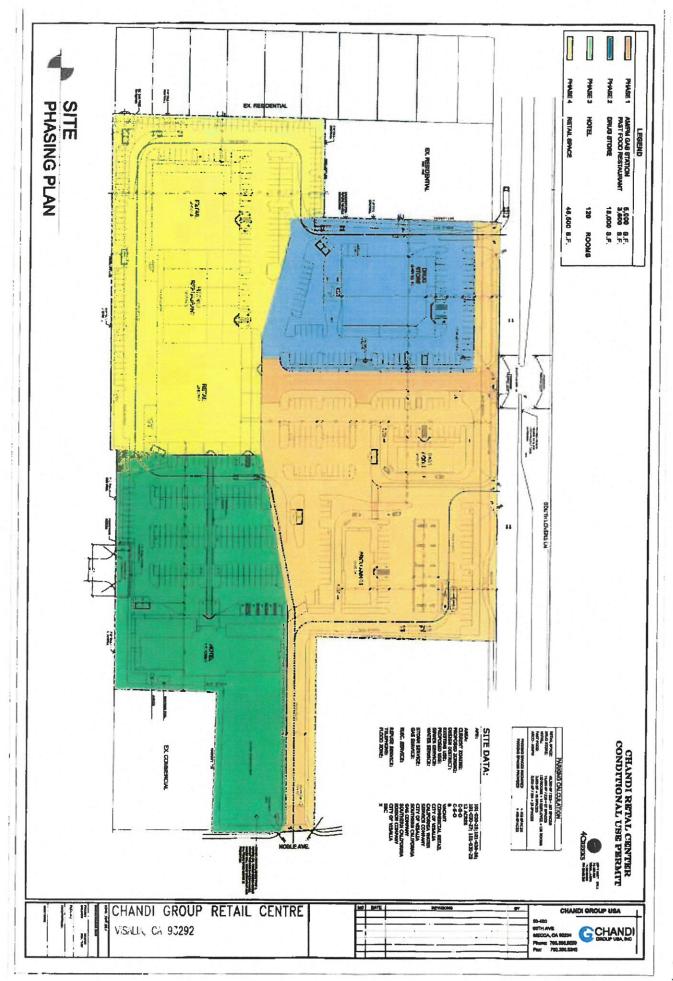
5.	That	all	applicable	federal,	state,	regional,	and	city	policies	and
ordinances be	e met.									

- 6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Tentative Parcel Map No. 2014-03.
- 7. That the mitigation measures found within the Mitigation Monitoring Plan for Mitigated Negative Declaration No. 2014-28 are hereby incorporated as conditions of this Tentative Parcel Map.

Josh McDonnell, Assistant Directo	or / City Planner	

Adam Peck, Chairperson





TENTATIVE PARCEL MAP PARTY AND PARTY OF THE PARTY OF SITE DATA: AMBAI CAMBERT ZONINGS PROPUSED ZONING BERTHEL USE: STORM SERVICE: STORM SERVICE: GAS SERVICE: GAS SERVICE:

# RETAIL CENTER

131-COD-251411-COD-26;
131-COD-27; 151-COD-28;
13-ACRES
12-ACRES
1

BUTTEDING AND PARKING:

5,000 SF. / 225 = 23 SPACES



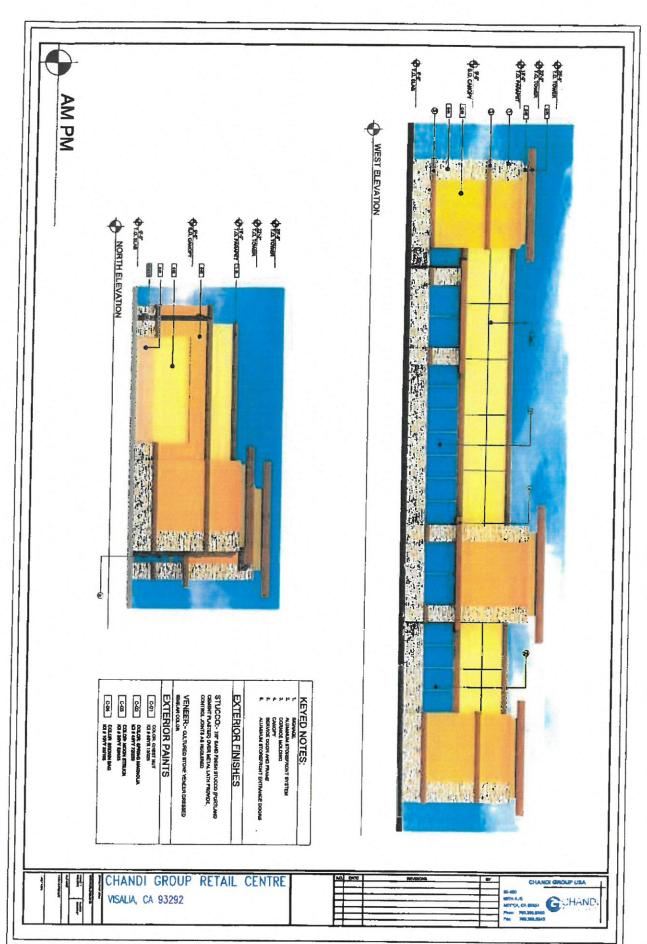
BESTING 110" THOW

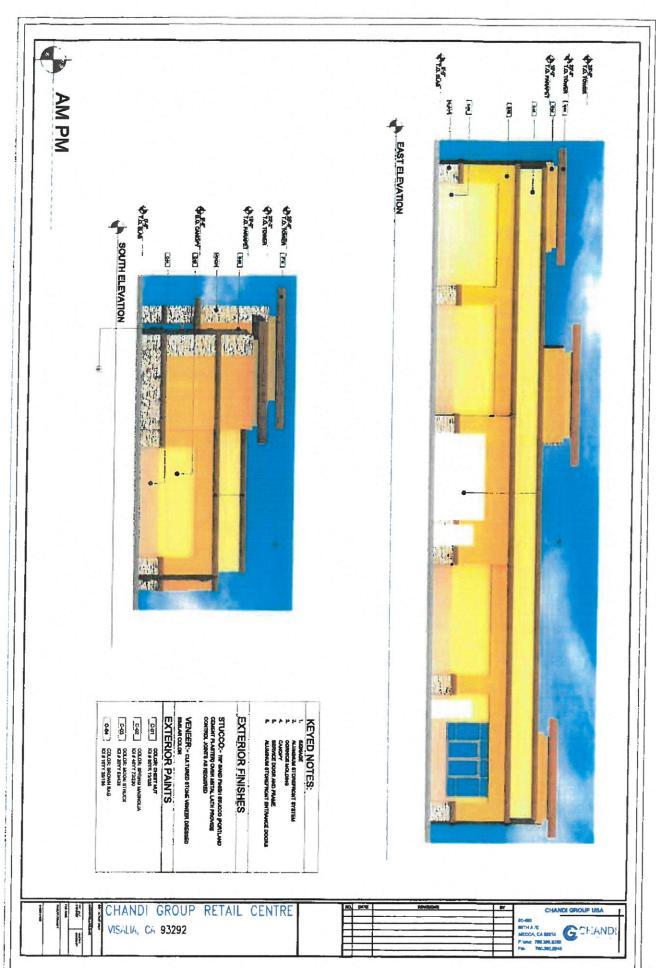


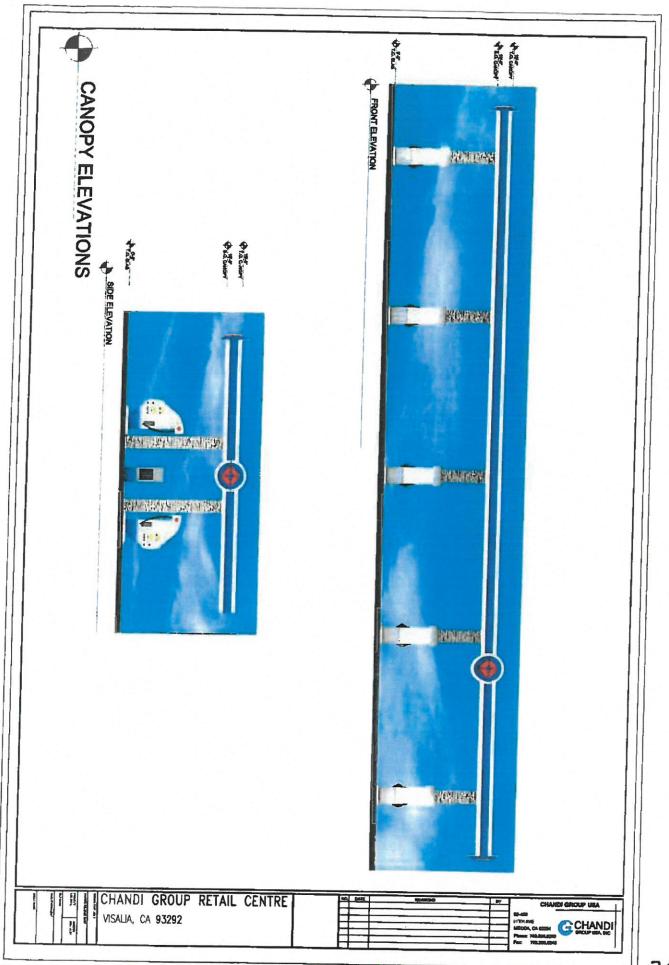
ALDONONG MORTHS

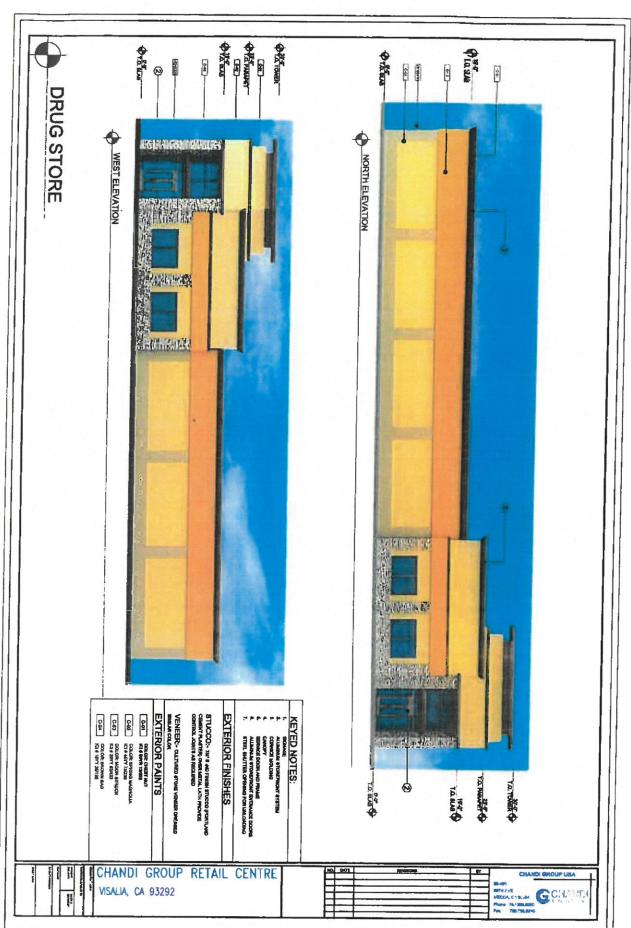


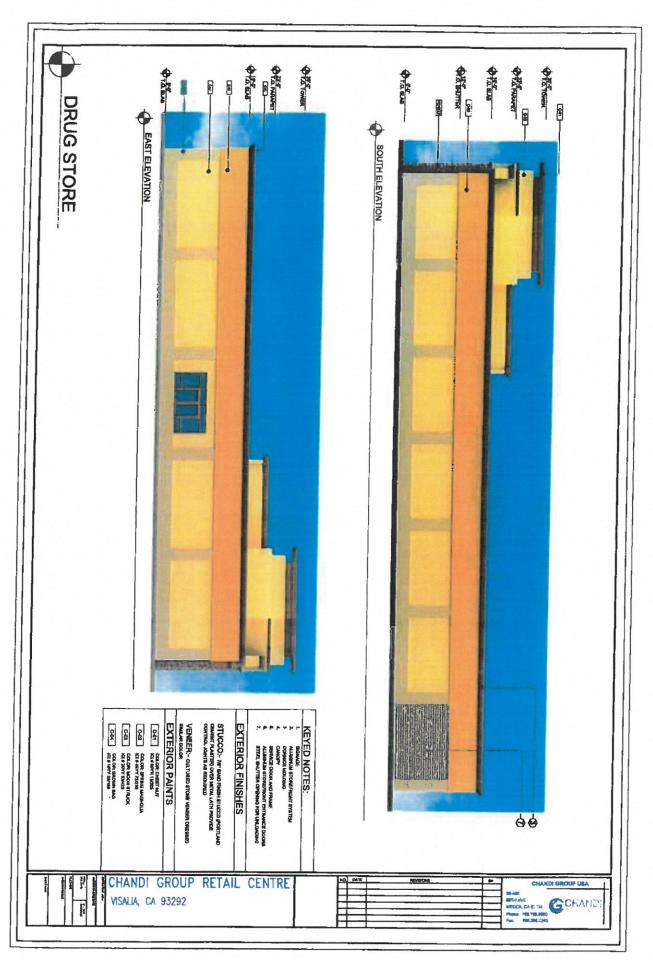


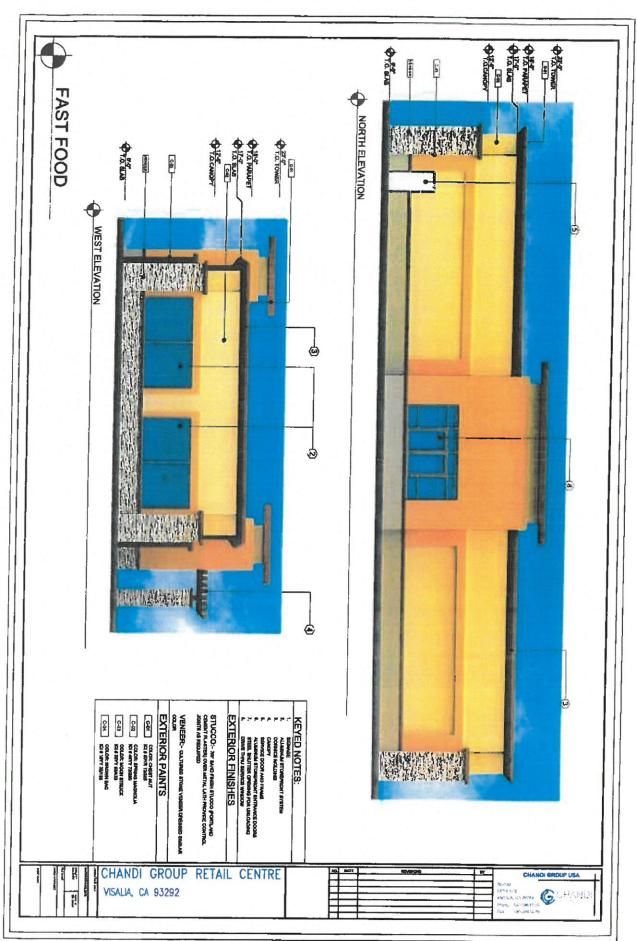


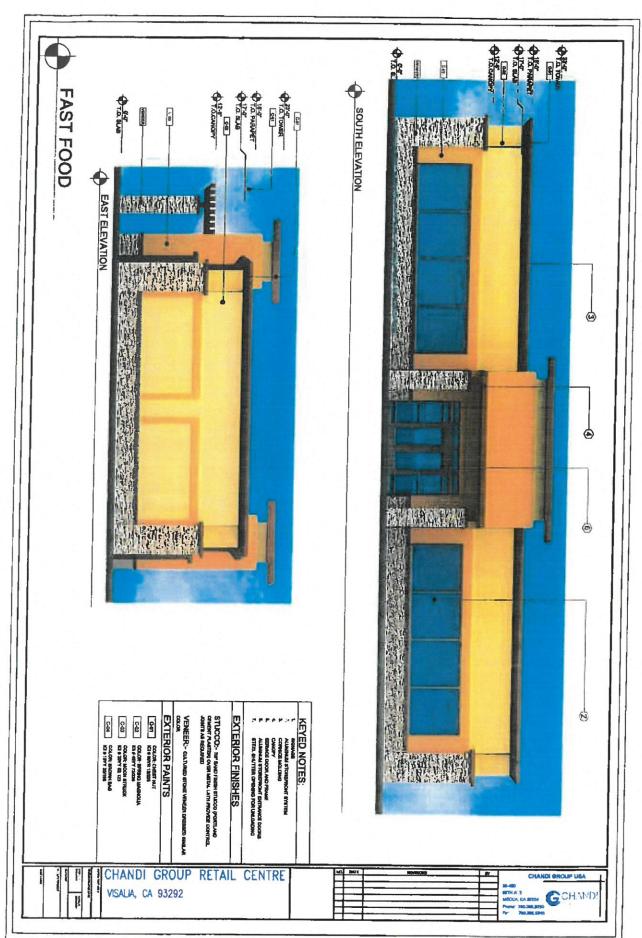


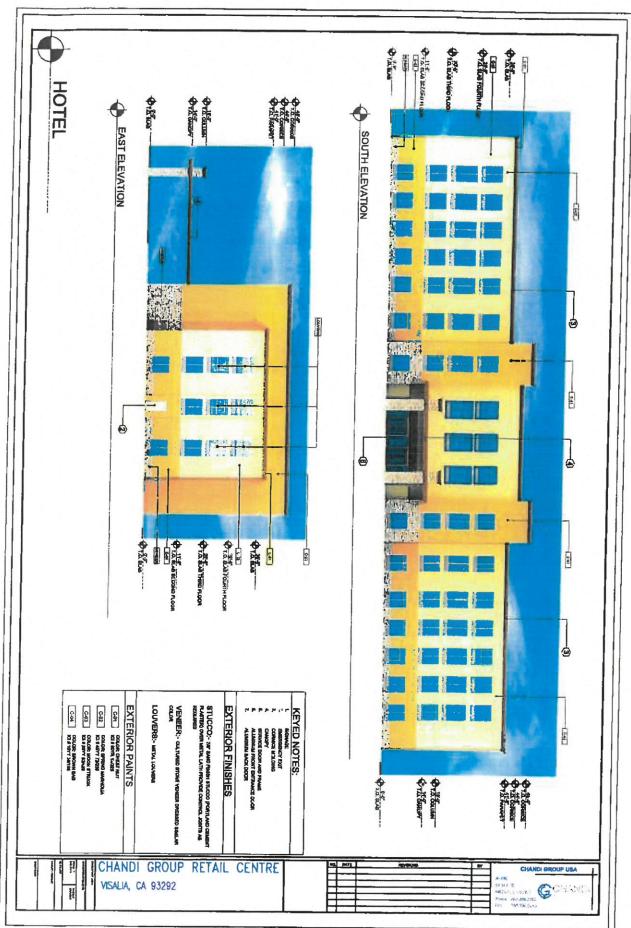


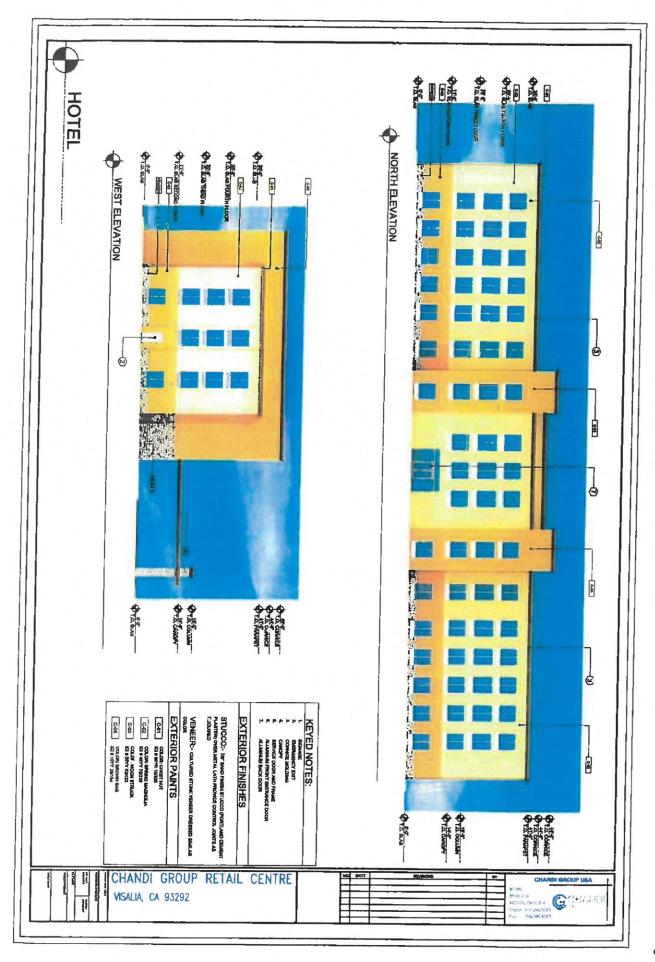


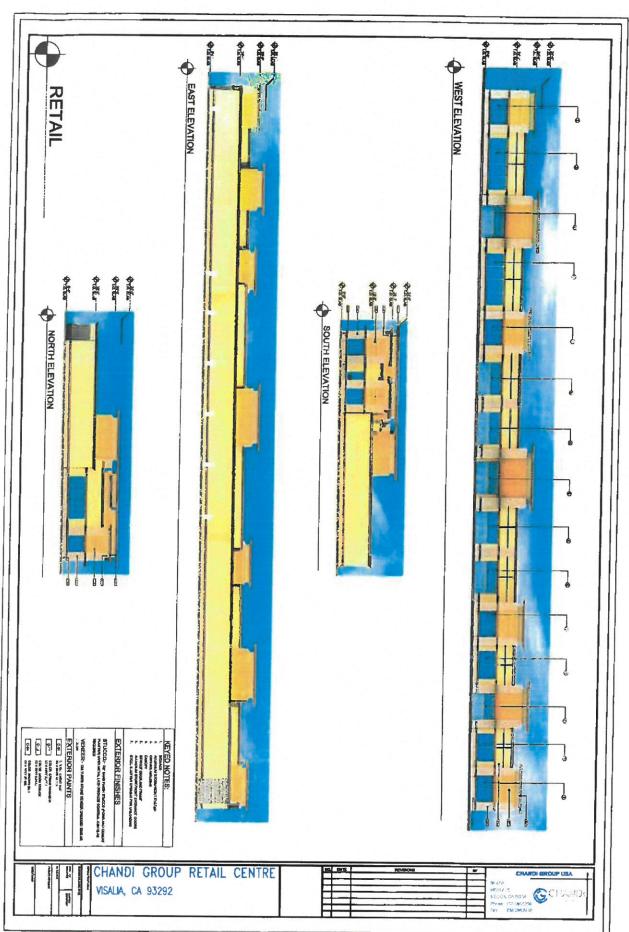




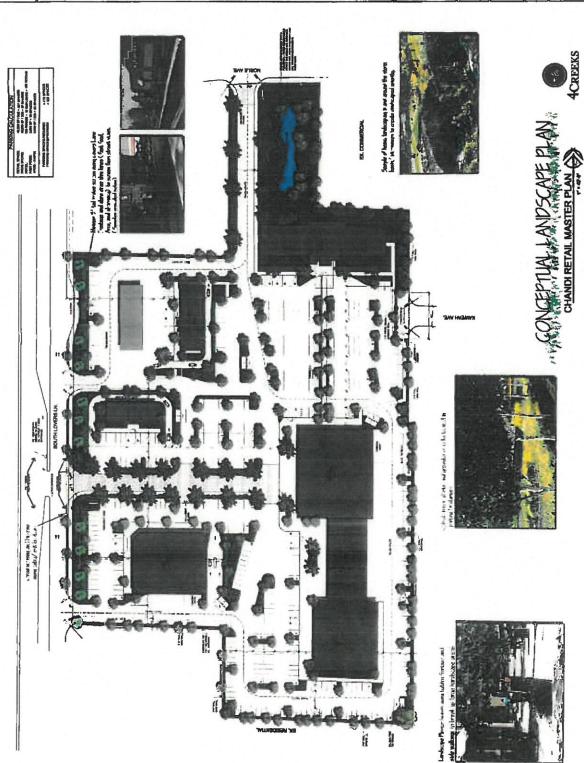










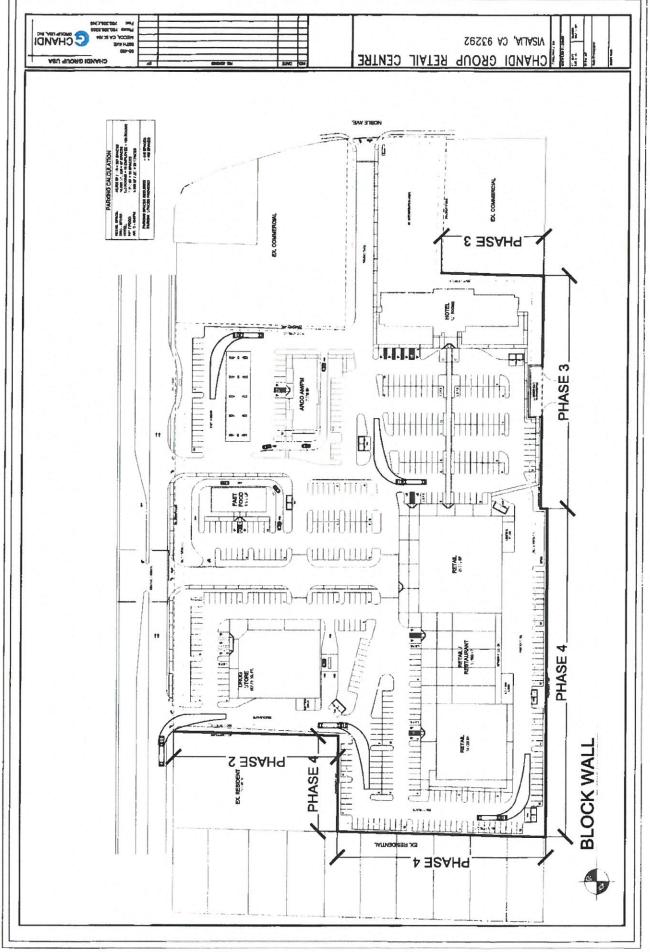


A1.1

EAST NOBLE & 8 LOVERS LANE VISALIA, CA 13382

MASTER PLAN

CHANDI GROUP RETAIL CENTER





OPERATIONAL STATEMENT: CHANDI GROUP COMMERCIAL RETAIL CENTER

APN's: 101-030-025, 026, 027, & 028 (12 acres)

The proposed Chandi Group Commercial Retail Center includes an Arco am/pm fuel service station and convenience store (open 24 hours/7 days a week), fast food restaurant, drug store/pharmacy, 70,000 square foot commercial retail, and a 120 room hotel to be located at the southeast area of Noble Avenue and Lovers Lane in Visalia, CA. We also are proposing that Parcel 4 to be developed as a retail pad in the future during phase 4. A site plan for this pad would be submitted at that time if the opportunity arises for this parcel to be developed. The project is being proposed to be constructed in the following phases:

1<sup>st</sup> Phase: Arco fuel (10 pumps) service station, am/pm convenience store, sandwich shop and fast food restaurant

2<sup>nd</sup> Phase: Drug store/pharmacy

3<sup>rd</sup> Phase: Hotel

4th Phase: Retail commercial Center

The drug store/pharmacy, fast food restaurant, and Arco am/pm service station propose a drive-thru lane with the buildings for efficient transactions. The Arco am/pm service station and fast food pad will utilize the drive thru facilities as quick serve restaurants (QSR) and will be used frequently. Vehicle stacking from the pickup window shall be a minimum of 10 car lengths to prevent vehicle stacking in the parking lot drive aisles. The Arco am/pm will also include the fueling station component to the project and will be located in the center of the parcel. Fuel dispensers will be state-of-art that will accept both cash and debit payments for fueling without having to enter the store. Fueling trucks will enter into the project site from the Noble Avenue entrance, refill tanks on site, and exit onto Lovers Lane to allow for efficient truck movements through the project site. The drug store/pharmacy drive thru will be used for prescription pickup and will be utilized less frequently than the QSR drive thru's. Due to the close proximity of existing residential units, loading and unloading hours will be restricted and in accordance with the City requirements for Phase 4 retail buildings and Phase 2 drug store. The blockwall along the property lines will also be developed with each phase and will mitigate for any noise impacts from the loading and unloading for businesses.



The exterior of the drive thru aisles will include heavy landscaping and a minimum of a 3' hedge to soften the appearance of the drive thru aisles and provide for a more aesthetically appealing design. Landscaping will also be planted along the building between the drive aisle curb and the building to lessen hardscape areas of the drive aisles.

The landscape and internal road maintenance at a minimum will be included in a common area maintenance (CAM) agreement with all tenants/owners within the Chandi Retail Center. A fee schedule will be determined based on area owned/leased and fees/maintenance will be managed by a property management group.

The proposed drive-thru's will be included as part of the Conditional Use Permit application and will be submitted as a Master Plan Development.

#### REPORT TO CITY OF VISALIA PLANNING COMMISSION



**HEARING DATE:** 

May 27, 2014

PROJECT PLANNER:

Paul Scheibel, AICP, Principal Planner

713-4369

SUBJECT: Conditional Use Permit No. 2014-11: A request to allow the phased development of a shopping center, consisting of six commercial parcels to be developed in four phases with a total of approximately 106,400 square feet of building space, including a gasoline service station, fast food with drive-thru, four-story hotel, drug store with drive-thru, and general retail space on 12 acres.

<u>Tentative Parcel Map No. 20114-03</u>: A request to divide four lots totaling 12 acres into six commercial parcels.

Applicant: Chandi Group USA, Inc.

<u>Location</u>: The project is located on east side of Lovers Lane, approximately 310 feet south of Noble Avenue. (APNs: 101-030-025, -026, -027, and -028)

#### STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2014-11 and Tentative Parcel Map No. 2014-03, based upon the findings and conditions in Resolution Nos. 2014-18 and 2014-19.

#### RECOMMENDED MOTION

I move to adopt Resolution Nos. 2014-18 and 2014-19, approving Conditional Use Permit No. 2014-11, and Tentative Parcel Map No. 2014-03.

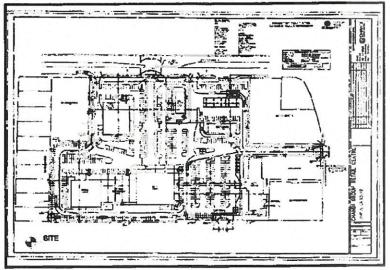
#### PROJECT DESCRIPTION

The applicant is requesting approval of a master Conditional Use Permit (CUP) that will entitle and guide the development of the 12-acre site. Site buildout is anticipated to occur in up to four individual development phases. The phased development will generally occur from the northwest to the southeast.

The parcel map proposes to reconfigure the four existing parcels that comprise the project site

and to add two new parcels. The proposed parcels will facilitate the sale of portions of the site to one or more future developers.

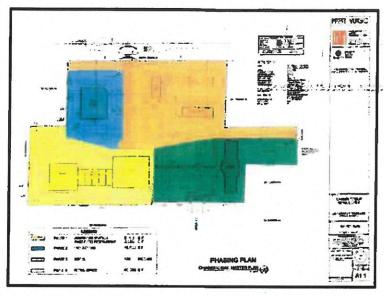
CUP 2014-11: The CUP entitlement seeks a vested entitlement to develop the site with the proposed uses over an indefinite timeframe. As such, the project includes a master development plan for the entire site, and thematic architectural renderings of the proposed buildings. A master sign program is not included in the application submittals at this time.



Phase 1 of the commercial development will consist of a 5,000 sq. ft. gasoline service station (Arco) that includes an attached fast food restaurant with drive-thru lane. Phase 1 also includes a separate fast food restaurant with drive-thru pad fronting Lovers Lane. Two of three access

points and the street frontage right of way improvements along Lovers Lane, and the single access point from Noble Avenue will also be constructed in Phase 1. Phase 2 is a proposed 15,000 sq.ft. drugstore with a drive-thru feature. Phase 3 is a proposed three-story hotel with 120 rooms. Phase 4 is proposed to be a 46,500 sq.ft. retail building for multi-tenant retail occupancy.

Parking and onsite improvements are proposed to be phased to correspond with development of the overall center. However, the majority of access and parking for the project will be constructed in Phase 1. Block walls



along property lines adjoining existing residences will be required with the development of the corresponding phase of the project. There are required sound walls to mitigate potentially adverse noise impacts for the benefit of existing residences. Construction of these walls will be required at the time of development on the respective project phase. The current termination of Kaweah Avenue on the northeast portion of the site will be improved as a pedestrian access point. Other onsite improvements include thematic landscaping to be installed concurrently with each development phase, and an onsite landscaped retention basin near the Noble Avenue frontage.

**Tentative Parcel Map 2014-03:** The proposed Tentative Parcel Map would create six commercial parcels ranging in size from .66-acre (28,750 sq.ft.) to 4.65-acre (202,554 sq.ft.). Parcel 4 will serve as a retention basin. However, it will become a salable lot when there is sufficient stormwater drainage capacity in the area to accept stormwater flows into the City's drainage system. Right of way dedication and improvements along the east side of Lovers Lane, including a bus turn out, and the limited Noble Avenue frontage will be completed in conjunction with recordation of the final map.

#### **BACKGROUND INFORMATION**

General Plan Land Use Designation: Shopping/Office Commercial

Zoning: C/SO (Shopping/Office Commercial)

Surrounding Zoning and Land Use: North: C/SO. (7-11 Gasoline Sales/Convenience Store) on the northwest portion, Town and Country

Carwash on the northeast portion

South: C/SO. Single-family residence on the southwest

portion; and, R-1-6 (Single-Family Residential) single-family residential neighborhood on the

southeast portion.

East: R-1-6 (Single-Family Residential) zone / Single-

family residential neighborhood.

West:

CS (Service Commercial) Lovers Lane and mix of retail and service businesses along the west side

of Lovers Lane.

Environmental Review:

Mitigated Negative Declaration No. 2014-28

**Special Districts:** 

None

Site Plan:

2013-194 (Commercial Development)

2013-199 (Tentative Parcel Map)

#### **RELATED PROJECTS**

There are no previous entitlements on the project site. Discussion of the Riverbend Commercial Center (CUP 2011-30 & TPM 2011-04) is provided as an example of a recently entitled phased commercial development proposal filed as a Master CUP.

On October 22, 2012, the Planning Commission considered Conditional Use Permit 2011-30 for a former version of a planned commercial development on the site containing all of the same land uses along with Tentative Parcel Map 2011-04. The project is located at the southeast corner of Dinuba Blvd. and Riggin Avenue. The project included a General Plan Amendment and Change of Zone from Low Density Residential/ R-1-6,000 to CSO (Shopping/Office Commercial).

The Planning Commission approved the CUP and Parcel Map with modifications, although the entitlements were subsequently appealed to the City Council. The appeal hearing was held by the City Council on November 19, 2012, along with the public hearing for the affiliated GPA 2011-14 and COZ 2011-15.

The Planning Commission expressed concern about the project, including the lack of renderings illustrating a consistent architecture theme for the Arco station and the Wendy's restaurant (Phase 1), and future commercial buildings, internal inconsistencies of the proposed sign program, and other common area facilities such as access and circulation, and a block wall to separate the commercial development from existing residences to the south.

The City Council voted to uphold the appeal without prejudice and deny the CUP and Parcel Map. Also as part of the motion, the City Council tabled the project's General Plan Amendment and Change of Zone, providing an opportunity for these entitlements to be reconsidered with a new Conditional Use Permit and Parcel Map.

A refined version of the project was subsequently re-considered by the Planning Commission on August 13, 2013, and was denied by a vote of 2/2. The Signage Plan for the project, which included proposed canopy lighting and illuminated signage on the gas island canopy, also received a vote of 2/2. As such, the project was forwarded to the City Council along with the associated GPA and Change of Zone for final action.

The entire project was approved by the City Council on September 3, 2013, by a vote of 4-1.

#### PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit and Tentative Parcel Map based upon the findings and conditions in the attached resolutions. Specific aspects of the proposed project and justifications for special conditions of approval are analyzed in the sections below.

#### CUP 2014-11 and TPM 2014-03

#### Consistency with the General Plan, Zoning Ordinance, and Subdivision Ordinance

The project components meet the standards and requirements contained in the City's development policies and Code documents. The General Plan Land Use Map designates the project site as Shopping Office/Commercial. The General Plan Land Use Element discusses the C S/O land use designation as shown in Land Use Policy 3.5.7:

3.5.7 Shopping/Office Centers for a range of neighborhood and community-level commercial and office uses. Consists of areas previously designated for local retail (C-2.5), neighborhood, community and regional commercial uses. Generally characterized as strip or linear in nature and serving a non-regional market area. General locations are:

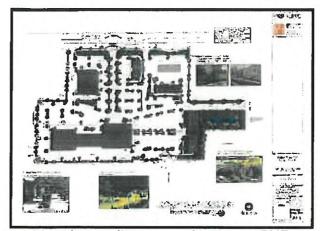
The proposed uses identified in CUP 2014-11 generally correspond to the range of uses described in the General Plan, and to uses existing in other C S/O developments throughout the City. The Zoning Ordinance identifies gasoline service stations, hotels, and uses with drive-thru facilities as conditionally allowed.

The proposed Parcel Map complies with the criteria for creation of commercial parcels, including adequate ingress/egress, sufficient parcel area to provide parking, landscaping and to meet setback requirements for the building that will ultimately be constructed on the parcel. All parcels can be adequately accessed from public roads, and can be adequately served by utilities and infrastructure.

#### Recommended Special Conditions of Approval

The Planning Commission has the authority to impose special conditions of approval when it determines the conditions are necessary in order to ensure the project's development and ongoing operation achieve City policies and standards, including safety and compatibility with surrounding uses. The following conditions are recommended to be included in the resolutions approving the project.

1. Re-location of the northern driveway: The location of the northern-most access point along Lovers Lane does not meet City Engineering design standards for separation distance



and alignment with other access points along the affected roadway. The City Traffic Engineer has determined the access point would need to be re-located approximately 15 ft. to the north to align with the existing driveway for the Storage Max facility on the west side of Lovers Lane. The median break will also need to be redesigned to facilitate left turn movements into the existing Super Max Storage entrance to the west, and the entrance to the proposed project. The onsite circulation plan will also need to be redrawn accordingly. Staff has included this requirement as Condition No. 1.A., rather than

requiring the applicant to submit new CUP site and parcel map exhibits.

2. <u>Common area construction and maintenance:</u> The Master Plan project includes extensive common areas needed to be constructed and maintained for the shared benefit and obligation among the eventual uses on the proposed parcels. This responsibility should be borne by a recognized entity that will transcend various parcel owners and site users. Condition

No. 5 for CUP 2014-11 and Condition No. 4 for TPM 2014-03 requires that an instrument suitable to the City be recorded before issuance of the first building permit on the site or recordation of the final parcel map, whichever occurs first.

3. Access from the not-a-part parcel: There is a 17,500 sq.ft. parcel adjacent to the project along the southerly property line. The parcel is zoned C S/O and contains a single-family residence that takes access from Lovers Lane. City staff anticipates the site will eventually re-develop to a commercial use independently of the proposed project.

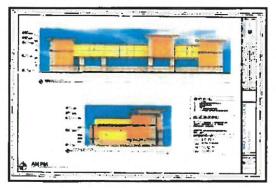
Staff recommends placing Condition No. 1.B. on both the CUP and TPM approvals that grants a unilateral access easement in favor of the residential parcel to the southernmost drive aisle (south side of Parcel 3) at the time of its conversion to commercial use. This condition has been placed on previous projects with similar circumstances where the easements facilitate efficient onsite access among separate parcel developments, with the additional benefit of eliminating a street access point.

- 4. <u>Detailed loading dock plans:</u> The development plans submitted for the Master CUP entitlement do not provide detailed screening plans for loading docks that will be associated with the retail buildings. Condition No. 2.A. would apply to the proposed drug store on Parcel 3, and the two anchor tenant suites of the retail building on Parcel 6. The condition requires that detailed loading dock plans be included in the initial building permits for these buildings. The plans shall demonstrate that: The dock has adequate truck parking space without obstructing vehicle circulation; the dock is fully screened from offsite view, including public rights of way, and, the noise mitigation standards in the Acoustical Analysis prepared for the project can be met.
- 5. <u>Gas Island Canopy Lighting and Signage</u>: CUP Condition No. 2.B. requires that the fuel island canopy lighting be recessed into the canopy and shielded to prevent any significant light or glare from falling upon the adjacent properties or public right of way.

In addition, CUP Condition No. 2B. specifies that there shall be no fascia illumination on the gas island canopy, including any type of light strips or LED/neon banding. An internally illuminated logo sign is recommended for approval. This is consistent with the approved signage plan approved by the City Council for the Riverbend project.

- 6. <u>Line up entrance on Parcel 3 with small drive aisle</u>: CUP Condition No. 1.C. requires the north/south drive aisle that bisects the parking area adjacent to Parcel 2, to be aligned with the northern entrance to the parking area of Parcel 3. This will ensure for safer and more efficient turning movements among the parcels.
- 7. Provide vehicle barriers on undeveloped lots: CUP Condition No. 1.D. requires that barriers be installed to preclude vehicle travel and parking on the portions of the project site that are not proposed for immediate development. This condition is recommended to preclude the potential for vehicle travel that generates dust, and encourages parking to display cars for sale. The typically employed barrier consists of low metal poles with wire cable.

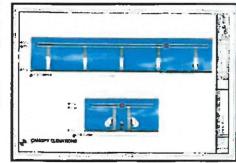
#### Architectural Theme and Details



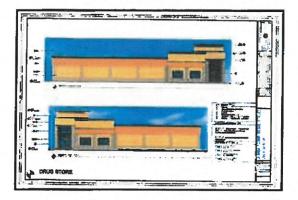
An architecture theme, palette, has been developed for use with all buildings within the commercial center.

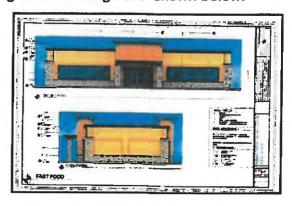
The Master Plan provides visual details to

An architecture theme, including color and material

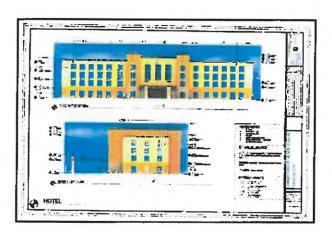


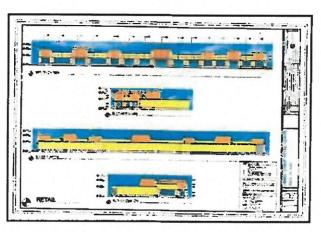
be incorporated into the commercial center's building designs, which will be carried throughout all of the buildings in all four phases. The Arco convenience store and gas island canopies are shown on the facing page. The fast food and drug store buildings are shown below.





The hotel and retail center buildings that will be developed in future phases of the project are shown below.





Traffic, Onsite Circulation, Drive-thru Lanes, and Parking

A Traffic Impact Study has been prepared to examine the project's impacts on adjacent roadways and intersections. The Study concluded the project will contribute to traffic volumes at the intersection of Lovers Lane and Noble Avenue, including the Hwy 198 on and off ramps near the intersection. There is a longterm plan to re-design the intersection, which would be done under Caltrans jurisdiction. The Traffic Study concluded the project would not in and of itself degrade the level of service (LOS) rating of the intersection.

The project will be required to dedicate and build full right of way improvements on Lovers Lane, and will dedicate and improve its limited frontage on Noble Avenue. The project will pay traffic impact fees at the time of development of each building on the project site.

As noted previously, the northernmost access point will be required to be re-located to the north. This will cause the onsite circulation plan, as well as potentially the conceptual site plan for Parcel 2, to be re-drawn. Staff concludes the revisions would not substantively change the overall scope of the CUP or TPM entitlements. Therefore the revisions can be reviewed at the staff level for condition compliance. There is adequate parking for each of the proposed uses shown by development phase, and there is adequate parking on the site for full project buildout.

The drive-thru lanes meet all of the performance standards of the recently adopted Ordinance pertaining to permitting drive-thru lane uses. These performance standards include minimum vehicle stacking, orientation of order boards, and separation from residential uses.

#### Commercial Interface with Adjacent Residences / Block Wall Regulrement

The commercial project site will be adjacent to residential uses on the south and east. The residential land uses will be separated in accordance with the Zoning Ordinance's codified standards for separating commercial land uses from residences. This includes minimum tenfoot setbacks and the requirement for solid block walls seven feet in height. These walls will become necessary in Phases 3 and 4 when development will occur adjacent to residences. Construction of these walls is recommended to be deferred until the time of construction in order to minimize the potential of graffiti and other forms of vandalism before they are actually needed as a separation device.

The four-story hotel proposes to be oriented on an east/west axis to place its narrow side adjacent to existing single-family residences and to future multi-family units to the east and north. Loading docks, in particular those serving the future retail building in Phase 4 (Parcel 6) are conditioned to require adequate visual screening and sound attenuation. This will necessitate submittal of detailed loading dock plans at the time of permit submittal for the respective buildings, demonstrating compliance with this requirement.

Kaweah Avenue presently terminates at the site boundary. The master site development plan proposes this to be a pedestrian access point only. The full pedestrian path will occur with development of Phases 3 and 4 since these are adjacent to the access point. Staff concurs with this portion of the master development plan.

## Conditional Uses / Gas Station, Drive-Thru (Including Fast food Restaurant) and Hotel

The proposal includes a 5,000 square foot, 10-gas island Arco gasoline service station. The Arco AM/PM convenience store will include a fast food outlet with a drive-thru feature.

The Operational Statement in Exhibit "P" indicates that the fuel island, convenience store, and fast food outlet would operate 24 hours a day. There are no prohibitions to operating 24 hours a day as long as Community Noise Standards are maintained, as specified in Chapter 8.36 of the Visalia Municipal Code. The freestanding fast food restaurant also proposed for Phase 1 does not specify hours of operation. However, there is no codified restriction to it operating on a 24-hour basis.

The Master Plan elevations of the uses (please see Exhibit D) demonstrates that the Phase 1 building architecture will utilize elements of the overall architecture theme for the commercial center. Staff finds that the use of these architecture features and elements are evident in these conditional uses that are intended to be built in the initial phase, and that they contribute to the overall theme of the commercial center. Notwithstanding the architecture theme, the buildings will have the ability to integrate corporate signage on the elevations. The architectural consistency among the uses is further compulsory through Condition 2 of the CUP.

### Illuminated Signage & Gas Station Canopy - Impacts to Residential

The project site is adjacent to existing residential development to the south and east. The applicant has provided lighting photometric diagrams for the entire site which show that there would be little or no light or glare from the proposed on site lighting. Staff has determined that the studies provided by the applicant demonstrate compliance with the City's standards wherein no more than 0.5 lumens are exceeded beyond the boundaries of the commercial center. The development would be further required to shield or prevent significant light or glare from falling upon adjacent residential properties.

Staff recommends several conditions related to sight lighting and signage to reduce light impacts to the adjacent residential properties. CUP Condition No. 2.B. requires that the fuel

island canopy lighting be recessed into the canopy and shielded to prevent any significant light or glare from falling upon the adjacent residential properties.

In addition, CUP Condition No. 2.B. requires that there shall be no internally illuminated signage on the exterior fascia of the canopy including any type of light strips or LED/neon banding. This elimination of canopy lighting is due to the fact that the canopy signage is approximately 16 to 18 feet in height, and could be clearly visible from nearby residences.

To reduce the potential glare from high intensity light sources such as neon and LED lights, CUP Condition No.2.C. prohibits their use as accent lighting on the buildings and limiting their use in signs to indirect lighting.

### Correspondence Received

To date, the City has received several inquiries regarding the project, including one letter of opposition. The letter is provided as Exhibit I.

### **Environmental Review**

An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA). The Initial Study disclosed that the project, as conditioned and with mitigation measures for greenhouse gas (GHG) reduction in place, will not have a significant adverse effect on the environment. Therefore, staff recommends that Mitigated Negative Declaration No. 2014-28 and the Mitigation Monitoring Program contained within be adopted for this project.

### **RECOMMENDED FINDINGS**

. . . ,

### Conditional Use Permit No. 2014-11

- 1. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.
- 2. That the proposed conditional use permit would be compatible with adjacent land uses.
- That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Mitigated Negative Declaration No. 2014-28, incorporating the Mitigation Monitoring Program included within, is hereby adopted.
- 4. That the conditional use permit is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

### Tentative Parcel Map No. 2011-03

- 1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
- That the proposed tentative parcel map would be compatible with adjacent land uses.
- That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Mitigated Negative Declaration No. 2014-28, incorporating the Mitigation Monitoring Program included within, is hereby adopted.
- 4. That the tentative parcel map is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

1. 1.1.1

### Conditional Use Permit No. 2014-11

- 1. That the project shall be developed and maintained in substantial compliance with the site plans in Exhibits "A", "B", and "G", except for specific revisions as follows:
- A. Re-location of the northern driveway: The location of the northern-most access point along Lovers Lane shall be re-located in a manner meeting the approval of the City Engineer that meets separation distance and alignment with other access points along the affected roadway, and with Engineering Standard P-12. Further, any costs to reconfigure the existing center median or any other portion of Lovers Lane shall be borne at the applicant's sole expense.
- B. Access easement to adjacent parcel: The applicant shall record an access easement in favor of the property at 738 S. Lovers Lane (APN 101-030-018). Such easement shall become effective upon development of said parcel to commercial use standards required by the P-C S/O Zone District and Design District C, or similar Design District.
- C. Entrance on Parcel 3 with small drive aisle: The north/south drive aisle that bisects the parking area adjacent to Parcel 2 shall be aligned with the northern entrance to the parking area of Parcel 3.
- D. The applicant shall install and maintain vehicle barriers on undeveloped lots. Such barriers shall be installed to preclude vehicle travel and parking on the portions of the project site that are not proposed for immediate development. The typically employed barrier consists of low metal poles with wire cable.
- 2. That the project shall be developed and maintained in substantial compliance with the elevation plans in Exhibits "D" and "G", except for specific revisions as follows:
- A. Detailed loading dock plans: Prior to issuance of building permits for buildings located on Parcel 3 or Parcel 6 of TPM 2014-03, the applicant shall submit detailed development plans for loading docks that will be associated with the retail buildings. Such plans shall demonstrate that: The dock has adequate truck parking space without obstructing vehicle circulation; the dock is fully screened from offsite view, including public rights of way, and, the noise mitigation standards in the Acoustical Analysis prepared for the project can be met.
- B. Gas Island Canopy Lighting and Signage: Lighting for the fuel island canopy shall be recessed into the canopy and shielded to prevent any significant light or glare from falling upon the adjacent properties or the public right of way. There shall be no fascia illumination on the gas island canopy, including any type of light strips or LED/neon banding. An internally illuminated logo sign is allowed.
- C. No high intensity light sources such as neon and LED lights shall be allowed as accent lighting on buildings.
- That the project and site landscaping and lighting shall be developed and maintained in substantial compliance with Exhibits "E" and "F" unless otherwise specified in the conditions of approval. Detailed landscaping plans shall be submitted with building permits for each individual project allowed by CUP 2014-11.
- 4. That the project be developed in substantial compliance with Site Plan Review No. 2013-194.
- 5. Before issuance of the first building permit or recordation of Parcel Map 2014-03, the applicant shall record a restrictive covenant including vehicular access, landscaping and

permanent maintenance of all common areas such as the public street parkways and perimeter landscaping, project identification signage and walls, common lot landscaping, and all similar infrastructure agreements among one and all property owners. The restrictions and/or vehicular access agreements shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review these restrictions or vehicular access agreements verifying compliance with these requirements prior to the covenant's recordation.

- 6. That a separate Conditional Use Permit shall be obtained for any substantial revision to the conditionally approved uses for CUP 2014-11, or for any conditionally-allowed uses that subsequently locate on the project site.
- 7. That all applicable federal, state, regional, and city policies and ordinances be met.
- 8. That all of the conditions and responsibilities of Conditional Use Permit No. 2014-11 shall run with the land and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
- That the applicant 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. 2014-11.
- 10. That the mitigation measures found within the Mitigation Monitoring Plan for Mitigated Negative Declaration No. 2014-28 are hereby incorporated as conditions of this Conditional Use Permit.
- 11. That illuminated building signage shall be placed so as to not allow direct or indirect light or glare from falling upon the adjacent residential properties.

#### Tentative Parcel Map No. 2014-03

- 1. That the tentative parcel map be prepared in substantial compliance with Exhibit "C".
- A. Re-location of the northern driveway: The location of the northern-most access point along Lovers Lane shall be re-located in a manner meeting the approval of the City Engineer that meets separation distance and alignment with other access points along the affected roadway, and with Engineering Standard P-12. Further, any costs to reconfigure the existing center median or any other portion of Lovers Lane shall be borne at the applicant's sole expense.
- B. Access Easement to adjacent parcel: The applicant shall record an access easement in favor of the property at 738 S. Lovers Lane (APN 101-030-018). Such easement shall become effective upon development of said parcel to commercial use standards required by the P-C S/O Zone District and Design District C, or similar Design District.
- 2. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2013-199.
- 3. That Conditional Use Permit No. 2014-11 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
- 4. That a restrictive covenant including vehicular access, landscaping and permanent maintenance of all common areas such as the public street parkways and perimeter landscaping, project identification signage and walls, common lot landscaping, and all similar infrastructure agreements shall be recorded with the final parcel map. The restrictions and/or vehicular access agreements shall address property owners' responsibility for repair

and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review these restrictions or vehicular access agreements verifying compliance with these requirements prior to the covenant's recordation.

5. That all applicable federal, state, regional, and city policies and ordinances be met.

....

- That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Tentative Parcel Map No. 2014-03.
- 7. That the mitigation measures found within the Mitigation Monitoring Plan for Mitigated Negative Declaration No. 2014-28 are hereby incorporated as conditions of this Tentative Parcel Map.

### APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.28.080, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filled with the City Clerk at 425 East Oak Avenue, Suite 301, Visalia, CA 93291. 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.ci.visalia.ca.us or from the City Clerk.

# Attachments: 🚁

- Related Plans and Policies
- Resolution No PC 2014-18 for CUP 2014-11
- Resolution No PC 2014-19 for TPM 2014-03
- Exhibit "A" CUP Site Plan
- Exhibit "B" CUP Phasing Plan
- Exhibit "C" Tentative Parcel Map
- Exhibit "D" Elevations
- Exhibit "E" Site Landscape Plan
- Exhibit "F" Photometric Site Plan
- Exhibit "G" Wall Plan
- Exhibit "H" Operational Statement
- Exhibit "I" Correspondence Received
- Mitigated Negative Declaration No. 2014-28
- Site Plan Review Comments
- General Plan Land Use Map; Zoning Map; Aerial Map, Location Sketch

The master plan document provides a set of regulations and standards for the planned commercial center that, while being constructed over multiple phases, will result in a cohesive and consistent commercial center. Developers and end users located in the center will be required to comply with the specifications of the master plan, including building design, pedestrian elements, landscaping, and street improvements.

# RELATED PLANS AND POLICIES

· Water

Para 3

# LAND USE ELEMENT OF THE GENERAL PLAN

### 3.5 COMMERCIAL LAND DEVELOPMENT AND LAND USE

### **Objectives**

- A. Maintain Visalia's role as the regional retailing center for Tulare and Kings Counties.
- B. Ensure the continued viability of Visalia's existing commercial areas.
- C. Promote comprehensively planned, concentric commercial areas to meet the needs of Visalia residents and its market area.
- D. Create and maintain a commercial land use classification system (including location and development criteria) which is responsive to the needs of shoppers, maximizing accessibility and minimizing trip length.
- E. Designate appropriate and sufficient commercial land for Visalia's needs to the year 2020 with appropriate phasing.

### Implementing Policies

- 3.5.1 Ensure that future commercial development is concentrated in shopping districts and nodes to discourage expansion of new strip commercial development.
- 3.5.2 Ensure that commercial development in residential areas serves the needs of the area and includes site development standards which minimize negative impacts on abutting properties.
- 3.5.7 Shopping/Office Centers for a range of neighborhood and community-level commercial and office uses. Consists of areas previously designated for local retail (C-2.5), neighborhood, community and regional commercial uses. Generally characterized as strip or linear in nature and serving a non-regional market area. General locations are:
  - Dinuba Highway, between Ferguson and Houston.
  - East side of Ben Maddox Way, between Main Street and Houston.
  - Murray Street corridor between Divisadero to Conyer.
  - 4. Houston corridor, between Divisadero and Turner.

- Noble Avenue corridor between Ben Maddox and Pinkham. Also, land locked or infill parcels may be added to this designation when they are merged with adjacent properties to obtain Noble Avenue frontage.
- 6. Mineral King Plaza (south of SH 198 between Linwood and Chinowth).
- 7. Cain Street and Goshen Avenue.
- 8. Other locations that may be found to be appropriate by the City Council and in conformity with the intent of the Land Use District.
- 3.5.14 In order to provide for integration of convenience level and neighborhood level commercial uses into neighborhoods, require design measures which encourage pedestrian traffic, and de- emphasize use of walls as buffers which create barriers to pedestrian access and which are not visually pleasing.

# VISALIA MUNICIPAL CODE

### Chapter 17.18: PLANNED COMMERCIAL ZONES

### Section 17.18.010 Purposes.

- A. The several types of commercial zones included in this chapter are designed to achieve the following:
- 1. Provide appropriate areas for various types of retail stores, offices, service establishments and wholesale businesses to be concentrated for the convenience of the public; and to be located and grouped on sites that are in logical proximity to the respective geographical areas and respective categories of patrons which they serve in a manner consistent with the general plan;
- 2. Maintain the central business district (CBD Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as Visalia's traditional, medical, professional, retail, government and cultural center;
- 3. Maintain Visalia's role as the regional commercial center for Tulare, Kings and southern Fresno counties:
- 4. Maintain and improve Visalia's retail base to serve the needs of local residents and encourage shoppers from outside the community;
- 5. Accommodate a variety of commercial activities to encourage new and existing business that will employ residents of the city and those of adjacent communities;
- 6. Maintain Visalia's role as the regional retailing center for Tulare and Kings Counties and ensure the continued viability of the existing commercial areas:
- 7. Maintain commercial land uses which are responsive to the needs of shoppers, maximizing accessibility and minimizing trip length;
  - 8. Ensure compatibility with adjacent land uses.
  - B. The purpose of the individual commercial land use zones are as follows:
- 3. Planned Shopping/Office Zone--(P-C-SO). The purpose and intent of the planned shopping/ office zone district is to provide areas for a wide range of neighborhood and community level retail commercial and office uses. This district is intended to provide for the transition from service and heavy commercial uses where they exist in this district to retail and office and to provide areas for neighborhood goods and services where shopping centers may not be available.

### Design District: "C" [17.30.180]

Maximum Building Height: 50 Feet

Minimum Setbacks: Building Landscaping

Front 15 Feet 15 Feet

Side	0 Feet	5 Feet*
Street side on comer lot	15 Feet	10 Feet
Side abutting residential zone	15 Feet	5 Feet
Rear	0 Feet	5 Feet*
Rear abutting residential zone	10 Feet	5 Feet

<sup>\*(</sup>Except where building is on property line)
Minimum Site Area: 6,000 square feet

Parking: As prescribed in Chapter 17.34

### Chapter 17.38: CONDITIONAL USE PERMITS

### Section 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. (Prior code § 7536)

### **Article 16- SUBDIVISION ORDINANCE**

### 16.28.040 Tentative parcel maps.

- A. The person or agency dividing land under this section shall file a tentative parcel map with the community development director not less than thirty (30) days before the date of the commission meeting at which such map is to be considered. Such filing shall be prior to the start of any grading or construction work within the proposed division of land. The tentative parcel map shall be submitted in the same manner as provided for subdivisions as to area improvement and design, flood and water drainage control, and as to required public improvements.
- B. A person desiring to divide land subject to the provisions of this chapter shall submit the tentative parcel map, therefore in accord with the following requirements:
- 1. Filing. Twenty-five (25) copies of the tentative parcel map shall be filed with the community development director. The tentative parcel map shall be legibly drawn, on eighteen (18) inch by twenty-six (26) inch tracing paper suitable for reproduction, to a scale and in a manner to best illustrate the proposed division.
- 2. Fees. At the time of filing of the tentative parcel map, a fee shall be paid to the city in such amount as may be established by the city council, on a yearly basis, by resolution.
- 3. Acceptance. The city engineer and community development director shall examine any such tentative parcel map within five working days of presentation and shall not accept such map unless the map is in full

compliance with the provisions of this chapter and the Subdivision Map Act of the state of California, as to form, data, information, and other matters required to be shown on or furnished therewith.

- 4. Distribution. The community development director shall immediately forward copies of the tentative parcel map to each of the following when affected:
  - a. Southern California Gas Company, two copies;
  - b. Southern California Edison Company, three copies;
  - c. California Water Service, two copies;
  - d. Pacific Telephone Company, three copies;
  - e. Continental Cablevision, two copies;
  - f. Visalia Unified School District, one copy.
- 5. Agency Action. With the exception of school districts, the agency receiving a copy of the tentative parcel map shall file a report within fifteen (15) days after the receipt thereof. School districts shall respond within twenty (20) working days of the date on which the notice was mailed to the school district for comment. If a reply is not received prior to the meeting at which consideration of the map is made, it will be assumed that the map conforms to the requirements of the particular agency concerned. (Ord. 9605 § 32 (part), 1996: prior code § 9225)

### 16.28.090 Time limit on tentative parcel map.

Failure to file a final parcel map with the county recorder within twenty four (24) months after the date of approval or conditional approval of the tentative parcel map shall automatically revoke said approval, and a final parcel map shall not be recorded until a new tentative parcel map has been filed and approved in accordance with the provisions of this chapter. However, upon application by the owner or his authorized agent, an extension of not more than an additional thirty-six (36) months may be granted by the planning commission. If the planning commission denies an application for an extension of time, the owner or his authorized agent may appeal the action to the city council in the manner set forth in Section 16.28.080. (Prior code § 9250)

### 16.28.100 Improvements.

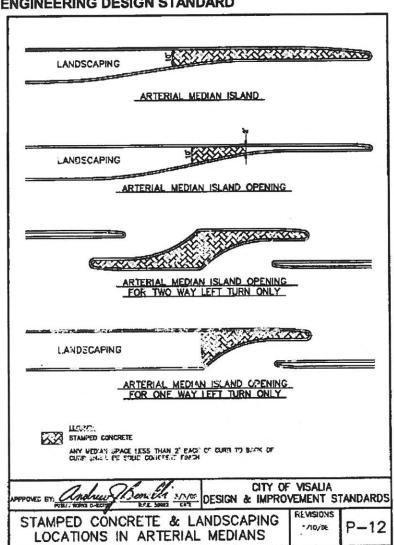
Pursuant to the provisions of the Subdivision Map Act, the subdivider shall install, construct and/or provide all on or off-site improvements as recommended by the city engineer and as required by the commission. Such improvements shall be limited to the dedication of rights-of-way, easements and the construction of reasonable off-site and on-site improvements for the parcels being created. The nature, extent and design of such improvements and the guaranteeing of completion thereof shall be in full conformance with the provisions in Chapter 16.36. (Prior code § 9255)

### 16.28.110 Right-of-way dedications.

- A. Pursuant to the Subdivision Map Act, the subdivider shall provide such dedication of right-of-way and/or easements as may be required by the planning commission.
- B. The planning commission may, at its discretion, require that offers of dedication or dedication of streets include a waiver of direct access rights to any such streets from any property shown on the final map as abutting thereon, in accord with the provisions of the Subdivision Map Act. (Prior code § 9260) 16.28.120 Final parcel maps.

Within the time limit designated in Section 16.28.090 and upon the accomplishment of all dedications by certification on the map and required construction of all public improvements, or the execution of an agreement and provision of surety providing therefore, and the payment of all applicable fees and charges, the applicant may file a final parcel map with the city engineer and community development director, who shall approve the final parcel map if it substantially conforms to the approved tentative parcel map and all applicable provisions of the Subdivision Map Act and this chapter. The appropriate certificates, as provided by the applicant in accordance with the provisions of the Subdivision Map Act, shall be signed by the city engineer and community development director upon the parcel map, and the final parcel map shall be transmitted by the city clerk to the clerk of the county board of supervisors for ultimate transmittal to the county recorder. (Ord. 9605 § 32 (part), 1996: prior code § 9265)

### **ENGINEERING DESIGN STANDARD**



Planning Commission

APR 2014

RETAIL CENTER on GOURS Jane

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Karefully- Siya Elleath 15076 liest. 312 Vinalia Ca 93292

7a. 198-1223

(Ocer.)

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

# NOTICE OF A PROPOSED MITIGATED NEGATIVE DECLARATION

Project Title: Chandi Group Retail Center Conditional Use Permit (CUP) No. 2014-11 and Parcel Map No. PM 2014-03

<u>Project Description</u>: Phased development and subdivision of a shopping center (CUP 2014-11) with an associated Parcel Map (PM 2014-03) to create six commercial parcels, consisting of a gasoline service station, fastfood with drive-thru, three-story hotel, drug store with drive-thru, and general retail space on 12 acres.

<u>Project Location</u>: The project is located on east side of Lovers Lane, approximately 310 feet south of Noble Avenue. (APNs: 101-030-025, -026, -027, and -028)

Contact Person: Paul Scheibel, AICP, Principal Planner Phone: (559) 713-4369

<u>Time and Place of Public Hearing</u>: A public hearing will be held before the Planning Commission on May 27, 2014, at 7:00 p.m. in the City Hall Council Chambers located at 707 W. Acequia Avenue, Visalia, California.

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, with mitigation measures applied, will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Mitigated Negative Declaration: Initial Study No. 2014-28 has not identified significant, adverse environmental impact(s), with mitigation measures applied, that may occur because of the project. 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 E. Acequia Ave., Visalia, CA.

Comments on this proposed Mitigated Negative Declaration will be accepted from April 29, 2014 to May 23, 2014.

Date: May 1, 2014 Signed Paul Scheibel, AICP

Environmental Coordinator

City of Visalia

### MITIGATED NEGATIVE DECLARATION

Project Title: Chandi Group Retail Center Conditional Use Permit (CUP) No. 2014-11 and Parcel Map No. PM 2014-03

**Project Description:** Phased development and subdivision of a shopping center (CUP 2014-11) with an associated Parcel Map (PM 2014-03) to create six commercial parcels, consisting of a gasoline service station, fastfood with drive-thru, three-story hotel, drug store with drive-thru, and general refail space on 12 acres.

**Project Location:** The project is located on east side of Lovers Lane, approximately 310 feet south of Noble Avenue. (APNs: 101-030-025, -026, -027, and -028), in the City limits of Visalia, County of Tulare, State of California.

**Project Facts:** Refer to Initial Study for project facts, plans and policies, discussion of environmental effects and mitigation measures, and determination of significant effect.

#### Attachments:

Initial Study	(X)
<b>Environmental Checklist</b>	(X)
Maps	(X)
Mitigation Measures	(X)
Letters	

#### **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

Environmental Document No. 2014-28
City of Visalia Community Development
Date Approved: April 29, 2014

Review Period: 20 days

### **INITIAL STUDY**

#### I. GENERAL

A. Description of the Project: Phased development and subdivision of a shopping center (CUP 2014-11) with an associated Parcel Map (PM 2014-03) to create six commercial parcels, consisting of a gasoline service station, fastfood with drive-thru, three-story hotel, drug store with drive-thru, and general retail space on 12 acres. The project is located on east side of Lovers Lane, approximately 310 feet south of Noble Avenue. (APNs: 101-030-025, -026, -027, and -028)

### B. Identification of the Environmental Setting:

The site currently vacant and moderately disturbed level ground. The project is located near the southeast corner of two arterial roadways. The east boundary of the site is adjacent to a residential neighborhood. The south boundary of the site is defined by an existing single-family residence with commercial development farther to the south along the east side of Lovers Lane. An existing strip commercial center and Noble Avenue are adjacent to the north. Lovers Lane is adjacent to the west, with varied commercial uses along the west side of Lovers Lane.

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

**C. Plans and Policies:** The 12-acre project site currently has a Land Use and Zoning Designation of Shopping/Office Commercial. This zoning allows for commercial / retail center shown in the proposed project by right in the zone. The specific uses of a gas station, convenience store, uses with drive-through lanes, and hotel are either permitted by right or conditionally allowed uses.

The proposed development at this location can be considered to be consistent with the General Plan and Zoning and Subdivision Ordinances based on the site's proximity to arterial-designated streets and other neighborhood and community-level commercial uses. The proposed project would be consistent with the commercial uses that are located at adjacent corner intersections near the project site. The City of Visalia's existing plans and policies specifically address the allowance of concentrated commercial development provided that it is developed consistent with and has minimal impacts upon adjacent land uses (City of Visalia Land Use Element Policies 3.5.1, 3.5.2).

City of Visalia Land Use Element Policy No. 3.5.7 states the following in regards to the proposed Land Use Designation:

Shopping/Office Centers for a range of neighborhood and community-level commercial and office uses. Consists of areas previously designated for local retail (C-2.5), neighborhood, community and regional commercial uses. Generally characterized as strip or linear in nature and serving a non-regional market area.

City of Visalia Zoning Ordinance, Section 17.18.010(B)(3), states the following in regards to the proposed Zoning Designation:

The purpose of the Planned Shopping/Office Zone district is to provide areas for a wide range of neighborhood and community level retail commercial and office uses. This district is intended to provide for the transition from service and heavy commercial uses where they exist in this district to retail and office and to provide areas for neighborhood goods and services where shopping centers may not be available.

### II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project that cannot be mitigated to a level of insignificance. The City of Visalia Land Use Element and Zoning Ordinance contain land use mitigation measures that are designed to reduce/eliminate impacts to a level of non-significance. Additionally, the project design and conditions of approval include mitigation measures that will reduce potentially significant impacts to a level that is less than significant.

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.

City Council Resolution 91-105 adopted and certified the Visalia Land Use Element Update EIR and contained mitigation measures to eliminate or substantially lessen the impacts of growth in the community. Those mitigation measures are included herein by reference. In addition, the 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. The City's impact fee programs for public safety, public services, groundwater preservation, stormwater management, and others, adequately mitigate public service and infrastructure impacts of the proposed project.

### **III MITIGATION MEASURES**

### Mitigation Measure VIIa

Action: Construction Phases: Comply with the conclusions identified as CalEEMod mitigations in the GHG Analysis dated 03/11/14 completed for the project. Timing: During Construction. Responsible Party: Developer. Verified By: City construction permits.

#### Mitigation Measure VIIb

Action: Operational Phase: Comply with the conclusions identified as CalEEMod mitigations in the GHG Analysis dated 03/11/14 completed for the project. Timing: Before final occupancy for each development phase. Responsible Party: Developer. Verified By: City operating permits.

### IV. 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.

### V. SUPPORTING DOCUMENTATION

The following documents are hereby incorporated into this Negative Declaration and Initial Study by reference. These documents, along with copies of the initial study and materials relating to the proposed project may be examined by interested parties at the Planning Division in City Hall East, at 315 E. Acequia Ave., Visalia, California, 93291.

- City of Visalia General Plan Land Use Element. City of Visalia. September 1991, revised June 1996.
- City of Visalia General Plan Land Use Element Final Environmental Impact Report (SCH EIR No. 90020160). City of Visalia, September 3, 1991.
- Visalia City Council Resolution 91-105 (Certifying the EIR for the City of Visalia General Plan Land Use Element Update), passed and adopted September 3, 1991.
- City of Visalia General Plan Circulation Element. City of Visalia. April 2001.
- City of Visalia General Plan Circulation Element Final Environmental Impact Report (SCH EIR No. 95032056). VRPA Technologies, February 26, 2001.
- Visalia City Council Resolution 2001-19 (Certifying the EIR for the City of Visalia General Plan Circulation Element Update), passed and adopted April 2, 2001.
- City of Visalia General Plan Conservation, Open Space, Recreation & Parks Element. City of Visalia.
   June 1989.
- Visalia Municipal Code, Title 17 (Zoning Ordinance)
- California Environmental Quality Act Guidelines

- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.
- Chandi Group Traffic Impact Analysis Report in the City of Visalia, Final Report. April 29, 2014 4Creeks, Inc.
- Acoustical Analysis Chandi Group Retail Center, February 18, 2014, Brown-Buntin Associates, Inc.

4.29.14

- Photometric Analysis, Chandi Group Retail Center, LSI Industries, March 5, 2014.
- California Emissions Estimator Model (CalEEMod) Report, Chandi Group Retail Center, Visalia, California, March 11, 2014. 4Creeks, Inc.

### VI. NAME OF PERSON WHO PREPARED INITIAL STUDY

Paul Scheibel, AICP

Principal Planner/ Environmental Coordinator

# INITIAL STUDY

	ENVIRONMENT	TAL CHECKLIST	
Name of Proposal	Development and subdivision of the Riverbend Change of Zone No. 2011-15, Tentative Parc		
NAME OF PROPONENT:	Chandi Group	NAME OF AGENT:	4Creeks, Inc.
Address of Proponent	90480 66 <sup>th</sup> Ave.	Address of Agent:	2929 W. Main St., Ste A
	Mecca, CA 92254		Visalia, CA 93291
Telephone Number:	(760) 396-9260	Telephone Number:	(559) 802-3052
Date of Review	April 29, 2014	Lead Agency:	City of Visalia
Explanations and informa	Than Significant Impact with Mitigation Inco	ecklist. = Less Than Significant Impac	
I AESTHETICS			
Would the project:		III AIR QUALITY	
2 a) Have a substantia	adverse effect on a scenic vista?		icance criteria established by the applicable
	rage scenic resources, including, but not rock outcroppings, and historic buildings		r air pollution control district may be relied determinations. Would the project:

### adversely affect day or nighttime views in the area? II AGRICULTURAL RESOURCES

within a state scenic highway?

of the site and its surroundings?

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 c) Substantially degrade the existing visual character or quality

2 d) Create a new source of substantial light or glare that would

- 1 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?
- 1 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 c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

- 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 nonattainment 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?
- e) Create objectionable odors affecting a substantial number of people?

### IV BIOLOGICAL RESOURCES

Would the project:

- 1 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?
- 1 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?
- 1 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?
- 1 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?

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	_1_	e	) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
	_1_	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?
	٧	C	ULTUKAL RESOURCES
	Wou	ıld ti	ne 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?
	M.	G	EOLOGY AND SOILS
	Wou	ld th	ne 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?
	_2	b)	Result in substantial soil erosion or loss of topsoll?
	_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, ilquefaction, 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?
	YIL.	GF	REENHOUSE GAS EMISSIONS
	Would	d the	e project:
	3		Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
_	3_	b)	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
	VIII.	HA	ZªROS AND HAZARDOUS MATERIALS
	Would	d the	project:
	1	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?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within onequarter mile of an existing or proposed school?
- 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?
- 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?
- 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?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 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)?
- 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?
- 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?
- f) Otherwise substantially degrade water quality?
- 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?
- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- \_\_\_\_\_\_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 selche, tsunami, or mudflow?

### X LAND USE AND PLANNING

#### Would the project

- 1 a) Physically divide an established community?
- 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:

- 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?
- 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:

- 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?
- \_2 b) Cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- \_2 c) Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- \_2 d) Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 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 the in the project area to excessive noise levels?

#### XIII POPULATION AND HOUSING

#### Would the project:

- 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:

 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:

- i) Fire protection?
- 1 li) Police protection?
- \_1 iii) Schools?
- 1 iv) Parks?
  - v) Other public facilities?

#### XV RECREATION

#### Would the project:

- 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?
- 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?

#### \*M TRANSPORTATION / TRAFFIC

#### Would the project:

- 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?
- 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?
- 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?
- 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:

- 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?
- d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?

- 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?
- \_\_\_\_\_\_f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- \_\_\_\_ g) Comply with federal, state, and local statutes and regulations related to solid waste?

### XVIII MANDATORY FINDINGS OF SIGNIFICANCE

#### Would the project:

- 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

 The proposed project is new commercial and office construction which will meet City standards for setbacks, landscaping and height restrictions.

This project will not adversely affect the view of any scenic vistas. The Sierra Nevada mountain range may be considered a scenic vista which the project will not adversely impact the view of.

- b. There are no scenic resources on the site.
- c. The proposed project Includes commercial buildings that will be aesthetically consistent with surrounding development and with General plan policies. Furthermore, the City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is enhanced and not degraded. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.
- d. The project will create some new sources of light that is typical of urban development. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent properties. In addition, a photometric study prepared for the project demonstrates its capability to meet all City light impact restrictions.

Enforcement of the City's development standards, which are in part demonstrated in the light study provided with the project, reduce potential impacts to a level that is less than significant. No further mitigation is required.

### II. AGRICULTURAL RESOURCES

- a. The project site was previously considered as converted agricultural land. The site has not been in agricultural production for the past ten years.
- b. The project will not conflict with an existing zoning for agricultural use, as there are no properties in the project area with an Agriculture zoning. There are no known Williamson Act contracts on any properties within the project area.
- There is no forest or timber land currently located on the site.
- 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 nonagriculture use. Properties within the project area already contain an urban land use designation. Properties which are vacant and currently do not contain urban land uses are already able to develop at any time.

### III. AIR QUALITY

 The project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District. 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. The short-term construction impact of the proposed project's construction emissions are considered less than significant by the SJVAPCD based on compliance with the District's mandatory dust control measures. Development of the project will be subject to the SJVAPCD's Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

b. The project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. 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. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

The San Joaquin Valley is a region that is already at nonattainment for air quality. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion into urban development. The City adopted urban development boundaries as mitigation measures for air quality.

The project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. 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. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

d. Residences located near the proposed project may be 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 proposed project will not involve the generation of objectionable odors that would affect a substantial number of people.

#### IV. BIOLOGICAL RESOURCES

a. As described in the Identification of the Environmental Setting contained within the Initial Study, the project site has been vacant for over ten years and has not been cultivated during this time. The site is located near the southeast corner of two improved arterial roadways. The site is bound by development on all sides.

City-wide biological resources were evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use. In addition, staff had conducted an on-site visit to the site in April 2012 to observe biological conditions and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species.

In conclusion, 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.

- The project is not located within or adjacent to an identified sensitive riparian habitat or other natural community.
- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.
- d. This development would not act as a barrier to animal movement. This site was evaluated in the General Plan EIR for the City of Visalia Land Use Element Update for conversion to urban use.
- e. The City has a municipal ordinance in place to protect oak trees. Any oak trees existing on the project site will be under the jurisdiction of this ordinance. Any oak trees to be removed from the site are subject to the jurisdiction of the municipal ordinance. There are no oak trees on the site.
- There are no local or regional habitat conservation plans for the area.

#### V. 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.

#### VI. 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 generally have low expansion characteristics.
- 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.
- The project does not involve the use of septic tanks or alternative waste water disposal systems since sanitary sewer lines are used for the disposal of waste water at this location.

### VII. GREENHOUSE GAS EMISSIONS

a. The project is expected to generate GreenHouse Gas (GHG) emissions in the short-term as a result of construction emissions and in the long-term as a result of mobile and other sources of operational emissions. Estimated GHG emissions calculations are contained within the California Emissions Estimator Model (CalEEMod) report prepared for the project by 4Creeks, March 11, 2014.

According to the report, the project consisting of the phased development of the 12-acre site is expected to generate a total of 3122.7 metric tons of carbon dioxide equivalent emissions (CO2E) associated with construction between 2014 and 2020, and a total of 8886.81 metric tons of CO2E associated with operation under the business as usual scenario. However, the mitigated 2020 generation is 4570.81, which is below the threshold of significance for GHG generation, owing to a 48.6% reduction when compared with business as usual.

The report further reveals that a strong majority of the COE2 emissions associated with annual operations will result from mobile sources or vehicle trips associated with the uses. A majority of the Vehicle Miles Traveled (VMT) associated with the convenience market and fast food restaurant should be considered as passer-by trips rather than destination / end of a trip based on the nature of these uses and their location in the context of the City. As a result, the VMT associated with these uses will be less than reported, and the emissions associated with these excess trips can be largely disregarded.

The project will result in the generation of GreenHouse Gas emissions that will result in an incremental impact on the environment. The impact is considered marginal based on ongoing Federal and State-wide efforts to minimize emissions and the project-specific regulations discussed below.

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has released a document entitled *Guidance* for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA, which provides draft guidance for the determination of significant effects.

GreenHouse Gas emissions associated with new projects are found to have a cumulative effect rather than a direct impact on climate change. Because climate change is a global phenomenon, a direct impact cannot be associated for an individual land development project.

The California Global Warming Solutions Act of 2006, also known as Assembly Bill 32 or AB 32, required that the California Air Resources Board (CARB) design and implement emission limits, regulations, and other measures designed to reduce GHG to 1990 levels by 2020 representing a 29% reduction. Following this reduction target set in CARB's AB 32 Scoping Plan, the District evaluates GHG emission significance and finds that a project can avoid a significant impact by either:

- Using any combination of District approved GHG emission reduction measures to meet Best Performance Standards,
- Complying with an approved GHG plan or mitigation program, or
- Reducing GHG emissions by 29% from Business-As-Usual levels.

The proposed project will utilize a combination of District approved measures and existing State, Regional, and City regulations that will reduce the significance of the impact of GHG emissions.

The following regulations already in effect will assist in reducing the cumulative impact associated with GHG emissions:

- Compliance with the California Building Code of 2010 including Title 24 requirements,
- Compliance with the City of Visalia's water efficient landscape standards,
- Applicability of the SJVAPCD's Indirect Source Rule 9510 to the project,
- Compliance with the City of Visalia Development Standards (Chapter 17.30 of the Municipal Code), which requires the placement of parking lot shade trees and street trees along public streets;
- Change in use from residential to horizontal mixed use.

The project will also be in compliance with certain measures approved by the SJVAPCD that are designated as an effective means of reducing the project's GHG emissions to meet Best Performance Standards and would provide a measurable reduction of GHG emissions.

The following SJVAPCD-approved measures are being required as project mitigation, further described in the Mitigation Measures section of the Initial Study:

- An on-site pedestrian access network that internally links all uses and connects to existing and planned streets;
- Minimization of pedestrian barriers which impede pedestrian and bicycle access and interconnectivity;
- Providing of shade and/or light-colored materials on at least 30% of the site's non-roof impervious surfaces including parking lots;
- Commitment to exceed Title 24 requirements by 20%:
- Utilization of off-road diesel vehicles in compliance with Title 13, CCR, Section 2449 during project construction.
- b. The State of California has enacted the Global Warming Solutions Act of 2006 under Assembly Bill 32 (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 GAG emissions.

#### VIII. 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.
- There is no school site located one-quarter mile from the project site.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The City's adopted Airport Master Plan shows the project area is located outside of all Airport Zones. There are no restrictions for the proposed project related to Airport Zone requirements.

The project area is not located 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 is a proposed commercial development which will 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.
- The project will not substantially deplete groundwater supplies in the project vicinity. The project site will be served by a water lateral for domestic, irrigation, and fire protection use.
- The project will not result in substantial erosion on- or offsite.
- d. The project will not substantially alter the existing drainage pattern of the site or area, alter 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.
- e. The project will not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. The site is a proposed commercial development which will 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.
- There are no reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. The project area is located within Zone X, which indicates an area that is not within flood hazard area.
- The project area is located within Zone X, which indicates an area that is not within a flood hazard area.
- The project would not expose people or structures to risks from failure of levee or dam.
- 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

- The project will not physically divide an established community.
- b. The site is within the current Urban Development Boundary (129,000 Population) of the City of Visalia. The City of Visalia designates the area for urban development. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use. The City adopted urban development boundaries as mitigation measures for conversion to urban development.

The project site is designated for commercial uses according to the General Plan land use map and the Zoning map of the City of Visalia. Changes to noise, traffic, and light in association with this project are addressed elsewhere in the initial study.

 The project does not conflict with any applicable conservation plan.

### XI. MINERAL RESOURCES

- No mineral areas of regional or statewide importance exist within the Visalia area.
- 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, but not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. Traffic and related noise impacts from the proposed project will occur along Lovers Lane and Noble Avenue, existing fully-improved arterial roadways which run along the frontages of the site. The City's standards for setbacks and/or construction of walls along major streets will reduce noise levels to a level that is less than significant. Noise levels will also increase temporarily during the construction of the project but shall remain within the noise limits and restricted to the allowed hours of construction defined by the City of Visalia Noise Ordinance. Temporary Increase in ambient noise levels is considered to be less than significant.

A noise analysis was prepared for the proposed restaurant with drive-through service which shows that the City of Visalia Community Noise Standards will be met, and that no additional mitigation measures are identified for the restaurant with drive-through service beyond what is shown for development on the site plan.

- 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; thus the impacts will be less than significant. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.
- 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. The City's standards for setbacks and/or construction of walls along major streets and adjacent to residential uses reduce noise levels to a level that is less than significant. Noise associated with the establishment of new urban uses was previously evaluated with the General Plan EIR for the conversion of land to urban uses.
- 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.
- e. The project area is not within 2 miles of a public airport. The project will not expose people residing or working in the project area to excessive noise levels.
- 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.

- Development of the site will not displace any housing on the site.
- Development of the site will not displace any people on the site.

#### XIV. PUBLIC SERVICES

- a.
- i. Current fire protection facilities are located at the Visalia Station 56 and 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.
- 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 directly generate new students. In order to address indirect impacts, the project will be required to pay non-residential impact fees. These fees are considered to be conclusive mitigation for indirect impacts. Current school facilities can adequately serve the site without a need for alteration.
- iv. The project does not include any residential units that will create a need for additional park facilities. Current park and recreation facilities can adequately serve the site without a need for alteration.
- Other public facilities can adequately serve the site without a need for alteration.

#### XV. RECREATION

- a. The project will not directly generate new residents and will therefore not directly 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. Residential developments indirectly associated with on-site employment will pay impact fees to mitigate impacts.
- 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.
- 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 EIR for the City of Visalia Land Use Element Update for urban use.

A revised final Traffic Impact Study was conducted for the project, dated April 29, 2014, which studied key roadways and intersections in the vicinity of the project site. The analysis considered existing roadway conditions and year 2026 (ten years after buildout) base conditions, with and without the project conditions. The analysis identified

recommended roadway and intersection improvements to the vicinity of the project to ensure that the project will operate at acceptable LOS "D" conditions or better through 2026.

The City has determined that the development and operation of the proposed project in itself does not warrant immediate improvements to the intersection of Lovers Lane and Noble Ave. at this time. The City of Visalia will therefore continue to monitor and evaluate these intersections and carry out improvements for controlled movements when such measures are critically necessary.

- The project will not result in nor require a need to change air traffic patterns.
- There are no planned designs that are considered hazardous.
- 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. The project site will be accommodated by existing Clty storm water drainage lines that handle on-site and street runoff. Usage of these lines is 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.
- 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. 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 EIR for the City of Visalia Land Use Element Update for conversion to urban use. The City

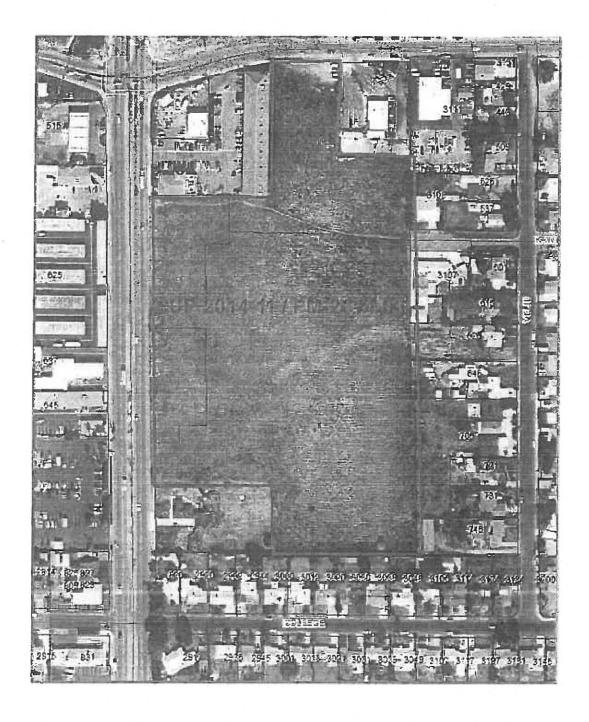
- adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- b. This site was inherently evaluated in the EIR for the City of Visalia Land Use Element Update for the area's conversion to urban 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 EIR for the City of Visalia Land Use Element 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**

**Environmental Coordinator** 

On the basis	of this initial evaluation:
_	I find that the proposed project COULD NOT have a significant effect on the environment. NEGATIVE DECLARATION WILL BE PREPARED.
<u>X</u>	I find that although the proposed project could have a significant effect on the environment, ther 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.
<u></u>	I find the proposed project MAY have a significant effect on the environment, and a 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 effect 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. 90020160). The Environmental Impact Report prepared for the City of Visalia Land Use Element (Amendment No. 90-04) was certified by Resolution NO 91-105 adopted on September 3, 1991. THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.
1	April 29, 2014
Paul Scheibel	l, AICP Date

Date





MEETING DATE

12/24/2013

REDEVELOPMENT

PARK/RECREATION

OTHER

SITE PLAN NO.

13-194

PARCEL MAP NO.

SUBDIVISION

LOT LINE ADJUSTMENT NO.

review all comments since they may impact your project. Major changes to your plans are required. Prior to accepting construction drawings RESUBMIT 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 Engineering prior to resubmittal plans for Site Plan Review. Planning Parks and Recreation Solid Waste Fire Dept. X **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 8:30 a.m. and 4:30 p.m., Monday through Friday. M Your plans must be reviewed by:

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please

ADDITIONAL COMMENTS This project requires a COnditional Use Permit.

CITY COUNCIL

PLANNING COMMISSION

HISTORIC PRESERVATION

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

#### Site Plan Review Comments For: ITEM NO: 1 DATE: December 24, 2013 SITE PLAN NO: RESUBMIT SPR13194 Visalia Fire Department PROJECT TITLE COMMERCIAL RETAIL CENTER Kurtis Brown, Assistant Fire Marshal DESCRIPTION: COMMERCIAL RETAIL CENTER & CUP ON 12 ACRES 70,000 SQ FT RETAIL WITH 120 ROOM HOTEL (CSO 707 W Acequia ZONED) (DISTRICT B) Visalia, CA 93291 APPLICANT: 4 CREEKS -DAVID DUDA 559-713-4261 office PROP OWNER: CHANDI GROUP USA INC LOCATION: 3007 E NOBLE AVE 559-713-4808 fax APN(S): 101-030-025 101-030-026 101-030-027 101-030-028

The following comments are applicable when checked:

	Refer to previous comments dated .
	More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
$\boxtimes$	The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
	No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
Ø	Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
	No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
$\boxtimes$	There are fire hydrants required for this project.
	A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding a 80,000 pound piece of fire apparatus.
	The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
	-
	Subdivision streets shall be a minimum of 36 feet wide from curb to curb to allow fire department access and to permit parking on both sides of the street.

Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)  The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.  That portion of the building that is built upon a property line shall be constructed as to comply with Section 503 4 and Table 5-A of the California Building Code.  Commercial dumpsters 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 fire sprinkler system.  If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.  An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25° from the building, if possible. The caps on the FDC shall be Knox locking caps.	$\boxtimes$	A fire lane is required for this project. The location will be given to you during the site plan meeting. Fire lanes shall allow fire apparatus to be within 150 feet of all points around the building. Fire lanes shall be a minimum of 20 feet wide with no parking allowed at any time.
common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.  That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.  Commercial dumpsters 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 fire sprinkler system.  If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.  An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.  All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, lazches, delt locks, and panic and fire exit hardware.  Provide Illuminated exit signs and emergency lighting though-out building.  All Fire and Life Safety systems located within the building shall be maintained.  An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.  Special comments:	$\boxtimes$	A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
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	$\boxtimes$	An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
		Special comments:
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Kurtis Brown, Assistant Fire Marshal

# QUALITY ASSURANCE DIVISION SITE PLAN REVIEW COMMENTS

RESUBMIT

COMMERCIAL RETAIL CENTER & CUP ON 12 ACRES 70,000 SQ FT RETAIL WITH 120 ROOM HOTEL (CSO

DATE: December 24, 2013

ZONED) (DISTRICT B) 4 CREEKS -DAVID DUDÁ

CHANDI GROUP USA ING

3007 E NOBLE AVE.

COMMERCIAL RETAIL CENTER

SPR13194

ITEM NO: 1

SITE PLAN NO:

DESCRIPTION:

APPLICANT: PROP OWNER:

LOCATION

PROJECT TITLE:

	APN(S) 101-030-025	101-030-026 101-030-027 101-030	-028
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YOUR PRO	JECT IS ALSO SUBJECT TO	THE FOLLOWING REC	QUIREMENTS: for thin
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	GARBAGE GRINDER - 1/4 H	MUMIXAM 9	
	SUBMISSION OF A DRY PR	OCESS DECLARATION_	
$\boxtimes$	NO SINGLE PASS COOLING	WATER IS PERMITTED_	
	OTHER_		
	SITE PLAN REVIEWED - NO	O COMMENTS	
CALL THE QUESTIONS	QUALITY ASSURANCE DI S.	VISION AT (559) 713-452	29 IF YOU HAVE ANY
PUBLIC WO QUALITY A 7579	Y OF VISALIA ORKS DEPARTMENT SSURANCE DIVISION AVENUE 288 LLIA, CA 93277	AUTHORIZED  12 -25-13  DA	

MARKETERS TO A STORE AST



# CITY OF VISALIA NONSIGNIFICANT WASTEWATER DISCHARGE PERMIT APPLICATION

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### PLEASE PRINT OR TYPE

APPLICANT BUSINESS NAME:			PHO	NE:		
BUSINESS ADDRESS:						
BUSINESS OWNER:						
MAILING ADDRESS:						
CONTACT PERSON:						
NATURE OF BUSINESS: (restaurant						
NO. OF EMPLOYEES:	HOURS OPEN:		AM/PI	и то <u> </u>		_AM/PM
DAYS PER WEEK BUSINESS OPEN: M	MON TUES	WED	THUR	FRI	SAT	SUN
Does your facility have a grease, oil or gri	trap installed befo	re discha	rge to sev	er?	YES	NO
If yes, Name of trap:	Size of trap:	Hov	often is tra	ap cleane	:d:	
t hereby affirm that a to t	all information furni ne best of my know	shed is to vledge.	ue and co	Tect		
Signature			Date			

Public Works Department Quality Assurance Division 7579 Ave 288 Visalia CA 93277 (559) 713-4487

FOR 364 28 FT FAST FILE .



## CITY OF VISALIA NONSIGNIFICANT WASTEWATER DISCHARGE PERMIT APPLICATION

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### PLEASE PRINT OR TYPE

APPLICANT BUSINESS NAME:			PHO	NE:		
BUSINESS ADDRESS:	CITY:		_ STAT	TE:	_ ZIP: _	
BUSINESS OWNER:			PHO	NE:		
MAILING ADDRESS:	CITY:		STAT	TE:	_ ZIP: _	•
CONTACT PERSON:		TITLE:				
NATURE OF BUSINESS: (restaura	ant, market, conve	nience store, ;	yogurt sh	op, walk	(-up, etc.)	
NO. OF EMPLOYEES:	_ HOURS OPEN	:	AM/PN	/ TO		_AM/PM
DAYS PER WEEK BUSINESS OPEN:	MON TUE	S WED	THUR	FRI	SAT	SUN
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	at all information for the best of my k		e and col	rect		
Signat	ure		Date			

Public Works Department Quality Assurance Division 7579 Ave 288 Visalia CA 93277 (559) 713-4487

FOR SULT STOT ARLE AM IEN.



### CITY OF VISALIA NONSIGNIFICANT WASTEWATER DISCHARGE PERMIT APPLICATION

Agency Use:	
Parmit No:	
Code No:	
Data Entry By:	

#### PLEASE PRINT OR TYPE

APPLICANT BUSINESS NAME;				PHO	NE:		
BUSINESS ADDRESS:		CITY:		STA	TE:	_ zip: _	
BUSINESS OWNER:				PHO	NE:		
MAILING ADDRESS:		CITY:		STA	TE:	ZIP: _	
CONTACT PERSON:			TITLI	E:			
NATURE OF BUSINESS: (re	estaurant, marke	et, convenie	nce store	, yogurt sh	op, wall	k-up, etc.)	
NO. OF EMPLOYEES:	HOUR	S OPEN:		AM/PI	ито_		_AM/PM
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Does your facility have a grease,	oil or grit trap in	nstalled befo	ore discha	rge to sev	ver?	YES	NO
If yes, Name of trap:	Size of	trap:	Hov	v often is tr	ap cleane	ed:	
hereby af	firm that all infor to the bes	mation furn		ue and co	rrect		
	Signature			Date			

Public Works Department Quality Assurance Division 7579 Ave 288 Visalia CA 93277 (559) 713-4487

# CITY OF VISALIA ORDINANCE 13.08

13.08.570 Traps required.

Grease, oil and sand traps shall be provided when, in the opinion of the City, they are necessary for the protection of the sewerage system from liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such traps shall not be required for buildings used solely for residential purposes. Such traps shall be required for example, on discharges from all service stations, automotive repair garages, car washes, restaurants, eating establishments and food preparation establishments, and such other commercial or industrial establishments as the city may designate. (Prior code § 4254)

#### 13.08.580 Construction of traps.

All traps shall be of a type and capacity approved by the city, and shall be so located as to be readily and easily accessible for cleaning and inspection. Restaurant traps shall be gas-tight, of a type approved for restaurant use by the division of building safety. Traps for all other facilities, including service stations and garages, shall be in accordance with the adopted plan of the city for such traps or shall be the approved equal thereof as determined by the director. (Prior code § 4255)

#### 13.08.590 Maintenance of traps.

When installed, all grease, oil and sand traps shall be maintained by the owner, at owner's expense, in continuously efficient operation at all times. (Prior code § 4256)

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

No comments.

X

X

X

X

ITEM NO: 1

DATE: December 24, 2013

SITE PLAN NO

SPR13194

RESUBBIT

PROJECT TITLE: DESCRIPTION: COMMERCIAL RETAIL CENTER.
COMMERCIAL RETAIL CENTER & CUP ON 12 ACRES

70,000 SQ FT RETAIL WITH 120 ROOM HOTEL (CSO

ZONED) (DISTRICT B)

COMMERCIAL BIN SERVICE

APPLICANT: PROP OWNER:

4 CREEKS -DAVID DUDA CHANDI GROUP USA INC

LOCATION:

3007 E NOBLE AVE

101-030-025 101-030-026 101-030-027 101-030-028 APN(S): Same comments as as Revisions required prior to submitting final plans. See comments below. Resubmittal required. See comments below. Customer responsible for all cardboard and other bulky recyclables to be broken down be fore disposing of in recycle containers. ALL refuse enclosures must be R-3 or R-4 Customer must provide combination or keys for access to locked gates/bins Type of refuse service not indicated. Location of bin enclosure not acceptable. See comments below. Bin enclosure not to city standards double. Inadequate number of bins to provide sufficient service. See comments below. Drive approach too narrow for refuse trucks access. See comments below. Area not adequate for allowing refuse truck turning radius of : Commercial (X ) 50 ft. outside 36 ft. inside; Residential ( ) 35 ft. outside, 20 ft. inside. Paved areas should be engineered to withstand a 55,000 lb. refuse truck. Bin enclosure gates are required Hammerhead turnaround must be built per city standards. Cul - de - sac must be built per city standards. Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures. Area in front of refuse enclosure must be marked off indicating no parking

Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)

Customer will be required to roll container out to curb for service.

Must be a concrete slab in front of enclosure as per city standards

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 both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
 Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post
see page 2 for instructions
 CHECK PARCEL 6 RETAIL, TRASH ENCLOSURE IS NEXT TO WALL, WILL THEY BE PUTTING A
SPRINKLER SYSTEM OR WILL THEY RELOCATE TRASH ENCLOSURE?
Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

# SITE PLAN REVIEW COMMENTS

# CITY OF VISALIA TRAFFIC SAFETY DIVISION December 24, 2013

ITEM NO: 1

RESUBMIL

SITE PLAN NO:

SPR13194

PROJECT TITLE:

COMMERCIAL RETAIL CENTER

DESCRIPTION:

COMMERCIAL RETAIL CENTER & CUP ON 12 ACRES 70,000 SQ FT RETAIL WITH 120 ROOM

HOTEL (CSO ZONED) (DISTRICT B)

APPLICANT: PROP, DWNER:

4 CREEKS -DAVID DUDA CHANDI GROUP USA INC

LOCATION:

3007 E NOBLE AVE

APN(S):

101-030-025 101-030-026

101-030-027 101-030-028

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

الا انا.	Commen	ts		
⊠ Se	e Previous	Site Plan Cor	mments	
□ In:	stall	Street Light(s	per City	Standards.
🗆 ins	stall Street	Name Blades	at	Locations.
☐ Ins	stall Stop S	igns at	Location	S.
☐ Cċ	instruct par	king per City S	Standards	s PK-1 through PK-4
□ Co	nstruct driv	ve approach p	er City St	andards.
□ Tra	affic Impac	t Study require	ed.	
Additi	onal Com	ments:		

City of Visalia Parks and Urban Forestry 336 N. Ben Maddox Way Visalia, CA 93292 Date: Nov. 27, 2013 / 12-10-13 Oec., 17, 2013 / 12-23-13 Site Plan Review # 13-194 13-199

#### SITE PLAN REVIEW COMMENTS

lovers Lane
6"08H Valley Oak
COMMENTS: See Below None
Please plot and protect all Valley Oak Trees.
Landscape along parkway to be planted by developer and maintained by a maintenance district.
All drainage from curb and gutter along streets to be connected to storm drain system.
All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.
Tie-ins to existing infrastructure may require a hore. Check with the Public Works Department prior to any street cut.
Other Comments:
1-6" DBH Volley Oct on property.
God Hoon
Parks and Urban Forestry Supervisor

559 713-4295

Fax 559 713-4818

Emzil: jhooyer@ci.visalia.ca.us

### SITE PLAN REVIEW COMMENTS

Andrew Chamberlain 559-713-4003 - Paul Bernal, Planning Division (559) 713-4025

Date: December 24, 2013

SITE PLAN NO:

13-194 - C

PROJECT:

COMMERCIAL RETAIL CENTER

DESCRIPTION:

COMMERCIAL RETAIL CENTER CUP AND TENTATIVE PARCEL MAP ON 12

ACRES 70,000 SQ FT RETAIL WITH 120 ROOM HOTEL (CSO ZONED)

(DISTRICT B)

APPLICANT:

4 CREEKS -DAVID DUDA CHANDI GROUP USA INC

PROP. OWNER: LOCATION TITLE:

3007 E NOBLE AVE

APN TITLE:

101-030-025, 026, 027 & 028

General Plan: Existing Zoning: CSO - (Shopping / Office Commercial) CSO - (Shopping / Office Commercial)

#### Planning Division Recommendation:

Revise and Proceed

☐ Resubmit

#### **Project Requirements**

Conditional Use Permit (Master Plan Development for all CUP uses)

 Variance for multiple monument signs (Two monument signs, on different streets, which meet code may be done as a "Sign Program" through the CUP)

- Traffic Impact Study/Greenhouse Gas Analysis/Noise Study/Photometric Study These are required as a part of the CUP application – NOTE. The CUP application is not deemed complete until such studies are reviewed and found to be sufficient for the application/action by staff. Staff acceptance of a study does not certify that it can withstand challenges or other actions.
- Conceptual Landscape Plan
- Proposed Floor Plans
- Proposed Elevations Building elevations should be specific for the drive-thrus, fast food and
  gas station, typical architectural elevations may be used for the general retail buildings. NOTE:
  Building elevations become part of the review and approval process for the CUP.
- Phasing Development Plan
- Building Permit
- Additional Information as Needed Provide basic Operational Statements for the drive-thrus, fast food and gas station

#### PROJECT SPECIFIC INFORMATION: 12/24/2013

- 1. Comply with applicable comments from 11/27/2013 & 12/18/13.
- Provide detailed phasing lines as a part of the CUP application package, including landscaping improvements. Applicant may wish to review with staff to determine if any staff changes in phasing will be recommended as a part of the CUP.
- 3. Relocate the solid waste enclosure based upon Solid Waste comments and phasing.
- 4. CUP required for parcels with no public street frontage.
- 5. Provide a noise and headlight screen along the east side of the drive-thru.
- 6. Block Wall the wall may be phased but will be required with any development of the eastern parcels. Block Wall will also be required with the full build out of the Lovers Lane frontage.
- 7. Provide a cross-section of the Lovers Lane frontage at the bus stop and at a typical section.
- 8. Provide a cross access easement to the site at the north side of this site.

- Landscape and irrigation plans are required with each building permit. Lovers Lane and Noble Avenue frontage landscaping improvements are required with the first building permit.
- 10. See Transit Comments for the bus stop.

#### PROJECT SPECIFIC INFORMATION: 12/18/2013

- 1. Comply with comments from 11/27/2013.
- The new hotel location helps to reduce potential impacts that staff has previously noted. Because the hotel requires a CUP, final determination of consistency will be made by the Planning Commission.
- A 12-foot Irrevocable Offer of Dedication (IOD) is required along Lovers Lane. Redesign 15-foot landscape setback to account for the 12-foot IOD. The landscape setback shall be designed to 27feet.
- Provide a hammer-head turn around along Kaweah Avenue as required by Engineering Division.
   Pedestrian access shall be maintained along Kaweah Avenue into the shopping center site.
- 5. Protect the Valley Oak Tree located south of the retail building pad. The Valley Oak Tree shall be incorporated into the landscape area.
- At this time staff does not support any left turn movements from the shopping center site onto Lovers Lane. The proposed left-turn movement at the primary access drive is not supported by staff.
- Any additional drive-thru lanes shall be depicted on the site plan. Any drive-thru not depicted, but requested at a later time is subject to Site Plan Review and may require amending an approved entitlement.

#### PREVIOUS COMMENTS

#### PROJECT SPECIFIC INFORMATION: 11/27/2013

- There are several uses proposed for this shopping center development that require a Conditional Use Permit (CUP). A CUP is required for the service station with a drive-thru carwash, hotel, fast food restaurant with a drive-thru and drug store with a drive-thru. Staff will require one master planned site development plan to address all CUP's proposed at this location.
- 2. Given the major issues regarding the Lovers Lane / State Route 198 interchange, the applicant shall work with CalTrans and City staff in an effort to clearly depict the proposed on/off ramp & interchange improvements being considered. Depict areas of the property that might be affected by the interchange widening.
- 3. Staff may not support the location of the hotel as currently depicted. The four-story hotel is located near existing residential development to the east and south resulting in unobstructed views from the hotel rooms into the abutting residential homes. Staff strongly encourages the applicant to reconsider the location of the hotel near residential development.
- 4. The shopping center shall be designed as a unified development. This shall include architectural compatibility with all buildings. Provide building elevations depicting the unified theme for the shopping center. Ensure the architecture incorporates substantial horizontal and vertical articulation. Outpad buildings should incorporate the positive thematic elements of the main buildings.
- 5 Clearly depict all loading docks for the large retail pads. A Noise Study is required to address loading/unloading activities for the large retail operator pads located near residential development. The Noise Study may also need to address the carwash if the retail pad development directly to the east is not constructed as part of the initial phase of development.
- Relocate the trash enclosure's from the east property line abutting the residential property's to the east. No trash enclosures shall be placed within 15 feet from residential-zoned properties.
- Provide pedestrian access to the shopping center from the neighborhood to the east. This may be feasible by installing a pedestrian opening along the Kaweah Avenue alignment.
- 8. A block wall is required along the south and east property lines. The block wall may be required to be installed with the first phase of development.

- 9. The site plan shall include dimensions for the parking stalls, drive-aisles, building setbacks, landscaping setbacks, pedestrian walkways, trash enclosures, etc.
- 10. Staff may not support any proposed left-furn movements from the site onto Lovers Lane.
- 11. Recommend pedestrian pathways connecting outpad buildings along Lovers Lane with the main buildings to the east.
- 12. The proposed drive thru lane should show a minimum of 10 vehicle stacking volume.
- 13. Provide enhanced landscaping and entry design for the proposed access points along Lovers Lane and Noble Avenue.
- 14. Clearly depict location of Bus Turn Out/Bus Stop along the Lovers Lane frontage.
- 15. Depict cart storage areas and method of screening/containment being proposed.
- 16. Signage shall be unified in theme and shall not be extended above the roof line of any building or canopy. All signs require a separate building permit. Additional monument signs will not be allowed without a sign program and a variance to signage.
- 17. Any proposed gas island canopy lights must be recessed in the canopy to preclude direct visibility of the lamp elements.

#### CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the consistency of the proposed site plan with the City General Plan cannot be determined until sufficient information is submitted for further consideration.

Design District: "B" [17.30.170]

#### Maximum Building Height: 50 Feet

Minimum Setbacks:		Building	Landscaping
A	Front	15 Feet	15 Feet
A	Side	0 Feet	5 Feet*
×	Street side on corner lot	10 Feet	10 Feet
A	Side abutting residential zone	15 Feet	5 Feet
P	Rear	0 Feet	5 Feet*
A	Rear abutting residential zone	20 Feet	5 Feet
*(E	Except where building is on property line)		

Minimum Site Area: 5 acres

Parking: As prescribed in Chapter 17.34

#### Parking:

- 1 Provide shall be provided at the following ratios:
  - Motels, hotels. One parking space for each guest room. Further, there shall be one parking space for each two employees per shift regularly employed by the motel, or any independent business located within the motel structure. If the motel provides an area for the consumption of food or beverages or provides meeting or assembly halls the following requirements must be met.

Number of Motel Rooms	Parking Requirements
3-10	One parking space for each 100 square feet of area used for the consumption of food or beverages and one parking space for each 35 square feet of meeting or assembly hall space.
11–40	One parking space for every 200 square feet of area used for the consumption of food or beverages and one parking space for each 70 square feet of meeting hall or assembly hall space.

One parking space for each 300 square feet of area designated for the consumption of food or beverages and one parking space for each 150 square feet of meeting or assembly hall space.

One parking space for each 400 square feet of area set aside for the consumption of food or beverages and one parking space for each 300 square feet of meeting or assembly hall area.

- Shopping centers (major): one parking space for each two hundred twenty-five (225) square feet of floor area.
- 3. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.1).
- 4. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
- 5. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
- 6. No repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).
- 7. It is highly recommended that bicycle rack(s) be provided on site plan.
- 8. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
- 9 Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents (Zoning Ordinance Section 17.34.030.J).
- 10. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.
- 11. Provide shopping cart storage areas on site plan.
- 12. Provide transit facilities on site plan.
- 13. Shared parking/access agreements are required. Said agreements shall be approved and recorded prior to Issuance of building permits (Zoning Ordinance Section 17.34.050).
- 14. Provide off-street loading facility (Zoning Ordinance Section 17.34.070 & 17.34.080).

#### Fencing and Screening:

- 1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.139.F).
- Provide second-story screening for all windows that may intrude into adjacent residential properties.
   Details and cross-sections will be required to be reviewed and approved prior to issuance of building permits (Zoning Ordinance Section 17.30.130 F).
- 3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
- 4. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.39 130 F).
- 5. Outdoor retail sales prohibited.
- Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
- All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights (Zoning Ordinance Section 17.30.130,F).
- 8. Provide minimum of seven-foot high concrete block wall or masonry wall along/around the following: South and East property lines
- If there is an anticipated grade difference of more than 12-inches between this site and the adjacent sites, a cross section of the difference and the walls must be provided as a part of the Subdivision and/or CUP application package.
- 10. 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:

- 1. On September 30, 2009, the State Model Water Efficient Landscape Ordinance (MWELO) was finalized by the State Department of Water Resources to comply with AB 1881. AB 1881 along with the MWELO became effective on January 1, 2010. As of January 1, 2010, the State Model Water Efficient Landscape Ordinance became effective by adoption of a City urgency ordinance on December 21, 2009. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance, NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.
- Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.39.130,C).
- 3. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
- 4. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
- 5. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).
- 6. An 80 sq. ft. minimum landscape well is required every 10 configuous parking stalls (Zoning Ordinance Section 17.30.130,C).
- Provide a detailed landscape and irrigation plan for review prior to issuance of building permits.
   Please review Zoning Ordinance section 17.30.130-C for current landscaping and irrigation requirements.
- 8. Provide a conceptual landscape plan for resubmittal or planning commission review.
- 9. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).

Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

#### Lighting:

- 1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
- 2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
- 3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
- 4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
- 5. 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.

Noise: NOISE ORDINANCE (Municipal Code Chapter 8.36)

The City's Noise Ordinance has standards for maximum noise levels near sensitive land uses. The project, as with all other uses in the City, will be required to meet the standards of the Noise Ordinance during construction of the project and during operation of the use on the site. It is the property owner's responsibility to ensure that the Ordinance is being met. Copies of the Noise Ordinance are available at the Community Development Department front counter or online at www.ci.visalia.ca.us. (Click on Municipal Code and then go to Chapter 8.36.)

Staff believes that the proposed project may not meet the City Noise Ordinance as proposed. As part of Staff's review prior to Planning Commission/City Council hearings on the proposed project, Staff will require that a Noise Study be prepared for review by the Planning Commission/City Council.

#### Signage: [see Zoning Ordinance Section 17.48]

1. All signs require a building permit.

#### San Joaquin Valley Air Pollution Control District (SJVAPCD)

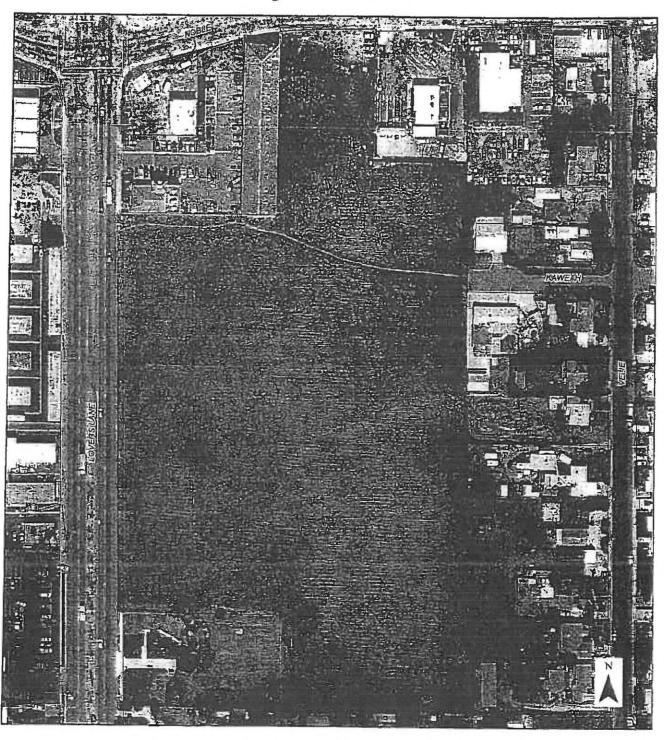
Please note that the project is subject to SJVAPCD Rule 9510. The applicant is encouraged to do early indirect source modeling consultation with the Air District.

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.

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. A discretionary action that must be approved by the Planning Commission. The fees are not refundable if the action is denied.

Signature \_\_\_\_

# City of Visalia



**Aerial Photo** 

- 1 - n		
BUILDING/DEVELOPMENT PLAN	TEMBO. 4 DATE	DECEMBED 04 2042
REQUIREMENTS	HEM NO: 1 DATE	<u>DECEMBER 24, 2013</u>
ENGINEERING DIVISION	SITE PLÁN NO.:	13-194 2 <sup>nd</sup> RESUBMITTAL
⊠Jason Huckleberry 713-4259	PROJECT TITLE:	COMMERCIAL RETAIL CENTER
Ken McSheehy 713-4447	DESCRIPTION:	COMMERCIAL RETAIL CENTER CUP AND
Adrian Rubalcaba 713-4271		TENTATIVE PARCEL MAP ON 12 ACRES 70,000
		SQ FT RETAIL WITH 120 ROOM HOTEL (CSO
1 1 1	APPLICANT:	ZONED) (DISTRICT B) 4 CREEKS - DAVID DUDA
	PROP OWNER:	CHANDI GROUP USA INC
	LOCATION:	3007 E NOBLE AVE
	APN:	101-030-025
SITE PLAN REVIEW COMMENTS		
⊠REQUIREMENTS (indicated by		
checked boxes)	i	
Install curb return with ramp, with	radius;	
Minstall curb, Mgutter NOBLE	mallion and immed 201 D.A.I	NUC EOD WINDS ASSESSACE SELVATOR
Moldand Is Character Street Surviva Miles in	adius return, 20 RAL	DIUS FOR MINOR APPROACH, 35' MAJOR
Sidewalk: 6' width; 10' parkway wi	areas the millin stre	= at frontage(s) of the subject site that has become
uneven, cracked or damaged and ma	v caselitute a trinning	the subject site that has subject site that has substitute
Meniore governt and outter across the	he outlie street fronts	age(s) of the subject site that has become uneven
and has created areas where water c		golo) bi the papieot one district opposite anover
		for verification of ownership. 12' IRREVOCABLE
OFFER OF DEDICATION ALONG E	AST SIDE OF LOVE	ERS LANE, RIGHT OF WAY NECESSARY FOR
		ING RIGHT-OF-WAY ON NOBLE AVE.
Deed required prior to issuing building		
City Encroachment Permit Required	FOR ANY WORK NE	CESSARY IN CITY RIGHT OF WAY
Insurance certificate with general &	auto liability (\$1 millio	on each) and workers compensation (\$1 million),
valid business license, and approp	riate contractor's lic	ense must be on file with the City, and valid
Underground Service Alert # provided	prior to issuing the p	permit.
		mments required prior to issuing building permit.
Contacts: David Deel (planning) 488-	4088,	in the second second second second second
Landscape & Lighting District/Hom	e Owners Associat	ion required prior to approval of Final Map.
Landscape & Lighting District Will mi	aintain common area	landscaping, street lights, street trees and local
75 days before approval of Final Map	Contact Doug Dom	Jighting District application and filing fee a min. of
75 days before approval of Final Way	close to be submitte	d for each phase. Landscape plans will need to
somety with the City's street tree or	dinance. The legation	ns of street trees near intersections will need to
comply with Plate SD-1 of the City in	provement standard	s. A street tree and landscape master plan for all
phases of the subdivision will need to	he submitted with the	e initial phase to assist City staff in the formation
of the landscape and lighting assessment		y nout proces to position only other in the services
MGrading & Drainage clan required.	f the project is phase	ed, then a master plan is required for the entire
project area that shall include pipe no	twork sizing and gra-	des and street grades. M Prepared by registered
civil engineer or project architect.	All elevations shall b	e based on the City's benchmark network. Storm
run-off from the project shall be har	idled as follows; a) [	directed to the City's existing storm drainage
		c) directed to a temporary on-site basin is
		able to the City's storm drainage system. On-site
	lopes, perimeter fen	cing required, provide access ramp to bottom for
maintenance.		desired for a few and the second
IXIGrading permit is required for clearing	and earthwork perio	rmed prior to issuance of the building permit.
	pes: A.U. pavement =	: 1%, Concrete pavement = 0.25%. Curb & Gutter
= .020%, V-gutter = 0.25%)	one A reference well	will be required for grade differences greater than
0.5 feet at the property line.	ons. A retaining wall	will be required for grade differences greater than
D.D ICOL BLAID PIDPENTY IILIE.		

All public streets within the project limits and across the project 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, NOBLE AVE.
Install landscape curbing (typical at parking lot planters).
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.
Exprovide "R" value tests. each at
Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc,
Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch Jerry Hill 686, 3425 for Tulare Irrigation
Carlai, Packwood and Cameron Creeks: Bruce Geome 747-5601 for Mill Creek and St. John's Divor
Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements.
A permit is required to remove oak trees. Contact David Pendergraft at 713-4295 for an Oak tree evaluation
or permit to remove.   A pre-construction conference is required.
⊠Relocate existing utility poles and/or facilities.
Munderground all existing overhead utilities within the project limits. Existing overhead electrical lines over
BUKV 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:

- 1. A traffic impact study is required for this project. Additional conditions may be imposed as part of this analysis.
- 2. The City std. hammer head at end of Kaweah Ave. is adequate. This condition shall be met with the appropriated phase.
- 3. An analysis of the available capacity in the existing 18" storm drain main in Lovers Lane is required. Subject to sufficient capacity, on-site improvements may drain to Lovers Lane. Additional drainage improvements may be necessary.
- 4. Provide master plan design for the development area prior to or concurrent with 1st phase; to include ingress/egress, storm drain, and sanitary sewer.
- 5. Sanitary sewer lateral connection to main line in Lovers Lane shall be bored. The 21" sewer main is located on the west side of Lovers Lane.
- 6. Frontage improvements shown along Lovers Lane are incorrect. A 6' sidewalk with 10' parkway is required with first phase of development along Lovers Lane; to include parkway landscaping, street trees & street lights. An easement for sidewalk will be required.
- 7. Left out movement onto Lovers Lane is prohibited due to safety concerns. Drive approaches shall meet City standards for major and minor commercial design. 30' minimum width is required for minor approach with 20' radius returns. 36' min. width for major approach with 35' radius returns.

- 8. The southerly approach on Lovers Lane does not meet City standards for proximity to adjacent parcel. A minimum of 4' distance from property line is required prior to beginning of approach.
- 9. Noble street frontage shall be fully improved with phase 1; to include 6' sidewalk, street trees, street lights, pavement, and any necessary street striping. Right-of-way dedication varies.
- 10. Noble access point may be predetermined by Caltrans; revise site plan as necessary.
- 11. The drive approach on Noble shall meet City design standards for "major commercial" with 35" radius returns.
- 12. All trash enclosures shall meet 24' wide City standard refuse enclosure with concrete apron and gates. Reposition trash enclosure located at gas station to create a "direct stab" approach for Solid Waste vehicle. Due to phasing boundary, this location does not meet City standard criteria.
- 13. Revisions to phasing and/or master plan layout shall be submitted to Site Plan Review.
- 14. Refer to Planning conditions for block wall phasing.
- 15. Development impact fees vary, refer to page 4 for fee summary. Fees due at time of building permit issuance.
- 16. Plan check and inspection fees apply, due at time of building permit issuance.
- 17. All City details can be found on the City website at www.ci.visalia.ca.us
- 18. Proposed median improvements shall meet City design criteria.
- 19. Potential design requirements of this project (Lovers Lane median openings, additional right of way, etc) are contingent upon a City Project Report for the Lovers Lane/Hwy 198 interchange currently underway. Applicant shall obtain interchange project status from Caltrans and any design information which may impact proposed site plan.
- 20. Bus stop location is adequate. Refer to City standard Bus turn out details.
- 21. Cross access location to the adjacent lot to the north of Parcel 1 shall be included in design.

PREVIOUS SITE PLAN REFERENCE NOS. 07-085, 08-11 & 08-135

### SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 13-194 2nd RESUBMITTAL Date: 12/24/2013 Summary of applicable Development Impact Fees to be collected at the time of building permit: (Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.) (Fee Schedule Date:8/16/2013) (Project type for fee rates: VARIES) Existing uses may qualify for credits on Development Impact Fees. FEE RATE Groundwater Overdraft Mitigation Fee \$1,116 AC Transportation Impact Fee RETAIL \$11,337/1000SF, OFFICE \$5,072/1000SF, HOTEL \$2,011/RM. GAS STATION \$21,598/ 1ST\_4TH POSITION + \$16,199/ 5TH 8TH POSITION + \$12,149/19TH-12TH POSITION + \$9,112/ 13TH - BEYOND Trunk Line Capacity Fee HOTEL \$63.40/ROOM, RETAIL \$20.50/1000SF, OFFICE \$84/1000SF, FAST FOOD \$3,910.60/EACH, RESTAURANT VARIES. TREATMENT PLANT FEES: FAST FOOD \$17,154.30/EACH. RESTAURANT VARIES, RETAIL \$48.80/1000SF, OFFICE \$199.60/1000SF, HOTEL \$364.50/ROOM Sewer Front Foot Fee \$37.04/LF X 675 (LOVERS LANE) Storm Drain Acq/Dev Fee \$5,611.40/AC Park Acq/Dev Fee Northeast Specific Plan Fees

Waterways Acquisition Fee

\$4,119.14/AC

Public Safety Impact Fee: Police

\$7,480.20/AC

Public Safety Impact Fee: Fire

\$1,636.70/AC

Public Facility Impact Fee

\$360,00/1000SF

Parking In-Lieu

#### Reimbursement:

1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.

2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.

3.)	Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for
	construction costs associated with the installation of these trunk lines.
	Jason Huckleberry



**MEETING DATE** 

12/24/2013

SITE PLAN NO.

13-199

PARCEL MAP NO.

SUBDIVISION

LOT LINE ADJUSTMENT NO.

		your review are the comments and decisions of the Site Plan Review committee. Please nments since they may impact your project.		
	for bu	BUBMIT Major changes to your plans are required. Prior to accepting construction drawings building permit, your project must return to the Site Plan Review Committee for review of the sed 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.		
$\boxtimes$	REVIS	E 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 8:30 a.m. and 4:30 p.m., Monday through Friday.		
	$\boxtimes$	Your plans must be reviewed by:		
		CITY COUNCIL REDEVELOPMENT		
		□ PARK/RECREATION     □ PARK/RECREA		
		HISTORIC PRESERVATION OTHER		

ADDITIONAL COMMENTS This project requires a COnditional Use Permit.

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Committee



X

#### Site Plan Review Comments For: ITEM NO: 2 DATE: December 24, 2013 SITE PLAN NO: Visalia Fire Department SPR13199 RESUBMIT PROJECT TITLE: Kurtis Brown, Assistant Fire Marshal TENTATIVE PARCEL MAP DESCRIPTION: TENT ATIVE PARCEL MAP TO CREATE 6 PARCELS 707 W Acequia ON 12 ACRES (CSO ZONED) (DISTRICT B) (REFER Visalia, CA 93291 13-194) APPLICANT: CHANDI GROUP 559-713-4261 office PROP OWNER: WESTAMERICA BANK 559-713-4808 fax LOCATION: 3007 E NOBLE AVE APN(S): 101-030-025 101-030-026 101-030-027 101-030-028 The following comments are applicable when checked: Refer to previous comments dated More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. 冈 The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process. X No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements. П Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway. No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development. There is/are fire hydrants required for this project. (See marked plans for fire hydrant locations.) A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an allweather driving surface accessible prior to and during construction. The access road shall be capable of holding a 80,000 pound piece of fire apparatus. The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards. Subdivision streets shall be a minimum of 36 feet wide from curb to curb to allow fire department access and to permit parking on both sides of the street. П Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed

width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

	A fire lane is required for this project. The location will be given to you during the site plan meeting. Fire lanes shall allow fire apparatus to be within 150 feet of all points around the building. Fire lanes shall be a minimum of 20 feet wide with no parking allowed at any time.
	A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
	The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
	That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
	Commercial dumpsters 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 fire sprinkler system.
	If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
	An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
	All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
	Provide Illuminated exit signs and emergency lighting though-out building.
	All Fire and Life Safety systems located within the building shall be maintained.
	An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
	Special comments:
-	

Kurtis Brown, Assistant Fire Marshal

# QUALITY ASSURANCE DIVISION SITE PLAN REVIEW COMMENTS

RESUBMIT

TENTATIVE PARCEL MAP TO CREATE 6 PARCELS ON 12 ACRES (CSO ZONED) (DISTRICT B) (RE FER

DATE: December 24, 2013

TENTATIVE PARCEL MAP

SPR13199

ITEM NO: 2 SITE PLAN NO:

PROJECT TITLE:

DESCRIPTION:

	APPLICANT: PROP OWNER: LOGATION: APN(S):	13-194) CHANDI GROUP WESTAMERICA BANK 3007 E NOBLE AVE 101-030-025 101-030-026 101-030-027 101-030-028
ORDINANO CONNECTI ALSO RES'	CE 13.08 RELATIV ION FEES AND MO	MPLY WITH THE CITY OF VISALIA WASTEWATER E TO CONNECTION TO THE SEWER, PAYMENT OF ONTHLY SEWER USER CHARGES. THE ORDINANCE HARGE OF CERTAIN NON-DOMESTIC WASTES INTO TEM.
YOUR PRO	JECT IS ALSO SU	BJECT TO THE FOLLOWING REQUIREMENTS:
	WASTEWATER I	DISCHARGE PERMIT APPLICATION
	SAND AND GREA	SE INTERCEPTOR – 3 COMPARTMENT
	GREASE INTERC	EPTOR min. 1000 GAL
	GARBAGE GRINI	DER - % HP. MAXIMUM
	SUBMISSION OF A	A DRY PROCESS DECLARATION
	NO SINGLE PASS	COOLING WATER IS PERMITTED
	OTHER_	
X	SITE PLAN RĘVIE	WED-NO COMMENTS
CALL THE QUESTIONS	UALITY ASSURA	NCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY
		•
PUBLIC WO: QUALITY AS 7579 A	OF VISALIA RKS DEPARTMEN SURANCE DIVISI AVENUE 288 LIA, CA 93277	
		DATE

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

ITEM NO: 2

DATE: December 24, 2013

SITE PLAN NO:

APPLICANT:

SPR13199

RESUBMIT

PROJECT TITLE: DESCRIPTION:

TENTATIVE PARCEL MAP

TENTATIVE PARCEL MAP TO CREATE 6 PARCELS ON 12 ACRES (CSO ZONED) (DISTRICT B) (REFER 13-194) CHANDI GROUP

COMMERCIAL BIN SERVICE

		APPLICANT:	CHANDI GROUP
X	No comments.	PROP OWNER:	WESTAMERICA BANK
		LOCATION:	3007 E NOBLE AVE
	Same comments as as	APN(6):	101-030-025 101-030-026 101-030-027 101-030-028
	Revisions required prior to su	bmitting final plans.	See comments below.
	Resubmittal required. See con	mments below.	
	Customer responsible for all be fore disposing of in recycle		oulky recyclables to be broken down
	ALL refuse enclose	ures must be R-3 or R	-4
	Customer must provide comb	ination or keys for ac	cess to locked gates/bins
	Type of refuse service not ind	icated.	
	Location of bin enclosure not	acceptable. See comi	ments below.
	Bin enclosure not to city stand	dards double.	
	Inadequate number of bins to	provide sufficient ser	vice. See comments below.
	Drive approach too narrow for	refuse trucks access	. See comments below.
	Area not adequate for allowing	refuse truck turning	radius of :
			ntial ( ) 35 ft. outside, 20 ft. inside.
	Paved areas should be engine		
	Bin enclosure gates are requir		
	Hammerhead turnaround mus	t be built per city stan	dards.
	Cui - de - sac must be built per	r city standards.	
	Bin enclosures are for city refu	[1] [1] [1] [1] [1] [1] [1] [1] [1] [1]	
	Area in front of refuse enclosu		
	TOWN IN THE OFFICE OF THE OWNER,		
	Enclosure will have to be designed	gned and located for a	STAB service (DIRECT ACCESS)
	Customer will be required to re	oll container out to cu	rb for service.
	Must be a concrete slab in from	nt of enclosure as per	city standards

	The width of the enclosure by ten(10) feet, minimum of six(6) inches in clepth.	
	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 front of the compactor	
	to allow the truck enough room to provide service.	
	Bin enclosure gates must open 180 degrees and also hinges must be mounted in firont of post	
	see page 2 for instructions	
1		
!		
	Javier Hernandez, Solid Waste Front Load Supervisor 713-4338	

# SITE PLAN REVIEW COMMENTS

# CITY OF VISALIA TRAFFIC SAFETY DIVISION December 24, 2013

ITEM NO: 2	RESUBMTL
SITE PLAN NO:	SPR13199
PROJECT TITLE:	TENTATIVE PARCEL MAP
DESCRIPTION:	TENTATIVE PARCEL MAP TO CREATE 6 PARCELS ON 12 ACRES (CSO ZONED) (DISTRICT B) (REFER 13-194)
APPLICANT:	CHANDI GROUP
PROP. OWNER:	WESTAMERICA BANK
LOCATION:	3007 E NOBLE AVE
APN(S):	101-030-025 101-030-026
	101-030-027 101-030-028

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

	No Comments			
X	See Previous Site Plan Comments			
	Install	Street Light(s	) per City	Standards.
	Install Street	Name Blades	at	Locations.
	Install Stop S	igns at	Location	s.
	Construct parking per City Standards PK-1 through PK-4.			
	Construct drive approach per City Standards.			
	Traffic Impact Study required.			
Add	Additional Comments:			

Auflu fillin
Leslie Biair

City of Visalia Parks and Urban Forestry 336 N. Ben Maddox Way Visalia, CA 93292

Date: Oec 17,2013 Oec 23,2013 Site Plan Review# /3-/99

#### SITE PLAN REVIEW COMMENTS

	Lovers Lane  * 6"08" Velley Oak  N-7
COM	
4	Please plot and protect all Valley Oak Trees.
	Landscape along parkway to be planted by developer and maintained by a maintenance district.
	All drainage from curb and gutter along streets to be connected to storm drain system.
	All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.
	Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.
Other	Comments: 1) 6" DBH Valley Ock on property
Joel H	coyer Control of the

Parks and Urban Forestry Supervisor

559 713-4295 Fax 559 713-4818

Email: jhooyer@ci.visalia.ca.us

## SITE PLAN REVIEW COMMENTS

Andrew Chamberlain 559-713-4003 - Paul Bernal, Planning Division (559) 713-4025

Date: December 24, 2013

SITE PLAN NO:

13-199

PROJECT:

PM for COMMERCIAL RETAIL CENTER

DESCRIPTION:

PM for COMMERCIAL RETAIL CENTER SIX PARCELS (CSO ZONED)

(DISTRICT B)

APPLICANT:

4 CREEKS -DAVID DUDA

PROP. OWNER: LOCATION TITLE:

CHANDI GROUP USA INC 3007 E NOBLE AVE

APN TITLE:

101-030-025, 026, 027 & 028

General Plan:

CSO - (Shopping / Office Commercial)

Existing Zoning:

CSO – (Shopping / Office Commercial)

#### Planning Division Recommendation:

Revise and Proceed

Resubmit

#### **Project Requirements**

- Conditional Use Permit
- Traffic Impact Study
- Phasing Development Plan
- Additional Information as Needed

#### PROJECT SPECIFIC INFORMATION: 12/24/2013

- 1. Comply with applicable comments from SPR No. 2013-194.
- Provide detailed phasing lines as a part of the PWCUP application package, including landscaping improvements. Applicant may wish to review with staff to determine if any staff changes in phasing will be recommended as a part of the CUP.
- 3. CUP required for parcels with no public street frontage. This may be combined with the CUP for the underlying development pattern as long as they are filed together.
- 4. Block Wall the wall may be phased but will be required with any development of the eastern parcels. Block Wall will also be required with the full build out of the Lovers Lane frontage.
- 5. Provide a cross-section of the Lovers Lane frontage at the bus stop and at a typical section.
- 6. Provide a cross access easement to the site at the north side of this site.
- 7. See Transit Comments for the bus stop.
- 8. See Engineering comments for any improvements which may be required as a part of the Parcel Map
- A 12-foot Irrevocable Offer of Dedication (IOD) is required along Lovers Lane. Redesign 15-foot landscape setback to account for the 12-foot IOD. The landscape setback shall be designed to 27feet.
- 2. Provide a hammer-head turn around along Kaweah Avenue as required by Engineering Division. Pedestrian access shall be maintained along Kaweah Avenue into the shopping center site.
- 3. Protect the Valley Oak Tree located south of the retail building pad. The Valley Oak Tree shall be incorporated into the landscape area.

#### CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the consistency of the proposed site plan with the City General Plan cannot be determined until sufficient information is submitted for further consideration.

Design District: "B" [17.30.170]

Maximum Bullding Height: 50 Feet

Minimum Setbacks:		Building	Landscaping
	Front	15 Feet	15 Feet
A	Side	0 Feet	5 Feet*
	Street side on corner lot	10 Feet	10 Feet
	Side abutting residential zone	15 Feet	5 Feet
	Rear	0 Feet	5 Feet*
	Rear abutting residential zone Except where building is on property line)	20 Feet	5 Feet

Minimum Site Area: 5 acres

Parking: As prescribed in Chapter 17.34

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.

NOTE: <u>Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. A discretionary action that must be approved by the Planning Commission. The fees are not refundable if the action is denied.</u>

Signature A X

SUBDIVISION & PARCEL MAP		
REQUIREMENTS ENGINEERING DIVISION	ITEM NO: 2 DATE	: <u>DECEMBER 24, 2013</u>
	SITE PLAN NO.: PROJECT TITLE: DESCRIPTION:  APPLICANT: PROP. OWNER: LOCATION: APN:	13-199 RESUBMITTAL TENTATIVE PARCEL MAP TENTATIVE PARCEL MAP TO CREATE 6 PARCELS ON 12 ACRES (CSO ZONED) (DISTRICT B) (REFER 13-194) CHANDI GROUP WESTAMERICA BANK 3007 E NOBLE AVE & 600 S LOVERS LANE 101-030-025, 026, 027, 028
SITE PLAN REVIEW COMMENTS		
☐REQUIREMENTS (Indicated by check ☐Submit improvements plans detailing a requirements	all proposed work;	Subdivision Agreement will detail fees & bonding
☑The Final Map & Improvements shall	conform to the Subdi	ivision Map Act, the City's Subdivision Ordinance
and Standard Improvements.		
A preconstruction conference is require		
Magni-or-way dedication required. A title	e report is required to	or verification of ownership. ⊠by map ⊡by deed
approval. CalTrans contacts: David De  Landscape & Lighting District/Home  Landscape & Lighting District will mai  streets as applicable. Submit complete  75 days before approval of Final Map.  Landscape & irrigation improvement proceed comply with the City's street tree ord  comply with Plate SD-1 of the City improphases of the subdivision will need to  of the landscape and lighting assessmed  Dedicate landscape lots to the City that  Northeast Specific Plan Area: Applicate  Final Map approval.  Written comments required from ditate  Persian, Watson, Oakes, Flemming, Elimingation Canal, Packwood and Camer  River.	uired. CalTrans copel (planning) 488-406 of Owners Association of Contact Doug Damker of Co	omments required prior to tentative parcel map 88 on required prior to approval of Final Map landscaping, street lights, street trees and local ighting District application and filing fee a min. of 50, 713-4268, 315 E. Acequia Ave. of for each phase. Landscape plans will need to s of street trees near intersections will need to a sof street tree and landscape master plan for all e initial phase to assist City staff in the formation of by the Landscape & Lighting District. Into Northeast District required 75 days prior to Contacts: James Silva 747-1177 for Modoc, ples Ditches; Paul Hendrix 686-3425 for Tulare George 747-5601 for Mill Creek and St. John's
12' minimum. ☐ Provide wide ri ☐ Sanitary Sewer master plan for the end any portion of the system. The sewer sy where future connection and extension future developments that are anticipate ☐ Grading & Drainage plan required. If the project area that shall include pipe netwood engineer or project architect. ☐ A run-off from the project shall be hand system; b) ☐ directed to a permanel	parian dedication from the development shat ystem will need to be is anticipated. The standard to connect to the system project is phased work sizing and grade II elevations shall be led as follows: a)	all be submitted for approval prior to approval of extended to the boundaries of the development sewer system will need to be sized to serve any

basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for
maintenance.  Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in
accordance with City requirements. A permit is required to remove oak trees. The City will evaluate Oak
trees with removal permit applications.   Oak tree evaluations by a certified arborist are required to be
submitted to the City in conjunction with the tentative map application.   A pre-construction conference is required. Contact: David Pendergraft, City Arborist, 713-4295
Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade
differences greater than 0.5 feet at the property line.
☑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.
☑Provide "R" value tests: each at
☑Traffic indexes per city standards:
All public streets within the project limits and across the project frontage shall be improved to their full width,
subject to available right of way, in accordance with City policies, standards and specifications. NOBLE
All lots shall have separate drive approaches constructed to City Standards.
Install street striping as required by the City Engineer.
Install sidewalk: 6 ft. wide, with 10 ft. wide parkway on LOVERS LANE
Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).  Subject to existing Reimbursement Agreement to reimburse prior developer:
Abandon existing wells per City of Visalia Code. A building permit is required.
Remove existing irrigation lines & dispose off-site.
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.
MComphessible microscopes   Docuberity with additional information   MO additional inf
☑Comply with prior comments ☐Resubmit with additional information ☑Redesign required
Additional Comments: 1. A 12' wide Irrevocable Offer of Dedication is required along Lovers Lane frontage. Dedicate to the City by map.
6 M-LL 6

- 2. Noble Ave. existing right-of-way varies. Additional right-of-way shall be dedicated to the City by map to support a continuous 10' from curb face to property line.
- 3. Revise map accordingly to meet conditions specified with master plan layout, SPR 13-194.
- 4. A copy of recorded CC&R's shall be provided to the City at time of first development or parcel map submittal.
- 5. Map shows a 12' dedication to the City along Lovers Lane which is incorrect. The City currently maintains a 10' right-of-way from curb face.
- 6. Refer to page 3 for impact fee summary.

#### SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

	13-199 RESUBMIT 12/24/2013	TAL
Summary of recordation:	applicable Develo	pment Impact Fees to be collected at the time of final/parcel may
		al fees will be based on approved subdivision map & improvements ect at the time of recordation.)
	Date:8/17/2013) r fee rates:PARCEL	MAP)
☐ Existing use	s may qualify for cre	edits on Development Impact Fees.
FEE ITEM  Trunk Line Ca	apacity Fee	FEE RATE
Sewer Front F	Foot Fee	\$37.04 LF (LOVERS LANE)
Storm Draina	ge Acquisition Fee	\$5,050.30/AC
Park Acquisiti	on Fee	
Storm Dr Block Wa	ills Landscaping	
Waterways Ac	equisition Fee	\$4,119.14/AC
Additional Deve	Blopment Impact F	ees will be collected at the time of issuance of building permits.

#### City Reimbursement:

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject planned facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.

Jason Huckleberry

#### DEPARTMENT OF TRANSPORTATION

DISTRICT 6
1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-7396
FAX (559) 488-4088
TTY 711
www.dot.ca.gov



January 6, 2014

2135-IGR/CEQA 6-TUL-198-11.76 SPR 13194 – COMMERCIAL RETAIL CENTER SPR 13199 – TENTATIVE PARCEL MAP AGENDA 11/27, 12/18, 12/24

Ms. Sandra Cloyd City of Visalia Public Works Department Engineering Services 315 East Acequia Avenue Visalia, CA 93291

Dear Ms. Cloyd:

Thank you for the opportunity to review Site Plan Review (SPR) #13194 proposing a commercial retail center and SPR #13199 proposing to divide the 12 acre site into 6 parcels. The commercial retail center proposes:

- 1. 46,500 square feet (s.f.) for retail space,
- 2. 15,000 s.f. drug store,
- 3. 5,000 s.f. gas station / convenience store with 8 pumps and car wash,
- 4. 3,600 s.f. fast food restaurant and.
- 5. 120 room hotel.

The project is located at 3007 E. Noble Avenue, in the southeast quadrant of the State Route (SR) 198/Lovers Lane Interchange (IC). Caltrans has the following comments:

Since 2008, Caltrans and the City have been collaborating to determine the scope of work for operational improvements to the SR 198/Lovers Lane IC. Caltrans anticipates that this project will have significant impacts to the SR 198/Lovers Lane IC.

Caltrans recommends that a Traffic Impact Study (TIS) needs to be completed to assess the project-related impacts to the State Highway system and appropriate mitigation measures. Please have the preparer of the traffic study reference the Caltrans Guide for the Preparation of Traffic Impact Studies, dated December 2002, and send the scope of the TIS to Caltrans before the traffic study is conducted. Caltrans Guide, while advisory, contains Best Practices and gives insight into Caltrans' expectations when reviewing a traffic study. If the traffic consultant has any issues or concerns regarding the use of the Guide or its interpretation, please contact us so resolution can be reached.

If you have any questions, please call me at (559) 488-7396.

Sincerely,

DAVID DEEL

Associate Transportation Planner

North Planning Branch



OPERATIONAL STATEMENT: CHANDI GROUP COMMERCIAL RETAIL CENTER

APN's: 101-030-025, 026, 027, & 028 (12 acres)

The proposed Chandi Group Commercial Retail Center includes an Arco am/pm fuel service station and convenience store (open 24 hours/7 days a week), fast food restaurant, drug store/pharmacy, 70,000 square foot commercial retail, and a 120 room hotel to be located at the southeast area of Noble Avenue and Lovers Lane in Visalia, CA. We also are proposing that Parcel 4 to be developed as a retail pad in the future during phase 4. A site plan for this pad would be submitted at that time if the opportunity arises for this parcel to be developed. The project is being proposed to be constructed in the following phases:

1<sup>st</sup> Phase: Arco fuel (10 pumps) service station, am/pm convenience store, sandwich shop and fast food restaurant

2<sup>nd</sup> Phase: Drug store/pharmacy

3rd Phase: Hotel

4th Phase: Retail commercial Center

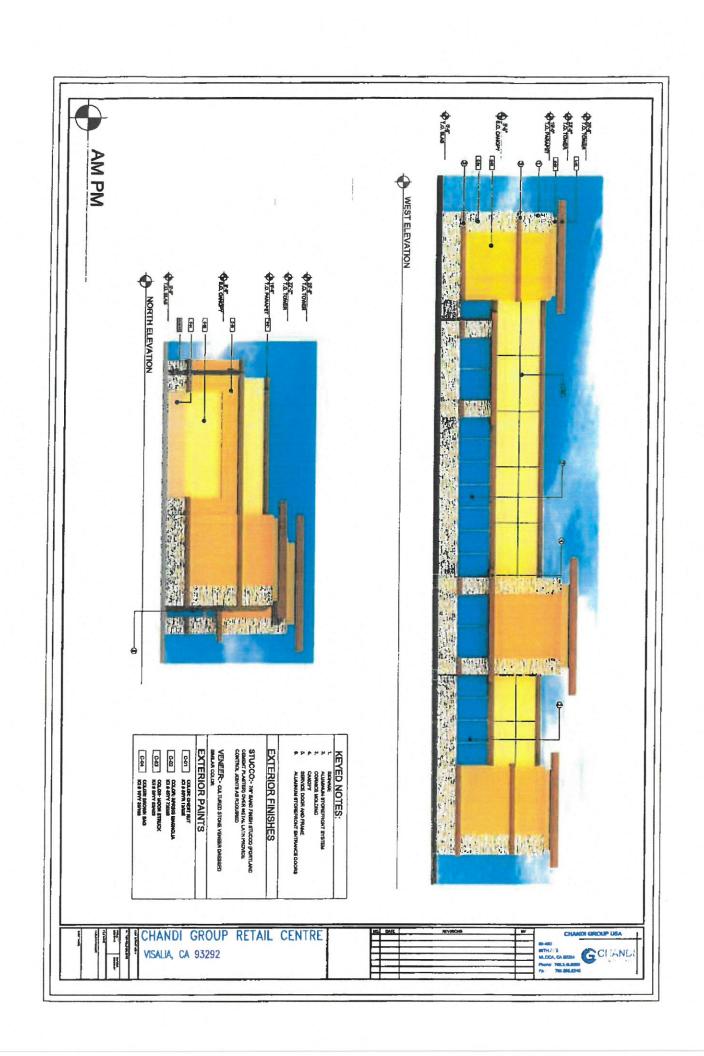
The drug store/pharmacy, fast food restaurant, and Arco am/pm service station propose a drive-thru lane with the buildings for efficient transactions. The Arco am/pm service station and fast food pad will utilize the drive thru facilities as quick serve restaurants (QSR) and will be used frequently. Vehicle stacking from the pickup window shall be a minimum of 10 car lengths to prevent vehicle stacking in the parking lot drive aisles. The Arco am/pm will also include the fueling station component to the project and will be located in the center of the parcel. Fuel dispensers will be state-of-art that will accept both cash and debit payments for fueling without having to enter the store. Fueling trucks will enter into the project site from the Noble Avenue entrance, refill tanks on site, and exit onto Lovers Lane to allow for efficient truck movements through the project site. The drug store/pharmacy drive thru will be used for prescription pickup and will be utilized less frequently than the QSR drive thru's. Due to the close proximity of existing residential units, loading and unloading hours will be restricted and in accordance with the City requirements for Phase 4 retail buildings and Phase 2 drug store. The blockwall along the property lines will also be developed with each phase and will mitigate for any noise impacts from the loading and unloading for businesses.

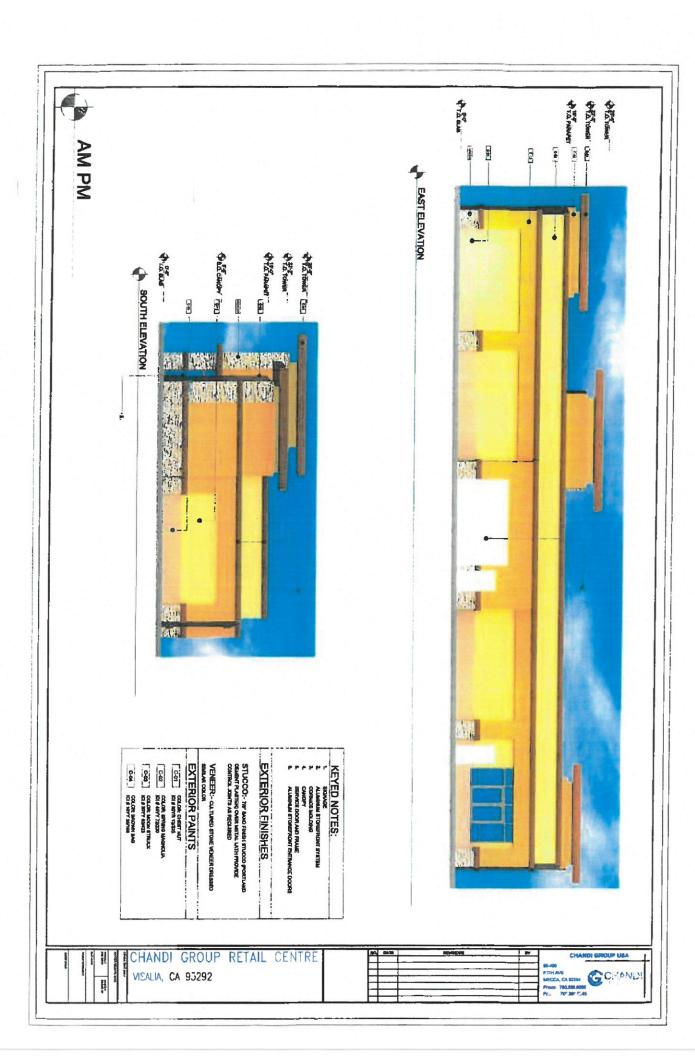


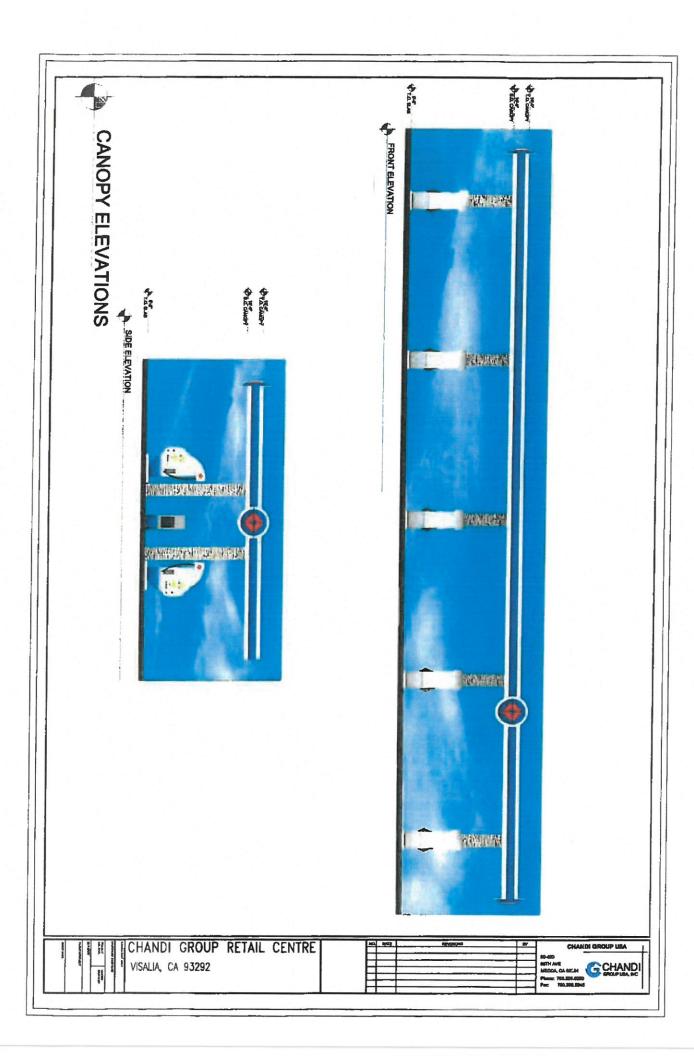
The exterior of the drive thru aisles will include heavy landscaping and a minimum of a 3' hedge to soften the appearance of the drive thru aisles and provide for a more aesthetically appealing design. Landscaping will also be planted along the building between the drive aisle curb and the building to lessen hardscape areas of the drive aisles.

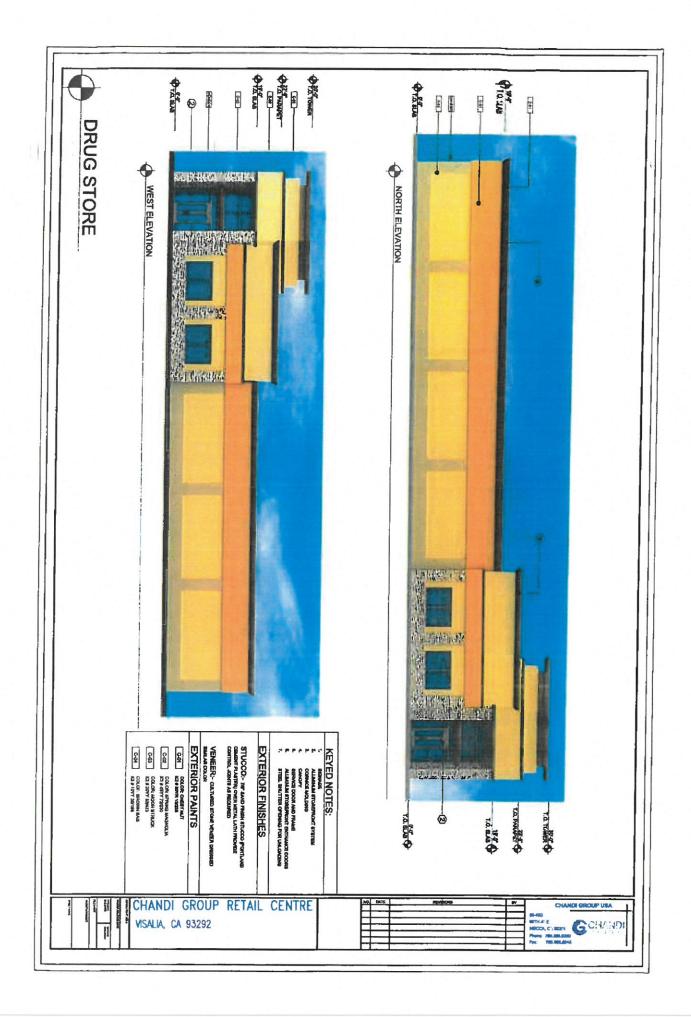
The landscape and internal road maintenance at a minimum will be included in a common area maintenance (CAM) agreement with all tenants/owners within the Chandi Retail Center. A fee schedule will be determined based on area owned/leased and fees/maintenance will be managed by a property management group.

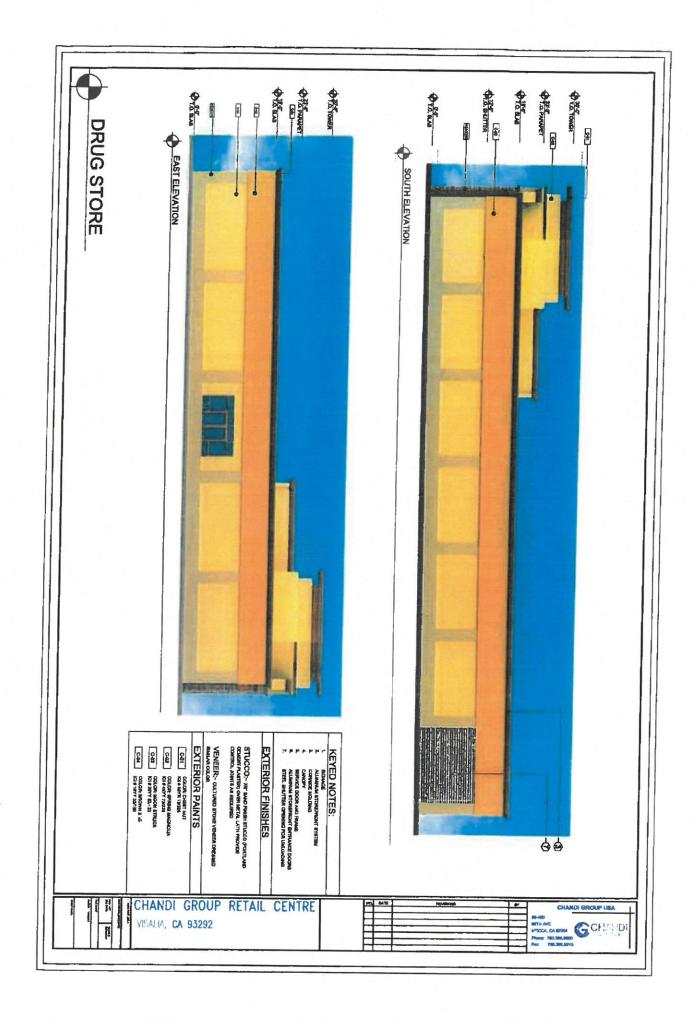
The proposed drive-thru's will be included as part of the Conditional Use Permit application and will be submitted as a Master Plan Development.

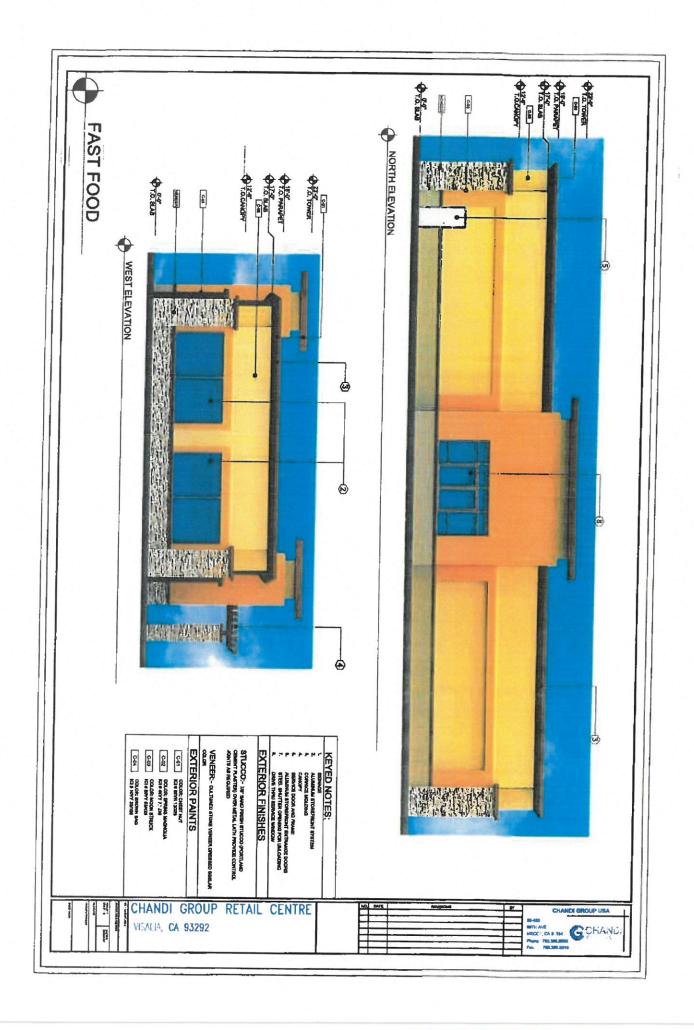


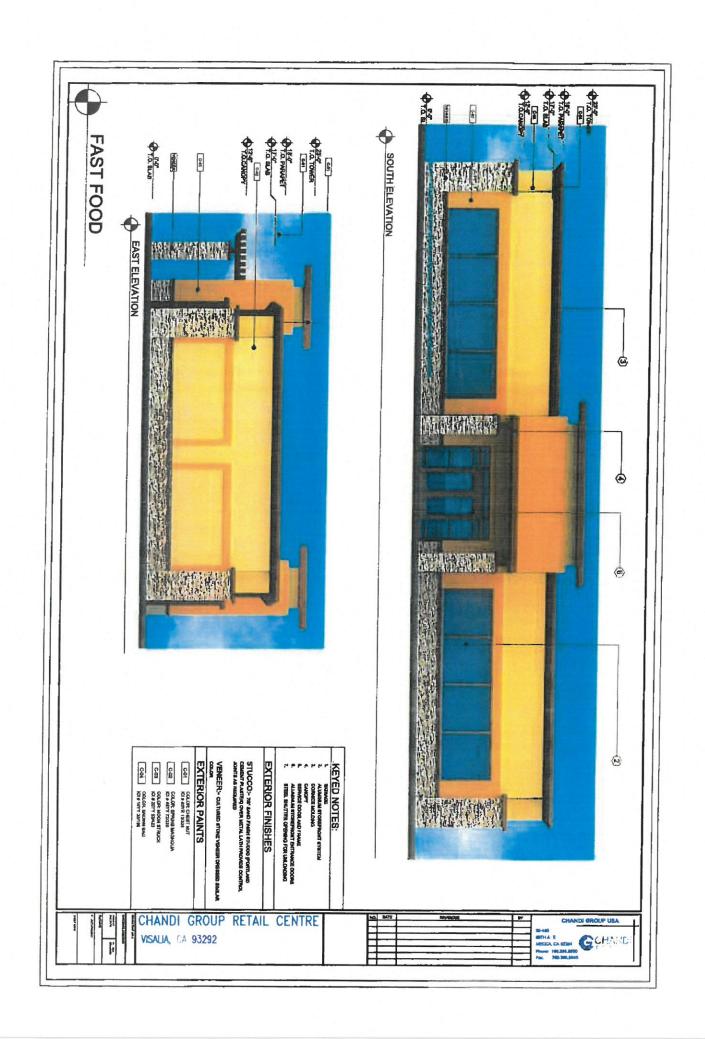


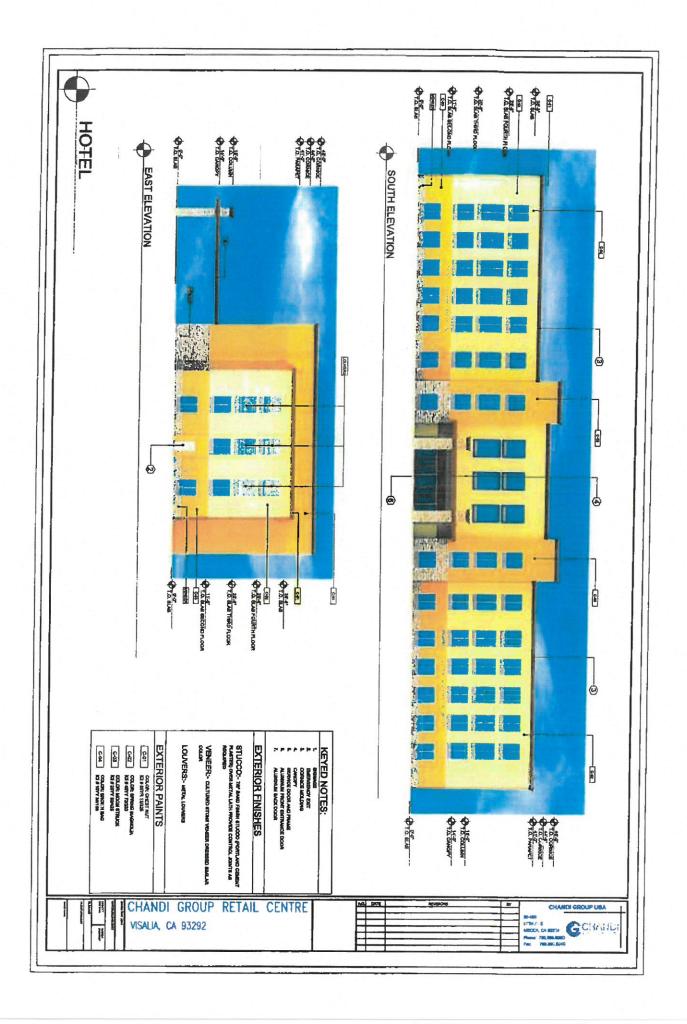


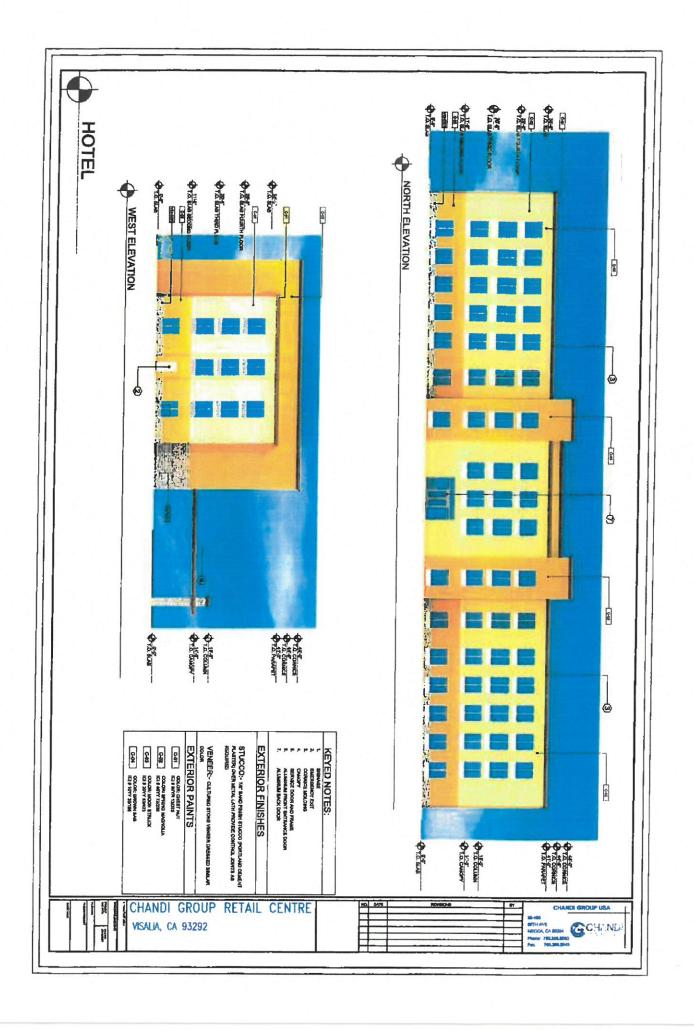


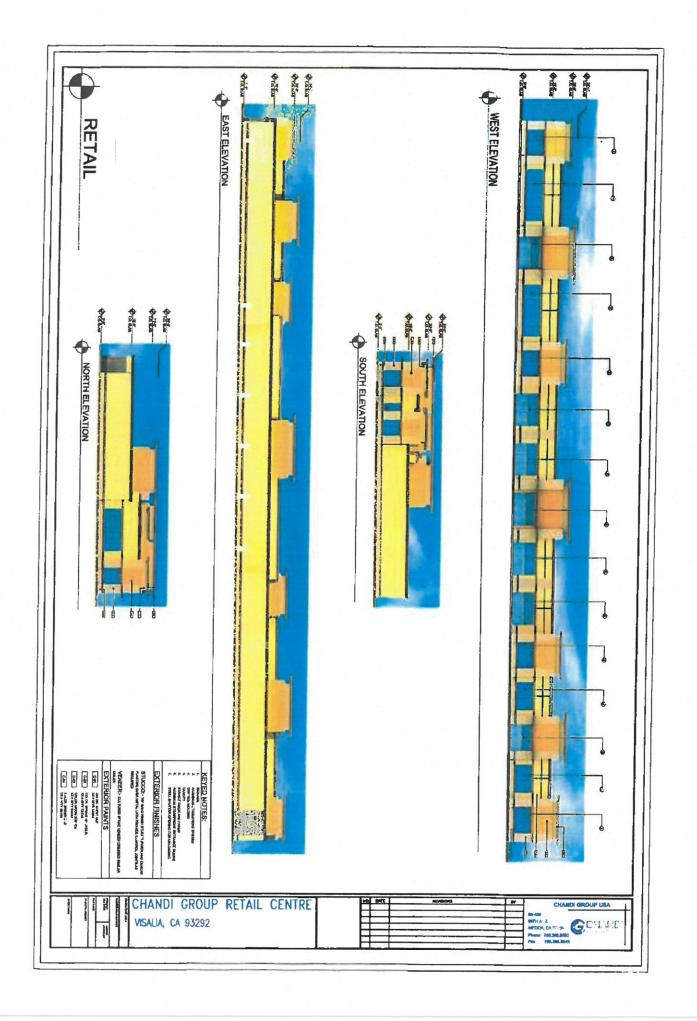


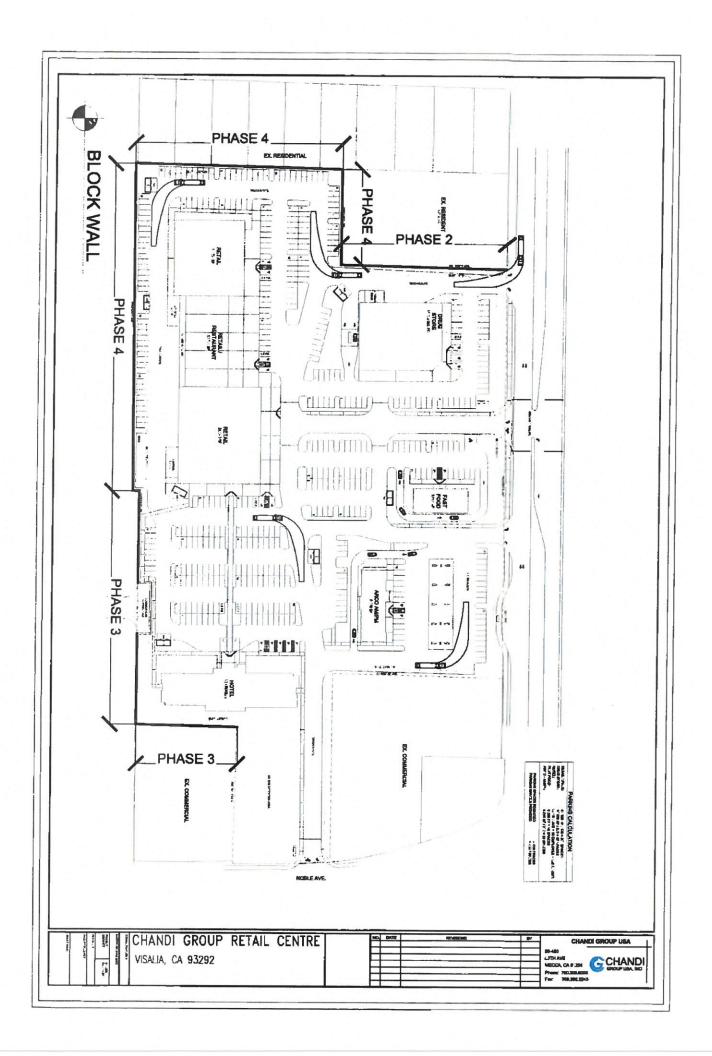


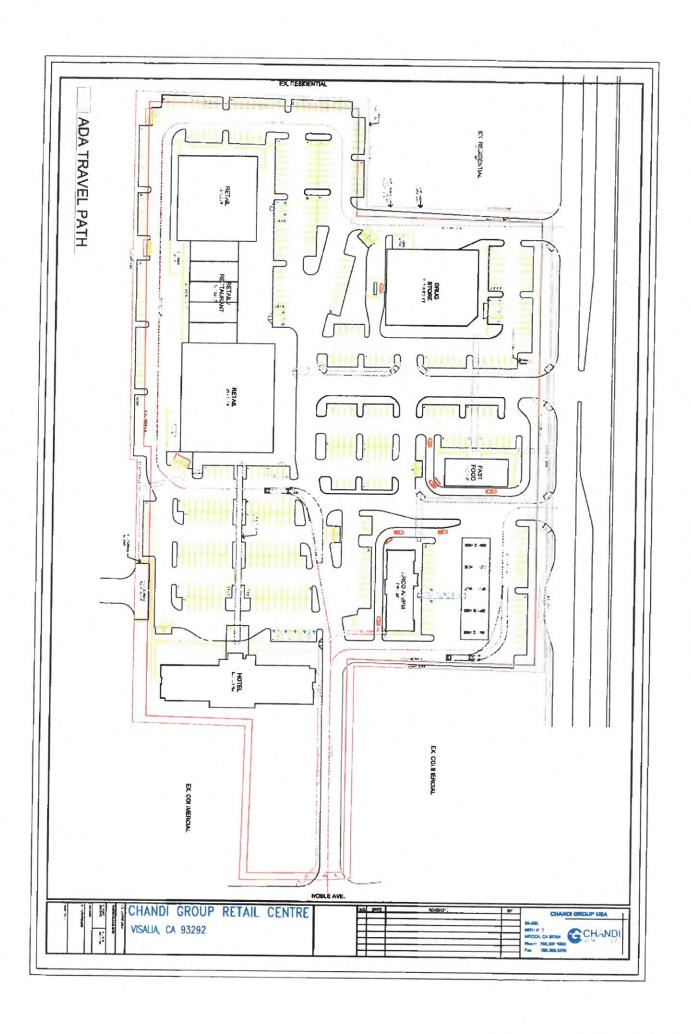


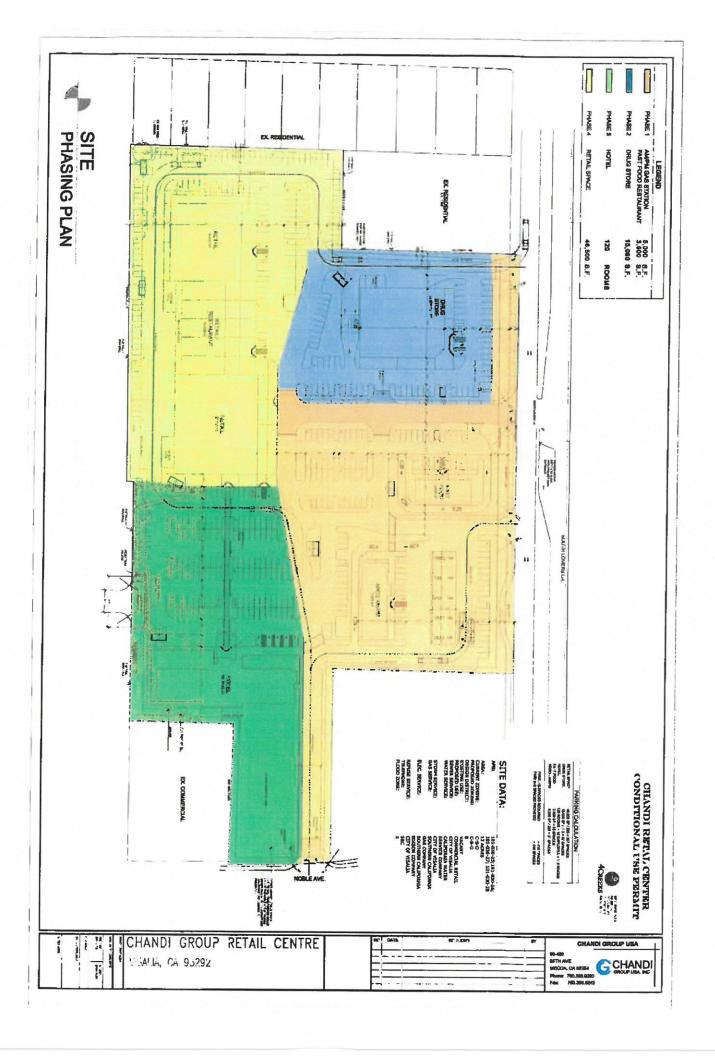


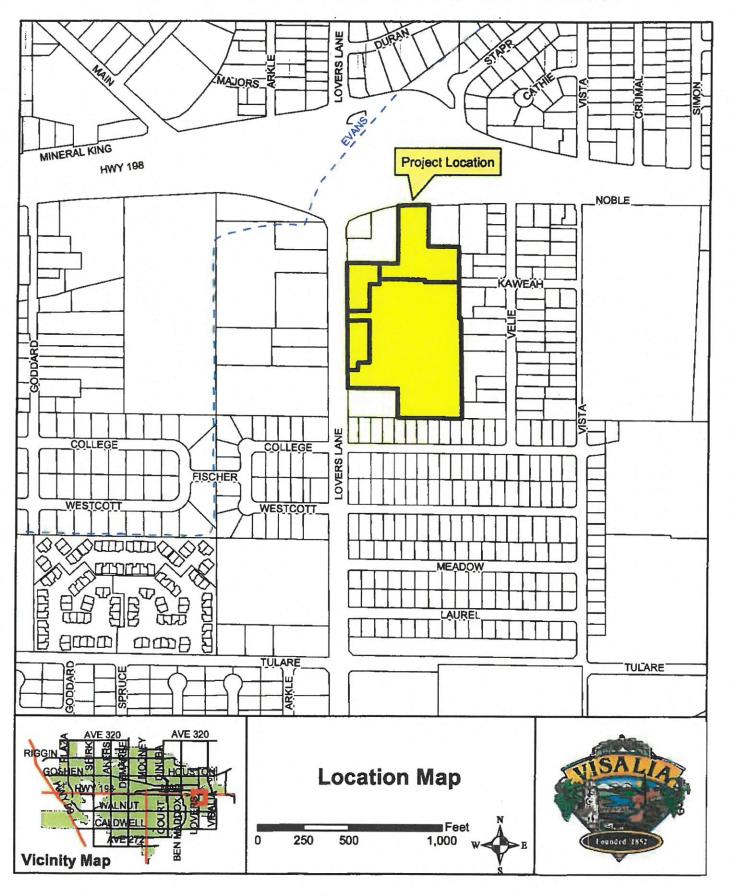




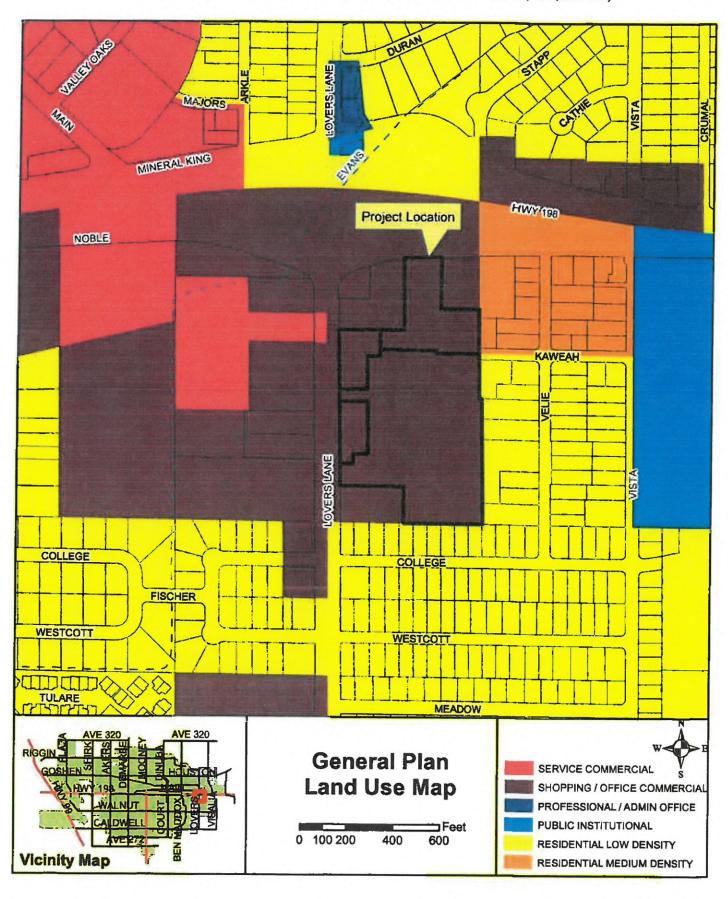


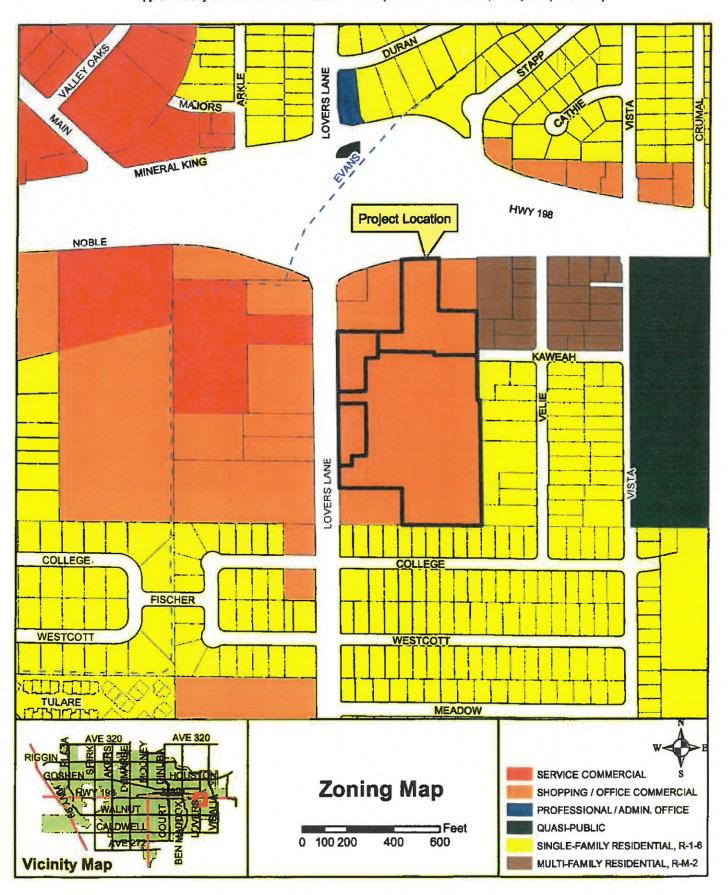


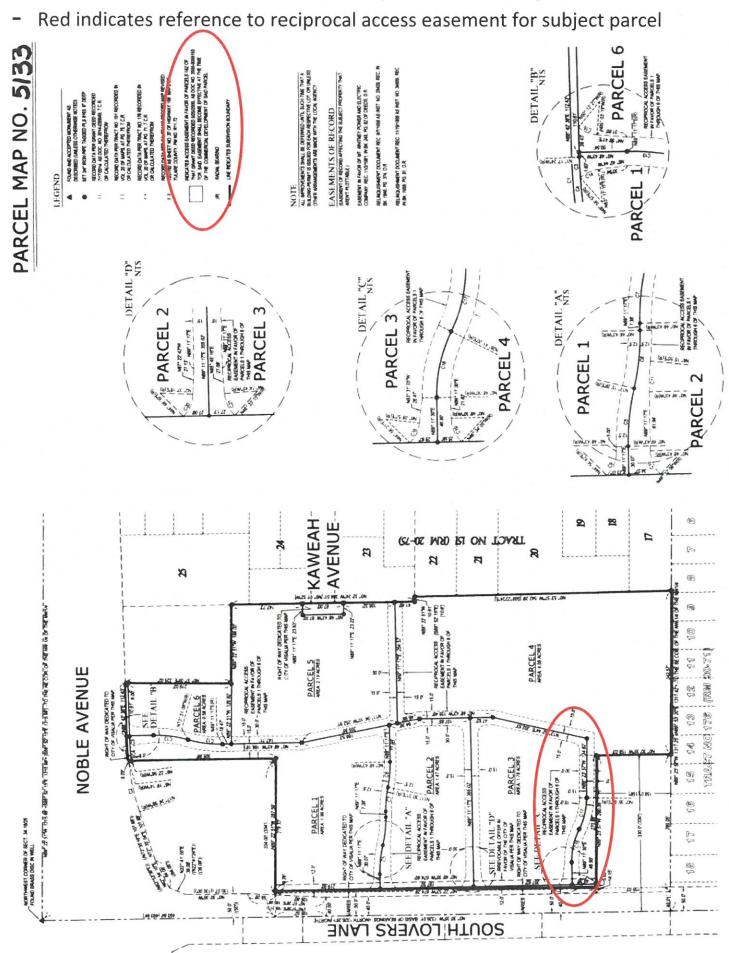




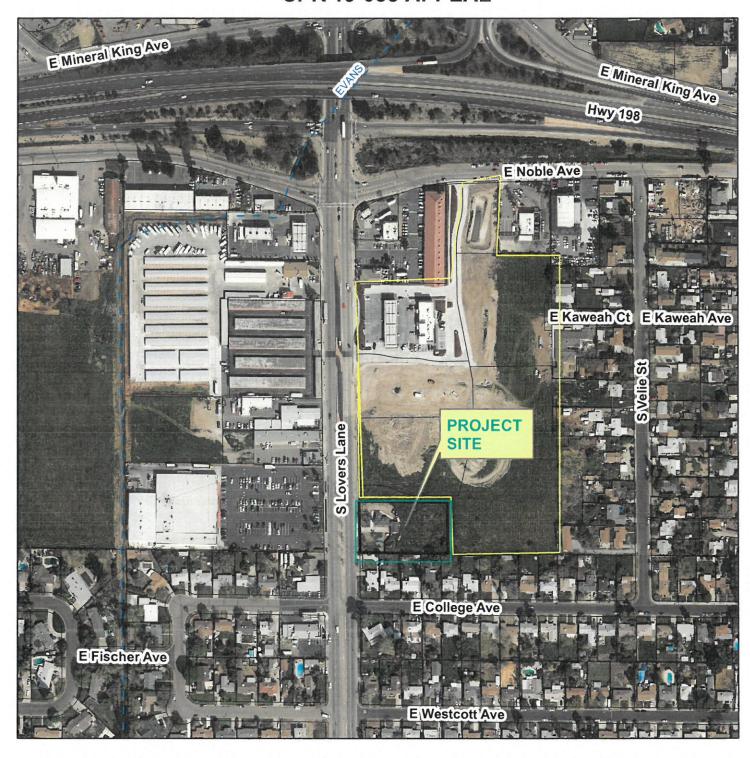


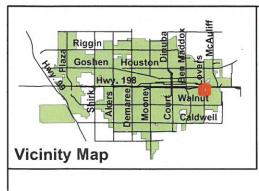






## **SPR 19-033 APPEAL**





# **Aerial Map**



