

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Mary Beatie

COMMISSIONERS: Marvin Hansen, Chris Tavarez, Bill Davis, Mary Beatie, Adam Peck

**MONDAY, APRIL 8, 2024**

**VISALIA COUNCIL CHAMBERS**

**LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA**

**MEETING TIME: 7:00 PM**

1. CALL TO ORDER –
2. THE PLEDGE OF ALLEGIANCE –
3. 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. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.  
  
The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
4. CHANGES OR COMMENTS TO THE AGENDA –
5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - No items on the Consent Calendar

6. PUBLIC HEARING – (Continued from March 25, 2024) Josh Dan, Senior Planner

**Conditional Use Permit No. 2023-24:** A request by Freeline Architecture to develop a 2.03-acre parcel with a new 4,300 square foot drive-thru carwash building with an attached covered pay kiosk and two detached vacuum canopy structures and in the C-MU (Commercial Mixed Use) zone. The site is located on the south side of W. Caldwell Ave. approximately 350-ft. to the east of the Caldwell / Demaree intersection (APN: 121-580-001). An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant with the inclusion of mitigation measures. Mitigated Negative Declaration No. 2023-36 has been prepared for adoption with this project (State Clearinghouse No. 2024021150).

**Tentative Parcel Map No. 2023-08:** is a request by Vice Consulting Engineers to subdivide a 3.7-acre commercial parcel into two commercial parcels to facilitate future commercial development. The site is located on the south side of W. Caldwell Ave. approximately 350-

ft. to the east of the Caldwell / Demaree intersection (APN: 121-580-001). An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant with the inclusion of mitigation measures. Mitigated Negative Declaration No. 2023-36 has been prepared for adoption with this project (State Clearinghouse No. 2024021150).

7. PUBLIC HEARING – Colleen Moreno, Assistant Planner

**Tentative Parcel Map No. 2024-02:** A request by Visalia Pavilion, LLC to subdivide a 3.87-acre parcel into two parcels less than 5-acres minimum for commercial use. Parcels created by this map will utilize easements established from a previously approved planned commercial development, CUP No. 2006-56. The project is zoned C-MU (Mixed Use Commercial) and is located southeast of West Caldwell Avenue and South Chinowth Street, immediately west of the WinCo Foods building (APN: 119-340-020 & 119-730-004). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorically Exemption No. 2024-09.

8. REGULAR ITEM – Paul Bernal, Director

**Planning Division Fee Amendments:** Consideration of amendments to the Planning Division fees for the 2024-2025 fiscal year as contained in City of Visalia Fee Resolution No. 2024-19. The requested action is considered exempt under Section 15273 of the California Environmental Quality Act.

9. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

a. Planning Commission Updates

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

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

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

**APPEAL PROCEDURE**

**THE LAST DAY TO FILE AN APPEAL IS THURSDAY, APRIL 18, 2024, BEFORE 5:00 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 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.visalia.city](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, APRIL 22, 2024**





## REPORT TO CITY OF VISALIA PLANNING COMMISSION

### HEARING DATE:

April 8, 2024 (continued from March 25, 2024)

### PROJECT PLANNER:

Josh Dan, Senior Planner

Phone No.: (559) 713-4003

E-mail: [josh.dan@visalia.city](mailto:josh.dan@visalia.city)

**SUBJECT: Conditional Use Permit No. 2023-24:** is a request by Freeline Architecture to develop a 2.03-acre parcel with a new 4,300 square foot drive-thru carwash building with an attached covered pay kiosk and two detached vacuum canopy structures and in the C-MU (Commercial Mixed Use) zone.

**Tentative Parcel Map No. 2023-08:** is a request by Vice Consulting Engineers to subdivide a 3.7-acre commercial parcel into two commercial parcels to facilitate future commercial development.

**Project Location:** The site is located on the south side of West Caldwell Avenue approximately 350-feet to the east of the Caldwell / Demaree intersection. (Address not assigned) (APN: 121-580-001).

### STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2023-24, based upon the findings and conditions in Resolution No. 2023-34. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan, Zoning Ordinance and Demaree/Caldwell Specific Plan.

Staff recommends approval of Tentative Parcel Map No. 2023-08, based upon the finding and conditions in Resolution No. 2023-49. Staff's recommendation is based on the conclusion that the parcel map, as conditioned, is consistent with the policies of the City's Zoning and Subdivision Ordinances, and the Demaree/Caldwell Specific Plan.

### RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2023-24 based on the findings and conditions in Resolution No. 2023-34.

I move to approve Tentative Parcel Map No. 2023-08, based on the findings and conditions in Resolution No. 2023-49.

### CONTINUED PUBLIC HEARING FROM MARCH 25, 2024

The Planning Commission conducted a public hearing on March 25, 2024, for Conditional Use Permit (CUP) No. 2024-24 and Tentative Parcel Map (TPM) No. 2023-08. During the day of the meeting, staff received written correspondence by the applicant requesting that their item be continued to the next available Planning Commission meeting. Due to the item being publicly noticed, the Planning Commission Chair introduced the item at which time staff read into the record the applicant's request to continue the item to the next Planning Commission meeting. However, because the project was publicly noticed, the Chair opened the public hearing to allow for public comment. There was no one in attendance from the public to address the item. The Planning Commission voted 4-0 (Commissioner Peck absent) to continue the item to the April 8, 2024, meeting.

## PROJECT DESCRIPTION

### **Conditional Use Permit No. 2023-24**

The applicant is requesting to develop a vacant 2.03-acre parcel within the Caldwell Demaree Specific Plan Area with a 4,300 square foot automated carwash building with an attached covered pay kiosk and two detached vacuum canopy structures (see Exhibit “A”). The Visalia Municipal Code (VMC) Table 17.25.030 (“Zoning Matrix”), Line A21 lists automated car washes as conditionally permitted in the C-MU zone. The proposed carwash consists of a drive-thru tunnel design measuring 129 feet in length. The carwash tunnel is oriented in a north-south direction with vehicles entering the carwash tunnel along the north end of the building and exiting the tunnel at the south end (see Exhibit “A”). Vehicles entering the site from Caldwell Avenue circulate the site in a clockwise manner to enter the three-lane vehicle staging area located along the south side of the carwash tunnel as depicted on Exhibit “A”. The two-lane vehicle queue lanes provide enough area to approximately accommodate 29 vehicles. The site will also provide 18 parking stalls to the west and south of the building, with an additional 19 parking stalls under canopy each stall including a vacuum apparatus. The vacuum equipment will be located within the carwash building.

### **Tentative Parcel Map No. 2023-08**

Tentative Parcel Map No. 2023-08 is a request to subdivide the 3.7-acre parcel into two parcels. As shown in Exhibit “C” and in the image below, proposed Parcel “A” will measure 2.03-acres whereas proposed Parcel “B” will measure 1.67-acres. If approved, the proposed car wash will be located on proposed Parcel “A”, the northern 2.03-acre parcel depicted in Exhibit “C”.

The applicant has provided an operational statement (see Exhibit “D”) which states that the facility is proposed to operate between the hours of 8:00 a.m. to 8:00 p.m. It also details that the site is expected to employ 12 persons in varying shifts, seven days a week.

## BACKGROUND INFORMATION

General Plan Land Use Designation:	Mixed-Use Commercial
Zoning:	C-MU (Neighborhood Commercial)
Surrounding Zoning and Land Use:	North: C-MU (Mixed-Use Commercial), W. Caldwell / The Home Depot hardware store South: C-MU (Mixed-Use Commercial), Existing non-conforming residence East: C-MU / R-1-5 (Mixed-Use Commercial / Single Family Residential 5,000 sq. ft. min.), Existing non-conforming residence / Visalia Nazarene Church West: C-MU (Mixed-Use Commercial), CVS Drug Store / vacant lots with the Demaree/Caldwell Specific Plan
Environmental Review:	Initial Study / Mitigated Negative Declaration No. 2023-36
Special Districts:	N/A
Site Plan:	Site Plan Review: 2022-143 & 2023-099

### **RELATED PLANS AND POLICIES**

All related plans and policies are reprinted in the attachment to this staff report entitled “Related Plans and Policies”.

### **RELATED PROJECTS**

The Demaree/Caldwell Specific Plan was passed and adopted by the Visalia City Council May 24, 1999, approving the development plan for a 66-acre commercial, professional office, and multi-family residential development located in the south and southeast areas of West Caldwell Avenue and South Demaree Street.

## **PROJECT EVALUATION**

Staff recommends approval of the requested Conditional Use Permit and Tentative Parcel Map based on project consistency with the General Plan, and the Demaree/Caldwell Specific Plan and the Zoning and Subdivision Ordinances.

### **Land Use Compatibility**

The Visalia Zoning Matrix identifies automated car washes as a conditional use in the C-MU zone and requires the submittal and approval of a Conditional Use Permit (CUP) application. Through the CUP process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. Staff has concluded that, consistent with mitigation measures expressed in the noise study provided by the applicant, the proposed carwash will not have a negative impact on surrounding uses and complements other commercial uses within proximity to West Caldwell Avenue and South Demaree Street as well as other commercial uses within the area.

### **Compliance with Demaree/Caldwell Specific Plan**

The Demaree/Caldwell Specific Plan was approved in 1999 and set forth the development plan for a 66-acre area within the south and southeast portions of the Caldwell / Demaree intersection. The project site is located within Subarea "B" of the specific plan, which was identified to provide community-level retail commercial uses. Furthermore, the specific plan identifies in the Subarea "B" policies, B-2 that proposed uses are to conform to the equivalent zone district (or equivalent, or comparable zone, should the City's Zoning Ordinance be modified. The Zoning Ordinance was updated in 2017 and the area zoning was changed to C-MU (Mixed-Use Commercial), which as stated above, conditionally permits carwash uses.

Link to Demaree/Caldwell Specific Plan:

<https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=4522>

### **Acoustical Analysis**

An Acoustical Analysis was prepared for the proposed project [ref.: Acoustical Analysis, Xpress CarWash. VICE Acoustics, May 5, 2023]. The purpose of the study is to determine if noise levels associated with the proposed car wash will comply with the City's applicable noise level standards upon the existing single-family residential uses to the east and south. The analysis concluded that noise levels associated with the proposed car wash operations would be expected to exceed the City's exterior noise level standards by up to 8 dB. To ensure that community noise standards are met, the project identified mitigation measures to reduce noise impacts to a level of non-significant. The analysis identified that the site shall construct a sound wall located east of the carwash exit lane in an effort to attenuate noise upon the nearest residential use which is located 93 feet to the east. The acoustical analysis concluded that the placement of the attenuation wall with berm at a height of at least 8-ft above the ground floor of the carwash will allow for the carwash to comply with City's Noise Element and Ordinance during business hours.

Therefore, to ensure that community noise standards are met for the proposed project, the project site shall be developed in substantial compliance with the mitigation contained in the "Conclusions and Recommendations" section of the above-referenced Acoustical Analysis. As described in the analysis, the following measures shall contain the following:

- 1) The project shall construct an 8' high sound wall and landscape berm with a combined height of 8 feet, along the east side of the carwash exit lane, as shown on Figure 11.
- 2) The sound wall should be constructed of dense material, such as masonry, and be continuous without gaps or openings from the building and extending south a minimum of 20 feet, as shown on Figure 1.

Staff has incorporated these recommendations as required mitigation measures for the initial study / mitigated negative declaration prepared for the project. Therefore, to ensure that noise requirements are met for the proposed project, the project shall be developed and shall operate in substantial compliance with Mitigation Measure 1.1. These mitigation measures are included in Section IV below as part of this Initial Study / Mitigated Negative Declaration No. 2023-26. The mitigation measures are also included as Condition No. 3 for Conditional Use Permit No. 2023-24. This condition requires the project to incorporate mitigation measures consistent with acoustical analysis and construct a wall with landscaping berm measuring at least 8-ft high. Furthermore, staff has included Condition No. 4, requiring the applicant/developer have their acoustical noise consultant conduct noise measurements for the carwash prior to operating and prepare a report, submitted to staff, that demonstrates compliance with the measures as identified in the acoustical analysis prepared for the project. The noise compliance report shall be submitted, reviewed, and approved prior to the car wash operation and prior to a building final or certificate of occupancy. Failure to meet the noise requirements as specified in the acoustical analysis shall result in non-operation of the carwash until noise levels are met as identified in the acoustical analysis. This may require additional design measures to attenuate noise to bring the project into compliance.

### **Public Frontage Improvements**

The site is located along West Caldwell Avenue, a Minor Arterial roadway. Currently, there is one existing drive approach along the frontage to the site. To date, the only improvement along the project site frontage has been curb and gutter. The proposed development will extend sidewalk and parkway landscaping from existing installing at the west along CVS to the eastern boundary of the site. Furthermore, the applicant has shown on their site plan (Exhibit "A") that the project will comply with the requirement to average 30-ft of landscaping setback from West Caldwell Avenue.

### **Parking**

The automated carwash service offers 18 parking stalls to the west and south of the proposed building, with an additional 19 parking stalls under canopy. Each of the 19 stalls will include a vacuum apparatus. Based on the nature of the use and the Zoning Ordinance's lack of a specific parking schedule for automated carwash facilities, staff has relied on the site plan, operational statement, and other details provided by the applicant to make the determination that the provided parking is sufficient to fulfill the need for the use. Staff has included Condition No. 10 for the Planning Commission's consideration requiring that 4 of the 18 non-vacuum stalls be striped and/or signed for "Employee Parking Only". This ensures that sufficient on-site employee parking is provided at all times during the daily operation of the carwash facility.

### **Correspondence Received and Staff Analysis**

*Letter Received on March 19, 2024*

Staff received correspondence in the mail from a neighboring property owner (see Exhibit "G"). Per the attached letter, the primary concern from the neighboring property owner is related to a block wall which was partly constructed with the Longs Drug Store (now CVS Pharmacy) which

they claim would need to be built out for the remainder of the property with the proposed development. The letter also notes concerns for light and noise attenuation.

Staff has reviewed previous approvals, Specific Plan Amendment No. 2006-02 and Conditional Use Permit No. 2006-32, which were processed concurrently. These entitlements amended the Specific Plan to allow for the relocation of a vehicular access point on Caldwell Avenue, and to allow a phased development of Subarea B with the pharmacy and drive-thru being developed as the first phase of Subarea "B" (see previous report and corresponding exhibits in Exhibit "H" of this report). The Specific Plan Amendment was approved by Council which facilitated the Planning Commissions approval of the CUP for the pharmacy with a drive-thru lane. The CUP included a condition that a seven-foot block wall be constructed along the southern property line of Subarea B from approximately 25-feet behind the right-of-way line on Demaree Street to approximately 25-feet past the east end of the house on the adjacent property. An additional wood fence, minimum height of six foot, will be required to define the property line and reduce headlight glare across the balance of the property to the south where a fence of this description may not already be in place.

Since its approval, the pharmacy and the block wall were constructed along the existing residential property line to the south. The remaining 460 linear feet have remained as a wood fence and no major retailer has developed within Subarea B.

Based on the two entitlements filed for the carwash, CUP and TPM, the parcel map creates two parcels resulting in the carwash being developed on a Parcel A, which does not abut the residential use to the south while Parcel B is not being developed at this time. Per the analysis provided in the 2006 staff report, it was noted that the development of this "area" (i.e., Parcel B) which depicts the "Major Retail A" use, that construction of a block wall in-lieu of the wood fence would be addressed at that time.

The letter received from the residential property owner to the south is requesting that the block wall be required with the carwash development. Although the 2006 CUP staff report states that the block wall is required when the "Major Retail A" use is developed, the request for the block wall can be considered by the Planning Commission with the carwash and tentative parcel map entitlements. The Planning Commission can elect to add a condition of approval to CUP No. 2023-24 requiring that the remaining 460 linear feet of block wall be installed with the development of the carwash or require that the block wall be installed when Parcel B is developed. Please note as described under the Acoustical Analysis section of the staff report, staff has included a condition that requires the applicant/developer have their acoustical noise consultant conduct noise measurements for the carwash prior to operating and prepare a report that demonstrates compliance with the measures as identified in the acoustical analysis. Failure to meet the noise requirements as specified in the acoustical analysis shall result in non-operation of the carwash until noise levels are met as identified in the acoustical analysis. This may require additional design measures to attenuate noise to bring the project into compliance.

#### *Email Received on March 21, 2024*

Staff also received correspondence via e-mail from the neighboring property owner to the east of the carwash site (see Exhibit "G"). Per the attached e-mail, their concerns are related to the construction of an automated carwash use parallel to this residence, noise derived from the use, and devaluation of their property and its development potential.

Staff, as identified in this report, has analyzed the project. The acoustical analysis prepared for the project specifically identifies mitigation measures to attenuate noise impacts to a less-than-significant impact at nearby residential land uses. Additionally, staff has included Condition of Approval No. 3 requiring that the mitigation measures found within the Mitigation Monitoring

Plan for Mitigated Negative Declaration No. 2023-36 be incorporated as conditions of Conditional Use Permit No. 2023-24.

Regarding the development potential of the site, the neighboring property owner's property is within the Demaree / Caldwell Specific Plan, specifically along the eastern boundary of the Subarea "B" portion of the Plan. At the time of the Specific Plan's approval (1999) and subsequent 2006 amendment, the neighbor's property showed proposed hypothetical development layouts of fast-food drive-thru uses (see Exhibit "H" - Specific Plan Amendment No. 2006-02 & CUP No. 2006-32). Whenever the neighbor elects to develop a commercial use upon their property, staff will review that development plan for consistency with the Demaree / Caldwell Specific Plan and Mixed-Use Commercial (C-MU) zone development standards.

### **Subdivision Map Act Findings**

California Government Code Section 66474 lists seven findings for which a legislative body of a city or county shall deny approval of a tentative map if it is able to make any of these findings. These seven "negative" findings have come to light through a recent California Court of Appeal decision (*Spring Valley Association v. City of Victorville*) that has clarified the scope of findings that a city or county must make when approving a tentative map under the California Subdivision Map Act.

Staff has reviewed the seven findings for a cause of denial and finds that none of the findings can be made for the proposed project. The seven findings and staff's analysis are below. The findings in response to this Government Code section are included in the recommended findings for the denial of the tentative subdivision map.

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed map has been found to be consistent with the City's Zoning Ordinance and the Demaree/Caldwell Specific Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the map has been found to be consistent with the City's Zoning Ordinance and the Demaree/Caldwell Specific Plan. This is included as recommended Finding No. 2 of the Tentative Parcel Map.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the commercial development type described on the proposed map. This is included as recommended Finding No. 3 of the Tentative Parcel Map.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed commercial uses. This is included as recommended Finding No. 4 of the Tentative Parcel Map.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage	The proposed design and improvement of the map has not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat.



or substantially and avoidably injure fish or wildlife or their habitat.	This is included as recommended Finding No. 5.
(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has not been found to cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Parcel Map.
(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.	The proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 3 of the Tentative Parcel Map.

### **Environmental Review**

An Initial Study and Mitigated Negative Declaration were prepared for the proposed project. Initial Study and Mitigated Negative Declaration No. 2023-36 disclosed that environmental impacts are determined to be not significant with the inclusion of measures to mitigate noise related impacts. Staff concludes that Initial Study and Mitigated Negative Declaration No. 2023-36 adequately analyzes and addresses the proposed project and finds that, with mitigation, environmental impacts will be at a less than significant level.

## RECOMMENDED FINDINGS

### **Conditional Use Permit No. 2023-24**

1. That the proposed Conditional Use Permit is consistent with the intent, objectives, and policies of the General Plan and Zoning Ordinance.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The project site has adequate ingress and egress and parking for the proposed carwash use. The Zoning Map, adopted on April 6, 2017, designates the site as Mixed-Use Commercial (C-MU), allows for automatic carwashes as a use conditionally-allowed with a conditional use permit. Carwash facilities are considered compatible uses in commercial areas where potential impacts can be addressed through the CUP process. The site is located along Caldwell Avenue, a Minor Arterial roadway. The proposed project is consistent with the development pattern along the roadway corridor, subject to the Mitigation Measures identified for this project and subject to the project conditions required of this project.
  - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. Mitigation Measures and conditions of the project are included in the project to reduce impacts of the project to levels that are *less than significant*. The hours of operation for the carwash are restricted as identified in the attached Operational Statement, mitigation measures and conditions of project approval. In addition, the development of the site will comply with Federal, State and local building code requirements, ADA requirements, and project specific conditions for this CUP.
3. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts are determined to be not significant, and that Mitigated Negative Declaration No. 2023-36 is hereby adopted.

### **Tentative Parcel Map No. 2023-08**

1. That the proposed tentative parcel map, as conditioned, is consistent with the policies and intent of the Zoning and Subdivision Ordinances and the Demaree/Caldwell Specific Plan.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative parcel map would be compatible with adjacent land uses. The project site is bordered by existing commercial development and the proposed development of this site is consistent with the approved Demaree/Caldwell Specific Plan.
3. That the site is physically suitable for the purposed tentative parcel map and is compatible with adjacent land uses and the proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property.
4. That the site is physically suitable for the proposed tentative parcel map and the project's use, which is consistent with the underlying Mixed Use Commercial General Plan Land Use Designation. The proposed location and layout of the Tentative Parcel Map, its improvement and design, and the conditions under which it will be maintained is

consistent with the policies and intent of the Zoning Ordinance, Subdivision Ordinance, and the Demaree/Caldwell Specific Plan.

5. That the proposed design and improvement of the proposed tentative parcel map has not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat.
6. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts are determined to be not significant, and that Mitigated Negative Declaration No. 2023-36 is hereby adopted.

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **Tentative Parcel Map No. 2023-08**

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2023-099.
2. That Tentative Parcel Map No. 2023-08 be prepared in substantial compliance with Exhibit "C".
3. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services for parcels without public street access shall be recorded with the final parcel map. The agreement 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 excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
4. That all other federal, state and city codes, ordinances and laws be met.

### **Conditional Use Permit No. 2023-24**

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2022-143.
2. That the site be developed in substantial compliance with the site plan in Exhibit "A", building elevations in Exhibit "B", and operational statement in Exhibit "D".
3. That the mitigation measures found within the Mitigation Monitoring Plan for Mitigated Negative Declaration No. 2023-36 are hereby incorporated as conditions of Conditional Use Permit No. 2023-24 as follows:
  - a. The project shall construct a sound wall and landscape berm with a total combined height of eight (8) feet located along the east side of the carwash exit lane. The sound wall should be constructed of dense material, such as masonry, and be continuous without gaps or openings from the building and extending south a minimum of 20 feet, as shown on Figure 1.
4. Prior to operating the carwash, the applicant/developer shall verify that the carwash equipment does not exceed Community Noise levels as identified in the attached acoustical analysis. The applicant/developer shall have their acoustical noise consultant conduct noise measurements for the carwash prior to operating and prepare a report, submitted to staff, that demonstrates compliance with the measures as identified in the acoustical analysis prepared for the project. The noise compliance report shall be submitted and verified by Planning staff prior to operation of the carwash. Failure to meet the noise requirements as

specified in the acoustical analysis shall result in non-operation of the carwash until noise levels are met as identified in the acoustical analysis.

5. That the noise emitted from the carwash shall meet the City of Visalia's community noise standards specified in Visalia Municipal Code Chapter 8.36.
6. That any outdoor public address system (PA system) be prohibited on-site.
7. That four (4) of the 19 vacuum stalls be striped and/or signed for "Employee Parking Only".
8. That landscape and irrigation plans be submitted with the building permit, designed by a professional landscape architect. Landscape and irrigation plans shall comply with the State Water Efficient Landscape Ordinance by submittal of Landscape Documentation Packages and Certificates of Compliance certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by ordinance.
9. Prior to occupancy and/or operation of the carwash, the applicant/developer shall conduct, with Community Development staff verification, that the on-site lighting installed shall not exceed 0.5 lumens at the property lines for this development.
10. That all other federal, state and city codes, ordinances and laws be met.

## APPEAL INFORMATION

According to the City of Visalia Subdivision Ordinance Section 16.04.040 and Zoning Ordinance Section 17.02.145 an appeal to the City Council may be submitted within ten calendar days following the date of a decision by the Planning Commission on the tentative parcel map and conditional use permit applications. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe Street, Visalia California. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

### Attachments:

- Related Plans and Policies
- Resolution Nos. 2023-34 & 2023-49
- Exhibit "A" – Site Plan
- Exhibit "B" – Building Elevations
- Exhibit "C" – Tentative Parcel Map No. 2023-08
- Exhibit "D" – Operational Statement
- Exhibit "E" – Landscaping Plan
- Exhibit "F" – Acoustical Analysis
- Exhibit "G" – Correspondence
- Exhibit "H" – Staff Report - Specific Plan Amendment No. 2006-02 & CUP No. 2006-32
- Initial Study and Mitigated Negative Declaration No. 2023-36
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

Related Plans & Policies  
Conditional Use Permits  
(Chapter 17.38)

17.38.010 Purposes and powers

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.020 Application procedures

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
  - 1. Name and address of the applicant;
  - 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
  - 3. Address and legal description of the property;
  - 4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
  - 5. The purposes of the conditional use permit and the general description of the use proposed;
  - 6. Additional information as required by the historic preservation advisory committee.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application. (Prior code § 7526)

17.38.030 Lapse of conditional use permit

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

17.38.040 Revocation

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Prior code § 7528)



#### 17.38.050 New application

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

#### 17.38.060 Conditional use permit to run with the land

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

#### 17.38.065 Abandonment of conditional use permit

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

#### 17.38.070 Temporary uses or structures

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
  1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
  2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
  3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
  4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
  5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
  6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
  7. Signing for temporary uses shall be subject to the approval of the city planner.
  8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

#### 17.38.080 Public hearing--Notice

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

#### 17.38.090 Investigation and report

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

#### 17.38.100 Public hearing--Procedure

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Prior code § 7535)

#### 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)

#### 17.38.120 Appeal to city council

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

#### 17.38.130 Effective date of conditional use permit

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

Table 17.25.030

<b>Commercial, Mixed Use, Office, and Industrial Zones Use Matrix</b> P = Use is Permitted by Right      C = Use Requires Conditional Use Permit T = Use Requires Temporary Use Permit      Blank = Use is Not Allowed												
	USE	Commercial and Mixed Use Zones					Office Zones			Industrial Zones		Special Use Standards (See identified Chapter or Section)
		C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I	
A13	Auto Dismantling/Wrecking/Salvage Yards										C	17.32.070
A14	Auto Machine Shops			P						P		
A15	Auto Oil, Lube & Smog Test Shops	C	C	P	P	C						
A16	Auto Repairs, Major-Overhauling, Rebuilding, Painting		C	P	C	C						
A17	Automotive Supplies, Parts & Accessories	C	P	P	P	P						
A18	Automotive Upholsterers			P								
A19	Boat Sales/Service			P								
A20	Car Washing - self service	C	C	P	C	C						
A21	Car Washing - automated	C	C	P	C	C				C		
A22	Car Sales - New & Used			P		C						
A23	Motorcycles, Sales and Service			P								
A24	RV/Boat Storage Yards			P						P		
A25	Recreational Vehicle Sales and Service			P						P		
A26	Tire Sales & Service (excluding major repairs) – stand alone	C	P	P	P	C						
A27	Tire Sales & Service (excluding major repairs) – located within the primary permitted use on the site		P	P	P							
A28	Towing/Road Service			P						P		
A29	Truck/Trailer Sales and/or Service			P						C		
A30	Truck Rental/Leasing			P								



REVISED RESOLUTION NO. 2023-34

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2023-24, A REQUEST BY FREELINE ARCHITECTURE TO DEVELOP A 2.03-ACRE PARCEL WITH A NEW 4,300 SQUARE FOOT DRIVE-THRU CARWASH BUILDING WITH AN ATTACHED COVERED PAY KIOSK AND TWO DETACHED VACUUM CANOPY STRUCTURES AND IN THE C-MU (COMMERCIAL MIXED USE) ZONE. THE SITE IS LOCATED ON THE SOUTH SIDE OF WEST CALDWELL AVENUE APPROXIMATELY 350-FEET TO THE EAST OF THE CALDWELL / DEMAREE INTERSECTION. (ADDRESS NOT ASSIGNED) (APN: 121-580-001).

**WHEREAS**, Conditional Use Permit No. 2023-24, is a request by Freeline Architecture to develop a 2.03-acre parcel with a new 4,300 square foot drive-thru carwash building with an attached covered pay kiosk and two detached vacuum canopy structures and in the C-MU (Commercial Mixed Use) zone. The site is located on the south side of West Caldwell Avenue approximately 350-feet to the east of the Caldwell / Demaree intersection. (Address not assigned) (APN: 121-580-001); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 25, 2024; and

**WHEREAS**, at the March 25, 2024, Planning Commission meeting the item was continued to a date specific, at the request of the applicant for not being able to have design professionals in attendance. The Planning Commission continued the project to the April 9, 2024, Planning Commission meeting; and

**WHEREAS**, a public hearing was held before the Planning Commission on April 9, 2024; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2023-24, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

**WHEREAS**, an Initial Study was prepared and circulated which disclosed that no significant environmental impacts would result from this project with the incorporation of mitigation measures. The Mitigated Negative Declaration (MND) prepared for the project contains noise Mitigation Measures incorporated into the project based upon an acoustical analysis. The mitigation contained in the project shall effectively reduce the environmental impact of noise to a level that is less than significant while the project site is in operation subject to the mitigations contained in the Mitigation Monitoring Program included in the MND, and that the Environmental Impact Report prepared for the City of Visalia General Plan, certified by Resolution No. 2014-37, adopted on October 14, 2014, was used for the adoption of the General Plan Land Use Designation of the subject site; and

**NOW, THEREFORE, BE IT RESOLVED**, that Mitigated Negative Declaration No. 2023-36 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 makes the following specific findings based on the evidence presented:

1. That the proposed Conditional Use Permit is consistent with the intent, objectives, and policies of the General Plan and Zoning Ordinance.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
3. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The project site has adequate ingress and egress and parking for the proposed carwash use. The Zoning Map, adopted on April 6, 2017, designates the site as Mixed-Use Commercial (C-MU), allows for automatic carwashes as a use conditionally-allowed with a conditional use permit. Carwash facilities are considered compatible uses in commercial areas where potential impacts can be addressed through the CUP process. The site is located along Caldwell Avenue, a Minor Arterial roadway. The proposed project is consistent with the development pattern along the roadway corridor, subject to the Mitigation Measures identified for this project and subject to the project conditions required of this project.
4. 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. Mitigation Measures and conditions of the project are included in the project to reduce impacts of the project to levels that are *less than significant*. The hours of operation for the carwash are restricted as identified in the attached Operational Statement, mitigation measures and conditions of project approval. In addition, the development of the site will comply with Federal, State and local building code requirements, ADA requirements, and project specific conditions for this CUP.
5. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts are determined to be not significant, and that Mitigated Negative Declaration No. 2023-36 is hereby adopted.

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

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2022-143.
2. That the site be developed in substantial compliance with the site plan in Exhibit "A", building elevations in Exhibit "B", and operational statement in Exhibit "D".
3. That the mitigation measures found within the Mitigation Monitoring Plan for Mitigated Negative Declaration No. 2023-36 are hereby incorporated as conditions of Conditional Use Permit No. 2023-24 as follows:



- a. The project shall construct a sound wall and landscape berm with a total combined height of eight (8) feet located along the east side of the carwash exit lane. The sound wall should be constructed of dense material, such as masonry, and be continuous without gaps or openings from the building and extending south a minimum of 20 feet, as shown on Figure 1.
4. Prior to operating the carwash, the applicant/developer shall verify that the carwash equipment does not exceed Community Noise levels as identified in the attached acoustical analysis. The applicant/developer shall have their acoustical noise consultant conduct noise measurements for the carwash prior to operating and prepare a report, submitted to staff, that demonstrates compliance with the measures as identified in the acoustical analysis prepared for the project. The noise compliance report shall be submitted and verified by Planning staff prior to operation of the carwash. Failure to meet the noise requirements as specified in the acoustical analysis shall result in non-operation of the carwash until noise levels are met as identified in the acoustical analysis.
5. That the noise emitted from the carwash shall meet the City of Visalia's community noise standards specified in Visalia Municipal Code Chapter 8.36.
6. That any outdoor public address system (PA system) be prohibited on-site.
7. That four (4) of the 19 vacuum stalls be striped and/or signed for "Employee Parking Only".
8. That landscape and irrigation plans be submitted with the building permit, designed by a professional landscape architect. Landscape and irrigation plans shall comply with the State Water Efficient Landscape Ordinance by submittal of Landscape Documentation Packages and Certificates of Compliance certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by ordinance.
9. Prior to occupancy and/or operation of the carwash, the applicant/developer shall conduct, with Community Development staff verification, that the on-site lighting installed shall not exceed 0.5 lumens at the property lines for this development.
10. That all other federal, state and city codes, ordinances and laws be met.

REVISED RESOLUTION NO. 2023-49

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2023-08, A REQUEST BY VICE CONSULTING ENGINEERS TO SUBDIVIDE A 3.7-ACRE COMMERCIAL PARCEL INTO TWO COMMERCIAL PARCELS TO FACILITATE FUTURE COMMERCIAL DEVELOPMENT. THE PROJECT IS LOCATED ON THE SOUTH SIDE OF WEST CALDWELL AVENUE APPROXIMATELY 350-FEET TO THE EAST OF THE CALDWELL / DEMAREE INTERSECTION.  
(ADDRESSES NOT ASSIGNED)(APN: 121-580-001).

**WHEREAS**, Tentative Parcel Map No. 2023-08, is a request by Vice Consulting Engineers to subdivide a 3.7-acre commercial parcel into two commercial parcels to facilitate future commercial development. is located on the south side of West Caldwell Avenue approximately 350-feet to the east of the Caldwell / Demaree intersection. (Address not assigned) (APN: 121-580-001); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 25, 2024; and

**WHEREAS**, at the March 25, 2024, Planning Commission meeting the item was continued to a date specific, at the request of the applicant for not being able to have design professionals in attendance. The Planning Commission continued the project to the April 9, 2024, Planning Commission meeting; and

**WHEREAS**, a public hearing was held before the Planning Commission on April 9, 2024; and

**WHEREAS**, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2023-08, as conditioned, 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 for the entire Orchard Walk Specific Plan Project which disclosed that the mitigation incorporated into the project no significant environmental impacts would result from this project.

**WHEREAS**, an Initial Study was prepared and circulated which disclosed that no significant environmental impacts would result from this project with the incorporation of mitigation measures. The Mitigated Negative Declaration (MND) prepared for the project contains noise Mitigation Measures incorporated into the project based upon an acoustical analysis. The mitigation contained in the project shall effectively reduce the environmental impact of noise to a level that is less than significant while the project site is in operation subject to the mitigations contained in the Mitigation Monitoring Program included in the MND, and that the Environmental Impact Report prepared for the City of Visalia General Plan, certified by Resolution No. 2014-37, adopted on October 14, 2014, was used for the adoption of the General Plan Land Use Designation of the subject site; and

**NOW, THEREFORE, BE IT RESOLVED**, that Mitigated Negative Declaration No. 2023-36 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 makes the following specific finding based on the evidence presented:

1. That the proposed tentative parcel map, as conditioned, is consistent with the policies and intent of the Zoning and Subdivision Ordinances and the Demaree/Caldwell Specific Plan.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The proposed tentative parcel map would be compatible with adjacent land uses. The project site is bordered by existing commercial development and the proposed development of this site is consistent with the approved Demaree/Caldwell Specific Plan.
3. That the site is physically suitable for the proposed tentative parcel map and is compatible with adjacent land uses and the proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property.
4. That the site is physically suitable for the proposed tentative parcel map and the project's use, which is consistent with the underlying Mixed Use Commercial General Plan Land Use Designation. The proposed location and layout of the Tentative Parcel Map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the Zoning Ordinance, Subdivision Ordinance, and the Demaree/Caldwell Specific Plan.
5. That the proposed design and improvement of the proposed tentative parcel map has not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat.
6. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts are determined to be not significant, and that Mitigated Negative Declaration No. 2023-36 is hereby adopted.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approved the parcel map on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.12.010 of the Ordinance Code of the City of Visalia, subject to the following conditions:

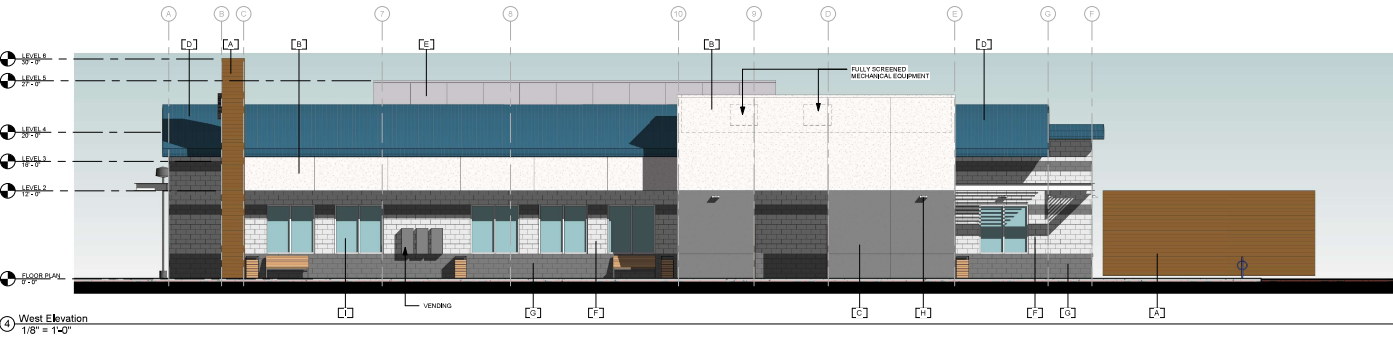
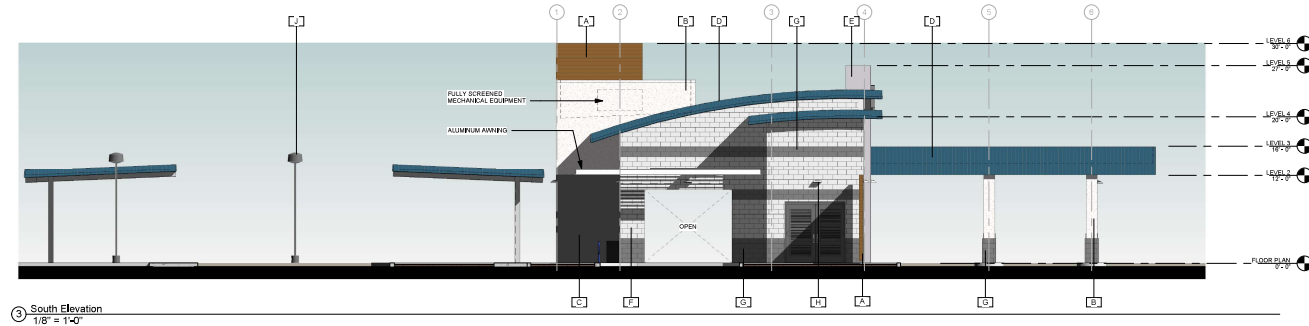
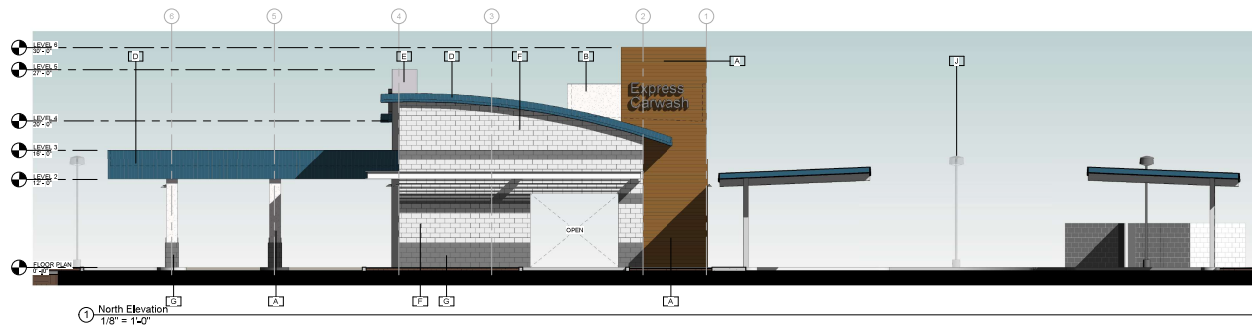
1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2023-099.
2. That Tentative Parcel Map No. 2023-08 be prepared in substantial compliance with Exhibit "C".
3. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services for parcels without public street access shall be recorded with the final parcel map. The agreement shall address property owners'



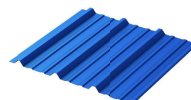




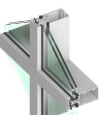

responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.

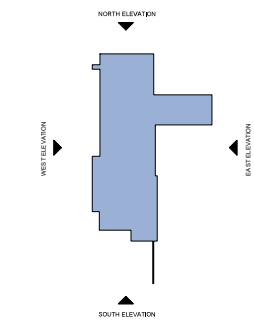
4. That all other federal, state and city codes, ordinances and laws be met.







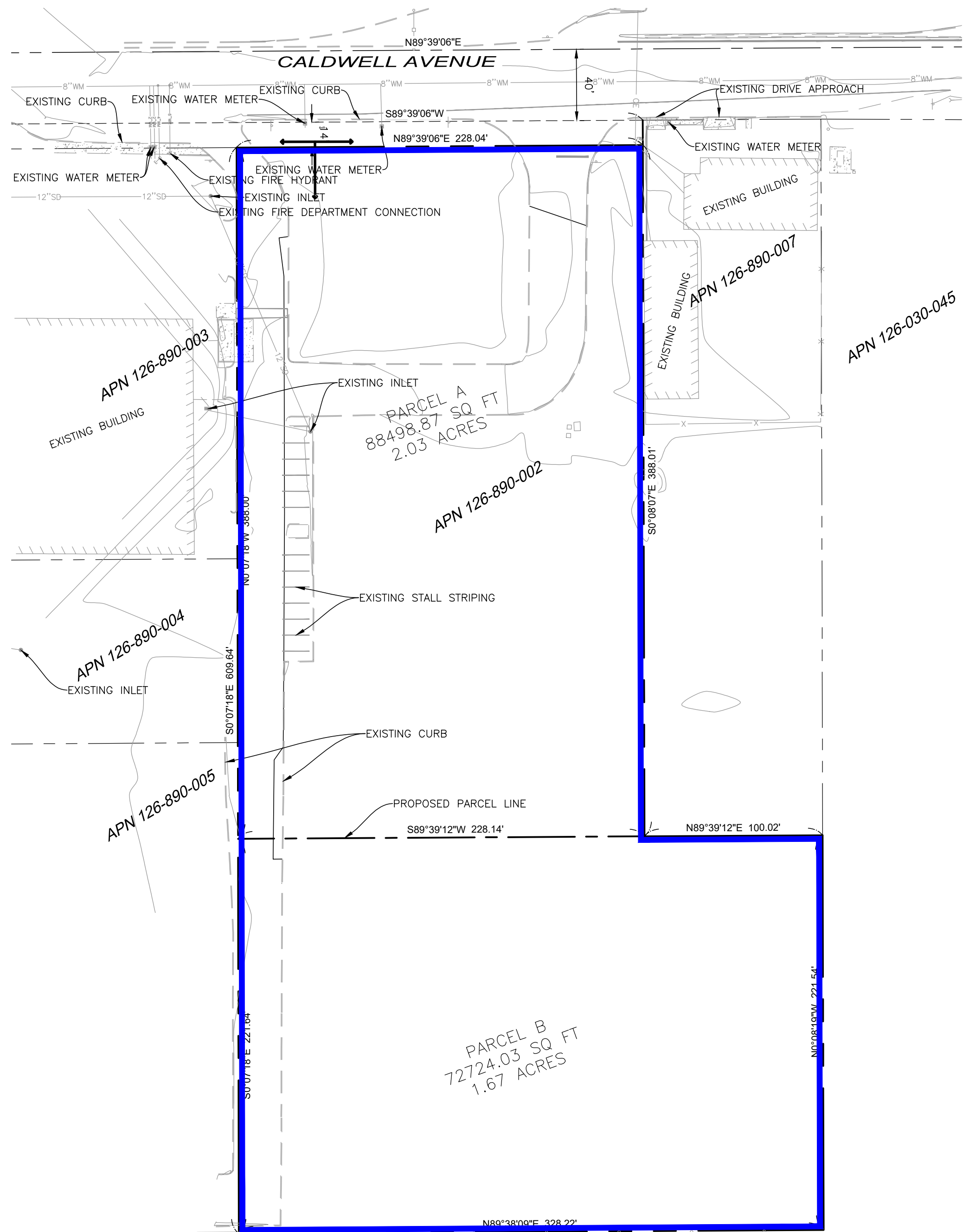
MATERIAL LEGEND	
	
A NICHHA CEMENT BEING STYLE: VINTAGEWOOD COLOR: CEDAR	B OMEGA STUCCO PRODUCTS INTERNATIONAL COLOR: SNOW
	
C OMEGA STUCCO PRODUCTS INTERNATIONAL COLOR: CHIMBELA	D MBQ CONCEALED FASTENING SYSTEM STYLE: PW-10 COLOR: PACIFIC BLUE
	
E MBQ CONCEALED FASTENING SYSTEM STYLE: PW-10 COLOR: SLATE GREY	F 8x16 CONCRETE MASONRY UNIT COLOR: NATURAL FINISH
	
G 8x16 CONCRETE MASONRY UNIT STYLE: SHUT FACE COLOR: DARK GREY	H WALL SCORCE MANUFACTURE STYLE: BEACON COLOR: RATED WALL 8x4 BLACK
	
I ALUMINUM STOREFRONT SYSTEM COLOR: CLEAR ANODIZED FINISH	J LIGHT STANDARD MANUFACTURE STYLE: DETROIT SERIES COLOR: BLACK



⑤ ELEVATION KEY PLAN  
1" = 40'-0"

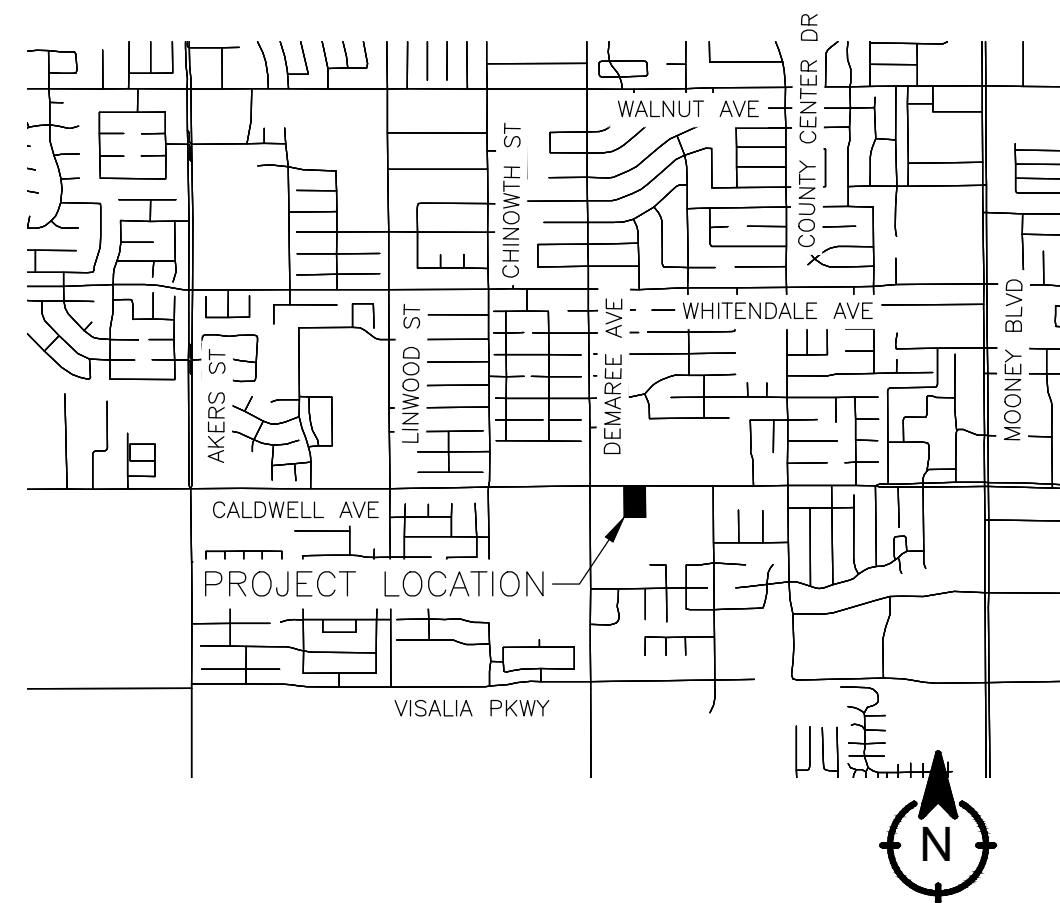
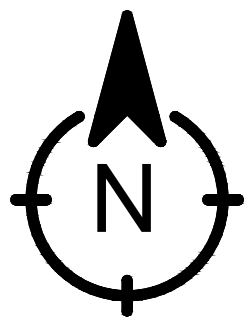
# TENTATIVE PARCEL MAP NO. 23-

IN THE CITY OF VISALIA,  
TULARE COUNTY, CALIFORNIA



## LEGEND

	PROPERTY BOUNDARY
	CENTERLINE/SECTION LINE
	EASEMENT
	EXISTING PROPERTY LINE
	PROPOSED PARCEL LINE



## PROJECT INFO:

PROJECT LOCATION:	SOUTHEAST CORNER OF DEMAREE AVE AND CALDWELL AVE VISALIA, CA 93277
APN:	126-890-002
PROJECT OWNER:	JASJIT SINGH XPRESS CAR WASH 2939 G ST MERCED, CA 95340
NET ACREAGE:	3.7 AC
GROSS ACREAGE:	3.7 AC
FLOOD ZONE:	ZONE 'X'
ZONING:	C-MU
GENERAL PLAN LANDUSE -	COMMERCIAL MIXED USE (C-MU)
MIN PARCEL:	1.67 AC
MAX PARCEL:	2.03 AC

## NOTES

- GENERAL PLAN LAND USE DESIGNATION: MIXED USE COMMERCIAL / (C-MU)  
EXISTING ZONING: MIXED USE COMMERCIAL (C-MU)  
PROPOSED ZONING: MIXED USE COMMERCIAL (C-MU)  
EXISTING USE: RESIDENTIAL
- ALL BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH CITY OF FRESNO ZONING CODES.
- ALL UTILITY SERVICES ARE PROPOSED TO BE PROVIDED BY THE FOLLOWING AGENCIES:

SANITARY SEWER	CITY OF VISALIA
STORM DRAINAGE	CITY OF VISALIA
DOMESTIC WATER	CALIFORNIA WATER SERVICE
FIRE PROTECTION	CITY OF VISALIA
ELECTRICITY	SOUTHERN CALIFORNIA EDISON
GAS	SOUTHERN CALIFORNIA GAS
TELEPHONE	AT&T
CABLE	COMCAST
WASTE DISPOSAL	CITY OF VISALIA
- NO GRADE DIFFERENCES OF 6" OR MORE EXIST ADJACENT TO THE PROPERTY.
- SOURCE OF DATA: PARCEL MAP NO.4615 RECORDED IN BOOK 47 PAGE 20, TULARE COUNTY RECORDS.
- EXISTING SEWER, WATER, OTHER UNDERGROUND UTILITIES, STORM SEWER, STREETLIGHTS, GUTTER, CURB, CURB, SIDEWALK, AND PERMANENT PAVEMENT, SHALL REMAIN. NO PROPOSED IMPROVEMENTS.
- NO EXISTING PRIVATE WELLS, CESSPOOLS, SEPTIC SYSTEMS, OR DUMP SITES WITHIN SUBJECT PROPERTY.
- EXISTING TREES TO REMAIN WITHIN BOUNDARY OF THE SUBDIVISION.



4010 N CHESTNUT  
DIAGONAL AVE STE 101  
FRESNO, CA 93726

(559) 775-0023  
FAX: (559) 775-0016

WWW.VICE-ENGR.COM

SHEET NO.

1 / 1

## **Operational Statement for [Rapid Xpress]**

**Mission Statement:** At [Rapid Xpress], our mission is to provide the community with top-quality car wash services that are convenient, efficient, and environmentally responsible. We are dedicated to ensuring that every customer leaves with a clean, shiny, and refreshed vehicle.

### **Operating Hours:**

- We are open daily from 8:00 am to 8:00 pm, rain or shine, to accommodate our customers' busy schedules.

### **Customer Focus:**

- We prioritize customer satisfaction and aim to exceed expectations with every visit.
- Our friendly and professional staff is here to assist and ensure a seamless car washing experience.

### **Service Offerings:**

- [Rapid Xpress] offers a range of express car wash packages to suit various needs and budgets.
- We use state-of-the-art equipment and environmentally friendly cleaning products to ensure the best results while minimizing our environmental footprint.

### **Community Engagement:**

- We actively engage with the local community by supporting local events and charities.
- We offer loyalty programs and discounts to show our appreciation to our repeat customers.

### **Safety and Environmental Responsibility:**

- We maintain a safe and clean facility to protect both customers and employees.
- [Rapid Xpress] is committed to environmentally responsible practices, including water recycling and eco-friendly cleaning solutions.

### **Employee Development:**

- We invest in our employees' training and development to ensure they provide the highest level of service.
- A positive and inclusive work environment is essential to our success.

### **Number of Employees:**

- Maximum number of employees = 12.
- Maximum number of employees per shift = 6

### **Continuous Improvement:**

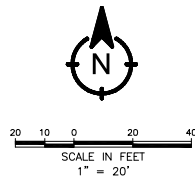
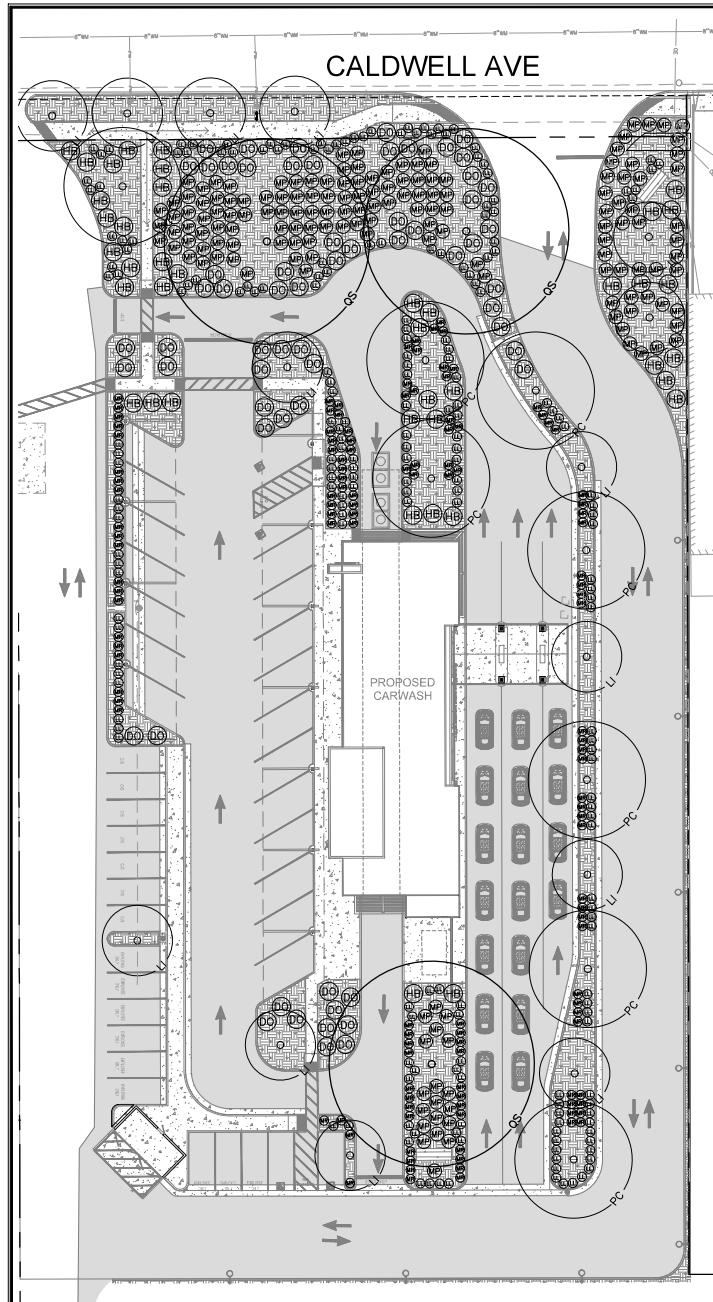
- We continuously evaluate and improve our services based on customer feedback and industry advancements.
- [Rapid Xpress] is dedicated to staying at the forefront of car wash technology.

### **Community Feedback:**

- We welcome input and feedback from the community to better serve your car washing needs.
- Your comments and suggestions are essential in our pursuit of excellence.

Thank you for choosing [Rapid Xpress] for your car cleaning needs. We look forward to serving you and the community with our premium car wash services.

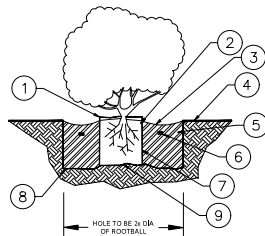




#### PLANTING LEGEND

SYMBOL	SCIENTIFIC NAME / COMMON NAME	SIZE	QTY	WATER USE
—PC—	PISTACHIA CHINENSIS 'YOUTH DANCY' / CHINESE PISTACHE	11.5 GAL	8	L
—QS—	QUERCUS SUBER / CORK OAK	11.5 GAL	3	L
—U—	LAGERSTROEMIA INDICA / CREPENT WITILE	11.5 GAL	7	L
DO	NEROLIUM OLEANDER 'YOUTH DANCY' / DWARF OLEANDER	5 GAL	42	L
DO	LOMANDIA LONGIFOLIA 'THREE' / DWARF MATH HUSH	5 GAL	127	L
DO	LANCANA MONTEVIDENSIS / LAMANDER LANTANA	5 GAL	213	L
DO	NANCHINA DOMESTICA 'GULF STREAM' / HEAVENLY BAMBOO	5 GAL	41	L
DO	GROUND COVER			
DO	MICROBIUM PARVIFOLIUM 'TOSTRATUM' / MICROBIUM	1 GAL	161	L
DO	3" THINK LANDSCAPE MULCH		37,800	

- SET CROWN OF ROOTBALL 1" ABOVE FINISH GRADE BREAK TOP OF ROOTBALL TO SOIL LEVEL.
- ROOTBALL
- WATERING BASIN 3" DEEP, 2'-0" WIDE TO BE BELOW GRADE FOR 5 GAL AND 1 GAL SIZED CONTAINERS, (NO BOWLS REQUIRED FOR SUB SURFACE DRIP)
- FINISHED GRADE
- BACKFILL MIX TO CONSIST OF NATIVE SOIL, CLEAN ALL, COMB, ROCK, AND OTHER MATERIAL OUT OF BACKFILL
- AGIFORM PLANTING TABS WITHIN 2" OF GRADE  
—9 GRAM 'TORREST STARTER':  
2 PER 1 GAL SHRUB  
5 PER 5 GAL SHRUB  
8 PER 15 GAL SHRUB
- ROUGH SIDE OF ROOTBALL PRIOR TO PLANTING
- HOLES TO BE DEEPER AT PERIMETER
- SET ROOTBALL ON UNDISTURBED SOIL



#### SHRUB PLANTING

#### SHADE REQUIREMENT

THE PARKING LOT SURFACE SHALL BE 50% SHADED WITHIN 10 YEARS

PARKING LOT AREA: 49,733 SF±  
50% TO BE SHADED: 24,866 SF±

SHADE PROVIDED:

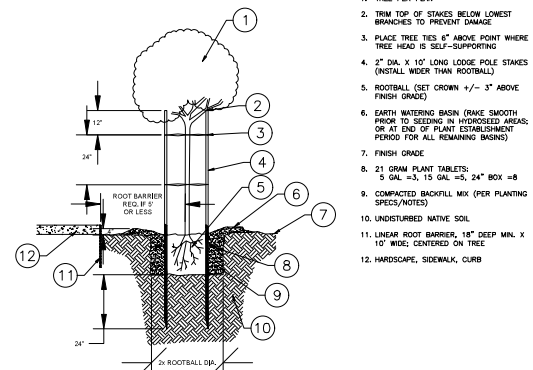
INSTALLED PARKING LOT CANOPY  
PISTACHIA CHINENSIS 'YOUTH DANCY' / CHINESE PISTACHE 6 @ 7461 SF±  
QUERCUS SUBER / CORK OAK 3 @ 1257 SF±  
LAGERSTROEMIA INDICA 'MADDOCKS' / CREPENT WITILE 7 @ 3548 SF±

TOTAL SHADE PROVIDED: 32,225 SF±

PERCENT OF SHADE PROVIDED: 64.8% (REQUIRED 50%)

#### NOTES

- ALL PLANT MATERIAL SHALL BE APPROVED BY THE CITY'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION. PRIOR TO ANY PLANTING, A SOILS ANALYSIS SHALL BE PROVIDED BY A CERTIFIED SOILS TESTING LAB AND SUBMITTED TO THE CITY'S PUBLIC UTILITIES DEPARTMENT PARKS MANAGER. THE SOILS REPORT SHALL INCLUDE A CHEMICAL AND FOREST ORGANICS ANALYSIS.
- FINAL LOCATION OF ALL PLANT MATERIALS SHALL BE SUBJECT TO THE APPROVAL OF THE CITY'S AUTHORIZED REPRESENTATIVE. FOR RESIDENTIAL SUBSIDIARIES, THE DEVELOPER/CONTRACTOR SHALL FURNISH AND PLANT TWO 15-GALLON TREES FOR EACH FRONT YARD, SELECTED BY THE LOT OWNER FROM THE CITY'S APPROVED STREET TREE LIST. TREES SHALL BE PLANTED ALONG THE STREET SHALL BE LOCATED IN THE STREET SHALL BE SPACED AS UNIFORM AS POSSIBLE.
- STREET TREES SHALL BE LOCATED A MINIMUM OF 10 FEET FROM DRIVE APPROACHES, WATER AND SEWER SERVICES, STREET LIGHTS, SIGNAGE, AND FIRE HYDRANTS AND UTILITY BOXES, AND 20 FEET FROM STREET LIGHTS. STREET TREES SHALL BE SPACED ALONG STREETS AS UNIFORM AS POSSIBLE.
- NO PLANTING SHALL BE DONE UNTIL INSTALLATION OF THE IRRIGATION SYSTEM IS COMPLETED. ALL PLANTING SHALL BE ESTABLISHED, PLANTING AREA HAVE BEEN PROPERLY GRADED AND SOIL PREPARED, AND THE WORK APPROVED BY THE CITY OF CLACK.
- THE CONTRACTOR SHALL NOTIFY THE CITY'S AUTHORIZED REPRESENTATIVE ONE WEEK PRIOR TO COMMENCEMENT OF WORK TO COORDINATE PROJECT OBSERVATION SCHEDULES.
- THE CONTRACTOR SHALL TAKE NOTE OF EXISTING UNDERGROUND UTILITIES IN CONFLICT AND SHALL TAKE ALL PRECAUTIONS NECESSARY DURING TREE PLANTING OPERATIONS SO AS NOT TO DAMAGE AND UTILITIES. COORDINATE UNDERGROUND UTILITY PROTECTION PRIOR TO TREE PLANTING.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUB-CONTRACTORS AS REQUIRED TO ACCOMPLISH PLANTING OPERATIONS.
- THE CONTRACTOR SHALL NOT PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN NOTED DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE CITY. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO ONE SUCH NOTIFICATION.
- IF CONFLICTS ARISE BETWEEN SIZE OF AREAS AND PLANTS, THE CONTRACTOR SHALL CONTACT THE CITY FOR RESOLUTION. FAILURE TO MAKE SUCH CONTACTS KNOWN TO THE CITY WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE ANY MATERIALS AS DIRECTED.
- THE CONTRACTOR SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS FOR PLANTING REQUIREMENTS, MATERIALS AND EXECUTION, STAMING METHOD, PLANT PIT DIMENSIONS AND BACKFILL REQUIREMENTS.
- ALL GRASS COVER SHALL EXTEND BENEATH TALLEST PLANT MATERIAL.
- PROVIDE ROOT BARRIERS FOR ALL PROPOSED TREES INDICATED ON THE PLANS.
- ALL TREES SHALL BE PLANTED THREE (3) FEET AWAY FROM THE CENTER OF SHALES.
- ALL TREES IN TUNE AREAS SHALL RECEIVE ANCHOR GUARDS UPON INSTALLATION. REFER TO THE STANDARD SPECIFICATIONS, STANDARD PLANS, AND THE PROJECT PLANS.
- QUANTITIES ARE LANDSCAPE ESTIMATES ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ALL MATERIAL APPEARING ON PLAN.
- SOIL AMENDMENT (UNLESS OTHERWISE NOTED ON THE PLANS OR SPECIFICATIONS, THE FOLLOWING SOIL AMENDMENT STANDARDS SHALL APPLY: OPTION 1 - A) ROOTBALL SOIL AMENDMENT MIX WITH THE SOIL TO A DEPTH OF 8 TO 12 INCHES, APPLY TO ALL SOIL TYPES. B) SOIL AMENDMENT COMPONENTS/APPLICATION RATE: BLACK HUMUS - 20 CUBIC YARDS PER ACRE, FERTILIZED AGRICULTURAL GRADE OPTIMUM 10% CALCIUM (N) - 2000 POUNDS PER ACRE, NUTRIENT 0-5-0 (100 LBS) - 400 POUNDS PER ACRE (AVAILABLE AT NUTRIENT/CO2 MIXED (ROOTS INC.) - 400 POUNDS PER ACRE. C) PRE-MIX ALL SOIL AMENDMENTS PRIOR TO APPLICATION AND TILLING. D) NOTIFY CITY INSPECTOR FOR OBSERVATION OF APPLICATION AND INCORPORATION OF SOIL AMENDMENTS. OPTION 2 - A) COLLECT REPRESENTATIVE SOIL SAMPLES (APPROVED BY CITY INSPECTOR). B) PERFORM ANALYSIS ON SAMPLES BY CERTIFIED SOIL TESTING LAB. C) CHEMICAL ANALYSIS AND PRESENT DRUGS ANALYSIS. C) BASED ON SOIL LAB RESULTS, SUBMIT SOIL AMENDMENT RECOMMENDATION FROM CERTIFIED CROP ADVISOR TO THE PUBLIC UTILITIES DEPARTMENT PARKS MAINTENANCE MANAGER FOR APPROVAL. PRIOR TO APPLICATION, D) NOTIFY CITY INSPECTOR FOR OBSERVATION OF APPLICATION AND INCORPORATION OF SOIL AMENDMENT.



#### TREE PLANTING w/ ROOT BARRIERS

- TREE PER PLAN
- TRIM TOP OF STAVES BELOW LOWEST BRANCHES TO PREVENT DAMAGE
- PLACE TREE TIES 1' ABOVE POINT WHERE TREE HEAD IS SELF-SUPPORTING
- 2" DIA. X 10' LONG LODGE POLE STAKES (INSTALL WIDER THAN ROOTBALL)
- ROOTBALL (DET CROWN +/- 3" ABOVE FINISH GRADE)
- EARTH WATERING BASIN (MAKE SMOOTH PRIOR TO SEEDING IN HYDROSEED AREAS; OR AT END OF PLANT ESTABLISHMENT PERIOD FOR ALL REMAINING BASINS)
- FINISH GRADE
- 21 GRAM PLANT TABLETS:  
3 GAL - 13, 15 GAL - 24, 24" BOX - 8
- COMPACTED BACKFILL MIX (PER PLANTING SPECS/NOTES)
- UNDISTURBED NATIVE SOIL
- LINEAR ROOT BARRIER, 18" DEEP MIN. X 10" WIDE, CENTERED ON TREE
- HARDSCAPE, SIDEWALK, CURB

REVISION	DATE	BY

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DISEASE PREVENTION  
FREMONT, CA 94726  
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FAX: (559) 775-0016  
WWW.VICE-ENG.COM



CITY OF VESALIA

XPRSS CAR WASH  
LANDSCAPE PLAN

DATE:  
5/9/2023

PROJ. ENGR:  
LSV

PROJ. MNGR:  
KYV

PREPARED FOR:

JASBIR SINGH  
XPRSS CAR WASH  
2939 G STREET  
MERCED, CA 95340



SHEET NO.

L1

PROJECT NUMBER

22-106

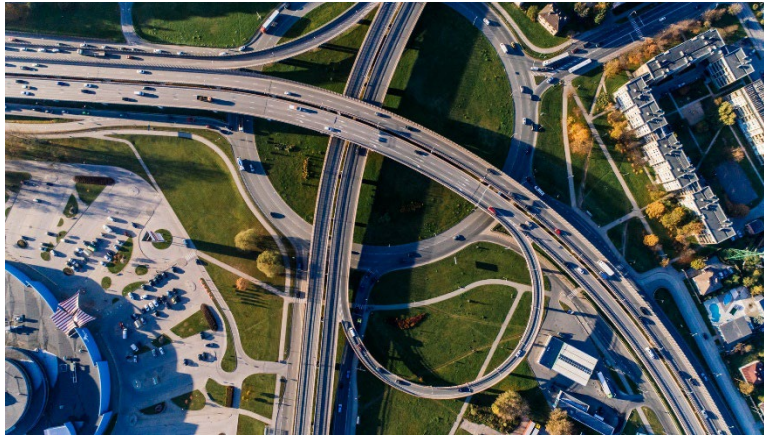
5/11/23  
DATE  
JASBIR SINGH  
CIVIL ENGINEER

FOR SEAL PURPOSES ONLY - THIS SEAL IS NOT VALID FOR ANY OTHER PURPOSES  
FOR SEAL PURPOSES ONLY - THIS SEAL IS NOT VALID FOR ANY OTHER PURPOSES  
FOR SEAL PURPOSES ONLY - THIS SEAL IS NOT VALID FOR ANY OTHER PURPOSES

PROJECT: 2023-05-01-106 XPRSS CAR WASH CONSTRUCTION PLANS (SHEET 1) LANDSCAPE PLAN (SHEET 1)

# VICE

## **Xpress Carwash Acoustical Analysis SPR 22-143**



### **Prepared For:**

Jasjit Singh  
Xpress Car Wash  
2939 G Street  
Merced, CA 95340

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Date:  
May 5, 2023





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## Appendices

Appendix A: Noise Measurement Data Sheets

## List of Abbreviated Terms

CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CNEL	Community Noise Equivalent Level
dB	Decibels
FHWA	Federal Highway Administration
Hz	Hertz
kHz	Kilohertz
L <sub>dn</sub>	Day-Night Level
L <sub>eq</sub>	Equivalent Sound Level
L <sub>eq(h)</sub>	Equivalent Sound Level over one hour
L <sub>max</sub>	Maximum Sound Level
L <sub>min</sub>	Minimum Sound Level
LOS	Level of Service
L <sub>xx</sub>	Percentile-Exceeded Sound Level
mPa	micro-Pascals
mph	miles per hour
NAC	noise abatement criteria
NADR	Noise Abatement Decision Report
NEPA	National Environmental Policy Act
NSR	Noise Study Report
Protocol	Caltrans Traffic Noise Analysis Protocol for New Highway Construction, Reconstruction, and Retrofit Barrier Projects
SPL	sound pressure level
TeNS	Caltrans' Technical Noise Supplement
TNM 3.0	FHWA Traffic Noise Model Version 3.0

## ACOUSTICAL TERMINOLOGY AND DEFINITIONS

The following terminology has been used for purposes of this report:

<b>Ambient Noise Level:</b>	The composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.
<b>CNEL:</b>	Community Noise Equivalent Level. The average equivalent sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7 p.m. to 10p.m. and ten decibels to sound levels in the night before 7 a.m. and after 10 p.m.
<b>Decibel, dBA:</b>	A unit for describing the amplitude of sound, equal to 10 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micro pascals (20 micro-newtons per square meter).
<b>DNL/Ldn:</b>	Day/Night Average Sound Level. The Ldn is a measure of the 24-hour average noise level at a given location. It was adopted by the U.S. Environmental Protection Agency (EPA) for developing criteria for the evaluation of community noise exposure. It is based on a measure of the average noise level over a given time period called the Leq. The Ldn is calculated by averaging the Leq's for each hour of the day at a given location after penalizing the "sleeping hours" (defined as 10:00 P.M. to 7:00 A.M.), by 10 dBA to account for the increased sensitivity of people to noises that occur at night.
<b>Leq:</b>	Equivalent Sound Level. The sound level containing the same total energy as a time varying signal over a given sample period. Leq is typically computed over 1, 8 and 24-hour sample periods.
<b>Leq(h):</b>	The hourly value of Leq.
<b>Lmax:</b>	The maximum noise level recorded during a noise event Ln: The sound level exceeded "n" percent of the time during a sample interval (L90, L50, L10, etc.). L10 equals the level exceeded 10 percent of the time.
<b>Ln(h):</b>	The hourly value of Ln.
<b>Noise Exposure Contours:</b>	Lines drawn about a noise source indicating constant levels of noise exposure. CNEL and DNL contours are frequently utilized to describe community exposure to noise.

<b>SEL or SENEL:</b>	Sound Exposure Level or Single Event Noise Exposure Level. The level of noise accumulated during a single noise event, such as an aircraft overflight, with reference to the duration of one second. More specifically, it is the time-integrated A-weighted squared sound pressure for a stated time interval or event, based on a reference pressure of 20 micro pascals and the reference duration of one second
<b>Sound Level:</b>	The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

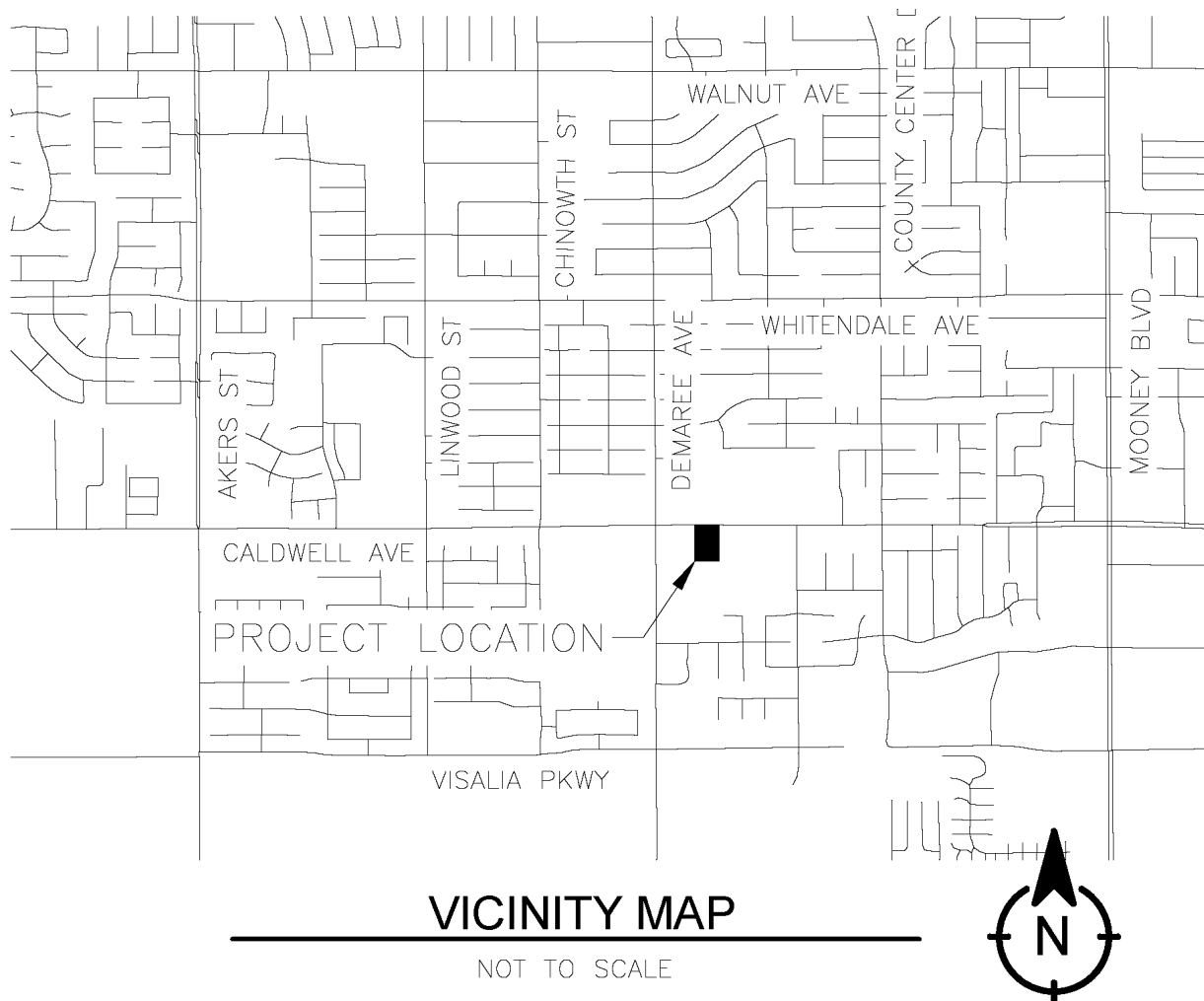


## 1.0 Introduction

The proposed project, Xpress Carwash, is the development of an automated car wash with vacuums. The project proposes a 4,300 sf building for the carwash with 20 self serve vacuum stalls. The subject property is located at the southeast corner of Caldwell Avenue and Demaree Avenue, identified as APN 126-890-002, in Visalia, CA. The project site is approximately 3.77 acres. The proposed carwash building is approximately 208 feet from the centerline of Caldwell Ave. There is an existing residential structure on the adjacent easterly parcel. Therefore, an acoustical/noise study is required.

All sound levels reported in this analysis are A-weighted sound pressure levels in decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighted sound levels, as they correlate well with public reaction to noise.

**Figure 1 – Site Location**



## 2.0 Noise Scales

Human response to sound is highly individualized. Annoyance is the most common issue regarding community noise. The percentage of people claiming to be annoyed by noise will generally increase with the environmental sound level. However, many factors will also influence people's response to noise. The factors can include the character of the noise, the variability of the sound level, the presence of tones or impulses, and the time of day of the occurrence. Additionally, non-acoustical factors, such as the person's opinion of the noise source, the ability to adapt to the noise, the attitude towards the source and those associated with it, and the predictability of the noise, will all influence people's response. As such, response to noise varies widely from one person to another and with any particular noise, individual responses will range from "not annoyed" to "highly annoyed."

Sound is described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, a special frequency dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear.

Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dBA higher than another is judged to be twice as loud, and 20 dBA higher four times as loud, and so forth. Everyday sounds normally range from 30 dBA (very quiet) to 100 dBA (very loud). Examples of various sound levels in different environments are illustrated on Exhibit 4, Common Environmental Noise Levels.

Many methods have been developed for evaluating community noise to account for, among other things:

- The variation of noise levels over time;
- The influence of periodic individual loud events; and
- The community response to changes in the community noise environment.

Numerous methods have been developed to measure sound over a period of time; refer to Table 1, Noise Descriptors.

**Table 1 -Typical Noise Levels**

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	--110--	Rock Band
Jet Fly-over at 300 m (1,000 ft)	--100--	
Gas Lawn Mower at 1 m (3 ft)	--90--	
Diesel Truck at 15 m (50 ft) at 80 km/hr (50 mph)	--80--	Food Blender at 1 m (3 ft) Garbage Disposal at 1 m (3 ft)
Noisy Urban Area, Daytime Gas Lawn Mower, 30 m (100 ft)	--70--	Vacuum Cleaner at 3 m (10 ft)
Commercial Area Heavy Traffic at 90 m (300 ft)	--60--	Normal Speech at 1 m (3 ft)
Quiet Urban Daytime	--50--	Large Business Office Dishwasher in Next Room
Quiet Urban Nighttime	--40--	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	--30--	Library
Quiet Rural Nighttime	--20--	Bedroom at Night, Concert Hall (Background)
	--10--	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	--0--	Lowest Threshold of Human Hearing

Source: Caltrans, Technical Noise Supplement, Traffic Noise Analysis Protocol. November, 2009.

## 3.0 Laws, Ordinances, Regulations, and Standards

Land uses deemed sensitive by the State of California (State) include schools, hospitals, rest homes, and long-term care and mental care facilities. Many jurisdictions also consider residential uses particularly noise-sensitive because families and individuals expect to use time in the home for rest and relaxation, and noise can interfere with those activities. Some jurisdictions may also identify other uses noise-sensitive uses such as churches, libraries, and parks. Land uses that are relatively insensitive to noise include office, commercial, and retail developments. There is a range of insensitive noise receptors that include uses that generate significant noise levels and that typically have a low level of human occupancy. This noise analysis was conducted in accordance with Federal, State, and local criteria described in the following sections.

### 3.1 California Environmental Quality Act (CEQA)

CEQA was enacted in 1970 and requires that all known environmental effects of a project be analyzed, including environmental noise impacts. Under CEQA, a project has a potentially significant impact if the project exposes people to noise levels in excess of standards established in the local general plan or noise ordinance. Additionally, under CEQA, a project has a potentially significant impact if the project creates a substantial increase in the ambient noise levels in the project vicinity above levels existing without the project. If a project has a potentially significant impact, mitigation measures must be considered. If mitigation measures to reduce the impact to less than significant are not feasible due to economic, social, environmental, legal, or other conditions, the most feasible mitigation measures must be considered.

### 3.2 City of Visalia General Plan

The City of Visalia Noise Element identifies various maximum exterior noise exposures for outdoor activity areas for various land uses. The proposed project lies within the City of Visalia boundaries and therefore is required to conform to City of Visalia noise ordinance, refer to Table 2 below.

**Table 2 - Maximum Allowable Noise Exposure**

Land Use <sup>1</sup>	Outdoor Activity Areas Ldn/ CNEL dB <sup>2</sup>	Interior Spaces	
		Ldn dB	Leq dB <sup>2</sup>
Residential	65	45	---
Transient Lodging	65	45	---
Hospitals Nursing Homes	65	45	---
Theaters, Auditoriums, Music Halls	---	---	35
Churches, Meeting Halls	65	---	45
Office Buildings	---	---	45
School, Libraries, Museums	---	---	45

Source: City of Visalia, *General Plan*, October 2014, Table 8-3.

Notes:

1. Where the location of outdoor activity areas is unknown or is not applicable, the exterior noise level standard shall be applied to the property line of the receiving land use.
2. As determined for a typical worst-case hour during periods of use.

## 4.0 Methodology and Existing Conditions

### 4.1 Field Measurements Project Site

Sound level meters and sound level analyzers measure sound levels. Section 772.11(d) (3) of 23 CFR 772 calls for the use of an integrating sound level meter or analyzer, which automatically measures Leq. Components of an SLM include: a microphone with preamplifier, an amplifier, frequency weighting, input gain control, time averaging, and an output indicator or display. The accuracy of an SLM is characterized by its “class.” There are three types of SLMs available: class 0, 1, and 2. Class 0 SLMs are designed for laboratory reference purposes, where the highest precision is required. Class 1 SLMs are designed for precision field measurements and research. Either class 1 or class 2 SLMs are acceptable for use in traffic noise analyses in conformance with FHWA guidelines.

Noise monitoring equipment used for the ambient noise survey consisted of a Reed Instruments R8080 Sound Level Meter/Data Logger. The monitoring equipment complies with applicable requirements of the American National Standards Institute (ANSI) for Type 2 (precision) sound level meters. The instrumentation was calibrated prior to and after each use with a Reed Instruments R8090 Sound Level Calibrator to ensure the accuracy of the measurements. The microphone was located on a tripod approximately five feet above the ground. The noise monitoring Site A was located at approximately 79 feet from the center of Caldwell Avenue. Site B was located at approximately 228 feet from the center of Caldwell Avenue, refer to Figure 2.

### 4.1 Field Measurements Sample Site

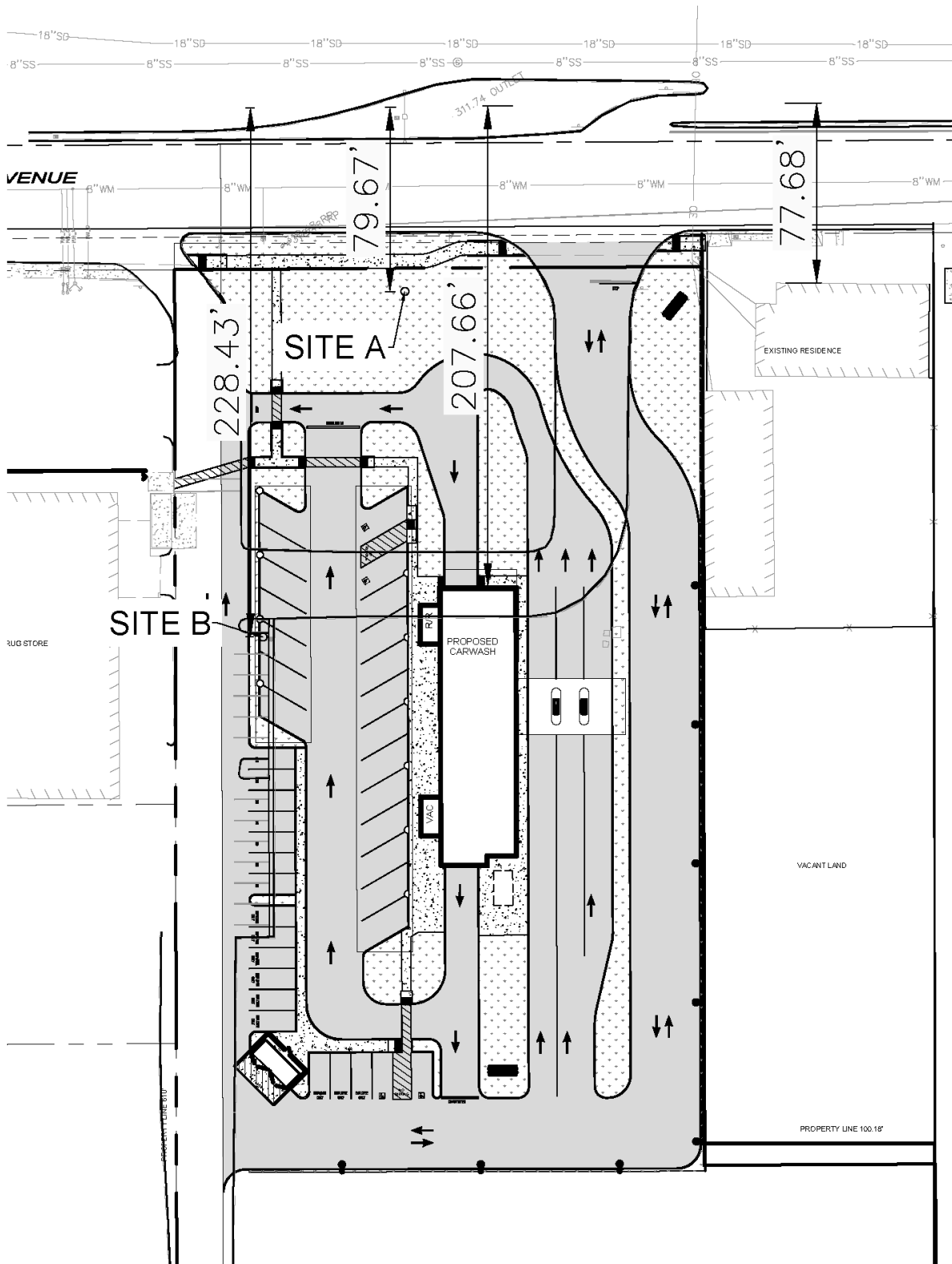
The existing Cypress Carwash located at the southwest corner of Akers Street and W Cypress Avenue, in Visalia, CA was chosen as a sample site. As the project site will have similar carwash and blower equipment. Two sample sites were collected on the exit/blower side of the carwash, during a wash cycle to determine the sound exposure from the carwash equipment and blowers. Site A was located at approximately 35 feet from the exit/blower side of the car wash. Site B was located at approximately 97 feet from the exit/blower side of the car wash. A summary of the noise measurements for each site are shown in Table 3, below. It can be determined that the project will generate similar noise exposure of 76.6 dBA.

**Table 3 – Summary of Noise Measurements**

Site	Location	Lmin <sup>1</sup>	Lmax <sup>1</sup>
A	+35 feet west of the exit/blower	65.5	76.6
B	+97 feet west of the exit/blower	65.5	72.0

<sup>1</sup> Based on SEL

Figure 2 – Site Map



## 4.2 FHWA Traffic Noise Model

In March 1998, the Federal Highway Administration (FHWA) released the Traffic Noise Model, Version 1.0 (FHWA TNM). It was developed as a means for aiding compliance with policies and procedures under FHWA regulations. Since its release in March 1998, Version 1.0a was released in March 1999, Version 1.0b in August 1999, Version 1.1 in September 2000, Version 2.0 in June 2002, Version 2.1 in March 2003 and the current version, Version 2.5 in April 2004. Version 3.0 was released in February 2020. The latest version TNM 3.0 was utilized to determine the noise resulting from vehicular activity along the surrounding roadways.

TNM is a state-of-the-art computer program used for predicting noise impacts in the vicinity of highways. It uses advances in personal computer hardware and software to improve upon the accuracy and ease of modeling highway noise, including the design of effective, cost-efficient noise barriers.

- TNM contains the following components:
- Modeling of five standard vehicle types, including automobiles, medium trucks, heavy trucks, buses, and motorcycles, as well as user-defined vehicles;
- Modeling of both constant-flow and interrupted-flow traffic using a 1994/1995 field measured data base;
- Modeling of the effects of different pavement types, as well as the effects of graded roadways;
- Sound level computations based on a one-third octave-band data base and algorithms;
- Graphically-interactive noise barrier design and optimization;
- Attenuation over/through rows of buildings and dense vegetation;
- Multiple diffraction analysis;
- Parallel barrier analysis; and
- Contour analysis, including sound level contours, barrier insertion loss contours, and sound-level difference contours.

## 5.0 Acoustical Analysis

### 5.1 Project Site Noise Exposure from Traffic

Caldwell Avenue runs along the northern boundary of the project site. The distance from the center of Caldwell Avenue to the closest proposed buildings will be approximately 207 feet.

In order to determine the ambient noise levels within the project area, 24-hour noise measurements were taken by VICE on Monday December 5, 2022 through Tuesday December 6, 2022. The detailed results of the field measurements are provided in Appendix A. The noise measurement sites were representative of typical existing noise exposure within project site and are shown on Figure 2. One-minute interval measurements were taken at each site, between 12:00 p.m. December 5, 2022 and 12:00 p.m. December 6, 2022. A summary of the noise measurements for each site are shown in Table 4, below. The Ldn for the project site is 77.3 dBA. For the purposes of this report the existing Ldn for this site is 77.3 dBA.

**Table 4 – Summary of Noise Measurements**

Site	Location	Lmin <sup>1</sup>	Lmax <sup>1</sup>	L <sub>DN</sub> <sup>2</sup>
A	+79 feet south of the centerline of Caldwell Avenue	38.4	84.3	77.3
B	+228 feet south of the centerline of Caldwell Avenue	35.6	76.5	67.0

<sup>1</sup> Based on SEL

<sup>2</sup> Includes 10 decibel penalty from 10:00 P.M. to 7:00 A.M.

## 5.2 Noise Mitigation

### 5.2.1 Exterior Noise Exposure and Mitigation

The City of Visalia Noise Element sets 65 dB DNL or less as the acceptability criterion for exterior noise levels at the property lines of residential land uses. The project proposes an automated carwash building with self serve vacuum stalls. The carwash exit/blower faces south towards the southerly property line. The buildings exit/blower is located approximately 328 feet south of the centerline of Caldwell Avenue, approximately 442 feet east of the centerline of Demaree Street, approximately 93 feet west of the easterly property line, and approximately 351 feet north of the southerly property line. There are existing residential land uses along the southerly property line, and easterly property line. The project is anticipated to generate 76.6 dBA at 35 feet, as shown in Table 3 previously.

Table 7 shows the summary of the adjusted sound exposures for the proposed location of the carwash building and distances to the property lines. Since the carwash exit/blower faces south, the projects noise exposure will have minimal impacts to the north towards Caldwell Avenue. In addition, the projects noise exposure is less than the noise exposure from the traffic on Caldwell Avenue. Due to the distance to Demaree Street, the projects noise exposure is 66 dBA, which is less than the noise exposure from the traffic on Demaree Street, aswell. The projects noise exposure at the easterly property line is 72.8 dBA. Therefore additional mitigation is needed to comply with the residential outdoor criterion of 65 dBA. The projects noise exposure at the southerly property line is 67 dBA. However, there is an existing 6' high block wall and wood fence along the southerly property line. A 6' high wood fence generally reduces the noise



exposure by 2-3 dBA. A 6' high block wall generally reduces the noise exposure by 5 dBA. The existing wood fence and block wall along the south property line will reduce the project's noise exposure to less than 65 dBA at the rear yard of the adjacent southerly parcel. No additional mitigation is needed along the southerly property line.

**Table 5 – Carwash Noise Levels Adjusted for Distance**

Site	Location	L <sub>DN</sub> <sup>2</sup>
1	+328 feet east of the centerline of Caldwell	67.3
2	+442 feet east of the centerline of Demaree	66.0
3	+93 feet west of the easterly property line	72.8
4	+351 feet north of the southerly property line	67.0

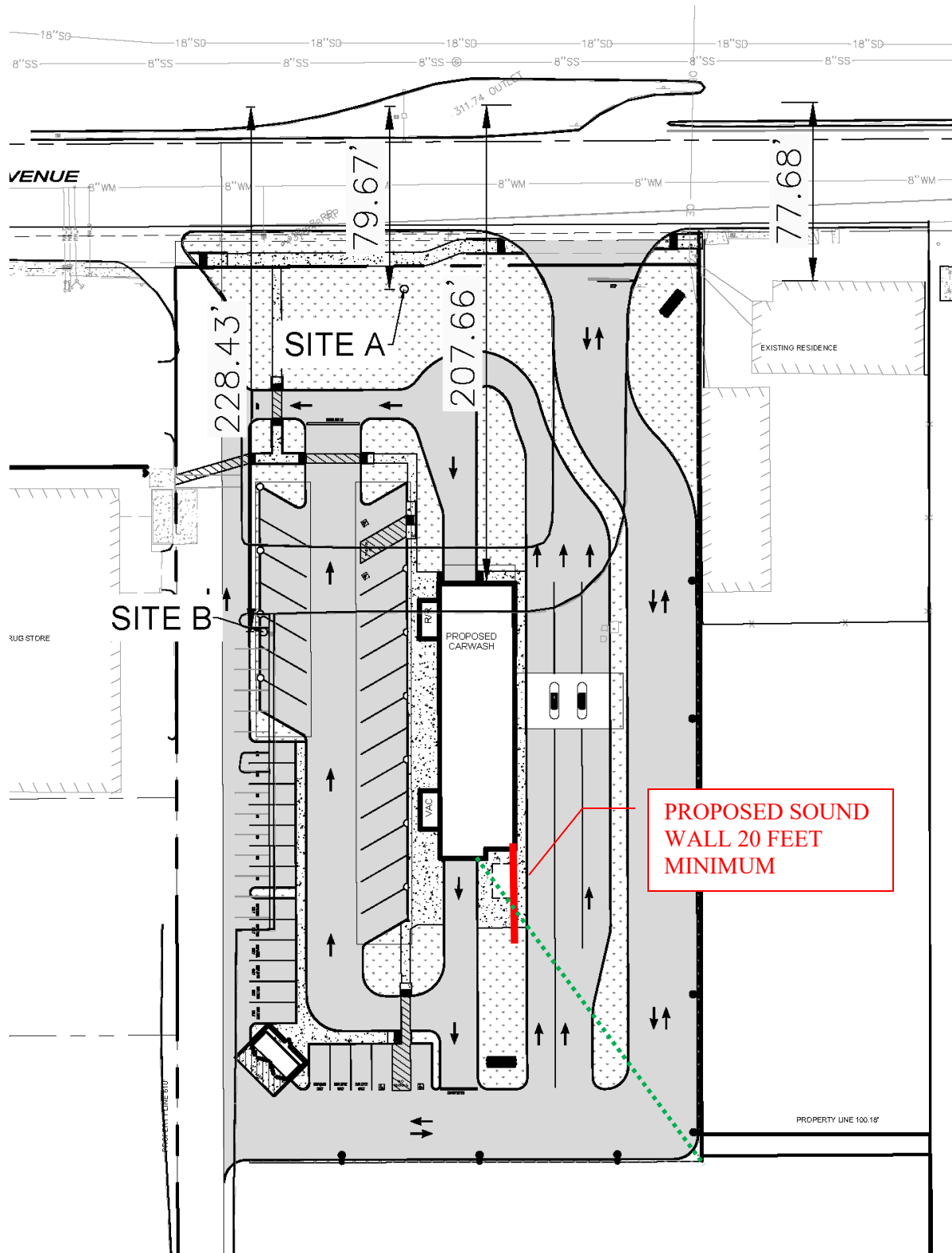
A sound wall barrier insertion was modeled using TNM 3.0 to calculate the insertion loss (noise reduction) provided by a proposed 8' high sound wall along the east side of the carwash exit lane for a minimum 20 feet south of the building, refer to Figure 3. The models indicated that a sound wall and landscape berm with a combined height of 8 feet, above the finish floor of the carwash building would reduce noise exposure by 8 dBA, to 64.8 dBA at the property line of the adjacent easterly parcel. The sound wall should be constructed of dense material, such masonry, and be continuous without gaps or openings from the building and extending south a minimum of 20 feet, as shown on Figure 3.

## 5.2.2 Interior Noise Exposure and Mitigation

The City of Visalia's interior noise level standard is 45 dB DNL. In order to satisfy the City's interior noise level standard, the proposed construction of the buildings will need to be capable of providing an outdoor-to-indoor noise level reduction (NLR) of approximately 20 dB (65-45=24).

A specific analysis of interior noise levels was not performed. However, it is generally accepted that commercial construction methods complying with current building code requirements will reduce exterior noise levels by a least 20-25 dB, if windows and doors are closed. Therefore, no additional interior noise reductions, additional sound dampening will be required for the proposed and existing buildings.

**Figure 3 – Sound Wall Location**



## 6.0 Conclusions and Recommendations

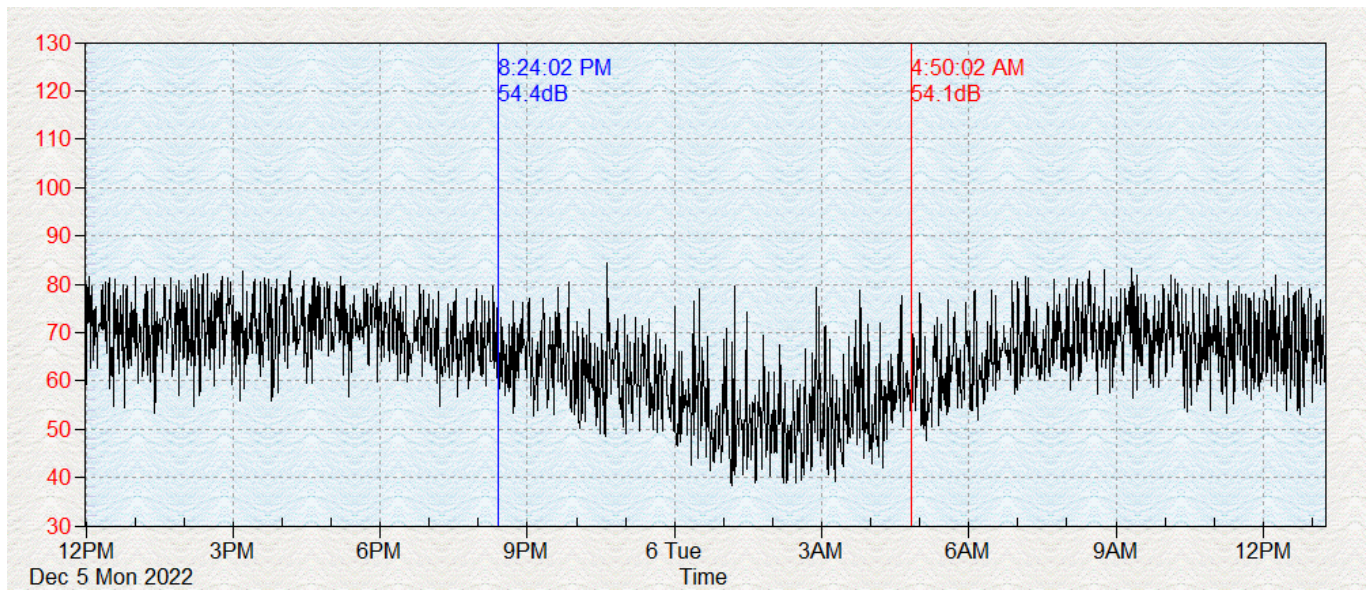
The project will comply with the exterior and interior noise level requirements of the City of Visalia provided the following mitigation measures are incorporated into the final project design:

1. The project shall construct 8' high sound wall and landscape berm with a combined height of 8 feet, along the east side of the carwash exit lane, as shown on Figure 3.
2. The sound wall should be constructed of dense material, such masonry, and be continuous without gaps or openings from the building and extending south a minimum of 20 feet, as shown on Figure 3.

The conclusions and recommendations of this acoustical analysis are based upon the best information available at the time the analysis was prepared concerning the proposed site plan, project grading, building construction and road traffic. Any significant changes in these factors will require a re-evaluation of the findings of this report.

## Appendix A: Noise Measurement Data Sheets

## Site A



Site A

date	time	dbA	Leq	Leq 15	dbA 15min	Leq h	Leq h
12/5/2022	12:00:02 PM	80	100000000.0				
12/5/2022	12:14:02 PM	69.8	9549925.9	37522306.7	75.7		
12/5/2022	12:29:02 PM	58.4	691831.0	39822245.6	76.0		
12/5/2022	12:44:02 PM	69.4	8709635.9	23023465.3	73.6		
12/5/2022	12:59:02 PM	68	6309573.4	28726889.1	74.6	32273726.7	75.1
12/5/2022	1:14:02 PM	79.8	95499258.6	26103293.3	74.2		
12/5/2022	1:29:02 PM	70.5	11220184.5	28271806.2	74.5		
12/5/2022	1:44:02 PM	81.4	138038426.5	34839028.8	75.4		
12/5/2022	1:59:02 PM	64.5	2818382.9	27490274.6	74.4	29176100.7	74.7
12/5/2022	2:14:02 PM	63.1	2041737.9	37422814.2	75.7		
12/5/2022	2:29:02 PM	82	158489319.2	53283558.7	77.3		
12/5/2022	2:44:02 PM	62.5	1778279.4	28672714.3	74.6		
12/5/2022	2:59:02 PM	59.3	851138.0	50191112.5	77.0	42392549.9	76.3
12/5/2022	3:14:02 PM	69.7	9332543.0	25522317.2	74.1		
12/5/2022	3:29:02 PM	72.9	19498446.0	32349377.0	75.1		
12/5/2022	3:44:02 PM	81	125892541.2	36217520.0	75.6		
12/5/2022	3:59:02 PM	75.6	36307805.5	34681691.0	75.4	32192726.3	75.1
12/5/2022	4:14:02 PM	76	39810717.1	49047121.2	76.9		
12/5/2022	4:29:02 PM	72.4	17378008.3	26093555.4	74.2		
12/5/2022	4:44:02 PM	66.6	4570881.9	39448538.0	76.0		
12/5/2022	4:59:02 PM	66.2	4168693.8	46187047.7	76.6	40194065.6	76.0
12/5/2022	5:14:02 PM	61.1	1288249.6	30997744.2	74.9		
12/5/2022	5:29:02 PM	69.4	8709635.9	26761899.3	74.3		
12/5/2022	5:59:02 PM	76.7	46773514.1	38100691.5	75.8	29607835.8	74.7
12/5/2022	6:14:02 PM	71.5	14125375.4	20948016.5	73.2		
12/5/2022	6:29:02 PM	61.8	1513561.2	18798201.6	72.7		
12/5/2022	6:44:02 PM	68.2	6606934.5	12698892.0	71.0		
12/5/2022	6:59:02 PM	77.2	52480746.0	27682672.2	74.4	20031945.6	73.0
12/5/2022	7:14:02 PM	67	5011872.3	16847059.3	72.3		
12/5/2022	7:29:02 PM	76.2	41686938.3	10252510.2	70.1		
12/5/2022	7:44:02 PM	65	3162277.7	12014518.4	70.8		
12/5/2022	7:59:02 PM	70.3	10715193.1	16102856.0	72.1	13804236.0	71.4
12/5/2022	8:14:02 PM	72.8	19054607.2	14950280.2	71.7		
12/5/2022	8:29:02 PM	71.1	12882495.5	13726712.2	71.4		
12/5/2022	8:44:02 PM	67.8	6025595.9	6690789.9	68.3		
12/5/2022	8:59:02 PM	61.2	1318256.7	8247840.9	69.2	10903905.8	70.4
12/5/2022	9:14:02 PM	60.9	1230268.8	8062299.9	69.1		
12/5/2022	9:29:02 PM	62.4	1737800.8	8644436.6	69.4		
12/5/2022	9:44:02 PM	67.7	5888436.6	13018382.7	71.1		
12/5/2022	9:59:02 PM	55.4	346736.9	10066284.1	70.0	9947850.8	70.0
12/5/2022	10:14:02 PM	62.9	1949844.6	4111423.1	66.1		
12/5/2022	10:29:02 PM	49	79432.8	3427359.1	65.3		
12/5/2022	10:44:02 PM	66.5	4466835.9	22055008.2	73.4		
12/5/2022	10:59:02 PM	73.6	22908676.5	4356759.8	66.4	8487637.6	69.3

Site A

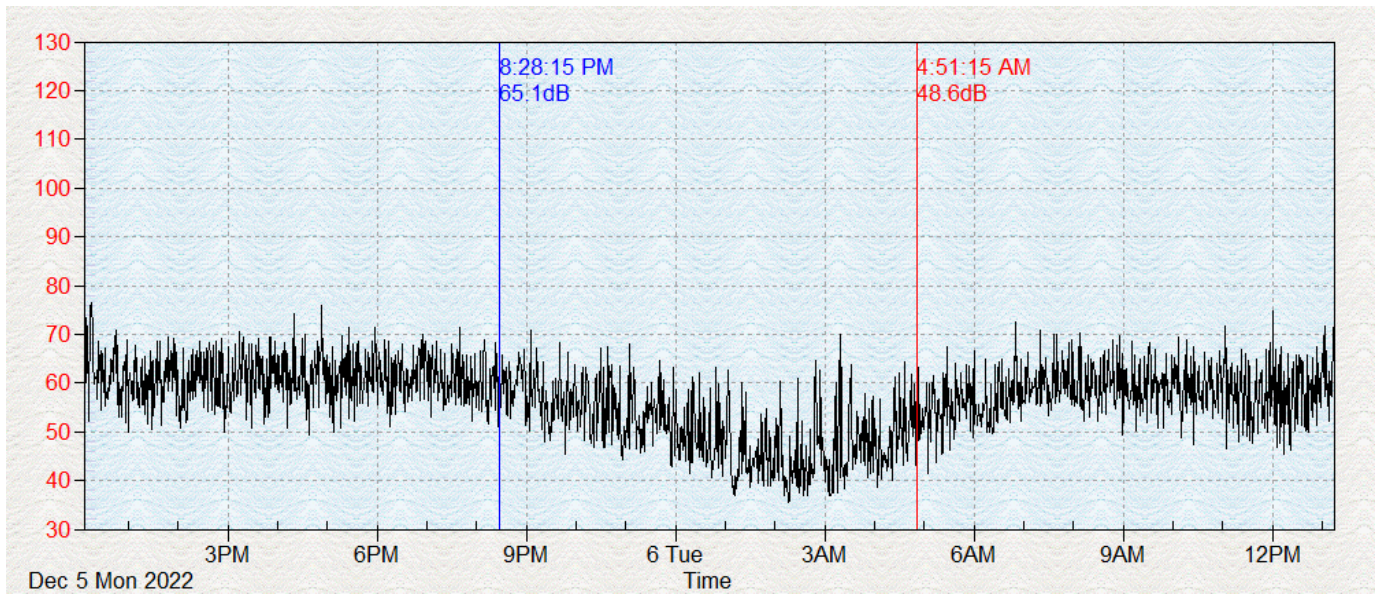
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12/5/2022	11:29:02 PM	52.4	173780.1	4739131.1	66.8		
12/5/2022	11:44:02 PM	54.5	281838.3	1799506.3	62.6		
12/5/2022	11:59:02 PM	49.6	91201.1	1047451.6	60.2	2752520.8	64.4
12/6/2022	12:14:02 AM	58.1	645654.2	3023030.2	64.8		
12/6/2022	12:29:02 AM	44	25118.9	3770388.9	65.8		
12/6/2022	12:44:02 AM	41.4	13803.8	7402897.8	68.7		
12/6/2022	12:59:02 AM	50.1	102329.3	126807.7	51.0	3580781.1	65.5
12/6/2022	1:14:02 AM	40.7	11749.0	8022438.1	69.0		
12/6/2022	1:29:02 AM	41.7	14791.1	1926409.1	62.8		
12/6/2022	1:44:02 AM	52.8	190546.1	210424.0	53.2		
12/6/2022	1:59:02 AM	52.3	169824.4	848560.1	59.3	2751957.8	64.4
12/6/2022	2:14:02 AM	49.2	83176.4	630267.5	58.0		
12/6/2022	2:29:02 AM	39	7943.3	163589.2	52.1		
12/6/2022	2:44:02 AM	44.8	30199.5	465698.8	56.7		
12/6/2022	2:59:02 AM	44.5	28183.8	10199612.0	70.1	2864791.8	64.6
12/6/2022	3:14:02 AM	56	398107.2	2451626.9	63.9		
12/6/2022	3:29:02 AM	51.9	154881.7	413054.2	56.2		
12/6/2022	3:44:02 AM	63.8	2398832.9	2936173.2	64.7		
12/6/2022	3:59:02 AM	45.4	34673.7	8657936.3	69.4	3614697.6	65.6
12/6/2022	4:14:02 AM	53.7	234422.9	1343196.7	61.3		
12/6/2022	4:29:02 AM	54.1	257039.6	804511.5	59.1		
12/6/2022	4:44:02 AM	62	1584893.2	6587456.2	68.2		
12/6/2022	4:59:02 AM	62.5	1778279.4	2021479.7	63.1	2689161.0	64.3
12/6/2022	5:14:02 AM	56.6	457088.2	7082861.2	68.5		
12/6/2022	5:29:02 AM	56.1	407380.3	5040625.1	67.0		
12/6/2022	5:44:02 AM	61.5	1412537.5	7242022.2	68.6		
12/6/2022	5:59:02 AM	64	2511886.4	5125368.3	67.1	6122719.2	67.9
12/6/2022	6:14:02 AM	61.5	1412537.5	11545593.1	70.6		
12/6/2022	6:29:02 AM	62.6	1819700.9	7762233.9	68.9		
12/6/2022	6:44:02 AM	66.6	4570881.9	7731611.5	68.9		
12/6/2022	6:59:02 AM	58.1	645654.2	15525163.9	71.9	10641150.6	70.3
12/6/2022	7:14:02 AM	69.8	9549925.9	36385300.3	75.6		
12/6/2022	7:29:02 AM	66.5	4466835.9	6722215.3	68.3		
12/6/2022	7:44:02 AM	81.1	128824955.2	16630379.8	72.2		
12/6/2022	7:59:02 AM	79.1	81283051.6	17486153.5	72.4	19306012.2	72.9
12/6/2022	8:14:02 AM	60.2	1047128.5	29935627.0	74.8		
12/6/2022	8:29:02 AM	68.6	7244359.6	43815304.6	76.4		
12/6/2022	8:44:02 AM	65.9	3890451.4	22401909.7	73.5		
12/6/2022	8:59:02 AM	66.5	4466835.9	25359015.6	74.0	30377964.2	74.8
12/6/2022	9:14:02 AM	75.6	36307805.5	28561179.6	74.6		
12/6/2022	9:29:02 AM	63.9	2454708.9	53070007.4	77.2		
12/6/2022	9:44:02 AM	63.2	2089296.1	16072586.6	72.1		
12/6/2022	9:59:02 AM	79.1	81283051.6	24096682.1	73.8	30450113.9	74.8

Site A

date	time	dbA	Leq	Leq 15	dbA 15min	Leq h	Leq h
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12/6/2022	10:29:02 AM	72.3	16982436.5	22980621.0	73.6		
12/6/2022	10:44:02 AM	60.2	1047128.5	14261140.7	71.5		
12/6/2022	10:59:02 AM	68	6309573.4	18222646.9	72.6	22954917.3	73.6
12/6/2022	11:14:02 AM	61.4	1380384.3	12790071.2	71.1		
12/6/2022	11:29:02 AM	74.3	26915348.0	23144994.0	73.6		
12/6/2022	11:44:02 AM	76.9	48977881.9	25235774.4	74.0		
12/6/2022	11:59:02 AM	72	15848931.9	14884189.6	71.7	19013757.3	72.8



## Site B



Site B

date	time	dbA	Leq	Leq 15	dbA 15min	Leq h	Leq h
12/5/2022	12:06:15 PM	44.9	30903.0				
12/5/2022	12:20:15 PM	60.9	1230268.8	9753567.8	69.9		
12/5/2022	12:35:15 PM	56.7	467735.1	2179666.3	63.4		
12/5/2022	12:50:15 PM	55.5	354813.4	2905757.0	64.6		
12/5/2022	1:05:15 PM	60.3	1071519.3	1684484.9	62.3	4130869.0	66.2
12/5/2022	1:20:15 PM	53.7	234422.9	1576096.5	62.0		
12/5/2022	1:35:15 PM	68.7	7413102.4	2004923.5	63.0		
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12/5/2022	2:05:15 PM	67.2	5248074.6	2332868.2	63.7	2038374.7	63.1
12/5/2022	2:20:15 PM	65.7	3715352.3	1499177.6	61.8		
12/5/2022	2:35:15 PM	54.1	257039.6	2434084.9	63.9		
12/5/2022	2:50:15 PM	66.3	4265795.2	2722139.5	64.3		
12/5/2022	3:05:15 PM	58.7	741310.2	1666935.3	62.2	2080584.3	63.2
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12/5/2022	3:35:15 PM	63.6	2290867.7	2115421.6	63.3		
12/5/2022	3:50:15 PM	54	251188.6	2460427.1	63.9		
12/5/2022	4:05:15 PM	65.8	3801894.0	2773317.9	64.4	2730236.2	64.4
12/5/2022	4:20:15 PM	58.5	707945.8	3698011.9	65.7		
12/5/2022	4:35:15 PM	52.4	173780.1	2521791.4	64.0		
12/5/2022	4:50:15 PM	67.4	5495408.7	2493639.8	64.0		
12/5/2022	5:05:15 PM	67.3	5370318.0	4813729.2	66.8	3381793.1	65.3
12/5/2022	5:19:15 PM	65	3162277.7				
12/5/2022	5:20:15 PM	65.3	3388441.6	1921283.9	62.8		
12/5/2022	5:35:15 PM	55.4	346736.9	2939082.0	64.7		
12/5/2022	6:05:15 PM	58.5	707945.8	2833357.0	64.5	2547528.6	64.1
12/5/2022	6:20:15 PM	64.5	2818382.9	2407442.7	63.8		
12/5/2022	6:35:15 PM	62.8	1905460.7	1779108.0	62.5		
12/5/2022	6:50:15 PM	67.2	5248074.6	1703224.9	62.3		
12/5/2022	7:05:15 PM	64.1	2570395.8	3563418.7	65.5	2363298.6	63.7
12/5/2022	7:20:15 PM	54.4	275422.9	2313174.7	63.6		
12/5/2022	7:35:15 PM	55.6	363078.1	1579938.1	62.0		
12/5/2022	7:50:15 PM	61.1	1288249.6	2651127.6	64.2		
12/5/2022	8:05:15 PM	54.1	257039.6	1504708.0	61.8	2012237.1	63.0
12/5/2022	8:20:15 PM	59.6	912010.8	1554813.5	61.9		
12/5/2022	8:35:15 PM	63.2	2089296.1	1823229.3	62.6		
12/5/2022	8:50:15 PM	66.3	4265795.2	1049819.4	60.2		
12/5/2022	9:05:15 PM	70.7	11748975.5	1955001.2	62.9	1595715.9	62.0
12/5/2022	9:20:15 PM	64.4	2754228.7	1227564.4	60.9		
12/5/2022	9:35:15 PM	61	1258925.4	352293.7	55.5		
12/5/2022	9:50:15 PM	66.3	4265795.2	985508.7	59.9		
12/5/2022	10:05:15 PM	51	125892.5	461033.5	56.6	756600.1	58.8
12/5/2022	10:20:15 PM	53.7	234422.9	691764.6	58.4		
12/5/2022	10:35:15 PM	47.9	61659.5	1100392.1	60.4		
12/5/2022	10:50:15 PM	49.8	95499.3	979778.4	59.9		

Site B

date	time	dbA	Leq	Leq 15	dbA 15min	Leq h	Leq h
12/5/2022	11:05:15 PM	68.1	6456542.3	746143.8	58.7	879519.7	59.4
12/5/2022	11:20:15 PM	54.2	263026.8	377940.6	55.8		
12/5/2022	11:35:15 PM	53.3	213796.2	324057.9	55.1		
12/5/2022	11:50:15 PM	50.5	112201.8	569862.3	57.6		
12/6/2022	12:05:15 AM	50.7	117489.8	296878.8	54.7	392184.9	55.9
12/6/2022	12:20:15 AM	43.8	23988.3	194665.7	52.9		
12/6/2022	12:35:15 AM	53.3	213796.2	348836.4	55.4		
12/6/2022	12:50:15 AM	49.4	87096.4	224690.5	53.5		
12/6/2022	1:05:15 AM	52.7	186208.7	286750.2	54.6	263735.7	54.2
12/6/2022	1:20:15 AM	60.2	1047128.5	91987.2	49.6		
12/6/2022	1:35:15 AM	43.9	24547.1	70333.7	48.5		
12/6/2022	1:50:15 AM	49.7	93325.4	84381.7	49.3		
12/6/2022	2:05:15 AM	41.6	14454.4	46211.5	46.6	73228.5	48.6
12/6/2022	2:20:15 AM	42.1	16218.1	93430.8	49.7		
12/6/2022	2:35:15 AM	38.6	7244.4	116650.0	50.7		
12/6/2022	2:50:15 AM	47.4	54954.1	256706.3	54.1		
12/6/2022	3:05:15 AM	44.2	26302.7	165241.2	52.2	158007.1	52.0
12/6/2022	3:20:15 AM	57.1	512861.4	988502.4	59.9		
12/6/2022	3:35:15 AM	47.2	52480.7	242939.4	53.9		
12/6/2022	3:50:15 AM	52.5	177827.9	118250.7	50.7		
12/6/2022	4:05:15 AM	41.6	14454.4	116495.4	50.7	366547.0	55.6
12/6/2022	4:20:15 AM	50.3	107151.9	78021.0	48.9		
12/6/2022	4:35:15 AM	56.6	457088.2	333293.3	55.2		
12/6/2022	4:50:15 AM	56	398107.2	477690.7	56.8		
12/6/2022	5:05:15 AM	41.5	14125.4	337637.1	55.3	306660.5	54.9
12/6/2022	5:20:15 AM	51.8	151356.1	430137.7	56.3		
12/6/2022	5:35:15 AM	48.6	72443.6	833525.5	59.2		
12/6/2022	5:50:15 AM	52.7	186208.7	577602.9	57.6		
12/6/2022	6:05:15 AM	53.8	239883.3	965708.3	59.8	701743.6	58.5
12/6/2022	6:20:15 AM	59.9	977237.2	467887.5	56.7		
12/6/2022	6:35:15 AM	55.5	354813.4	831300.9	59.2		
12/6/2022	6:50:15 AM	72.5	17782794.1	1985834.9	63.0		
12/6/2022	7:05:15 AM	66.2	4168693.8	1222792.7	60.9	1126954.0	60.5
12/6/2022	7:20:15 AM	70.9	12302687.7	1542471.2	61.9		
12/6/2022	7:35:15 AM	64.1	2570395.8	1136173.6	60.6		
12/6/2022	7:50:15 AM	57.8	602559.6	2387568.6	63.8		
12/6/2022	8:05:15 AM	55.8	380189.4	1910703.8	62.8	1744229.3	62.4
12/6/2022	8:20:15 AM	64.9	3090295.4	2178908.3	63.4		
12/6/2022	8:35:15 AM	62.4	1737800.8	1278485.4	61.1		
12/6/2022	8:50:15 AM	54.8	301995.2	2188088.4	63.4		
12/6/2022	9:05:15 AM	57.1	512861.4	1941144.4	62.9	1896656.6	62.8
12/6/2022	9:20:15 AM	64.9	3090295.4	1432547.8	61.6		
12/6/2022	9:35:15 AM	59.4	870963.6	1805395.9	62.6		
12/6/2022	9:50:15 AM	61.9	1548816.6	1233584.1	60.9		

Site B

date	time	dbA	Leq	Leq 15	dbA 15min	Leq h	Leq h
12/6/2022	10:05:15 AM	57.8	602559.6	1374779.5	61.4	1461576.8	61.6
12/6/2022	10:20:15 AM	58.4	691831.0	1888787.0	62.8		
12/6/2022	10:35:15 AM	55.7	371535.2	1406992.1	61.5		
12/6/2022	10:50:15 AM	56.3	426579.5	1160998.2	60.6		
12/6/2022	11:05:15 AM	46.5	44668.4	2340552.1	63.7	1699332.4	62.3
12/6/2022	11:20:15 AM	56.6	457088.2	954607.7	59.8		
12/6/2022	11:35:15 AM	50.6	114815.4	1529943.6	61.8		
12/6/2022	11:50:15 AM	57.7	588843.7	854154.0	59.3		
12/6/2022	12:05:15 PM	46.7	46773.5	3782930.5	65.8	1780409.0	62.5

Reference: Conditional Use Permit No. 2023-024  
City of Visalia Planning Department  
315 E. Acequia, Visalia, CA 93291

March 18, 2024

Dear Planning Department

I reside at 3750 S. Demaree St., directly behind the South wall of the proposed development. The Long's Drugstore (now CVS Pharmacy) built in 2009 was required to put a concrete block wall on the south side of the that parcel. The remaining 300 ft. on the adjacent parcel going east, a wood fence was constructed. A future phase of development, the wood fence was to be replaces with a concrete block wall. I wanted to confirm that this requirement was part of the Planning Department's mitigation measures. The other issues would be light shielding and noise control. I have lived at this address since 1975 and have no plans on moving. I would appreciate the Planning Department consideration to these issues to minimize the impact to our property.

Regards,

Michael Kreps & Susan Zachary

**From:** [Ken Terry](#)  
**To:** [Planning](#)  
**Subject:** Conditional Use Permit No. 2023-024  
**Date:** Thursday, March 21, 2024 10:28:58 AM

---

Some people who received this message don't often get email from ksrbbterry@msn.com. [Learn why this is important](#)

To Visalia Planning Commission,

I strongly oppose the conditional use permit No. 2023-024: A request by Freeline Architecture to develop a 2,03-acer parcel with a 4,300 square foot drive-thru carwash building with an attached covered pay kiosk and two detached vacuum canopy structures. The carwash will have a tremendous negative impact on my family residence. My house (3503 W. Caldwell) is next door to the potential project, and the noise from the large machines and vacuums and hundreds of cars going through the carwash is going to be very problematic. I am sure there were some routine environmental studies done to determine the effects on the environment, but I assure you that it wasn't targeted on the impact it would have on my primary residence which will be literally; next door. Also, this project will devalue the potential use of the commercial land proposed for a future shopping center. Also, there is a carwash down the street on Caldwell Ave. Please consider my opposition to this project. I am requesting that my complaint be read and posted a the Monday, March 25, hearing.

Please, keep me informed of all thing containing to this project.

Sincerley,

Ken Terry



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** September 11, 2006

**PROJECT PLANNER:** Andrew Chamberlain, A.I.C.P., 713-4003

**SUBJECT: Specific Plan Amendment No. 2006-02:** A request by The Taylor Group to amend the Demaree/Caldwell Specific Plan to allow the relocation of an access point on Caldwell Avenue, and to allow a phased development of Sub-area B.

**Conditional Use Permit No. 2006-32:** A request by The Taylor Group to have a Pharmacy with a drive-thru lane.

The site is located on the southeast corner of Caldwell Avenue and Demaree Street (APNs: 126-030-033/034/035/036/014/015).

## STAFF RECOMMENDATION *Item # 8*

Staff recommends approval of Conditional Use Permit No. 2006-29 based upon the findings and conditions in Resolution No 2006-90; and

Staff recommends approval of the phased development of Sub-area "B" but denial of the relocation of the access drive for Specific Plan Amendment No 2006-02 based on the findings in Resolution No. 2006-91.

## RECOMMENDED MOTION

I move to approve Conditional Use Permit No 2006-32 by adoption of Resolution No. 2006- 90

I move to approve Specific Plan Amendment No 2006-02, to approve the phased development of Sub-area "B", and to deny relocating the second Caldwell Avenue drive access from the east property line of the sub-area, by adoption of Resolution No. 2006-91

## PROJECT DESCRIPTION

**Specific Plan Amendment No. 2006-02** is a request to amend the Demaree/Caldwell Specific Plan to allow the relocation of an access point on Caldwell Avenue, and to allow a phased development of Sub-area B as shown in Exhibit "A". The Master Development Plan, as shown in Exhibit "C", contains two access drives onto Caldwell Avenue. The applicant is requesting to relocate the easternmost drive from the east property line by approximately 300 feet to the west. The second part of the specific plan request is to allow the phasing of Sub-area "B" to allow the construction of the proposed pharmacy as the first phase.

**Conditional Use Permit No. 2006-32** is a request for a drive-thru window for a pharmacy as illustrated in Exhibit "A". Pharmacies are a permitted use in the underlying Community Commercial Zone and the Specific Plan, but the drive-thru component requires a Conditional Use Permit approval .

## BACKGROUND INFORMATION

General Plan Land Use Designation: CCM  
Zoning: C-CM (Community Comm.)  
Surrounding Land Use and Zoning: North: C-CM / Commercial  
South: C-CM / Commercial  
East: C-CM / Commercial  
West: C-CM / Commercial  
Environmental Review: Negative Declaration No. 2006-67  
Special Districts: Demaree/Caldwell Specific Plan, Sub-area "B"  
Site Plan: Site Plan Review No. 2006-02

## **RELATED PLANS & POLICIES**

Please refer to Chapter 3 of the Demaree/Caldwell Specific Plan regarding the development plan for Sub-area "B". This document has been placed on the City web-site and may be found at, [www.ci.visalia.ca.us](http://www.ci.visalia.ca.us) under Community Development/Publications.

## **RELATED PROJECTS**

The Demaree/Caldwell Specific Plan was adopted in 1996, and encompasses approximately 66 acres on the south side of Caldwell Avenue on the east and west sides of Demaree Street. This location is one of the four Community Commercial locations in the City which are designated in the General Plan Land Use Element to serve a quadrant of the community through a Specific Plan.

## PROJECT EVALUATION

### Condition Use Permit No.2006-32

The proposed drive-thru is similar to those approved for the pharmacies at the southeast corner of Walnut Avenue and Ben Maddox Way, and the northwest corner of Akers Street and Cypress Avenue.

Staff raised the issue of on-site circulation at the southeast corner of the proposed building with the applicants during the Site Plan Review process. The site layout has the two main access/drive aisles converging at the southeast corner of the pharmacy building where the loading dock and drive-thru access are also located. The number of potentially conflicting vehicle maneuvers in the future, when other tenants are established on the site, is a concern to staff. The Planning Commission may determine that added conditions to redesign this portion of the site should be included in this use permit. There are several options to enhance the function of this portion of the site. They would include, but not be limited to, reversing the vehicle direction for the drive-thru, which would reduce the need for vehicles entering and exiting the drive-thru from having to cross on-coming traffic in the main drive aisle. The addition of pavement striping and landscaping to further separate the loading dock and drive-thru from the main aisles would also reduce the potential for vehicle conflicts in this area. There is sufficient land on the site to move the building north up to five feet, or the east/west access drive south by



the same amount to allow more room for the added landscaping and/or striping. The addition of a larger landscape island along the south edge of the loading dock would also significantly enhance the visual appearance of the dock area.

It should be noted that one of the issues which has caused staff to recommend denial of the requested relocation of the drive aisle on Caldwell Avenue is related to the fact that the drive-thru would substantially contribute to potential peak hour traffic conflicts on the site due to vehicles exiting the drive-thru and having to cross oncoming traffic is that is entering the site from Caldwell Avenue.

The applicant has included proposed building elevations in Exhibit "D", along with tentative elevations of the other shops and buildings in the sub-area in Exhibit "E". Staff has included a requirement for consistency with the elevations in Exhibit "D" in Condition No. 2. The shops and other building elevations are not conditioned by this action since they are on separate properties. Their future development is required to be compatible with the first approved building in the sub-area, as specified in Policy B-5 of the Specific Plan.

#### Specific Plan Amendment No 2006 -02

#### **Phased Development of Sub-Area "B"**

Staff supports the phased development of Sub-area "B". The site plan provided in Exhibit "A" demonstrates that there are opportunities to develop portions of the site independently based upon the common access drives which would serve any of the phases.

The applicant intends to install the cross-hatched area as Phase One for the proposed pharmacy. The Phase One improvements include all four access drives, with approximately 30 feet of paving width for the drive aisles to the south and east. Staff supports providing full vehicle access on the site with Phase One. The southerly extension of the proposed main north/south access drive all the way to the southern property line of the sub-area will create a large pocket of un-improved frontage along Demaree Street.

As a part of Phase One, staff has included a condition requiring a seven foot high block wall along a portion of the southern property line of the Sub-area, adjacent to the existing single family residence. The wall will provide view and noise protection to the house, and should extend approximately 25 feet east of the house. The remaining 460 feet to the west (approximate) will be addressed at the time of a development proposal for the "Major Retail A", the interim wall is being proposed as needed.

#### **Relocation of Caldwell Avenue Access Drive**

Staff is recommending denial of the relocation of the Caldwell Avenue access drive from the east property line to the proposed location to provide direct access to the pharmacy. As the access drive exists now in the Specific Plan, it is a secondary access drive along the eastern property line which would typically be for service and delivery vehicles.

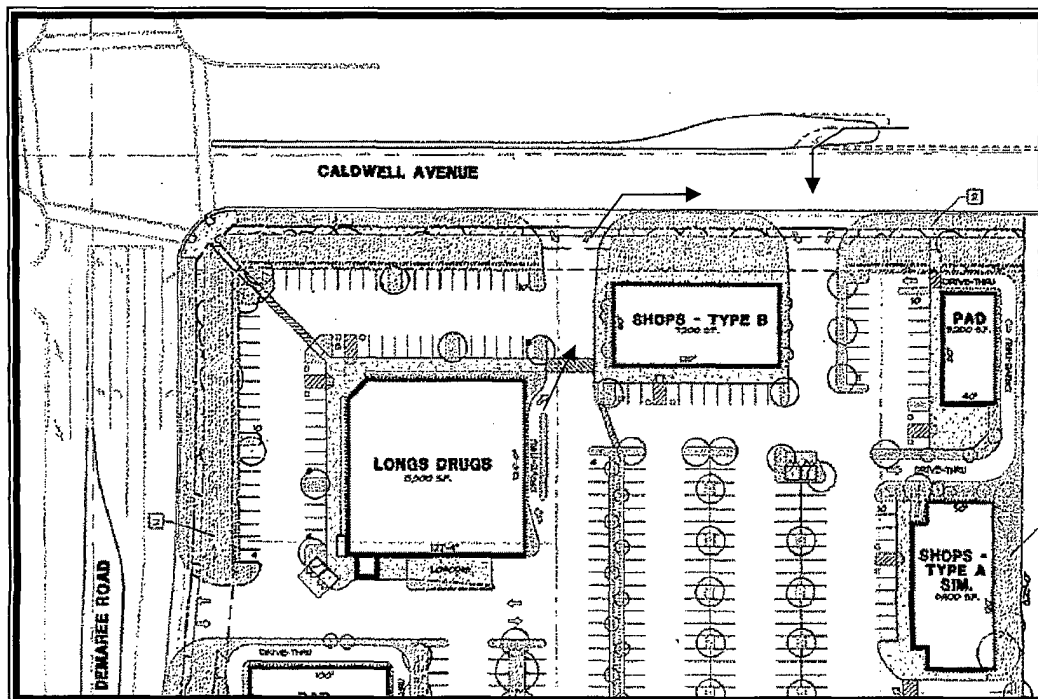
The applicant has provided an Access Analysis, Exhibit "G", which indicates that the benefits of greater safety and convenience will result, along with increased speeds of traffic on Caldwell Avenue. The Analysis concludes that the relocation of the second access drive from a typical service vehicle access to a major access point, thereby creating two major access points on Caldwell Avenue, will give drivers quicker access and reduce frustration. The analysis also recommends that a "decel lane" be added to afford additional protection. The addition of a "decel lane" would typically require that the building be moved back further to accommodate the loss of landscaping along the frontage.

The recommendation to deny the relocation of the access drive is based on the issues listed below:

1. Potential conflicting turning maneuvers from vehicles exiting the site east-bound on Caldwell Avenue while west-bound vehicles are trying to cross the east-bound lanes at the median break 150 feet away.
2. The drive-thru would substantially contribute to potential peak hour traffic conflicts on/off the site due to vehicles exiting the drive-thru having to cross oncoming traffic is that is entering the site from Caldwell Avenue, which would typically be most problematic at the peak hours. The access analysis does not cover the potential of on-site conflicts from the proposed drive-thru.
3. The proposed two access drives have approximately 80 feet of separation between the radius returns which does not meet City Standards for 500 feet between the access points. It should be noted that the existing Specific Plan does not have the required separation for the approved access points on Caldwell Avenue in Sub-area "B".
4. Two close access points gives bicycles and pedestrians two areas of conflict with vehicles utilizing the site.

The City Public Works Department has reviewed the applicant's Access Analysis and has also noted that the access point should not be relocated based upon the lack of separation between the two Caldwell Avenue access points. Engineering recognizes that the existing plan does not meet the separation standards, and that the proposed relocation of the access drive does meet the minimum 200 foot distance from the arterial intersection.

The City Engineer has included a condition in the Use Permit that the medians in Caldwell and Demaree shall be installed with Phase One to control conflicting turning maneuvers entering/exiting the site. Staff has included Condition No. 7 requiring the medians and striping as a part of the building permit for the pharmacy/Phase One. At the southern access point on Demaree, there may not be enough existing right-of-way to accommodate the median and striping, wherein the Public Works Department would work with the applicant to create an interim solution.



## Landscaping

Landscaping plans will be submitted with the project's building permit package for review by the Planning Division. Staff is further recommending a condition of approval that requires placing a permanent landscape screen or mounding that achieves a height of three-foot to visually screens parking stalls and drive-thru lanes from any adjacent public street. The applicant has provided Caldwell and Demaree cross sections, Exhibit "F", which show a three-foot high wall or evergreen hedge to screen the parking areas adjacent to the street. The provision for a three-foot high wall, mound or evergreen hedge is one of the landscaping standards in the Specific Plan.

## Environmental Review

An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA). The Initial Study disclosed that environmental impacts are determined to be not significant. Therefore, staff recommends that Negative Declaration No. 2006-67 be adopted for this project.

## **RECOMMENDED FINDINGS**

### **Conditional Use Permit No. 2006-32**

1. That the proposed drive-thru is similar to other pharmacy drive-thru approvals.
2. That the proposed drive-thru will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and Negative Declaration No. 2006-67 is hereby adopted.
4. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

### **Specific Plan Amendment No 2006 -02**

1. That the phased development of the sub-area can be done in an orderly fashion as shown in Exhibit "A".
2. That the proposed Specific Plan Amendments, as amended by staff, are consistent with the purpose and intent of the Demaree Caldwell Specific Plan, Zoning Ordinance, and the Land Use Element.
3. That the proposed relocation of the access drive from the eastern property line to the proposed location is not supported based upon the following:

- Potential conflicting turning maneuvers from vehicles exiting the site east-bound on Caldwell Avenue while west-bound vehicles are trying to cross the east-bound lanes at the median break 150 feet away.
  - The drive-thru would substantially contribute to potential peak hour traffic conflicts on/off the site due to vehicles exiting the drive-thru having to cross oncoming traffic is that is entering the site from Caldwell Avenue, which would typically be most problematic at the peak hours. The access analysis does not cover the potential of on-site conflicts from the proposed drive-thru.
  - The proposed two access drives have approximately 80 feet of separation between the radius returns which does not meet City Standards for 500 feet between the access points. It should be noted that the existing Specific Plan does not have the required separation for the approved access points on Caldwell Avenue in Sub-area "B".
  - Two close access points gives bicycles and pedestrians two areas of conflict with vehicles utilizing the site.
4. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and Negative Declaration No. 2006-67 is hereby adopted.
  5. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

<b>RECOMMENDED CONDITIONS OF APPROVAL</b>
---

**Conditional Use Permit No. 2006-32**

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2006-002.
2. That the site be developed in substantial compliance with the site plan shown in Exhibits "A" and "B", and the building elevations in Exhibit "D", attached herein, and with modifications to match the Sub-area access points in the Specific Plan,.
3. That landscaping and irrigation plans be submitted for review by Planning Division staff with building permits.
4. That an evergreen hedge, mound, or wall approximately 3 foot-high be installed along drive-thru lanes and parking lots which are directly adjacent to Caldwell Avenue or Demaree Street, consistent with the Specific Plan requirements.
5. That a seven foot high block wall be constructed along the southern property line of Sub-area "B" from approximately 25 feet behind the right-of-way line on Demaree to approximately 25 feet past the east end of the house on the adjacent property. An additional wood fence, minimum height six foot, will be required to define the property line and reduce headlight glare across the balance of the property to the south where a fence of this description may not already be in place.
6. That this conditional use permit shall not be deemed approved if Specific Plan Amendment No. 2006-02 is not approved by the City Council.
7. That the Caldwell and Demaree medians and striping shall be installed by the developer as a part of the pharmacy/Phase One building permit (such medians to control/eliminate left turns

into the subject site). This condition shall be met prior to the first building occupancy in Sub-area "B".

8. That all other city codes and ordinances be met.
9. 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 Conditional Use Permit No. 2006-32, prior to the issuance of any building permits for this project.

#### **Specific Plan Amendment No 2006-02**

1. That the phasing of the proposed project be substantially consistent with Exhibit "A".
2. That the adopted vehicle circulation and access plan (figure 9, Caldwell /Demaree Specific Plan) be met.
3. That all other requirements of the Caldwell /Demaree Specific Plan be met.

#### **Attachments:**

- Exhibit "A" – Site Plan
- Exhibit "B" – Site Plan - Pharmacy
- Exhibit "C" – Sub-area "B" site plan from adopted Specific Plan
- Exhibit "D" – Pharmacy Elevations
- Exhibit "E" – Tentative Elevations for Shops and Other Buildings
- Exhibit "F" – Cross Sections for Caldwell Avenue and Demaree Street
- Exhibit "G" – Access Analysis
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

#### **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.38.120, an appeal to the City Council may be submitted within five working days following the date of a decision by the Planning Commission on a conditional use permit application. An appeal shall be in writing and shall be filed with the City Clerk at 707 W. Acequia Ave., 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 Specific Plan Amendment goes on to the City Council for final action, any appeal of the Conditional Use Permit would typically be heard at the same time. If the conditional use permit is approved and not appealed, the City Council would not review the use permit, and only the specific plan amendment would be reviewed.

THE WEST HALF OF THE NORTH HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 14 SOUTH, RANGE 24 EAST, M084N, IN THE UNINCORPORATED AREA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THE NORTH 80 FEET THEREOF.

The shaded area is the site of the proposed development.

1. LANDSCAPING AREA
2. DASHED LINE INDICATES BUMPER OVERHANG, TYP.
3. 6" HIGH CONTINUOUS CONCRETE CURB, TYP., SEE CIVIL DRAWINGS
4. PAINTED WHITE DIRECTIONAL ARROW, TYP.; SEE DETAIL XX
5. 4" WIDE PAINTED WHITE PARKING STRIPE, TYP.
6. NCAP SYMBOL, PAINTED ON PAVEMENT, TYP., SEE DETAIL XX
7. NCAP PARKING SIGN, TYP., SEE DETAIL XX
8. BUILDING ENTRANCE
9. DASHED LINE INDICATES REEDED PARKING CURB WITH 3" WHITE LETTERS STATING "NO PARKING", TYP.
10. VAN ACCESSIBLE PARKING LOADING AREA 14' X 4' WITH WHITE STRIPES, TYP., SEE DETAIL XX
11. CONC. DRIVE APPROACH PER CITY OF VISALIA PUBLIC WORKS STANDARD SPECIFICATIONS (C-14) REMOVE (1) CONC. CURB & BUTTER AS REQUIRED FOR CONSTRUCTION OF APPROACH
12. SITE NCAP "TOWNAUT" SIGN, TYP., SEE DETAIL XX
13. (1) CONC. CURB AND BUTTER
14. DISABLED ACCESS RAMP (1:30 MAX. SLOPE)
15. INDICATES PROPERTY OR PARCEL LINE, TYP.
16. (1) CONC. SIDEWALK
17. CMU TRASH ENCLOSURE (TYPE 3) 22'-4" X 8'-0" WITH CMU CURB; SEE DETAILS SUBMITTED PER CITY OF VISALIA; SLOPE CONC. TO FLUSH WITH EXISTING CURB COLOR OF WALL AND GATES TO BE PAINTED TO MATCH
18. (1) CABLE/TELECOM BOX
19. DESIGN AND CONSTRUCT PARKING LOT A.C. PAVEMENT AND DRAINAGE IN ACCORDANCE WITH PUBLIC WORKS STANDARDS
20. DASHED LINE INDICATES SECTION BOUNDARIES
21. BUS STOP WITHIN 50 FT. OF INTERSECTION
22. BANISH MONUMENT SIGN FOR ENTIRE COMPLEX
23. 8 FT. HIGH CMU WALL OR HEDGE TO SCREEN PARKING
24. 8'-0" FT. HIGH CMU FENCE, HEIGHT TO BE DETERMINED PER CITY OF VISALIA SUBAREA C IS DEVELOPED; SEE DETAIL USPR2
25. STOP SIGN
26. INDICATES PROPOSED LEFT TURN POCKET
27. CMU WALL WITH TRELLIS COVER


1. ADDRESS NUMBERS MUST BE PLACED ON THE EXTERIOR OF THE BUILDING IN SUCH A POSITION AS TO BE CLEARLY AND PLAINLY BE VIEWED FROM THE STREET. NUMBERS SHALL BE AT LEAST 8" HIGH AND SHALL BE OF A COLOR TO CONTRAST WITH THE BACKGROUND.
2. A KNOX BOX KEY LOCK SYSTEM IS REQUIRED.
3. PROVIDE SHARED PARKING/ACCESS AGREEMENTS. THE AGREEMENTS/AGREEMENTS WILL NEED TO BE APPROVED AND RECORDED PRIOR TO ISSUANCE OF BUILDING PERMITS.
4. ALL ROOF MOUNTED EQUIPMENT SHALL BE SCREENED.
5. ALL LIGHTING TO BE DESIGNED AND INSTALLED TO PREVENT ANY SIGNAGE OR LIGHT OR ADJACENT LIGHT GLARE FROM FALLING UPON ANY ADJACENT RESIDENTIAL PROPERTY.
6. ALL SIGNS REQUIRE A SEPARATE PERMIT.
7. ALL ON-SITE STORM WATER TO BE DIRECTED TO CITY'S STORM DRAINAGE SYSTEM.
8. VACANT PLOTS TO BE TURFED WITH HYDRO-SEEDING AND MULCH TO PREVENT EROSION.

LAND AREA: 372,487 SQ. FT. (8.5 ACRES)  
BUILDING AREA: 81,057 SQ. FT.  
COVERAGE: 21.8%  
APN: 126-050-003-34,35, & 36

STANDARD PARKING STALLS = 347 STALLS  
4' x 10' THROUGH CUT  
HCAP PARKING STALLS = 17 STALLS  
4' x 10' THROUGH CUT  
PARKING REQD. (1 PER 225 SF) = 360 STALLS  
TOTAL PARKING PROVIDED = 364 STALLS  
PARKING RATIO = 4.3 STALLS/1000 SF

SCALE: 1"=40'-0"

**THE TAYLOR GROUP  
ARCHITECTS**



**976 WEST ALLIUMIAL AVENUE  
SUITE 107  
FRESNO, CA 93711  
TEL. 559 . 437 . 5000  
FAX 559 . 437 . 5006**

**PROPOSED MASTER SITE PLAN FOR  
LONGS DRUG STORES  
CALDWELL AVE. & DEMAREE ROAD**

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For more information, contact:

Executive Director  
Tropic Group  
10000 Wilshire Blvd., Suite 1000  
Beverly Hills, CA 90210  
Tel: 310-277-1000  
Fax: 310-277-1001

**DRAWN BY** \_\_\_\_\_  
**DATE** 5/17/96  
**REVISIONS** \_\_\_\_\_

**SHEET NO** \_\_\_\_\_

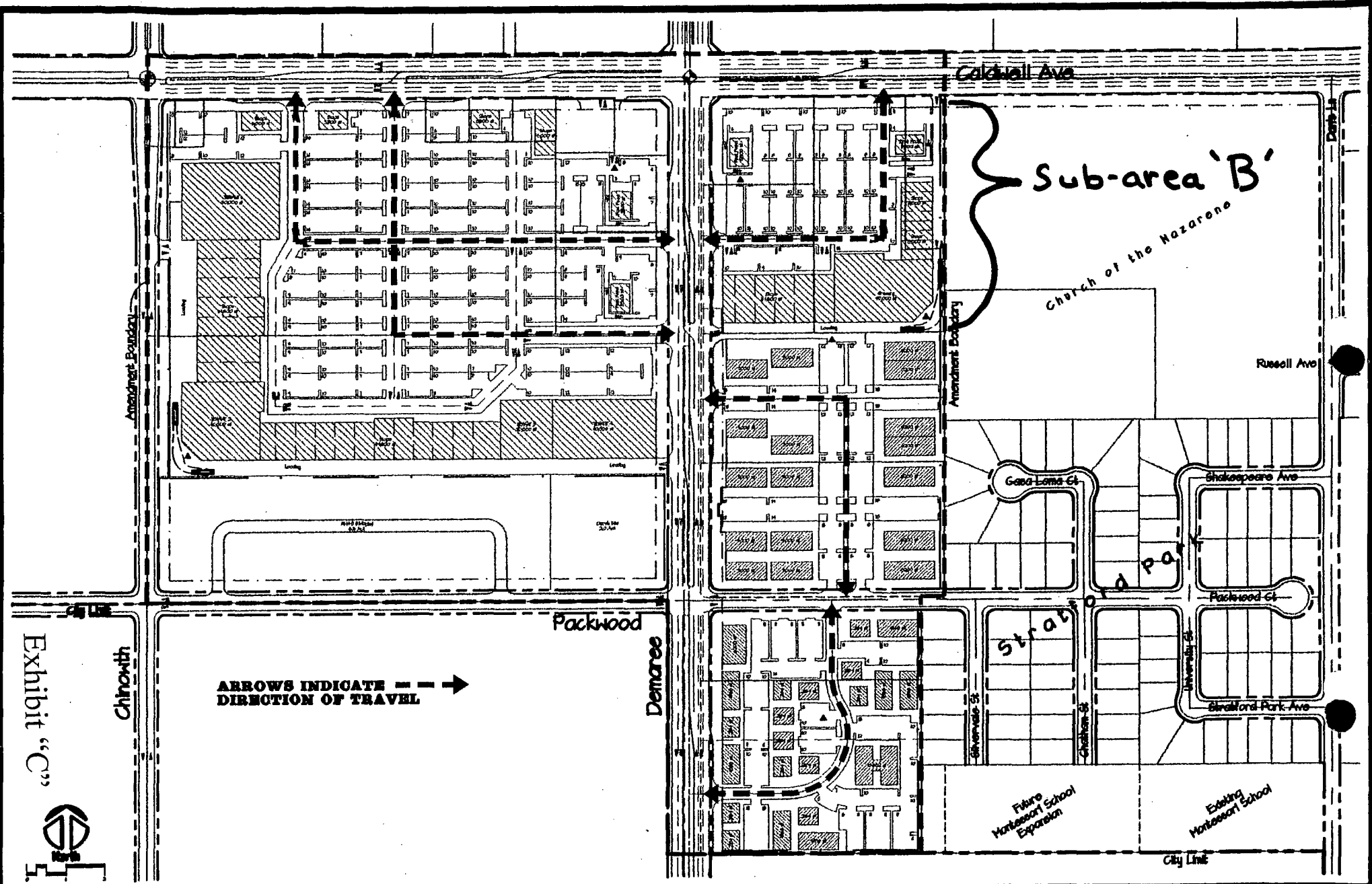
**SPR1**

**OF** \_\_\_\_\_ **SHEETS**

EXHIBIT "A"



Exhibit "C"



QUAD

CALDWELL / DEMAREE SPECIFIC PLAN  
ON-SITE CIRCULATION PLAN

Figure 9

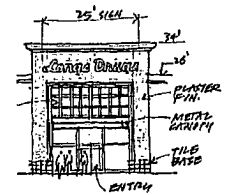




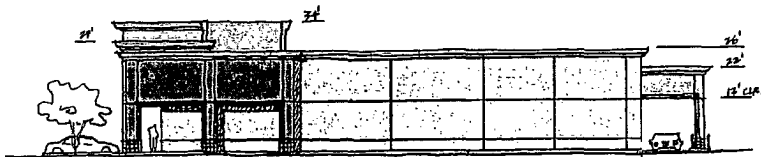
NORTH ELEVATION



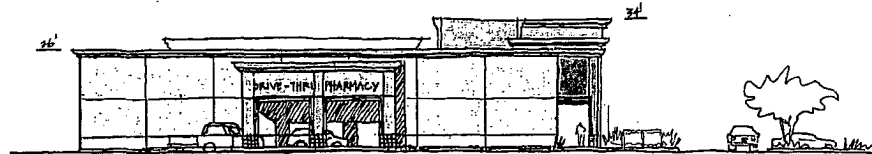
WEST ELEVATION



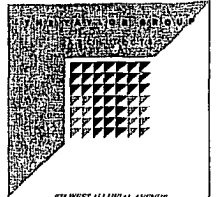
TOWER HEAD-ON ELEVATION



SOUTH ELEVATION



EAST ELEVATION

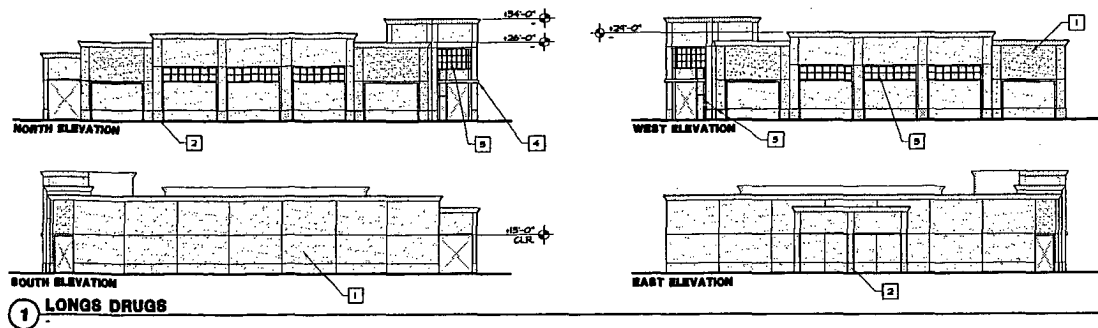


878 WEST ALLUVIAL AVENUE  
SUITE 107  
FRESNO, CA 93711  
TEL. 519-437-5000  
FAX 519-437-5005

The design of this building is intended to be a simple, functional structure that will blend with the surrounding environment. The design is based on the following principles:

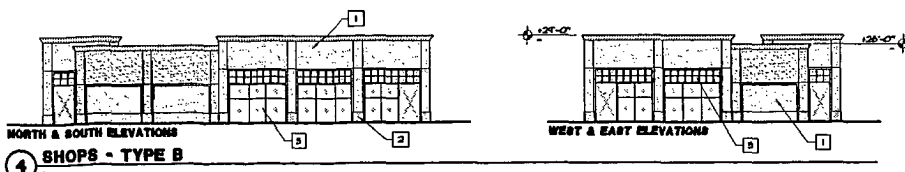
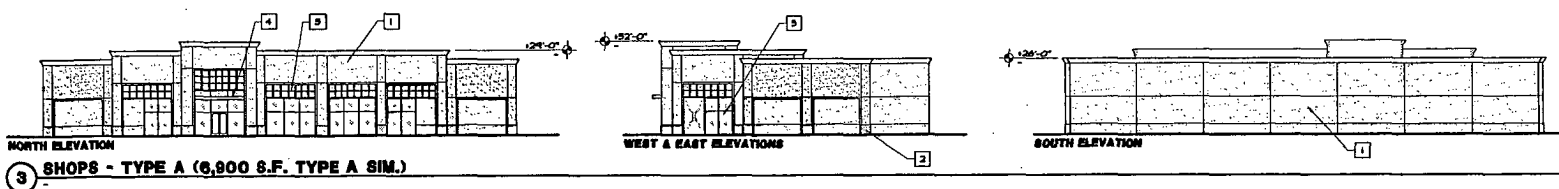
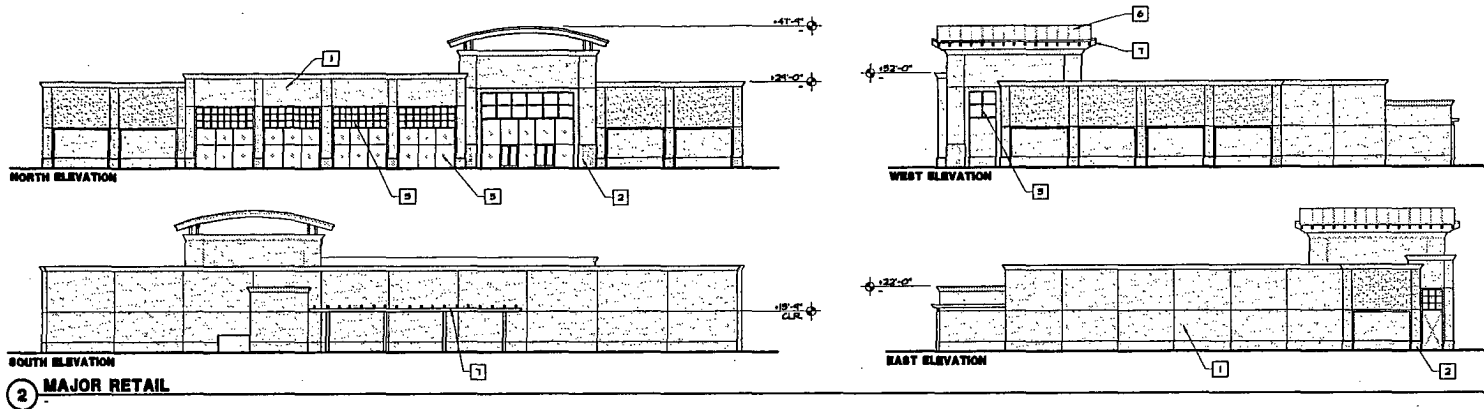
- 1. Simplicity: The design is simple and functional, with no unnecessary details.
- 2. Functionality: The design is based on the functional requirements of the building.
- 3. Blending: The design is intended to blend with the surrounding environment.
- 4. Durability: The design is intended to be durable and long-lasting.
- 5. Cost-effectiveness: The design is intended to be cost-effective.

DESIGNED BY \_\_\_\_\_  
DATE \_\_\_\_\_  
REVISIONS \_\_\_\_\_  
SHEET NO. \_\_\_\_\_  
OF \_\_\_\_\_ SHEETS



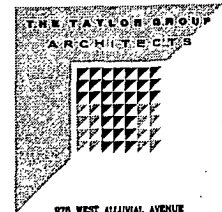
**KEYNOTES:**

1. EXTERIOR CEMENT PLASTER, SEE COLORED ELEVATIONS 8-1/2" X 11" PAGE OF SUBMITTAL FOR TYP. COLOR SCHEME.
2. TILE BASE
3. DECORATIVE METAL GRILL
4. METAL CANOPY
5. STOREFRONT SYSTEM
6. METAL STANDING SEAM ROOFING
7. METAL TRELLIS / SUPPORT STRUCTURE



**ELEVATIONS**

SCALE: 1"=20'-0"

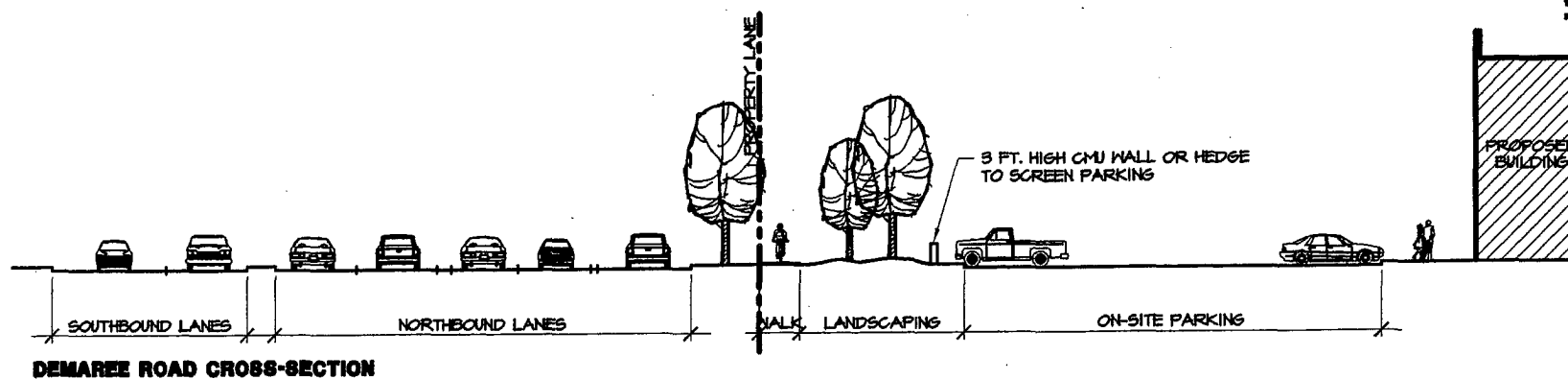


976 WEST ALLIUM AVENUE  
SUITE 107  
FRESNO, CA 93711  
TEL. 559 . 437 . 5000  
FAX. 559 . 437 . 5005

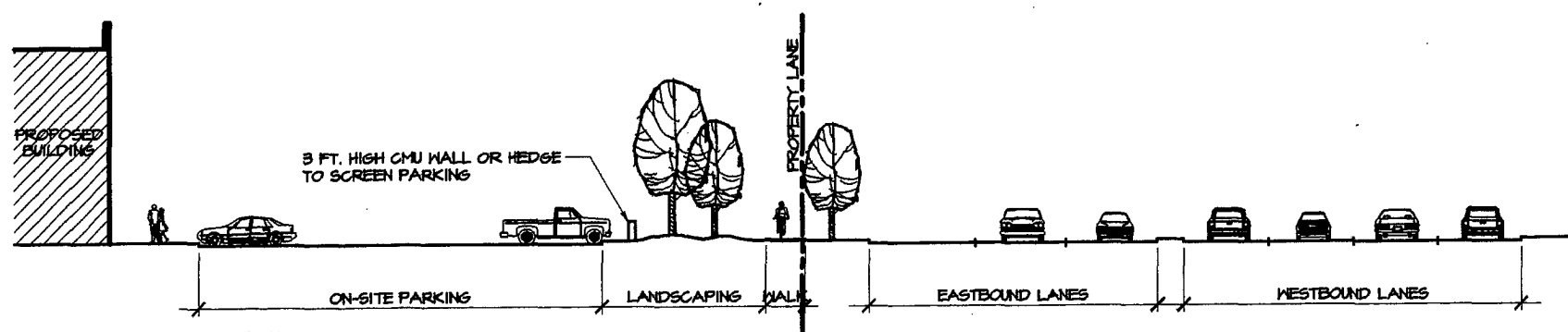
PROPOSED MASTER SITE PLAN FOR  
**LONGS DRUG STORES**  
CALDWELL AVE. & DEMAREE ROAD

© The Taylor Group reserves the right to amend, alter, modify, delete, or otherwise change the design of any part of this plan without notice. The user of this plan shall hold The Taylor Group harmless and shall defend the Taylor Group against all claims, damages, and expenses, including reasonable attorneys' fees, arising from the use of this plan.

DRAWN BY	DATE	5/1/2006
DATE	REVISIONS	
SHEET NO.		
<b>SPR3</b>		
OF SHEETS		



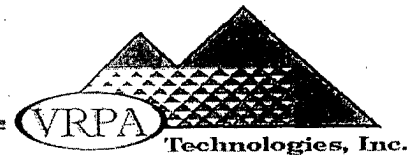
### CALDWELL AVE. CROSS-SECTION



**PROPOSED STREET CROSS SECTION FOR  
LONGS DRUG STORES  
CALDWELL AVE. & DEMAREE ROAD**

40 The Taylor Group recently acquired 25 acres for use as industrial property along the highway. The acquisition was to be a purchase, through a wholly owned subsidiary of the Taylor Group, but was to be structured as a joint venture with the Taylor Group. The Taylor Group was to provide the majority of the funds for the acquisition and the Taylor Group was to provide the majority of the management and control of the Taylor Group.

DATE OF BIRTH \_\_\_\_\_  
 PLACE OF BIRTH \_\_\_\_\_  
 SEX \_\_\_\_\_  
 RACE \_\_\_\_\_  
 HEIGHT \_\_\_\_\_  
 WEIGHT \_\_\_\_\_  
 HAIR \_\_\_\_\_  
 EYES \_\_\_\_\_  
 SKIN \_\_\_\_\_  
 TATTOOS \_\_\_\_\_  
 SCARS \_\_\_\_\_  
 OTHER \_\_\_\_\_



August 10, 2006

Mr. Joe Cavanagh  
Longs Drug Stores Inc.  
141 N. Civic Drive  
Walnut Creek, CA 94596

Re: Caldwell/Demaree Shopping Center Access Analysis – 2<sup>nd</sup> Driveway along Caldwell Avenue

Dear Mr. Cavanagh:

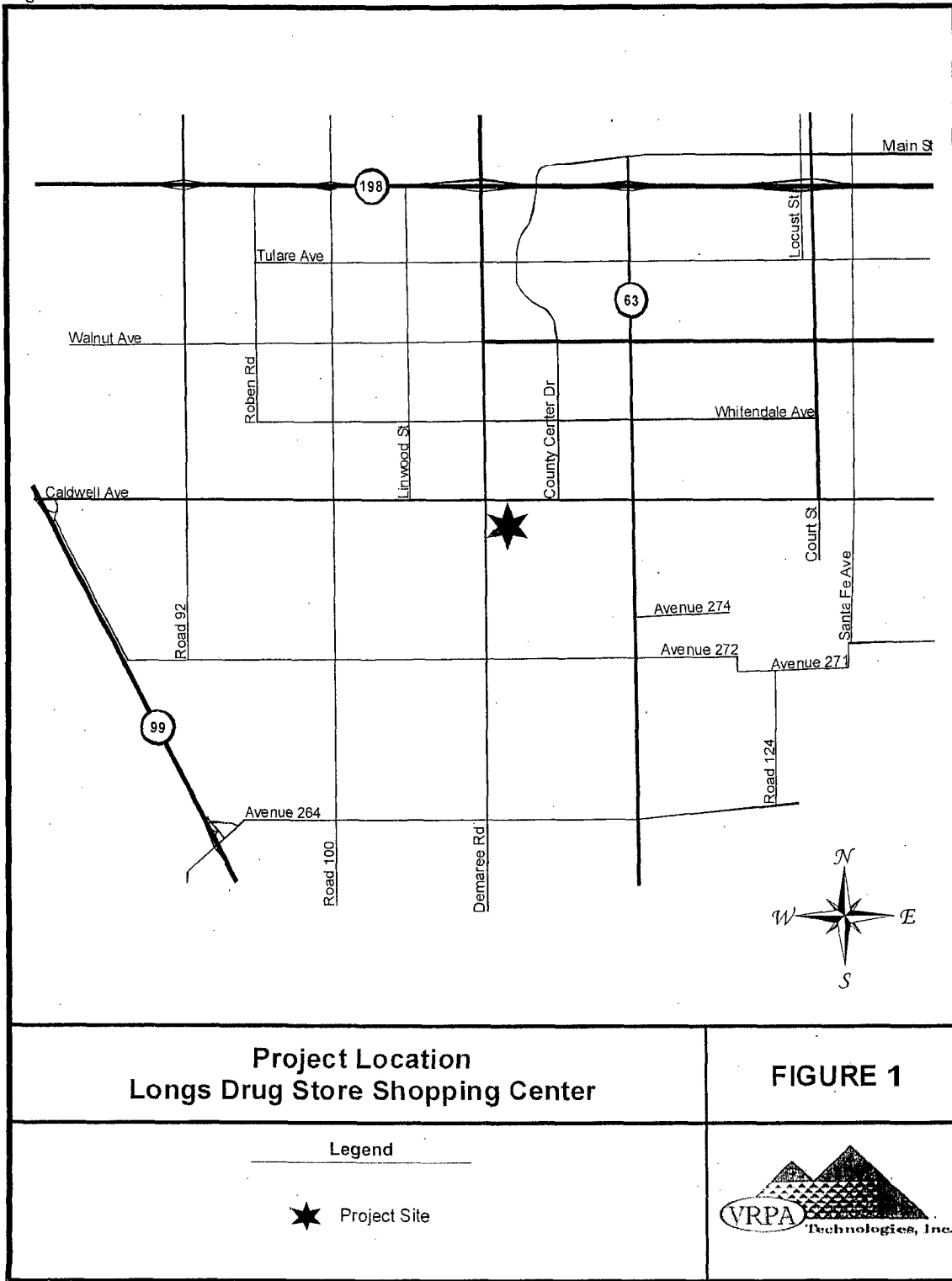
As requested, VRPA Technologies, Inc. has prepared an analysis regarding a second driveway along Caldwell Avenue in Visalia to the proposed shopping center located at the southeast corner of Caldwell and Demaree (reference Figure 1). The City of Visalia Specific Plan for this property includes a westbound left turn pocket from Caldwell to the easternmost driveway along Caldwell which is also taken into consideration in this study. VRPA has analyzed the benefits of the 2<sup>nd</sup> access point or driveway (reference Figure 2).

#### STEP 1

The first step applied to analyze the proposed access point or driveway spacing, was to generate peak hour trips for the shopping center. To accomplish this step, VRPA applied the total square footage of the proposed shopping center (divided by 1,000) to the shopping center trip generation rate in (Use 820) in the Institute of Transportation Engineer's (ITE) Trip Generation Manual. Table 1 shows the results of this first step.

#### STEP 2

The second step was to determine existing and future traffic volumes along Caldwell and Demaree and at the intersection of Caldwell and Demaree. Existing AM and PM Peak Hour volume counts were conducted by VRPA in May 2006 (reference Figure 3). Trips generated by the proposed shopping center were then added to the existing AM and PM Peak Hour traffic counts as depicted in Figures 4 and 5. Figures 4 and 5 provide an assessment of how the proposed shopping center trips were distributed to the four proposed access points or driveways along Demaree and Caldwell. Future year (2030) volumes were derived using the Tulare County Association of Governments' Regional Traffic Model. The Traffic Model indicates a 3.5% increase in traffic in the Study Area between 2006 and 2030. VRPA then increased the existing traffic volumes by 3.5% to derive the Future Year turning movement volumes without the proposed shopping center at the Demaree and Caldwell intersection and the segment volumes along Demaree and Caldwell (reference Figure 6). Future AM and PM Peak Hour traffic with the proposed shopping center trips were then developed as shown in Figures 7 and 8.

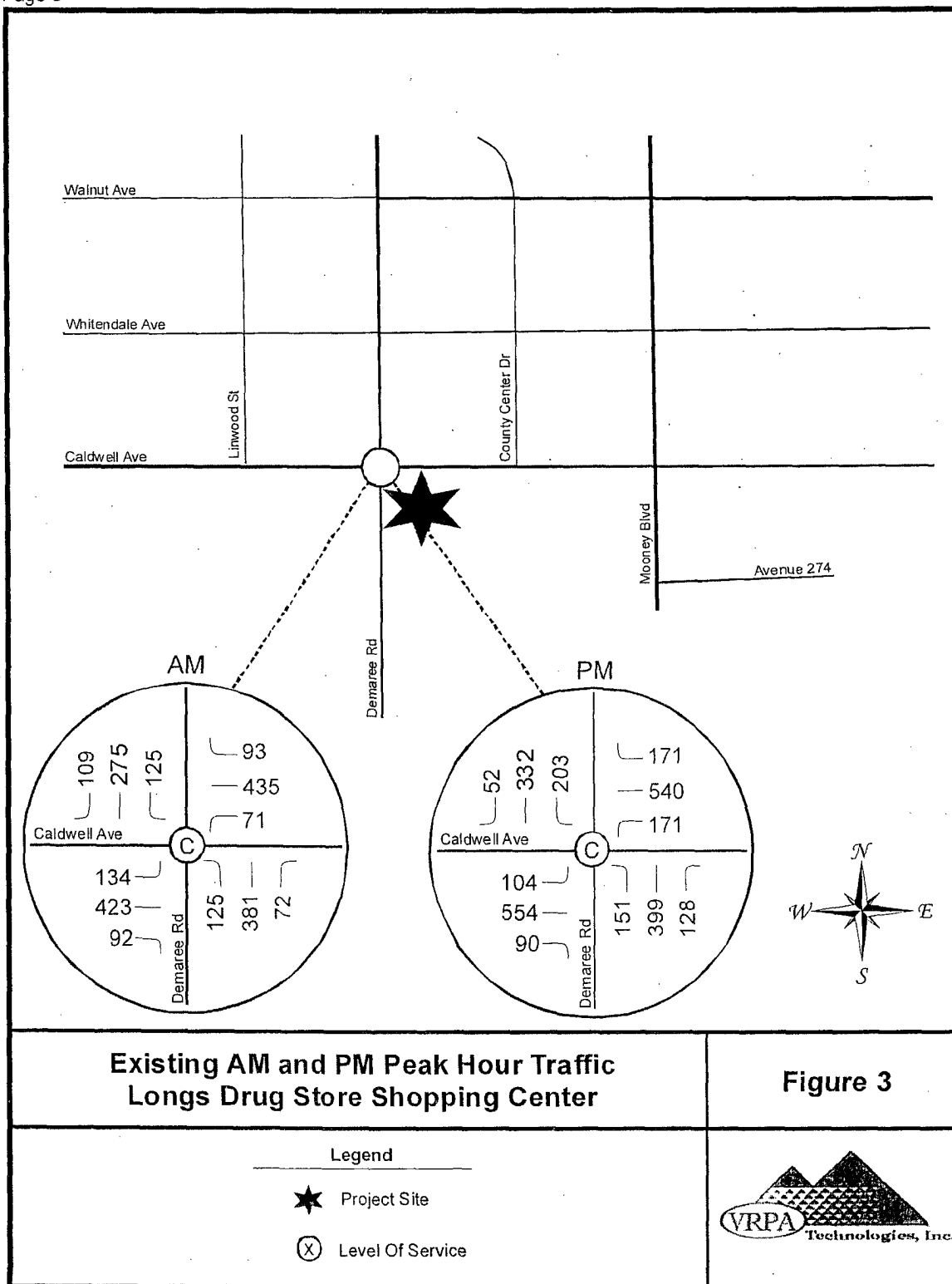




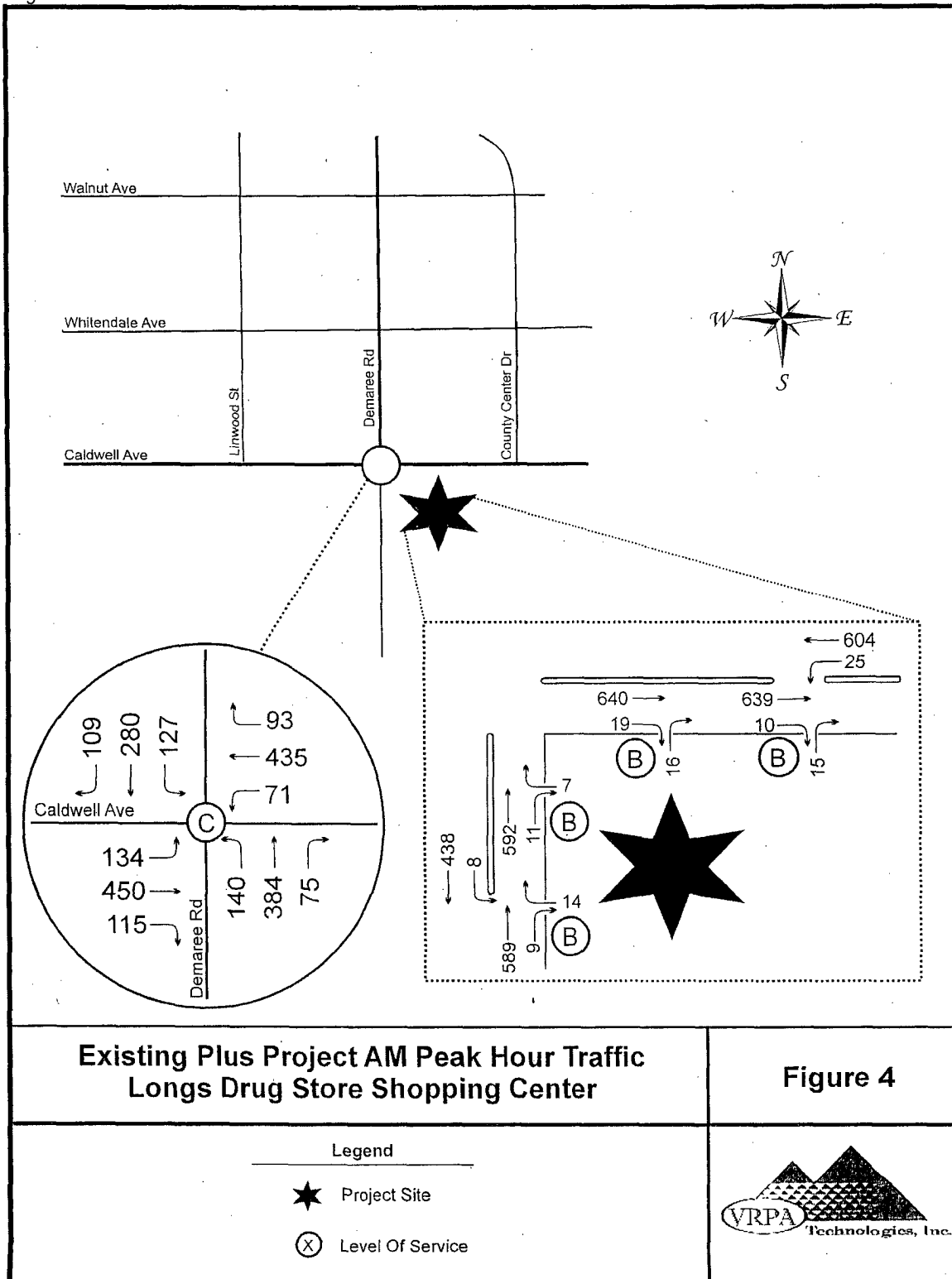
**Table 1**  
**PROJECT TRAFFIC GENERATION**  
**Longs Drug Store Shopping Center**

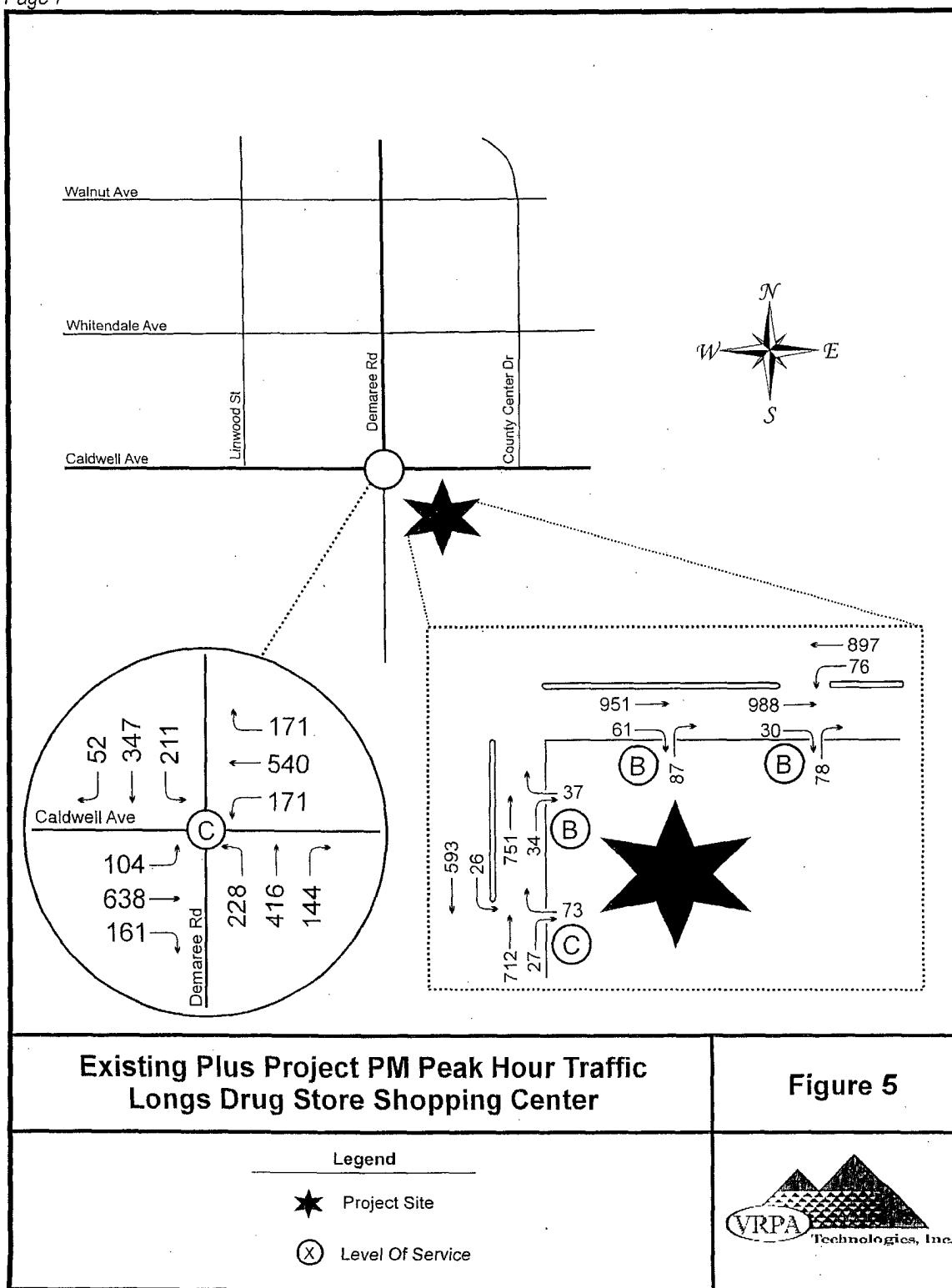
USE	SIZE	DAILY TRIP ENDS		AM PEAK HOUR				PM PEAK HOUR			
		RATE	VOLUME	RATE	IN:OUT SPLIT	VOLUME		RATE	IN:OUT SPLIT	VOLUME	
						IN	OUT			IN	OUT
Shopping Center (820)	77,400	74.28	5,749	1.73	61:39	82	52	6.83	48:52	254	275
<b>TOTAL PROJECT TRIPS</b>			<b>5,749</b>			<b>82</b>	<b>52</b>			<b>254</b>	<b>275</b>

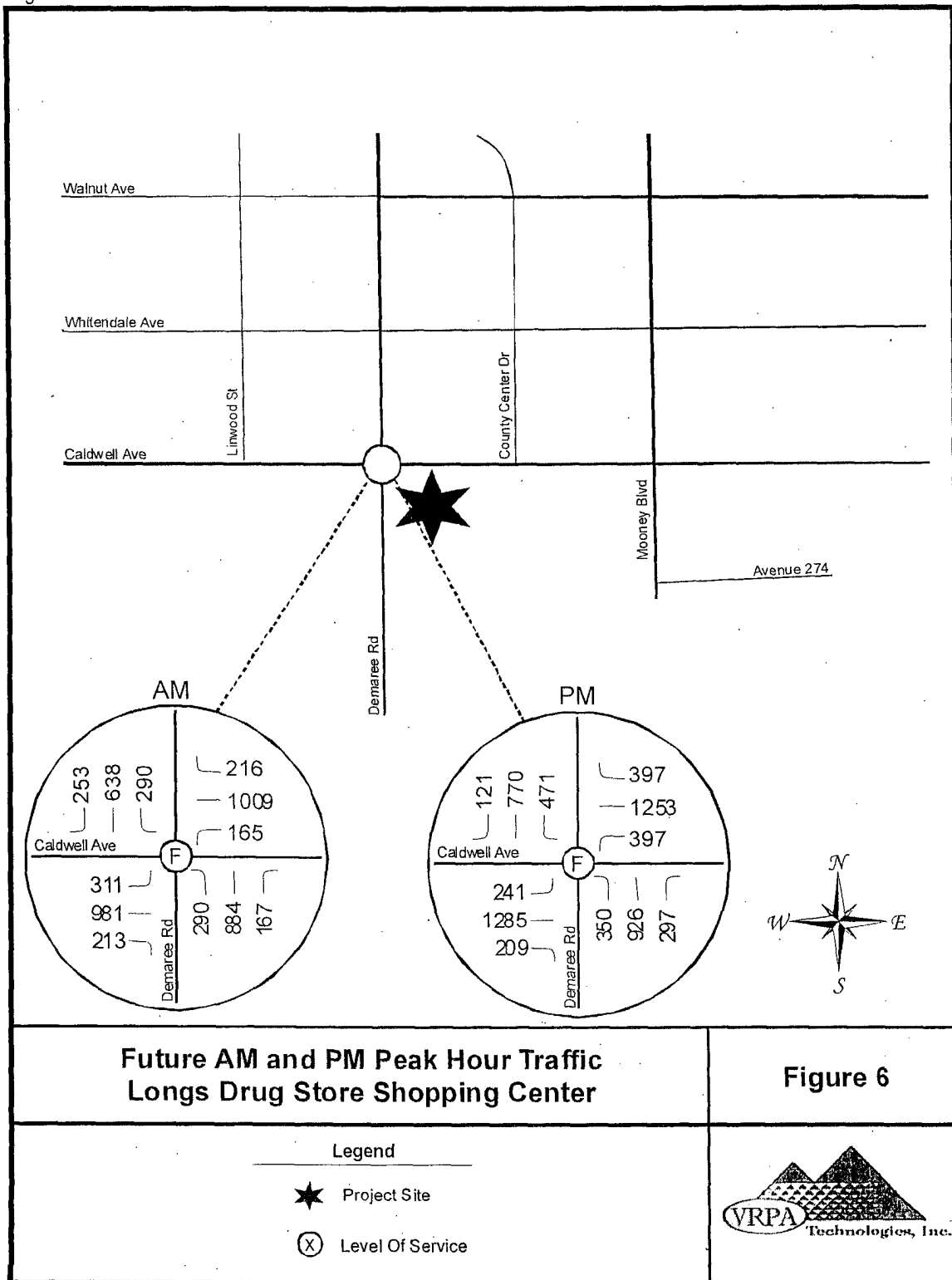
Source: Generation factors from ITE Trip Generation Manual, 7th Edition.  
Trip ends are one-way traffic movements, entering or leaving.  
The numbers in parenthesis are ITE land use codes.

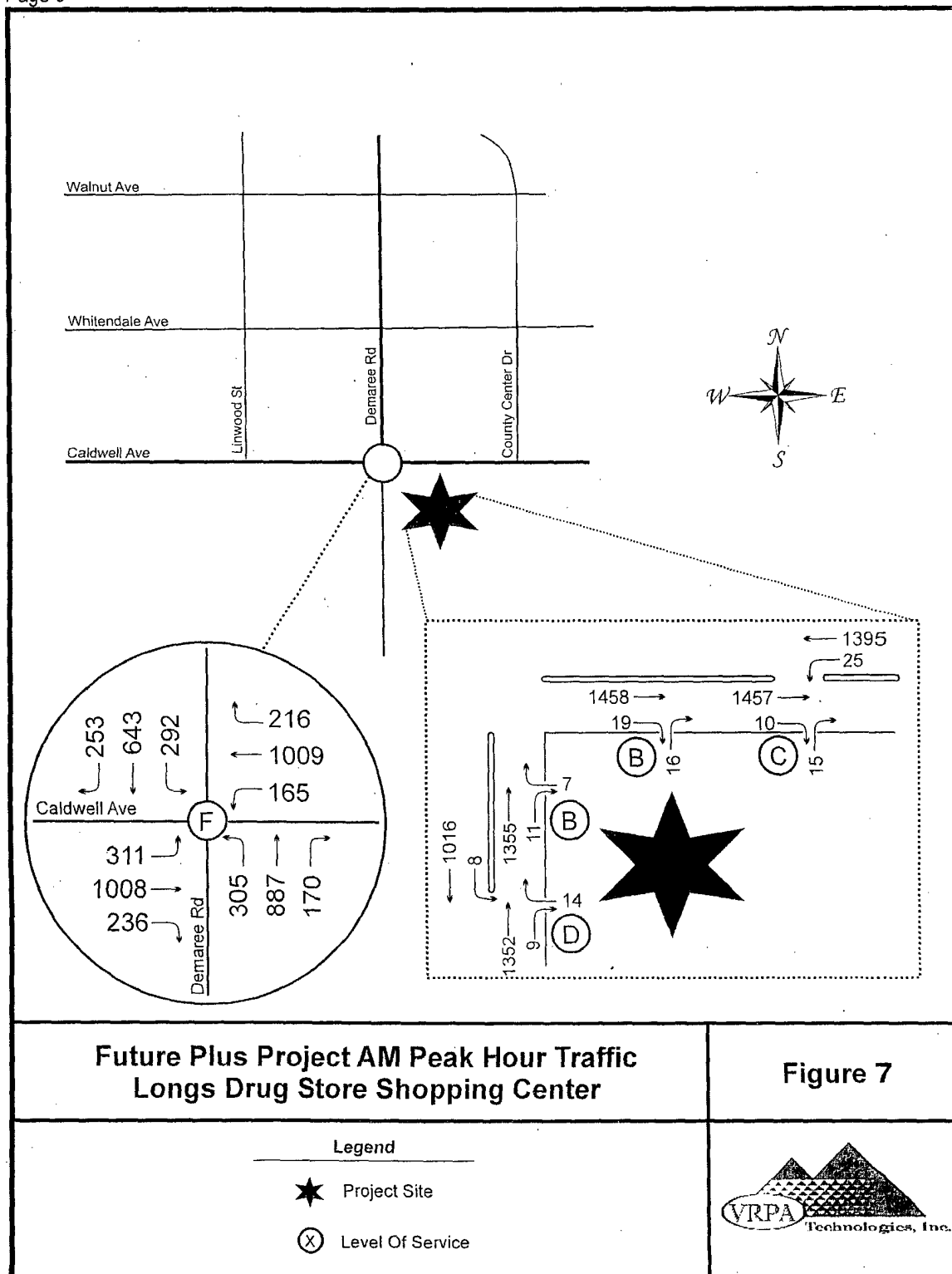


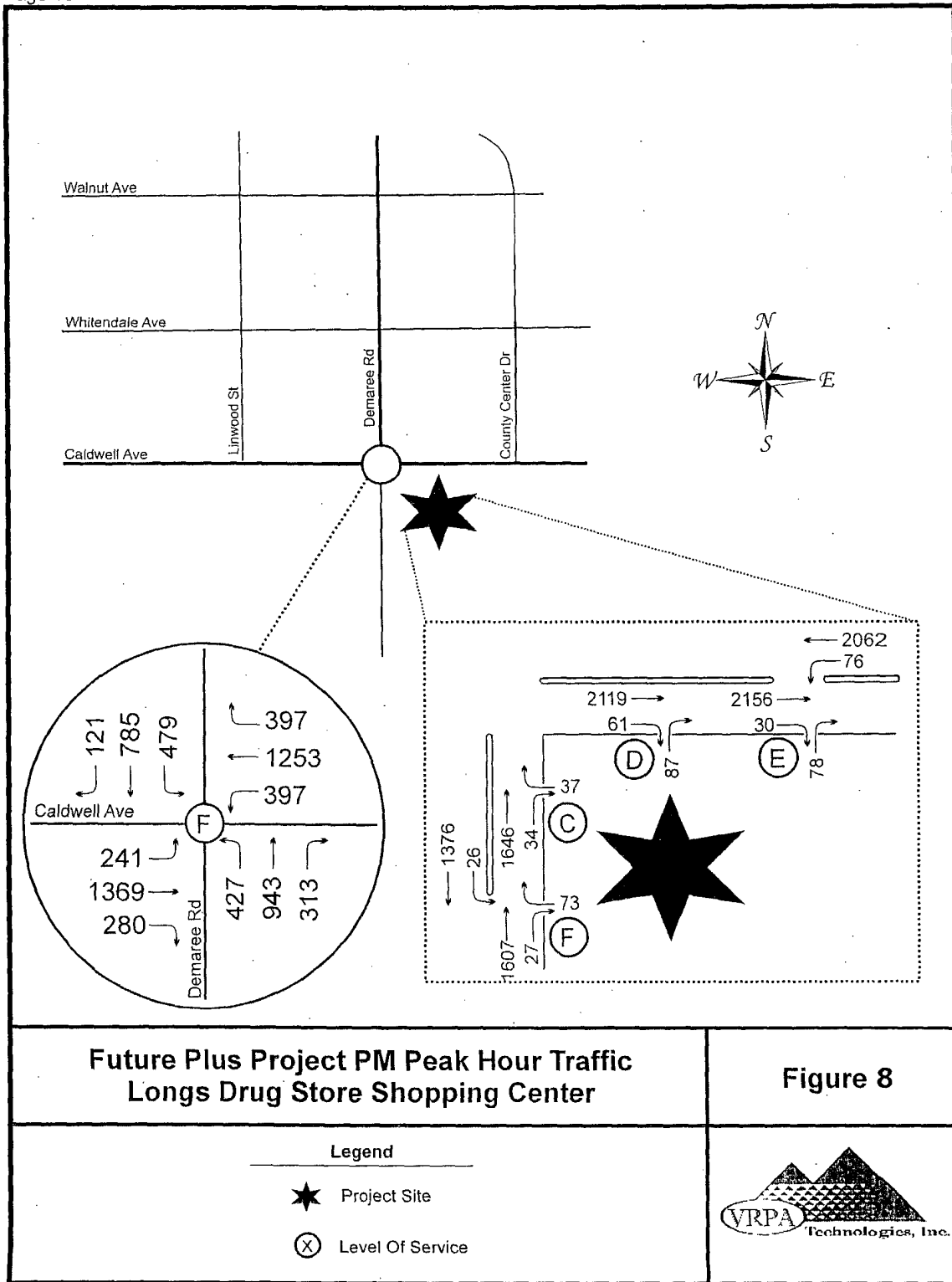












### STEP 3

The third step in this process was to analyze the level of service associated with each of the proposed access points and the intersection of Demaree and Caldwell. The Highway Capacity Manual (HCM) software (HCS) was applied to determine LOS for each of the scenarios discussed in Step 2 (Existing, Existing plus the proposed shopping center, and Future Year 2030 without and with the proposed shopping center). The results of this step are shown in Table 2 and in each of the figures referenced in Step 2 (Figures 3 through 8). Referencing Table 2, the intersection at Demaree and Caldwell is projected to function at LOS F during the AM and PM without further improvement. The minimum LOS standard for the City of Visalia is LOS D. According to the TCAG Traffic Model, by the Year 2030, only 2 lanes in each direction are expected to be in place along Demaree and Caldwell.

**Table 2**  
**INTERSECTION OPERATIONS WITH 2 ACCESS POINTS ON CALDWELL**  
Longs Drug Store Shopping Center

INTERSECTION	PEAK HOUR	EXISTING		EXISTING PLUS PROJECT		FUTURE NO PROJECT		FUTURE PLUS PROJECT	
		DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS
Caldwell Ave / Demaree Rd <sup>(1)</sup>	AM	29.5	C	29.8	C	>80.0	F	>80.0	F
	PM	30.8	C	32.8	C	>80.0	F	>80.0	F
Southern Driveway / Demaree Rd <sup>(2)</sup>	AM			N/A	B			N/A	D
	PM			N/A	C			N/A	F
Northern Driveway / Demaree Rd <sup>(2)</sup>	AM			N/A	B			N/A	B
	PM			N/A	B			N/A	C
Eastern Driveway / Caldwell Ave <sup>(2)</sup>	AM			N/A	B			N/A	C
	PM			N/A	B			N/A	E
Western Driveway / Caldwell Ave <sup>(2)</sup>	AM			N/A	B			N/A	B
	PM			N/A	B			N/A	D

DELAY is measured in seconds.

LOS = Level of Service

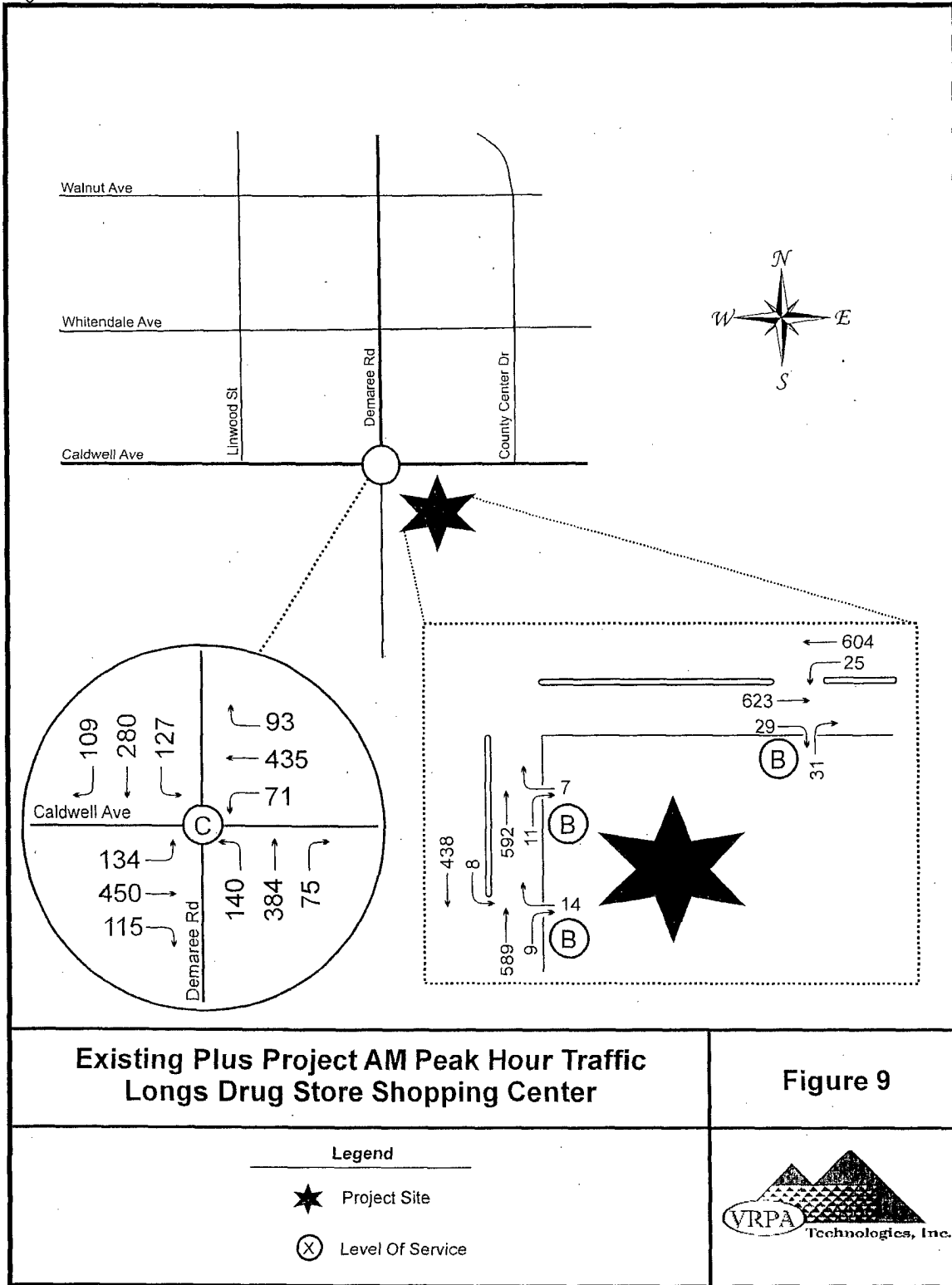
(1) Signalized intersection

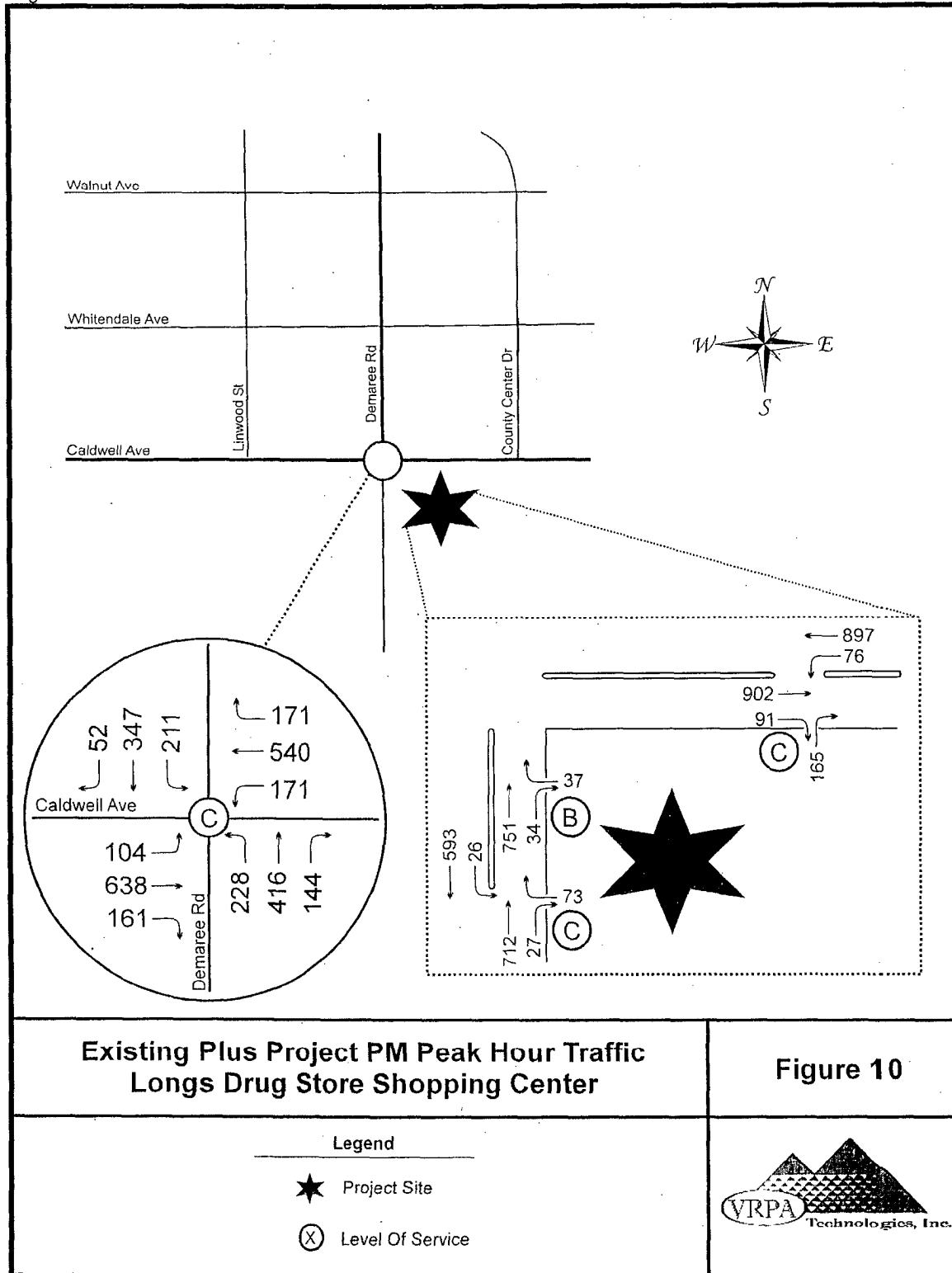
(2) One-way stop controlled intersection

Referencing Table 2, the LOS at each of the proposed access points under Existing plus the proposed shopping center and Future Year 2030 without and with the proposed shopping center will operate at acceptable levels with the exception of the southernmost driveway along Demaree and easternmost driveway along Caldwell. These intersections will operate at LOS F and E respectively in the PM Peak Hour. As a result of the westbound left turn pocket along Caldwell, the "U" turns and left turns at the Caldwell and Demaree intersection, as well as the access points along Demaree to the project will be reduced. The volumes at these intersections or access points could very well increase in only one (1) access point along Caldwell is provided since entering vehicles would be concentrated at one (1) driveway thereby increasing delay and congestion.

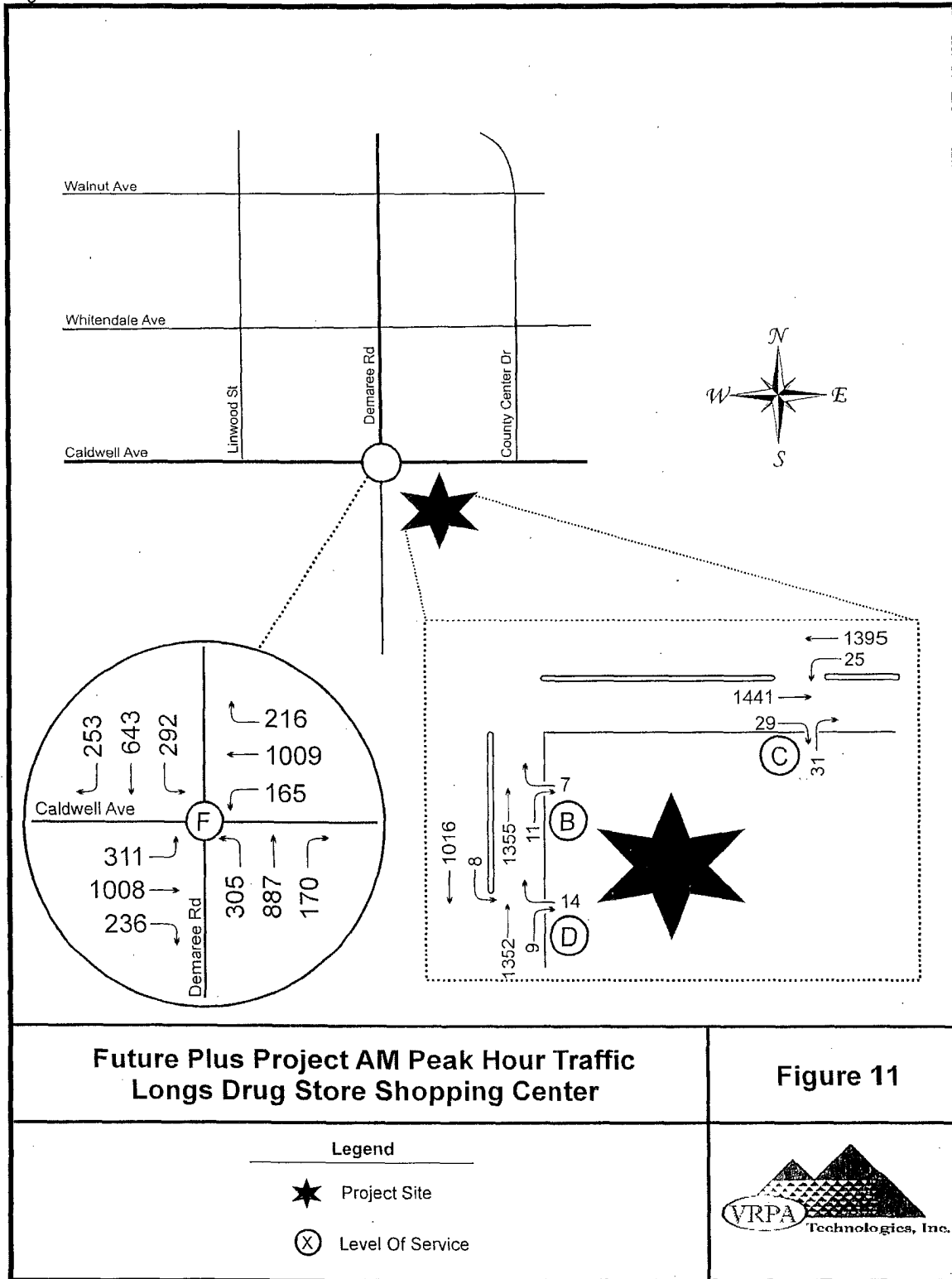
An analysis of just one access point along Caldwell with a westbound left turn pocket from Caldwell was analyzed to compare the benefits of two (2) access points versus one (1) access point. Steps 1 – 3 above were also completed for the analysis of one (1) access point along Caldwell and results of this analysis are shown in Figures 9-12 and in Table 3.

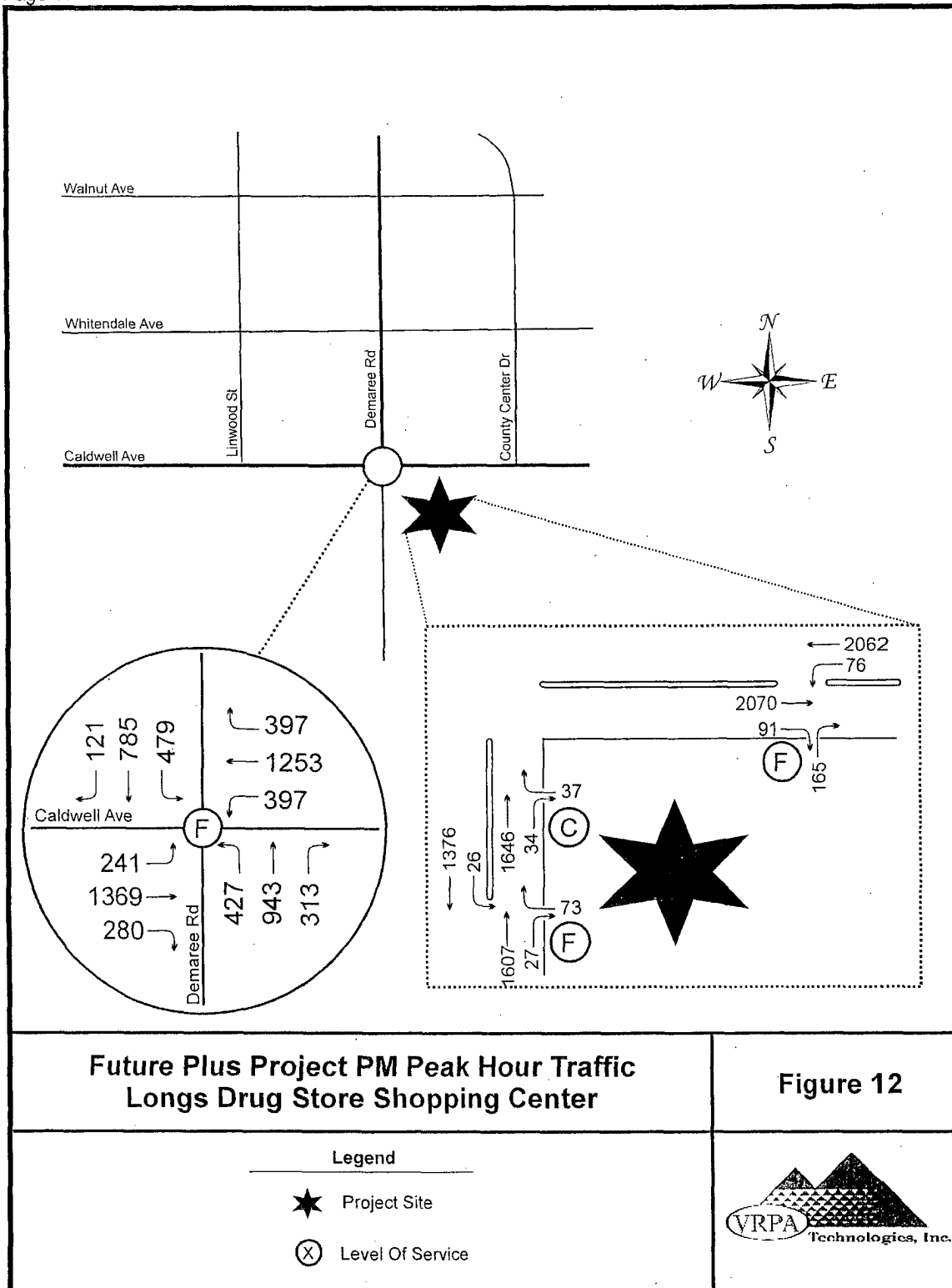
Mr. Chris Finn











**Table 3**  
**INTERSECTION OPERATIONS WITH 1 ACCESS POINT ON CALDWELL**  
**Longs Drug Store Shopping Center**

INTERSECTION	PEAK HOUR	EXISTING		EXISTING PLUS PROJECT		FUTURE NO PROJECT		FUTURE PLUS PROJECT	
		DELAY	LOS	DELAY	LOS	DELAY	LOS	DELAY	LOS
Caldwell Ave / Demaree Rd <sup>(1)</sup>	AM	29.5	C	29.8	C	>80.0	F	>80.0	F
	PM	30.8	C	32.8	C	>80.0	F	>80.0	F
Southern Driveway / Demaree Rd <sup>(2)</sup>	AM			N/A	B			N/A	D
	PM			N/A	C			N/A	F
Northern Driveway / Demaree Rd <sup>(2)</sup>	AM			N/A	B			N/A	B
	PM			N/A	B			N/A	C
Driveway / Caldwell Ave <sup>(2)</sup>	AM			N/A	B			N/A	C
	PM			N/A	C			N/A	F

DELAY is measured in seconds.

LOS = Level of Service

(1) Signalized intersection

(2) One-way stop controlled intersection

Referencing Table 3, the LOS at each of the proposed access points under Existing plus the proposed shopping center and Future Year 2030 without and with the proposed shopping center will operate at acceptable levels with the exception of the southernmost driveway along Demaree and the driveway along Caldwell. These intersections will operate at LOS F in the PM Peak Hour.

### **BENEFITS OF RELOCATED ACCESS/DRIVEWAY**

The provision of two (2) closer spaced driveways will result in the following benefits:

- ◆ Greater safety
- ◆ Greater convenience
- ◆ Increase in speed along Caldwell Avenue

Specifics regarding these benefits are as follows:

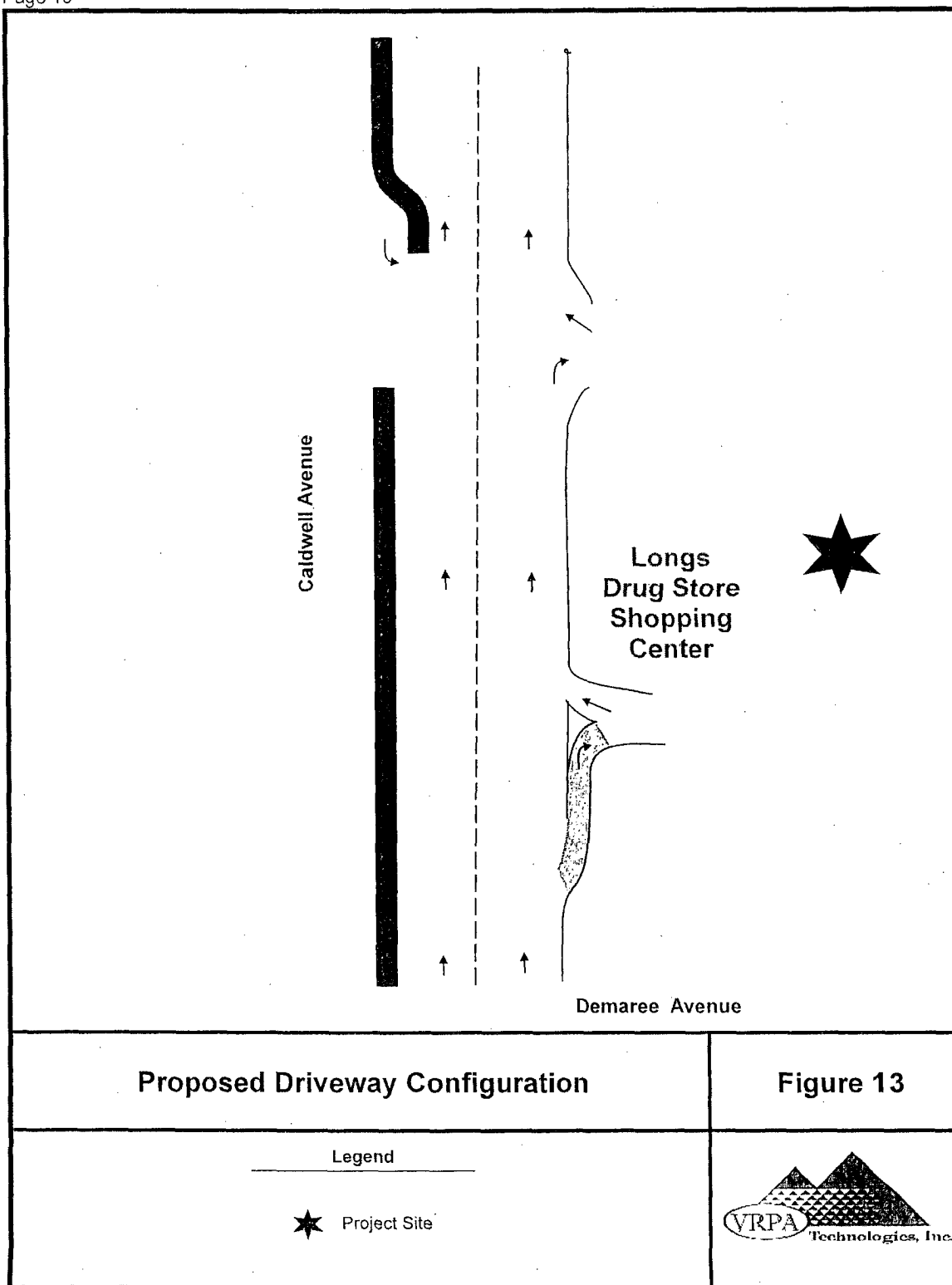
- ◆ Provision of two (2) driveways or access points as depicted in Figure 13 along Caldwell Avenue will improve safety to bicyclists and pedestrians by providing more opportunity for motoring patrons to exit and enter the proposed development. With only one (1) driveway or access point for that portion of the development, patrons desiring to turn into the development will only have one opportunity to make a right-turn.
- ◆ With only one (1) driveway or access point to the shopping area, the queues on-site will grow long during the PM Peak Hour; drivers will get frustrated, and as a result, will begin to take chances when merging into eastbound Caldwell Avenue traffic. Two (2) closer spaced access points will reduce the resulting delay and frustration.

- ◆ With two (2) driveways or access points providing access to the shopping areas, patrons turning right into the development will have two opportunities to access the development, lessening the potential for "quick" or perceived "last opportunity" decisions, which may cause rear-end collisions and detrimentally affect passing pedestrians and bicyclists. The two (2) driveways along Caldwell will reduce the accidents related to vehicles turning right into the site because the vehicles will have two (2) opportunities to enter vs. one (1) opportunity.
- ◆ Patrons exiting the project along Caldwell Avenue will have two (2) opportunities to exit resulting in shorter on-site queuing during the PM Peak Hour and less frustration when trying to turn right and merge into traffic along eastbound Caldwell Avenue.
- ◆ The provision of one (1) vs. two (2) closely spaced access points does not negatively affect the resulting levels of service or seconds of delay experienced by motorists along Caldwell Avenue. In fact, provision of two (2) closer spaced access points or driveways along Caldwell Avenue would improve travel speed in the project area given the availability of a 2<sup>nd</sup> point of convenient access to the proposed development.

## CONCLUSIONS

Based upon the results of Steps 1 through 3, the following conclusions can be drawn:

- ◆ The proposed driveway configuration along Caldwell Avenue depicted in Figure 13 will operate at LOS D or better on opening day or under Future Year conditions regardless of where the driveways are located along Caldwell Avenue with the exception of the easternmost driveway in the Future Year condition with project for the PM peak hour.
- ◆ To ensure that safety is addressed along Caldwell adjacent to the proposed shopping center, a minimum spacing of 100' should be provided between the proposed access points or driveways along Caldwell.
- ◆ To ensure additional safety and to reduce the potential for conflicts between vehicles traveling east and turning right into and out of the proposed access points or driveways along Caldwell, it is recommended that the westernmost driveway be configured as a "right turn deceleration lane with a raised island" prohibiting a right turning vehicle from changing its mind and deciding to turn right into the easternmost access point or driveway along Caldwell (reference Figure 13).

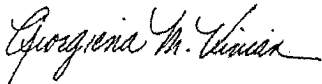


Mr. Joe Cavanagh  
August 10, 2006  
Page 19

Should you have any questions regarding our analysis, please feel free to contact me at (559) 259-9257 or by email at [gvivian@vrpatechnologies.com](mailto:gvivian@vrpatechnologies.com).

Sincerely,

**VRPA TECHNOLOGIES, INC.**

A handwritten signature in cursive script, reading "Georgiena M. Vivian".

Ms. Georgiena M. Vivian,  
Vice President

GV/ldb  
Attachments

cc: Mr. Erik Ruehr, P.E., Dir. Of Traffic Engineering,  
VRPA Technologies, Inc.

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

**NOTICE OF A PROPOSED**  
**INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

Project Title: Conditional Use Permit No. 2023-24 and Tentative Parcel Map No. 2023-08

Project Description: Conditional Use Permit No. 2023-24 is a request by Freeline Architecture to develop a 2.03-acre parcel with a new 4,300 square foot drive-thru carwash building with an attached covered pay kiosk and two detached vacuum canopy structures and in the C-MU (Commercial Mixed Use) zone. Tentative Parcel Map No. 2023-08 is a request by Vice Consulting Engineers to subdivide a 3.7-acre commercial parcel into two commercial parcels to facilitate future commercial development.

Project Location: The site is located on the south side of W. Caldwell Ave. approximately 350-ft. to the east of the Caldwell / Demaree intersection. (APN: 121-580-001).

Contact Person: Josh Dan, Senior Planner    Phone: 559-713-4003    Email:  
josh.dan@visalia.city

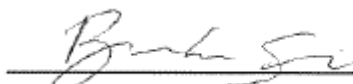
Time and Place of Public Hearing: A public hearing will be held before the Planning Commission on Monday, March 25, 2024, at 7:00 p.m. in the City Hall Council Chambers located at 707 W. Acequia Avenue, Visalia, California.

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 will not result in any significant effect upon the environment because of the reasons listed below:

Reasons for Mitigated Negative Declaration: Initial Study No. 2023-36 has identified environmental impact(s) that may occur because of the project; however, with the implementation of mitigation measures identified, impact(s) will be reduced to a level that is less than significant. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 East Acequia Avenue, Visalia, CA, and on the City website at [https://www.visalia.city/depts/community\\_development/planning/ceqa\\_environmental\\_review.asp](https://www.visalia.city/depts/community_development/planning/ceqa_environmental_review.asp).

Comments on this proposed Mitigated Negative Declaration will be accepted from February 29, 2024, to March 20, 2024.

Date: February 28, 2024

Signed: 

Brandon Smith, AICP  
Environmental Coordinator  
City of Visalia

## MITIGATED NEGATIVE DECLARATION

**Project Title:** Conditional Use Permit No. 2023-24 and Tentative Parcel Map No. 2023-08

**Project Description:** Conditional Use Permit No. 2023-24 is a request by Freeline Architecture to develop a 2.03-acre parcel with a new 4,300 square foot drive-thru carwash building with an attached covered pay kiosk and two detached vacuum canopy structures and in the C-MU (Commercial Mixed Use) zone. Tentative Parcel Map No. 2023-08 is a request by Vice Consulting Engineers to subdivide a 3.7-acre commercial parcel into two commercial parcels to facilitate future commercial development.

**Project Location:** The site is located on the south side of W. Caldwell Ave. approximately 350-ft. to the east of the Caldwell / Demaree intersection (APN: 121-580-001).

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

**Attachments:**

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)
Noise Study	(X)
Mitigation Measures	(X)

### DECLARATION OF NO SIGNIFICANT EFFECT:


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

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

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

APPROVED

Brandon Smith, AICP  
Environmental Coordinator

By: 

Date Approved: February 28, 2024

Review Period: 20 days



## INITIAL STUDY

### I. GENERAL

**A. Description of the Project:** Conditional Use Permit No. 2023-24 is a request by Freeline Architecture to develop a 2.03-acre parcel with a new 4,300 square foot drive-thru carwash building with an attached covered pay kiosk and two detached vacuum canopy structures and in the C-MU (Commercial Mixed Use) zone. Tentative Parcel Map No. 2023-08 is a request by Vice Consulting Engineers to subdivide a 3.7-acre commercial parcel into two commercial parcels to facilitate future commercial development. The site is located on the south side of W. Caldwell Ave. approximately 350-ft. to the east of the Caldwell / Demaree intersection (APN: 121-580-001).

**B. Identification of the Environmental Setting:** The property is located inside the Demaree Caldwell Specific Plan area. The site is vacant and has been vacant for at least the last 23 years. There is an existing four-lane street adjacent to the north of the site (W. Caldwell Ave.). The Visalia Circulation Element designates Caldwell Ave. as a Minor Arterial roadway.

The surrounding uses, Zoning, and General Plan are as follows:

	<u>General Plan</u>	<u>Zoning</u>	<u>Existing uses</u>
North:	Commercial Mixed-Use	Mixed-Use Commercial	W. Caldwell Ave., The Home Depot
South:	Commercial Mixed-Use	Mixed-Use Commercial	Vacant land, Single-Family Home
East:	Commercial Mixed-Use	Mixed Use Commercial	Vacant land, Single-Family Home
West:	Commercial Mixed-Use	Mixed-Use Commercial	CVS Pharmacy, S. Demaree St.

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 General Plan Land Use Diagram designates the site as Commercial Mixed Use and the Zoning Map designates the site as C-MU (Commercial Mixed Use) which is consistent with the Land Use Element of the General Plan, and consistent with the standards for commercial zones development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.19.

### II. ENVIRONMENTAL IMPACTS

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

### III. MITIGATION MEASURES

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

**Noise** – An Acoustical Analysis was prepared for the proposed project [ref.: Acoustical Analysis, Xpress CarWash. VICE Acoustics, May 5, 2023]. The purpose of the study is to determine if noise levels associated with the proposed car wash will comply with the City's applicable noise level standards upon the existing single-family residential uses to the east and south. The analysis concluded that noise levels associated with the proposed car wash operations would be expected to exceed the City's exterior noise level standards by up to 8 dB. To ensure that community noise standards are met, the project shall construct a sound wall located east of the carwash exit lane in an effort to attenuate noise upon the nearest residential use, property line measuring +93 feet to the east. The acoustical analysis has concluded that the placement of

the wall with berm at a height of at least 8-ft above the ground floor of the carwash will allow for the carwash to comply with City's Noise Element and Ordinance during business hours.

Therefore, to ensure that community noise standards are met for the proposed project, the project site shall be developed in substantial compliance with the mitigation contained in the "Conclusions and Recommendations" section of the above-referenced Acoustical Analysis. As described in the analysis, the following measures shall contain the following:

- 1) The project shall construct an 8' high sound wall and landscape berm with a combined height of 8 feet, along the east side of the carwash exit lane, as shown on Figure 11.
- 2) The sound wall should be constructed of dense material, such as masonry, and be continuous without gaps or openings from the building and extending south a minimum of 20 feet, as shown on Figure 1.

Staff has incorporated these recommendations as required mitigation measures. Therefore, to ensure that noise requirements are met for the proposed project, the project shall be developed and shall operate in substantial compliance with Mitigation Measure 1.1. These mitigation measures are included in Section IV below as part of this Initial Study.

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

#### **IV. MITIGATION MONITORING PROGRAM**

<b><u>Mitigation Measure</u></b>	<b><u>Responsible Party</u></b>	<b><u>Timeline</u></b>
<b>Noise Impact Mitigation Measure 1.1:</b> The project shall construct a sound wall and landscape berm with a total combined height of eight (8) feet located along the east side of the carwash exit lane. The sound wall should be constructed of dense material, such as masonry, and be continuous without gaps or openings from the building and extending south a minimum of 20 feet, as shown on Figure 1.	Project Applicant	The sound wall shall be constructed with the development of the car wash and shall be completed prior to operation.

#### **V. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS**

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

#### **VI. SUPPORTING DOCUMENTATION**

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

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update),


passed and adopted October 14, 2014.

- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan), passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.
- Tulare County Important Farmland 2018 Map. California Department of Conservation, 2018.
- Acoustical Analysis, Xpress Carwash. Vang Inc. Consulting Engineers (VICE) , May 5, 2023)

**VII. NAME OF PERSON WHO PREPARED INITIAL STUDY**

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Josh Dan  
Senior Planner



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Brandon Smith  
Environmental Coordinator

## INITIAL STUDY ENVIRONMENTAL CHECKLIST

<b>Name of Proposal</b>	Conditional Use Permit No. 2023-24 and Tentative Parcel Map No. 2023-08		
<b>NAME OF PROPONENT:</b>	Jeremy Stevens, Freeline Architecture	<b>NAME OF AGENT:</b>	Jeremy Stevens, Freeline Architecture
<b>Address of Proponent:</b>	814 18 <sup>th</sup> Street	<b>Address of Agent:</b>	814 18 <sup>th</sup> Street
	Bakersfield, CA 93301		Bakersfield, CA 93301
<b>Telephone Number:</b>	661-633-9667	<b>Telephone Number:</b>	661-633-9667
<b>Date of Review</b>	February 26, 2024	<b>Lead Agency:</b>	City of Visalia

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

1 = No Impact                      2 = Less Than Significant Impact  
3 = Less Than Significant Impact with Mitigation Incorporated                      4 = Potentially Significant Impact

### I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- 2 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

### II. AGRICULTURAL RESOURCES

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

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

### III. AIR QUALITY

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

- 2 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 2 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard?
- 2 c) Expose sensitive receptors to substantial pollutant concentrations?
- 1 d) Result in other emissions, such as those leading to odors adversely affecting a substantial number of people?

### IV. BIOLOGICAL RESOURCES

Would the project:

- 2 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 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 (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 2 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 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?

#### V. CULTURAL RESOURCES

Would the project:

- 1 a) Cause a substantial adverse change in the significance of a historical resource pursuant to 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) Disturb any human remains, including those interred outside of formal cemeteries?

#### VI. ENERGY

Would the project:

- 2 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- 2 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

#### VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause 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? Refer to Division of Mines and Geology Special Publication 42.
- 1 ii) Strong seismic ground shaking?
- 1 iii) Seismic-related ground failure, including liquefaction?
- 1 iv) Landslides?
- 1 b) Result in substantial soil erosion or loss of topsoil?
- 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

#### VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 2 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

#### IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 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?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

#### X. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 2 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
- 2 i) result in substantial erosion or siltation on- or off-site;
- 2 ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; or
- 2 iii) 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?
- 2 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 2 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

#### XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

#### XII. MINERAL RESOURCES

Would the project:

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

#### XIII. NOISE

Would the project result in:

- 3 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Generation of excessive groundborne vibration or groundborne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or 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?

#### XIV. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial unplanned 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 people or housing, necessitating the construction of replacement housing elsewhere?

#### XV. PUBLIC SERVICES

Would the project:

- 1 a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
  - 1 i) Fire protection?
  - 1 ii) Police protection?
  - 1 iii) Schools?
  - 1 iv) Parks?
  - 1 v) Other public facilities?

#### XVI. RECREATION

Would the project:

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

#### XVII. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 2 b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- 1 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 d) Result in inadequate emergency access?

#### XVIII. TRIBAL CULTURAL RESOURCES

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

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

#### XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 2 a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- 2 b) Have sufficient water supplies available to service the project and reasonable foreseeable future development during normal, dry, and multiple dry years?
- 1 c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- 1 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

#### XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate

fire risk or that may result in temporary or ongoing impacts to the environment?

- 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

Would the project:

- 2 a) Does the project have the potential to substantially 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, substantially 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)?
- 2 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 2019*

*Authority: Public Resources Code sections 21083 and 21083.09*

*Reference: Public Resources Code sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3/ 21084.2 and 21084.3*

## DISCUSSION OF ENVIRONMENTAL EVALUATION

### I. AESTHETICS

- a. The proposed project is new commercial 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 and the view will not be adversely impacted by the project.

- b. There are no scenic resources on the site.
- c. The proposed project includes commercial development that will be aesthetically consistent with surrounding development and with policies in the General Plan. 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 new sources of light that are typical of commercial development. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent properties.

### II. AGRICULTURAL RESOURCES

- a. The project is located on property that is identified as Local Importance based on maps prepared by the California Department of Conservation and contained within the Visalia General Plan, Figure 6-4.

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

- b. The project site is not zoned for agricultural use. The project is bordered by urban development or non-producing vacant land on all sides. There are no known Williamson Act contracts on any properties within the project area.

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

### III. AIR QUALITY

- a. The project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project in itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will therefore be a less than significant impact.
- b. Development under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The project will contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds. Also the project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

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

In addition, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. The project will



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

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

In addition, development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD.

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

#### **IV. BIOLOGICAL RESOURCES**

- a. 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.

In addition, staff had conducted an on-site visit to the site in December 2023 to observe biological conditions and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain special-status species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-1 of the EIR, that together work to reduce the potential for impacts on special-status species likely to occur in the Planning Area. With implementation of these policies, impacts on special-status species will be less than significant.

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

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by

future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within in the Planning Area. With implementation of these policies, and being that the project is not located within or adjacent to an identified sensitive riparian habitat or other natural community, including woodlands, impacts on woodlands will be less than significant.

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

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

- d. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that the movement of wildlife species may be directly or indirectly affected by future development within the General Plan Planning. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within in the Planning Area. With implementation of these policies, impacts on wildlife movement corridors will be less than significant.
- e. The project will not conflict with any local policies or ordinances protecting biological resources. The City has a municipal ordinance in place to protect valley oak trees; however no oak trees exist on the site.
- f. 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.
- c. 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. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American tribal observer, archeologist, or paleontologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.

## **VI. ENERGY**

- a. Development of the site will require the use of energy supply and infrastructure. However, the use of energy will be typical of that associated with commercial development associated with the underlying zoning. Furthermore, the use is not considered the type of use or intensity that would result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation. The project will be required to comply with California Building Code Title 24 standards for energy efficiency.

Policies identified under Impacts 3.4-1 and 3.4-2 of the EIR will reduce any potential impacts to a less than significant level. With implementation of these policies and the existing City standards, impacts to energy will be less than significant.

- b. The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, based on the discussion above.

## **VII. GEOLOGY AND SOILS**

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. The project does not involve the use of septic tanks or alternative waste water disposal systems since sanitary sewer lines are used for the disposal of waste water at this location.
- f. There are no known unique paleontological resources or geologic features located within the project area. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American

tribal observer, archeologist, or paleontologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.

## **VIII. GREENHOUSE GAS EMISSIONS**

- a. The project is expected to generate Greenhouse Gas (GHG) emissions in the short-term as a result of the construction of commercial development and long-term as a result of day-to-day operation of the proposed business.

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

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

- b. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 baseline levels by 2020 and to a level 80% below 1990 baseline levels by 2050. In addition, the State has enacted SB 32 which included provisions for reducing the GHG emission levels to a level 40% below 1990 baseline levels by 2030.

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

## **IX. HAZARDS AND HAZARDOUS MATERIALS**

- a. No hazardous materials are anticipated with the project.
- b. Construction activities associated with development of the project may include maintenance of on-site construction equipment which could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.
- c. There is one school located within 0.37 miles of the project site. The school is located 1,937-feet southeast of the project site (Greenhouse Montessori School). Notwithstanding, there is no reasonably foreseeable condition or incident involving the project that could affect the site.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.

- e. The Airport Master Plans adopted by City of Visalia and County of Tulare show the project area is located outside of any Airport Zones. There are no restrictions for the proposed project related to Airport Zone requirements.

The project area is not located within two miles of a public airport.

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

#### **X. HYDROLOGY AND WATER QUALITY**

- a. Development projects associated with buildout under the Visalia General Plan are subject to regulations which serve to ensure that such projects do not violate water quality standards of waste discharge requirements. These regulations include the Federal Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) permit program. State regulations include the State Water Resources Control Board (SWRCB) and more specifically the Central Valley Regional Water Quality Control Board (RWQCB), of which the project site area falls within the jurisdiction of.

Adherence to these regulations results in projects incorporating measures that reduce pollutants. The project will be required to adhere to municipal waste water requirements set by the Central Valley RWQCB and any permits issued by the agency.

Furthermore, there are no reasonably foreseeable reasons why the project would result in the degradation of water quality.

The Visalia General Plan contains multiple policies, identified under Impact 3.6-2 and 3.9-3 of the EIR, that together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.

- b. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. The project will result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer. However, as the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. The project therefore might affect the amount of precipitation that is recharged to the aquifer. The City of Visalia's water conservation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.

c.

- i. 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.
- ii. Development of the site will create additional impervious surfaces. However, connection of the site to storm water drainage facilities that already exist in

adjacent roadways will reduce any potential impacts to a less than significant level.

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

- iii. Development of the site will create additional impervious surfaces. However, connection of the site to storm water drainage facilities that already exist in adjacent roadways will reduce any potential impacts to a less than significant level.

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

Existing storm water mains are on site and the applicant will be connecting to service. Furthermore, the project will be required to meet the City's improvement standards for directing storm water runoff to the City's storm water drainage system consistent with the City's adopted City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.

- d. The project area is located sufficiently inland and distant from bodies of water, and outside potentially hazardous areas for seiches and tsunamis. The site is also relatively flat, which will contribute to the lack of impacts by mudflow occurrence. Therefore, there will be no impact related to these hazards.
- e. Development of the site has the potential to affect drainage patterns in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. Impaired storm water runoff may then be intercepted and directed to a storm drain or water body, unless allowed to stand in a detention area. The City's existing standards may require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

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

#### **XI. LAND USE AND PLANNING**

- a. The project will not physically divide an established community. The proposed project is to be developed on a 2.03-acre site and on land designated for commercial development and within the Demaree/Caldwell Specific Plan. The project site is surrounded by urban development and is bordered by the West Caldwell Avenue roadway to the north.
- b. The project site is within the City of Visalia's Tier I Urban Development Boundary as implemented by the City General Plan. Development of lands in Tier I may occur at any time.

The proposed project is consistent with Land Use Policy LU-P-19 of the General Plan. Policy LU-P-19, which states: "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy."

The proposed project will be consistent with the Land Use Element of the General Plan, and consistent with the standards for commercial mixed use development pursuant to the Visalia Municipal Code Title 17 (Zoning Ordinance) Chapter 17.19.

The project as a whole does not conflict with any land use plan, policy or regulation of the City of Visalia. The site contains a General Plan Land Use Designation of Neighborhood Commercial and a Zoning Designation of C-MU (Commercial Mixed Use). The City of Visalia's Zoning Ordinance conditionally permits automated car washing.

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

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

## **XII. MINERAL RESOURCES**

- a. No mineral areas of regional or statewide importance exist within the Visalia area.
- b. There are no mineral resource recovery sites delineated in the Visalia area.

## **XIII. NOISE**

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

An acoustical analysis was prepared for the proposed project, addressing the proposed commercial, automated car wash use [Xpress Carwash, Acoustical Analysis, prepared by VICE, Inc., May 5, 2023]. The purpose of the study was to determine if noise levels associated with the project will comply with the City's applicable noise level standards, particularly upon the existing single-family residential uses to the east and south. The acoustical analysis is intended to determine project-related noise levels for all aspects of the proposed project.

The analysis concluded that noise levels associated with the proposed car wash operations would be expected to exceed the City's exterior noise level standards by up to 8 dB. To ensure that community noise standards are met, the project shall construct a sound wall located east of the carwash tunnel exit at a height of at least 8 feet. The acoustical analysis has concluded that the placement of the wall will allow for the carwash to comply with City's Noise Element and Ordinance during business hours.

Therefore, to ensure that community noise standards are met for the proposed project, the project site shall be developed in substantial compliance with the mitigation contained in the "Conclusions and Recommendations" section of the above-referenced acoustical analysis. As described in the analysis, the following measures shall contain the following:

- 1) The project shall construct an 8' high sound wall and landscape berm with a combined height of 8 feet, along the east side of the carwash exit lane, as shown on Figure 1.
- 2) The sound wall should be constructed of dense material, such as masonry, and be continuous without gaps or openings from the building and extending south a minimum of 20 feet, as shown on Figure 1.

Staff has incorporated these recommendations as required mitigation measures. Therefore, to ensure that noise requirements are met for the proposed project, the project shall be developed and shall operate in substantial compliance with Mitigation Measure 1.1. This mitigation measure is included as part of this Initial Study.

Noise levels will increase temporarily 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.

- 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. The project area is located in excess of two miles from a public airport. The project will not expose people residing or working in the project area to excessive noise levels resulting from aircraft operations.

## **XIV. POPULATION AND HOUSING**

- a. The project will not directly induce substantial unplanned population growth that is in excess of that planned in the General Plan.
- b. Development of the site will not displace any housing or people on the site. The area being developed is currently vacant land.

## **XV. PUBLIC SERVICES**

- a.
  - i. Current fire protection facilities are located at the Visalia Station 53, located approximately 1.34 miles northwest of the property, 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.
  - ii. Current police protection facilities can adequately serve the site without a need for alteration. Impact fees will be

paid to mitigate the project's proportionate impact on these facilities.

- iii. The project will not generate new students for which existing schools in the area may accommodate.
- iv. Current park 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.
- v. Other public facilities can adequately serve the site without a need for alteration.

**XVI. RECREATION**

- a. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment. The project will not increase the use of existing neighborhood and regional parks as no residential uses are proposed.
- 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.

**XVII. 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.

The City of Visalia, in determining the significance of transportation impacts for land use projects, recognizes the adopted City of Visalia Vehicle Miles Travelled (VMT) Thresholds and Implementation Guidelines ("Guidelines") recommended threshold as the basis for what constitutes a significant or less than significant transportation impact. The Guidelines recommend a 16% reduction target based on the Greenhouse Gas emission reduction target for 2035 for the Tulare County region set by the SB 375 Regional Plan Climate Target. Therefore, residential projects exceeding 16% below the existing VMT per capita is indicative of a significant environmental impact.

For the metric measuring VMT per trip distance, a map of the City of Visalia, produced by Tulare County Association of Governments (TCAG), provides areas with 84% or less average VMT per trip distance, or 16% below the regional average. In the subject site's TAZ, the current average trip distance experienced is 14.7537 miles, which is above the average county-wide trip distance of 11.9 miles and the 16% target reduction of 9.76 miles. However, under the Guidelines, the project is screened out from creating a significant impact since the project will generate less than 1,000 trips daily and is consistent with the City's General Plan and current zoning. The carwash project is projected to generate a maximum 755 trips daily. As proposed, the carwash is consistent with the General Plan and will comply with Chapter 17.18 Commercial Zones development standards. Hence, the proposal is screened

out of performing a VMT analysis and the project will have a less than significant impact with regards to compliance with CEQA Guidelines section 15064.3, subdivision (b)

- c. There are no planned geometric designs associated with the project that are considered hazardous.
- d. The project will not result in inadequate emergency access.

**XVIII. TRIBAL CULTURAL RESOURCES**

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

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

Pre-consultations letters were sent to local tribes in accordance with AB 52, providing tribes a 30-day early review period. Staff did not receive comment from any of the tribes.

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

**XIX. 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.

Existing sanitary sewer and storm water mains are on site and the applicant will be connecting to services. Usage of these lines is consistent with the City Sewer System Master Plan and Storm Water Master Plan. These improvements will 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 City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment

demands at the City wastewater treatment plant.

- d. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- e. 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.

**XX. WILDFIRE**

- a. The project is located on a site that is adjacent on multiple sides by existing development. The site will be further served by multiple points of access. In the event of an emergency response, coordination would be made with the City's Engineering, Police, and Fire Divisions to ensure that adequate access to and from the site is maintained.
- b. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that is likely to exacerbate wildfire risks.
- c. The project is located on a site that is adjacent on multiple sides by existing development. New project development will require the installation and maintenance of associated infrastructure extending from adjacent off-site locations to the project site; however the infrastructure would be typical of commercial development and would be developed to the standards of the underlying responsible agencies.

- d. The project area is relatively flat and the underlying soil is not known to be unstable. Therefore, the site is not in a location that would expose persons or structures to significant risks of flooding or landslides.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

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

## DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

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



Brandon Smith, AICP  
Environmental Coordinator

February 26, 2024

Date



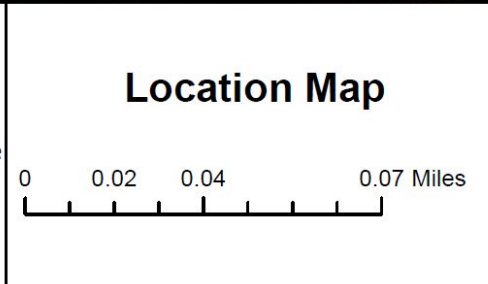
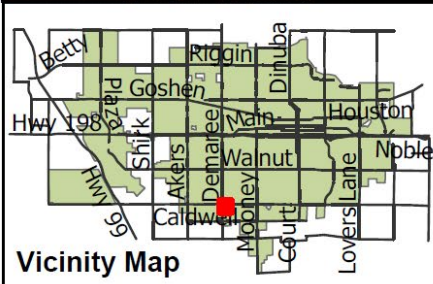
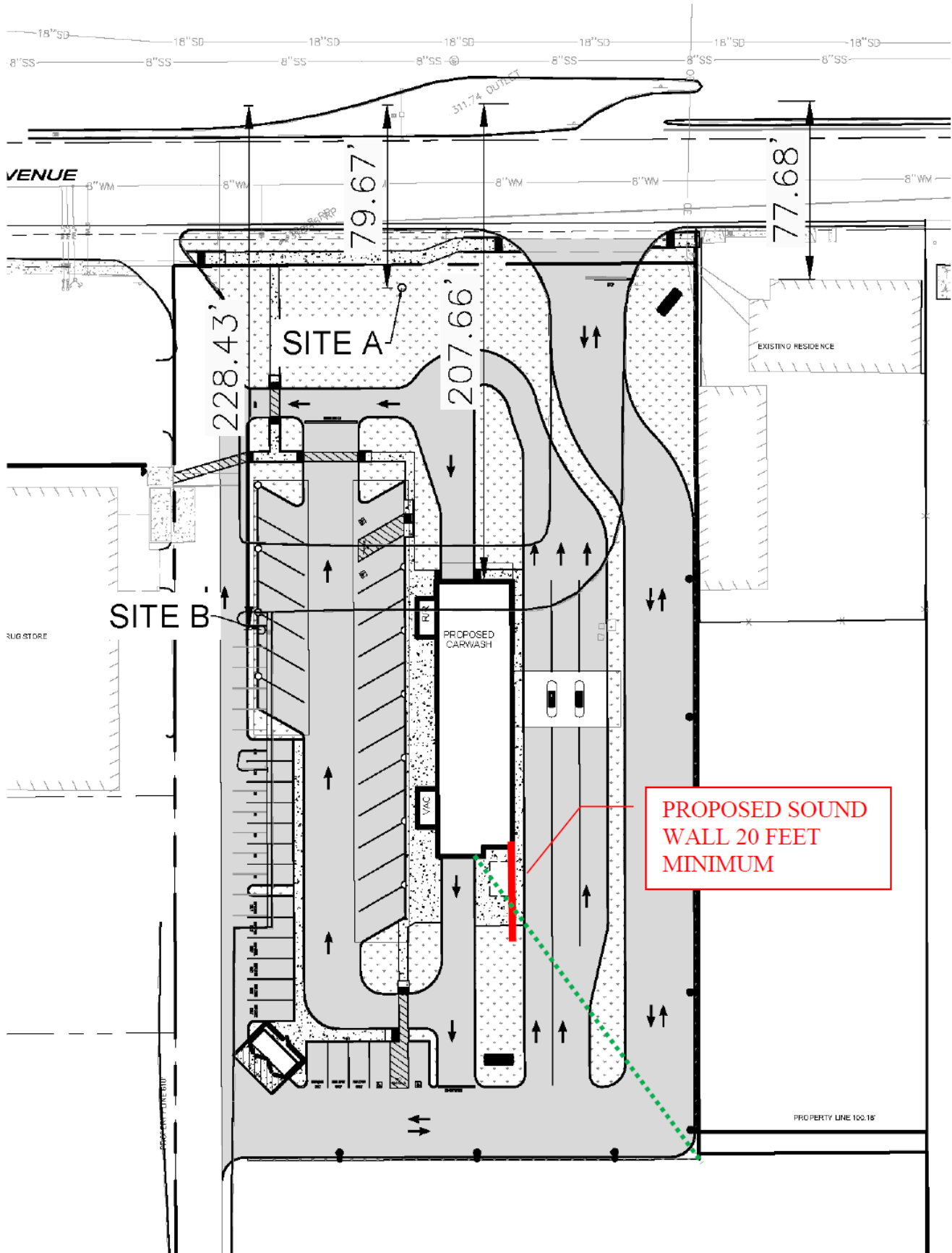




Figure No. 1





October 18, 2022

**Site Plan Review No. 2022-143:**

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **October 12, 2022**. 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.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in black ink, appearing to read "Paul Bernal".

Paul Bernal  
Community Development Director  
315 E. Acequia Ave.  
Visalia, CA 93291

**Attachment(s):**

- Site Plan Review Comments



MEETING DATE October 12, 2022  
SITE PLAN NO. 2022-143  
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.

☐ **RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

☐ During site plan design/policy concerns were identified, schedule a meeting with

☐ Planning ☐ Engineering prior to resubmittal plans for Site Plan Review.

☐ Solid Waste ☐ Parks and Recreation ☐ Fire Dept.

☒ **REVISE AND PROCEED** (see below)

☐ A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

☐ Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

☒ Your plans must be reviewed by:

☐ CITY COUNCIL

☐ REDEVELOPMENT

☒ PLANNING COMMISSION

☐ PARK/RECREATION

☒ CUP

☐ HISTORIC PRESERVATION

☐ OTHER –

☐ **ADDITIONAL COMMENTS:**

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440  
*Site Plan Review Committee*

# SITE PLAN REVIEW COMMENTS

**Rafael Garcia, Planning Division (559) 713-4031**

Date: October 12, 2022

SITE PLAN NO: 2022-143 - B  
PROJECT TITLE: Rapid Express Car Wash  
DESCRIPTION: New automated express carwash with vacuums  
APPLICANT: Jeromy Stevens  
PROP. OWNER: CLEMENTS KEVIN  
LOCATION TITLE: 3549 W. Caldwell Ave.  
APN TITLE: 126-890-002  
GENERAL PLAN: Commercial Mixed Use  
EXISTING ZONING: C-MU (Commercial Mixed-Use)

---

## **Planning Division Recommendation:**

- ☒ Revise and Proceed  
☐ Resubmit

## **Project Requirements**

- Conditional Use Permit
- Compliance with Specific Plan
- Building Permit
- Additional requirements as necessary.

## **PROJECT SPECIFIC INFORMATION:** October 12, 2022

1. Demonstrate that cross access/shared parking exists as part of the resubmittal.
2. Dimension front yard setback at pinch point.
3. Comply with the Caldwell Demaree Specific Plan requirements (the proposed project is located in subarea B). Demonstrate compliance with SB-1 through SB-5 and SA-2, SA-6 and SA-7 of the specific plan.
4. The applicant shall provide at Building Elevations demonstrating compliance with the Demaree-Caldwell Specific Plan.
5. The CUP submittal shall require that the applicant provide detailed exhibits of the following:
  - a. Site plan.
  - b. Floor plan.
  - c. Building elevations and Sections.
  - d. Operational statement.
  - e. Landscaping plan.
  - f. Photometric Study
  - g. Noise Study
  - h. Queuing Study
6. The landscaping plan shall verify that a minimum 10% of the parking lot is landscaped.
7. Update operational statement to reference car wash to the north.
8. New block walls will be required adjacent to the residences to the east and south.
9. A tree well shall be include for every 10 contiguous parking stalls.

10. The project must provide an average landscaped setback from the edge of the right of way along Caldwell of 30 ft. along northern boundary. Dimension the depth of the landscaped setback demonstrating compliance as part of the site plan.
11. Employee parking shall be provided and called out and shown as part of the site plan to include a minimum of one stall for every employee during max shift.
12. Provide updated "Exhibit A" showing how the proposed use/project will be designed as part of Specific Plan as conditioned by SPA 2006-02 (Exhibit A).
13. Sufficient parking must be provided for the CVS Pharmacy to account for the removal of the parking as part of the proposed project. The pharmacy is approximately 15,800 square feet with a parking standard of 1 space per 225 square feet square feet for a total of 70.22 required parking spaces. Demonstrate that sufficient parking will be provided for the pharmacy.
14. The applicant must provide trip generation numbers to determine whether the Traffic Engineer will require a TIA.

**PROJECT SPECIFIC INFORMATION:** August 24, 2022

1. Demonstrate that cross access/shared parking exists as part of the resubmittal.
2. Comply with the Caldwell Demaree Specific Plan requirements (the proposed project is located in subarea B). Demonstrate compliance with SB-1 through SB-5 and SA-2, SA-6 and SA-7 of the specific plan.
3. The applicant shall provide at Building Elevations demonstrating compliance with the Demaree-Caldwell Specific Plan.
4. The CUP submittal shall require that the applicant provide detailed exhibits of the following:
  - a. Site plan.
  - b. Floor plan.
  - c. Building elevations and Sections.
  - d. Operational statement.
  - e. Landscaping plan.
  - f. Photometric Study
  - g. Noise Study
  - h. Queuing Study
5. The landscaping plan shall verify that a minimum 10% of the parking lot is landscaped.
6. Update operational statement to reference car wash to the north.
7. New block walls will be required adjacent to the residences to the east and south.
8. A tree well shall be include for every 10 contiguous parking stalls.
9. The project must provide an average landscaped setback from the edge of the right of way along Caldwell of 30 ft. along northern boundary. Dimension the depth of the landscaped setback demonstrating compliance as part of the site plan.
10. Employee parking shall be provided and called out and shown as part of the site plan to include a minimum of one stall for every employee during max shift.
11. Provide updated "Exhibit A" showing how the proposed use/project will be designed as part of Specific Plan as conditioned by SPA 2006-02 (Exhibit A).
12. Sufficient parking must be provided for the CVS Pharmacy to account for the removal of the parking as part of the proposed project. The pharmacy is approximately 15,800 square feet with a parking standard of 1 space per 225 square

feet square feet for a total of 70.22 required parking spaces. Demonstrate that sufficient parking will be provided for the pharmacy.

13. The applicant must provide trip generation numbers to determine whether the Traffic Engineer will require a TIA.

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

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

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

**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 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 17.30.130.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. 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. 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.
9. 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).

3. 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 (Zoning Ordinance Section 17.34.040).
7. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
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. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).
11. 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.

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**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.**



RS

Signature



**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

☒ Adrian Rubalcaba 713-4271  
☐ Lupe Garcia 713-4197  
☐ Edelma Gonzalez 713-4634

ITEM NO: 2 DATE: OCTOBER 12, 2022

SITE PLAN NO.: 22-143 RESUBMITTAL  
PROJECT TITLE: RAPID XPRESS CAR WASH  
DESCRIPTION: EXPRESS AUTOMATED CARWASH WITH SELF  
PAY & SELF VACUUM AREAS (C-M-U)  
APPLICANT: RYAN ALVAREZ, KIMLEY-HORN & ASSOC.  
PROP OWNER: CLEMENTS KEVIN  
LOCATION: 3549 W CALDWELL AVE  
APN: 126-890-002

**SITE PLAN REVIEW COMMENTS**

- ☒ REQUIREMENTS (indicated by checked boxes)
- ☐ Install curb return with ramp, with \_\_\_\_\_ radius;
- ☒ Install curb; ☒ gutter
- ☒ Drive approach size: ☐ Use radius return; **EXISTING, COMPLETE ACCESSIBLE RAMPS**
- ☒ Sidewalk: **MATCH** width; ☒ **MATCH/VARIES** parkway width at **CALDWELL**
- ☐ 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. **CALDWELL**
- ☒ Deed required prior to issuing building permit; **GRANT DEED & EASEMENTS ON CALDWELL**
- ☒ City Encroachment Permit Required. **FOR ALL WORK WITHIN 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) ☒ 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 basin:  
: \_\_\_\_\_ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance. **CONNECT TO EXISTING INFRASTRUCTURE ONSITE**
- ☐ 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 = 0.20%, 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. **TO BE DETERMINED AT TIME OF CIVIL REVIEW.**
- ☒ 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. **AS NEEDED WITH PROPOSED DEVELOPMENT**
- ☐ Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- ☐ Subject to existing Reimbursement Agreement to reimburse prior developer:
- ☒ Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- ☒ If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- ☒ If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- ☒ Comply with prior comments.      ☐ Resubmit with additional information.      ☒ Redesign required.

**Additional Comments:**

1. ***Currently there is a city project for Caldwell realignment which affects your property frontage. Coordinate with Fred Lampe, project engineer at 713-4270 >> ADDED: As proposed, there will be slight modifications to the frontage design along Caldwell - coordinate with City project engineer.***
2. ***Proposed sidewalk aligns with the existing sidewalk to the west. Site plan does not show path of travel connection to the east. Provide connection in the ROW and install frontage improvements according to CIP design. >> ADDED: Sidewalk alignment will shift as it heads east per City layout. Comply per City project design layout. Provide pedestrian accessible path of travel across existing approach.***
3. ***Install street trees per City standards within the parkway.***
4. ***Pedestrian access easement may be necessary based on final design and layout. >> ADDED: Additional pedestrian access easement will be needed along Caldwell for areas of sidewalk encroachment onto property OR dedication of right-of-way beyond the typical 10-foot from curb face.***
5. ***Provide A/C curb at all pavement perimeters to prohibit vehicles from driving on unimproved surfaces.***
6. ***Meet Planning conditions/entitlements***
7. ***Connect to internal sewer/storm infrastructure.***
8. ***Meet City standards for new construction onsite, including parking and accessibility.***

9. *A building permit is required, standard plan check and inspection fees will apply.*
10. *Project will incur development impact fees, refer to page 4 for applicable fees and summary.*
11. *Common access and utilities onsite will need to be provided to serve new and future developments onsite per approved Master Plan.*
12. *Location of trash enclosure not set for direct stab. Refer to Solid Waste Dept. comments. >> ADDED: Refer to Solid Waste further comments.*
13. *Provide a direct accessible path of travel to Public Right-Of-Way on Caldwell Ave. If developer wants to utilize existing path of travel connection at the south east corner of Demaree and Caldwell, a cross access agreement would need to be provided. >> ADDED: pedestrian accessible path of travel from sidewalk on Caldwell to proposed building, in addition to access paths to existing onsite buildings, has been provided.*
14. *Comply with 11B-250. Circulation path contiguous to vehicular traffic must be physically separated from vehicular traffic. Physical separation shall be provided with circulation paths raised 4" (minimum) above the area where vehicle traffic occurs.*
15. *Provide sand/oil interceptor. >> ADDED: storm water pretreatment recommended in addition to typical requirements for carwash facility.*
16. *NEW: Additional right-of-way along Caldwell is required with project. A total of 10-foot from existing curb face to be dedicated by Grant Deed in fee to the City. Refer to Grant Deed process and deed formatting. The new sidewalk installation will encroach onto private property therefore an easement will also be required. Developer will have option to provide Grant Deed to encompass sidewalk portion or provide the required separate deeds.*
17. *NEW: Project is subject to the underlying Specific Plan established with overall development, comply with master planned conditions.*
18. *NEW: In addition to the applicable impact fees to be assessed with proposed project, the new development is subject to an existing Area of Benefit previously adopted/established for repayment of the traffic signal installed at Packwood and Demaree intersection. Per the Area of Benefit, the proportionate share for this parcel has been calculated to be \$9,191.81, due at time of building permit issuance.*
19. *NEW: Site plan does not provide desired parceling or lot line adjustments with the project. Ensure to provide direction with Conditional Use Permit application submittal. Adhere to City standard Lot Line Adjustments processes. A new parcel mapping, if desired, would need to be submitted through Site Plan Review process separately as a Tentative Parcel Map.*



## SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **22-143 RESUBMITTAL**

Date: **10/12/2022**

**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: **08/20/2022**)

(Project type for fee rates: **CAR WASH**)

☐ Existing uses may qualify for credits on Development Impact Fees.

<b>FEE ITEM</b>	<b>FEE RATE</b>
<input checked="" type="checkbox"/> Groundwater Overdraft Mitigation Fee	<b>\$1,555/AC X TBD</b>
<input checked="" type="checkbox"/> Transportation Impact Fee	<b>\$17,518/1000SF</b>
	<b>AREA OF BENEFIT FEE:</b>
	<b>\$9,191.81/PARCEL X 1</b>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	<b>\$23,553 / EACH</b>
	<b>TREATMENT PLANT FEE:</b>
	<b>\$25,646 / EACH</b>
<input checked="" type="checkbox"/> Sewer Front Foot Fee	<b>\$52/LF X 228 (CALDWELL)</b>
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	<b>\$7,814/AC X TBD</b>
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	<b>\$5,739/AC X TBD</b>
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	<b>\$10,419/AC X TBD</b>
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire	<b>\$2,279/AC X TBD</b>
<input checked="" type="checkbox"/> Public Facility Impact Fee	<b>\$667/1000SF X TBD</b>
<input type="checkbox"/> 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**

City of Visalia

Building: Site Plan

Review Comments

PR 22143  
CAR WASH  
3549 W CALDWELL AVE

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.

- ☒ A building permit will be required. *For information call (559) 713-4444*
- ☒ 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 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- ☐ Indicate abandoned wells, septic systems and excavations on construction plans.
- 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.
- ☐ A demolition permit & deposit is required. *For information call (559) 713-4444*
- ☐ Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (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*
- ☒ School Development fees. **COMMERCIAL : 0.78 PER SF**
- ☐ Park Development fee \$ \_\_\_\_\_ per unit collected with building permits.
- ☐ Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- ☐ Acceptable as submitted
- ☐ No comments at this time

Additional comments: PROVIDE BIKE RACKS AND FUTURE EV CHARGING PARKING. LANDSCAPING TO MEET MWELO REQUIREMENTS.

VAL GARCIA 10/12/22  
Signature

**Site Plan Comments**

Visalia Fire Department  
Corbin Reed, Fire Marshal  
420 N. Burke  
Visalia CA 93292  
559-713-4272 office  
prevention.division@visalia.city

Date	October 11, 2022
Item #	2
Site Plan #	22143
APN:	126890002

- 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 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- Construction and demolition sites prior to and during construction shall comply with the following:
  - **Water supply** for fire protection, either temporary or permanent, shall be made available as soon as combustible materials arrive on the site. 2019 CFC §3312
  - Provide 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. 2019 CFC §3310
- **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 are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2019 CFC 505.1
- All hardware on **exit doors, illuminated exit signs and emergency lighting** shall comply with the 2019 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 fire sprinkler system. 2019 CFC 304.3.3
- A **Knox Box 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. Go to [knoxbox.com](http://knoxbox.com) to order and please allow adequate time for shipping and installation. 2019 CFC 506.1
- If your business handles **hazardous material** in amounts that exceed the Maximum Allowable Quantities listed on Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2019 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.

- Where a portion of any building is more than 400 feet from a hydrant on a fire apparatus access road, **on-site fire hydrant(s)** shall be provided. 2019 CFC 507.5.1, App B and C
- 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 2019 CFC §507, App B and C.

To determine **fire hydrant** location(s) and distribution the following information should be provided to the Site Plan Review committee: Type of construction \_\_\_\_\_ Square footage \_\_\_\_\_

- A **fire apparatus access road(s)** shall be provided and extend within 150 feet of all portions of the building and all portions of the exterior walls of the first story as measured by an approved route around the exterior. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. Fire apparatus access roads shall have an unobstructed width of not less than the following (2019 CFC 503.1.1)
  - 20 feet width, exclusive of shoulders (No Parking)
  - More than 26 feet width, exclusive of shoulders (No Parking one side)
  - More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)

- Approved **No PARKING – FIRE LANE** signs shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. 2019 CFC 503.3/ D103.6



  
 Corbin Reed  
 Fire Marshal





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

Date: 10/12/22  
Item: 2  
Site Plan: SPR22143  
Name: Agt. C. Sinatra

**Site Plan Review Comments**

- ☐ No Comment at this time.
- ☐ Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- ☐ Public Safety Impact Fee:  
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code  
Effective date - August 17, 2001.
- ☐ Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.
- ☐ Not enough information provided. Please provide additional information pertaining to:
- ☐ Territorial Reinforcement: Define property lines (private/public space).
- ☐ Access Controlled/ Restricted etc.
- ☒ lighting Concerns:  
Ample exterior lighting to deter property crimes
- ☐ Traffic Concerns:
- ☒ Surveillance Issues:  
Interior/Exterior video surveillance cameras to deter property crimes
- ☒ Line of Sight Issues:  
Low shrubs to deter transients from setting up camps
- ☒ Other Concerns:  
Enroll/Participate in the Trespass Enforcement Program (T.E.P.)

# **SITE PLAN REVIEW COMMENTS**

## **CITY OF VISALIA TRAFFIC SAFETY DIVISION**

**October 12, 2022**

ITEM NO: 2      **Resubmit**  
SITE PLAN NO: **SPR22143**  
PROJECT TITLE: **Rapid Xpress Car Wash**  
DESCRIPTION: **Express Automated Carwash with Self Pay & Self Vacuum Areas (C-M-U)**  
APPLICANT: **Jeromy Stevens**  
OWNER: **CLEMENTS KEVIN**  
APN: **126890002**  
LOCATION: **3549 W CALDWELL AVE**

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

- ☐ No Comments
- ☒ See Previous Site Plan Comments
- ☐ Install Street Light(s) per City Standards at time of development.
- ☐ Install Street Name Blades at Locations at time of development.
- ☐ Install Stop Signs at **local road intersection with collector/arterial** Locations.
- ☒ Construct parking per City Standards PK-1 through PK-4 at time of development.
- ☒ Construct drive approach per City Standards at time of development.
- ☐ Traffic Impact Analysis required (CUP)
- ☒ Provide more traffic information such as (see additional comments below). Depending on development size, characteristics, etc., a TIA may be required. See additional comments below.
- ☐ 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 improvements needed in concurrence with TIF.

#### **Additional Comments:**

- Provide trip generation numbers for projected trips project will generate in the peak hours. Depending on information provided, a TIA may be required. Trip generation information required prior to CUP submittal.
- Questions – Contact Traffic Engineering Ph# 559-713-4633

*Leslie Blair*

**Leslie Blair**



## CALIFORNIA WATER SERVICE

**Visalia District** 216 North Valley Oaks Drive  
Visalia, CA 93292 Tel: (559) 624-1600

**Site Plan Review Comments From:**

California Water Service  
Scott McNamara, Superintendent  
216 N Valley Oaks Dr.  
Visalia, CA 93292  
559-624-1622 Office  
[smcnamara@calwater.com](mailto:smcnamara@calwater.com)

Date: 10/12/2022  
Item # 2  
Site Plan # 22-143  
Project: Rapid Xpress Car Wash  
Description: Automated Car Wash  
Location: 3549 W Caldwell  
APN: 126-890-002

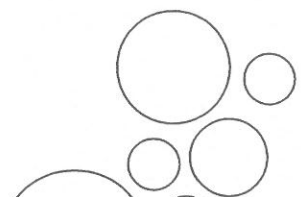
The following comments are applicable when checked:

- ☒ **Re-submitted**  
☐ **No Comments at this time**
- 

- ☒ **Fire Hydrants:** Existing hydrant on Caldwell, just west of west parcel line
- ☒ **Services:** Service(s) will need to be installed at this location.
- ☐ **Mains:**
- ☒ **Backflow Requirements:** Will be required if any parcel is for multi-family, commercial, or has multiple services on one parcel. Please contact Cross Connection Control Specialist, Juan Cisneros at 559-624-1670 or [visaliabackfow@calwater.com](mailto:visaliabackfow@calwater.com) for a backflow install packet.

Additional Comments:

- ☒ Please contact New Business Superintendent Sedelia Sanchez at 559-624-1621 or [ssanchez@calwater.com](mailto:ssanchez@calwater.com) to start your project with Cal Water.



CITY OF VISALIA  
SOLID WASTE DIVISION  
336 N. BEN MADDUX  
VISALIA CA. 93291  
713 - 4532  
COMMERCIAL BIN SERVICE

22143

October 12, 2022

- ☐ No comments.
- ☒ 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**

The customer to rotate the proposed city standard (R3/R4) double bin enclosure a few degrees to face southwest which will allow for STAB load collection services from the main drive aisle. Solid waste services will include trash, recycling and organics recycling services per the State of California's mandatory recycling laws (AB-341 & AB-1826). Enclosure gates are required and must swing 180 degrees, clearing all curbing. Gates must include Cain bolts to secure them when opened. The customer is encouraged to contact Solid Waste at 559-713-4532 to discuss/review preferred enclosure placement.

Jason Serpa, Solid Waste Manager, 559-713-4533  
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532



July 31, 2023

[kenvang@vice-engr.com](mailto:kenvang@vice-engr.com)

**Site Plan Review No. 2023-099:**

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **July 12, 2023**. 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.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal".

*File*

Paul Bernal  
Community Development Director  
315 East Acequia Ave.  
Visalia, CA 93291

**Attachment(s):**

- Site Plan Review Comments





MEETING DATE

July 12, 2023

SITE PLAN NO.

2023-099

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.

☐ **RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

☐ During site plan design/policy concerns were identified, schedule a meeting with

☐ Planning

☐ Engineering prior to resubmittal plans for Site Plan Review.

☐ Solid Waste

☐ Parks and Recreation

☐ Fire Dept.

☒ **REVISE AND PROCEED** (see below)

☐ A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

☐ Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

☒ Your plans must be reviewed by:

☐ CITY COUNCIL

☐ REDEVELOPMENT

☒ PLANNING COMMISSION

☐ PARK/RECREATION

☐ TPM/CUP

☐ HISTORIC PRESERVATION

☐ OTHER –

☒ **ADDITIONAL COMMENTS:**

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440  
Site Plan Review Committee

# SITE PLAN REVIEW COMMENTS

**Cristobal Carrillo, Planning Division (559) 713-4443**

Date: July 12, 2023

SITE PLAN NO: 2023-099  
PROJECT TITLE: Rapid Xpress Car Wash  
DESCRIPTION: Proposed parcel map to subdivided APN: 126-890-002 into two parcels  
APPLICANT: Ken Vang - Applicant  
PROP. OWNER: Orange Coast Title Company of Nor Cal  
LOCATION TITLE: 3549 W. Cladwell Ave.  
APN TITLE: 126-890-002  
GENERAL PLAN: Commercial Mixed Use  
EXISTING ZONING: C-MU (Commercial Mixed-Use)

---

## **Planning Division Recommendation:**

- ☒ Revise and Proceed  
☐ Resubmit

## **Project Requirements**

- Tentative Parcel Map
- Conditional Use Permit
- Compliance with Demaree-Caldwell Specific Plan

## **PROJECT SPECIFIC INFORMATION: July 12, 2023**

1. File a Tentative Parcel Map.
2. File a Conditional Use Permit along with the Tentative Parcel Map due to the creation of an undersized parcel in the C-MU Zone, with no direct street frontage.
3. Comply with the Demaree-Caldwell Specific Plan requirements.
4. A master site plan shall be provided showing the project site in relation to the entire specific plan area.
5. A conceptual development plan shall be provided with the TPM/CUP proposal depicting the proposed carwash in relation to the new property boundaries.
6. The applicant shall comply with all requirements of the Engineering Division, including the depicting of easements applicable to the site.

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



---

Signature







**SUBDIVISION & PARCEL MAP  
REQUIREMENTS  
ENGINEERING DIVISION**

☐ Adrian Rubalcaba 713-4271  
☒ Edelma Gonzalez 713-4364  
☐ Luqman Ragabi 713-4362

ITEM NO: 2 DATE: JULY 12<sup>TH</sup>, 2023

SITE PLAN NO.: 23-099  
PROJECT TITLE: RAPID XPRESS CAR WASH  
DESCRIPTION: PROPOSED PARCEL MAP TO SUBDIVIDE APN:  
126-890-002 INTO TWO PARCELS  
APPLICANT: KEN VANG  
PROP. OWNER: ORANGE COAST TITLE COMPANY OF NOR CAL  
LOCATION: 3549 W CALDWELL AVE  
APN: 126-890-002

**SITE PLAN REVIEW COMMENTS**

- ☒ REQUIREMENTS (Indicated by checked boxes)
- ☐ Submit improvements plans detailing all proposed work; ☐ Subdivision Agreement will detail fees & bonding requirements
- ☐ Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- ☒ The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- ☐ A preconstruction conference is required prior to the start of any construction.
- ☒ Right-of-way dedication required. A title report is required for verification of ownership. ☒ by map ☐ by deed
- RIGHT-OF-WAY/EASEMENT ON CALDWELL**
- ☒ City Encroachment Permit Required which shall include an approved traffic control plan. **FOR ALL WORK WITHIN THE PUBLIC R.O.W. AT TIME OF PARCEL DEVELOPMENT**
- ☐ CalTrans Encroachment Permit Required. ☐ CalTrans comments required prior to tentative parcel map approval. CalTrans 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.
- ☐ Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- ☐ Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- ☐ Written comments required from ditch company. Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- ☐ Final Map & Improvements shall conform to the City's Waterways Policy. ☐ Access required on ditch bank, 12' minimum. ☐ Provide wide riparian dedication from top of bank.
- ☐ Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- ☒ 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) ☒ 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 basin:

: maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance. **CONNECT TO EXISTING INFRASTRUCTURE ONSITE AT TIME OF PARCEL DEVELOPMENT**

- ☐ 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 (559)713-4428 for a Valley Oak tree evaluation or permit to remove. ☐ Valley 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.
- ☒ 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. **AS NEEDED WITH PROPOSED DEVELOPMENT AT TIME OF PARCEL DEVELOPMENT**
- ☒ Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding. **AS NEEDED WITH PROPOSED DEVELOPMENT AT TIME OF PARCEL DEVELOPMENT**
- ☒ 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. **CALDWELL TO BE BUILD-OUT AT TIME OF PARCEL DEVELOPMENT. DRIVE APPROACH EXISTING, COMPLETE ACCESSIBLE RAMPS.**
- ☐ All lots shall have separate drive approaches constructed to City Standards.
- ☒ Install street striping as required by the City Engineer. **TO BE DETERMINED AT TIME OF CIVIL REVIEW**
- ☒ Install sidewalk: **MATCH** ft. wide, with **MATCH/VARIES** ft. wide parkway on **CALDWELL**
- ☐ 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. ☐ Remove existing leach fields and septic tanks.
- ☒ 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. Per SPR meeting with applicant, proposed tentative parcel map is related to previously proposed car wash commercial building under SPR 22-143.**
- 2. Coordinate with city staff for City parcel map requirements and processing fees.**
- 3. Development impact fees will apply to future development on each parcel. Subject to fee rates at the time.**
- 6. Proposed TPM to show all existing easements and encumbrments within existing parcel and designate method for removal/modification with TPM submittal.**
- 7. Common access and utilities rights will need to be provided to serve new land locked parcels. Show on TPM submittal.**
- 8. Additional Right-Of-Way along Caldwell may be required with project. Coordinate frontage improvements with CIP Project to provide adequate ROW with TPM submittal.**

**9. Any new sidewalk installation that encroaches onto private property will required a Pedestrian Access Easement (PAE) or Right-Of-Way (ROW) Dedication. Show PAE or ROW dedication with TPM submittal.**

**10. In addition to the applicable impact fees to be assessed with proposed project, the existing parcel is subject to an existing Area of Benefit previously adopted/established for repayment of the traffic signal installed at Packwood and Demaree intersection. Per the Area of Benefit, the proportionate share for this parcel has been calculated to be \$9,191.81. Either this subdivision or previously mentioned development will be required to pay the full amount whichever comes first.**

## **SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **23-099**

Date: **07/12/2023**

**Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:**

**(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)**

(Fee Schedule Date:**07/01/2023**)

(Project type for fee rates:(**TENTATIVE PARCEL MAP**)

☐ Existing uses may qualify for credits on Development Impact Fees.

<b><u>FEE ITEM</u></b>	<b><u>FEE RATE</u></b>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	<b>DEFERRED UNTIL TIME OF DEVELOPMENT</b>
<input checked="" type="checkbox"/> Sewer Front Foot Fee	<b>\$52/LF X 228 LF (CALDWELL)</b>
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	<b>\$7,814/AC X TBD</b>
<input type="checkbox"/> Park Acquisition Fee	
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	<b>\$5,739/AC X TBD</b>

**Additional Development Impact Fees 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.



**Edelma Gonzalez**

City of Visalia

Building: Site Plan

Review Comments

SPR 23099  
RAPID XPRESS CARWASH  
3549 WEST CALDWELL AVE.

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.

- ☐ A building permit will be required. *For information call (559) 713-4444*
- ☐ 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 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- ☐ Indicate abandoned wells, septic systems and excavations on construction plans.
- 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.
- ☐ A demolition permit & deposit is required. *For information call (559) 713-4444*
- ☐ Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (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*
- ☐ School Development fees.
- ☐ Park Development fee \$ \_\_\_\_\_ per unit collected with building permits.
- ☐ Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- ☐ Acceptable as submitted
- ☒ No comments at this time

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VAL GARCIA  
Signature

7/11/23



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

Date: 07-12-2023  
Item: 2  
Site Plan: SPR23099  
Name: Agt. Andrew Saelee

**Site Plan Review Comments**

☒

No Comment at this time.

☐

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

☐

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

☐

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

☐

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

☐

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

☐

Access Controlled/ Restricted etc.

☐

lighting Concerns:

☐

Traffic Concerns:

☐

Surveillance Issues:

☐

Line of Sight Issues:

☐

Other Concerns:



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

July 12, 2023

Item No. 2:

SITE PLAN NO: [SPR23099](#)  
PROJECT TITLE: Rapid Xpress Carwash  
DESCRIPTION: Proposed parcel map to subdivided APN: 126-890-002 into two parcels.  
APPLICANT: Ken Vang - Applicant  
OWNER: ORANGE COAST TITLE COMPANY OF NOR CAL  
APN: 126890002  
ADDRESS: 3549 W CALDWELL AVE  
LOCATION: 3549 West Caldwell Avenue

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

- ☒ No Comments
- ☐ See Previous Site Plan Comments
- ☐ Install Street Light(s) per City Standards at time of development.
- ☐ Install Street Name Blades at Locations at time of development.
- ☐ Install Stop Signs at **local road intersection with collector/arterial** Locations.
- ☐ Construct parking per City Standards PK-1 through PK-4 at time of development.
- ☐ Construct drive approach per City Standards at time of development.
- ☐ Traffic Impact Analysis required (CUP)
  - ☐ Provide more traffic information such \_\_\_\_\_. 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/Orhard Walk Specific Plan.
  - ☐ Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
  - ☐ Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

**Additional Comments:**

•



for **Leslie Blair**

CITY OF VISALIA  
SOLID WASTE DIVISION  
336 N. BEN MADDOX  
VISALIA CA. 93291  
713 - 4532  
COMMERCIAL BIN SERVICE

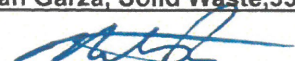
23099

July 12, 2023

XX	No comments.
	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.
XX	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	Solid Waste has no comments regarding the proposed parcel map.

Jason Serpa, Solid Waste Manager, 559-713-4533  
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532







## CALIFORNIA WATER SERVICE

**Visalia District** 216 North Valley Oaks Drive  
Visalia, CA 93292 *Tel:* (559) 624-1600

### Site Plan Review Comments From:

California Water Service  
Scott McNamara, Superintendent  
216 N Valley Oaks Dr.  
Visalia, CA 93292  
559-624-1622 Office  
559-735-3189 Fax  
[smcnamara@calwater.com](mailto:smcnamara@calwater.com)

Date: 07/12/2023

Item # 2

Site Plan # 23-099

Project: Rapid Xpress Car Wash

Description:

Applicant:

Location: 3549 W Caldwell

APN: 126-890-002

### The following comments are applicable when checked:

- ☐ Re-submit
- ☐ No Comments at this time

#### ☒ Fire Hydrants

**Comments-** Per Visalia Fire Department requirements. If street frontage hydrants are required off existing water main, Cal Water will utilize our own contractor for that work and that work will be paid for by the developer/customer. The location of those hydrants is to be approved by Visalia Fire.

#### ☒ Services

**Comments-** Service(s) will need to be installed at this location. The parcel to the south of this project will eventually need a service installed. When that happens, they will need a cross access agreement for their customer line as it will cross another parcel to get to them. The cross access agreement will either be from this project or the project to the west.

#### ☐ Mains

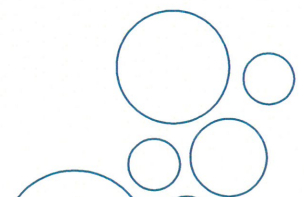
**Comments-**

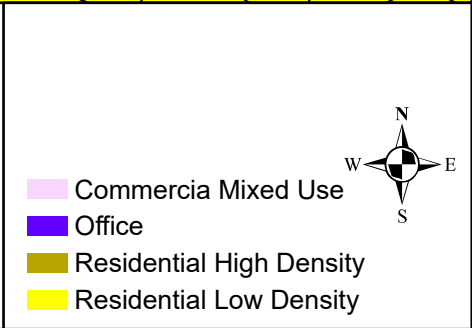
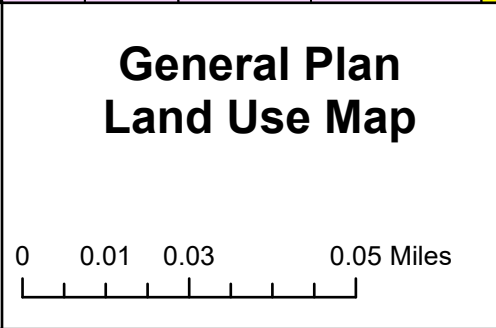
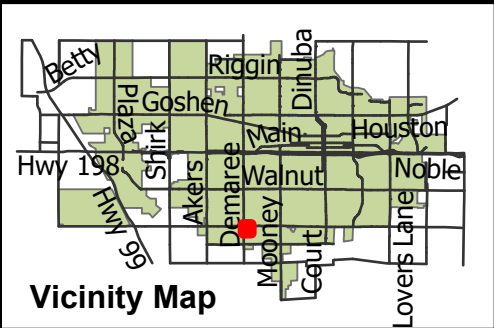
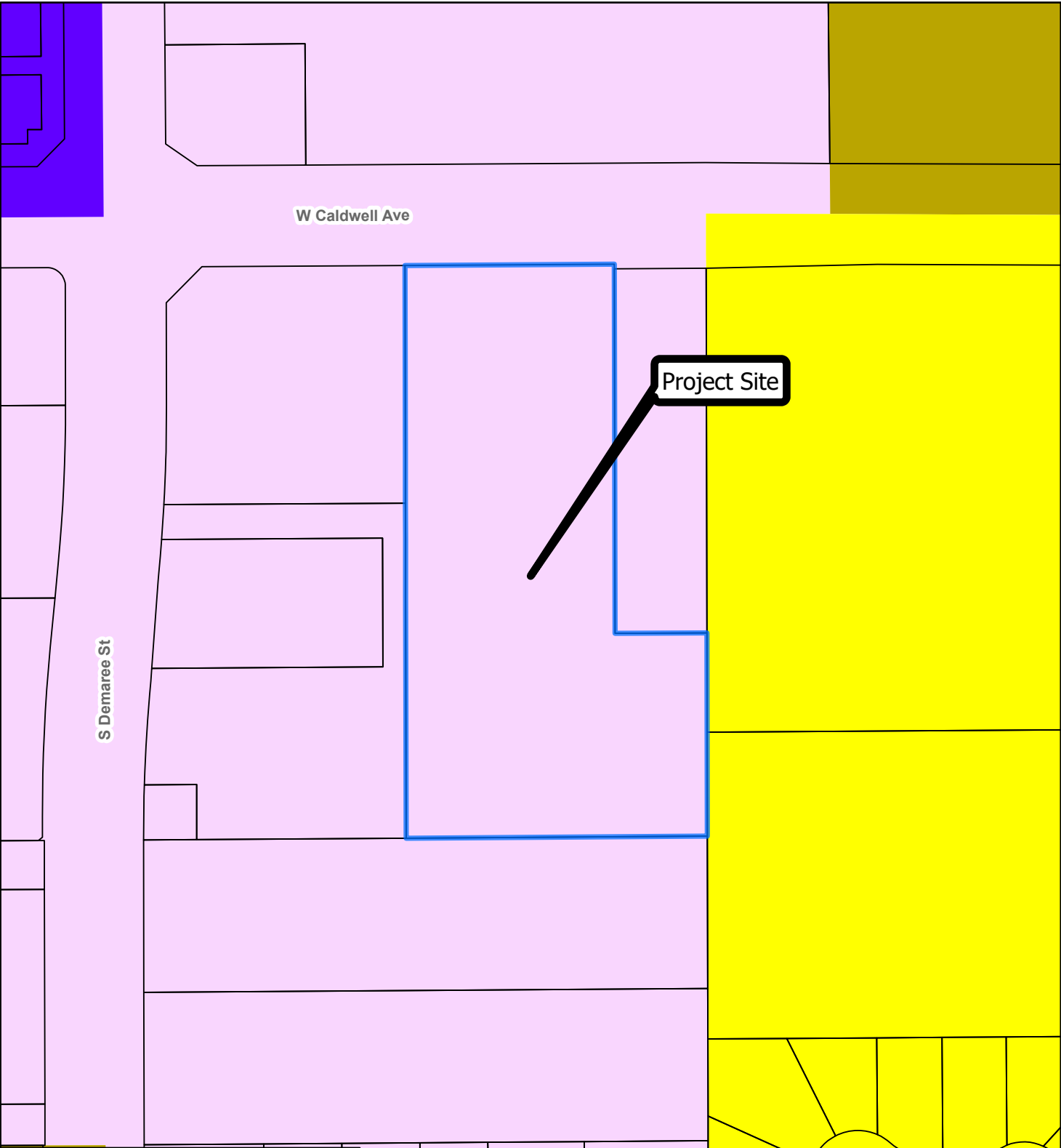
#### ☒ Backflow Requirements

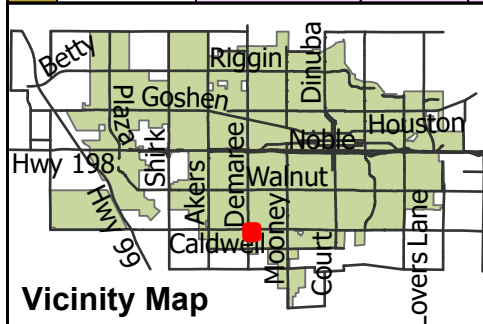
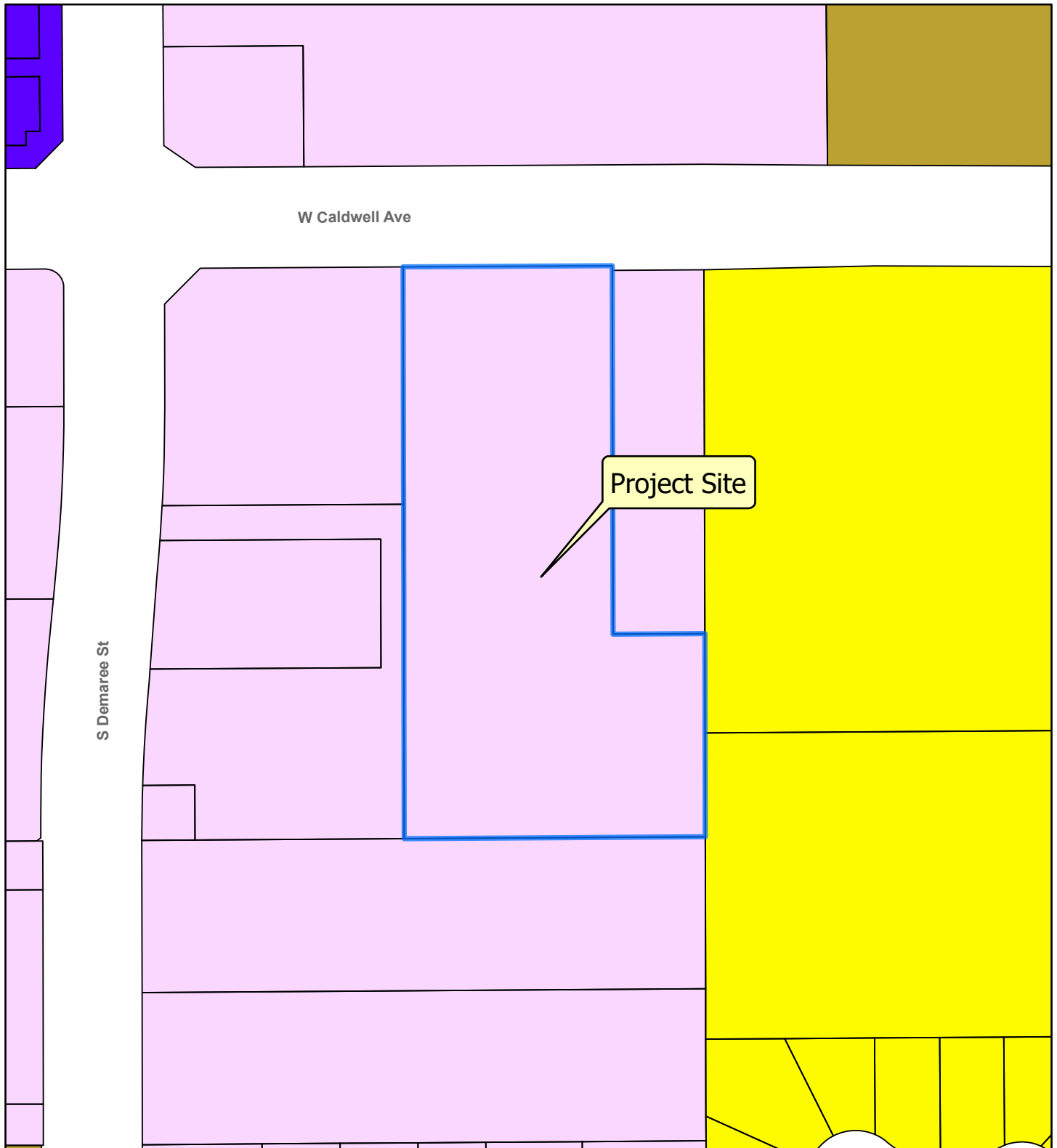
**Comments-** Will be required if any parcel is for multi-family, commercial, or has multiple services on one parcel. Please contact Cross Connection Control Specialist, Juan Cisneros at 559-624-1670 or [visaliabackfow@calwater.com](mailto:visaliabackfow@calwater.com) for a backflow install packet.

### Additional Comments:

- ☒ Please contact New Business Superintendent Sedelia Sanchez at 559-624-1621 or [ssanchez@calwater.com](mailto:ssanchez@calwater.com) to start your project with Cal Water.







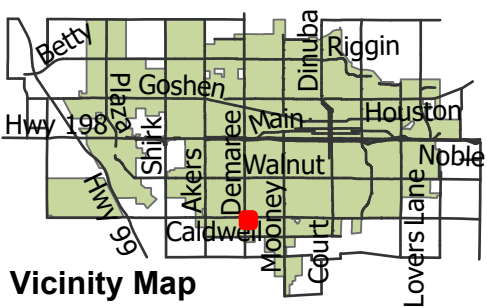
## Zoning Map

0 0.01 0.03 0.05 Miles



- C-MU Mixed Use Commercial
- O-PA Professional / Admin Office
- R-1-5 Single-family Residential
- R-M-3 Multi-family Residential



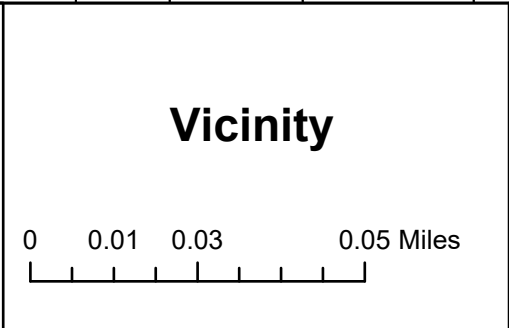
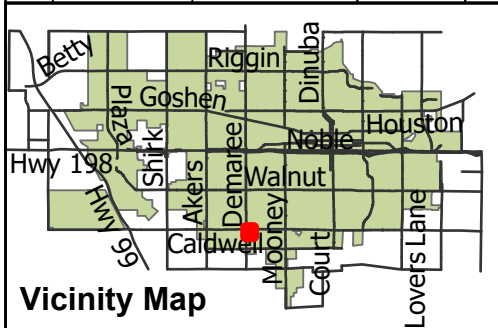


## Aerial Map

0 0.01 0.03 0.06 Miles









# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** April 8, 2024

**PROJECT PLANNER:** Colleen A. Moreno, Assistant Planner  
Phone: (559) 713-4031  
Email: [colleen.moreno@visalia.city](mailto:colleen.moreno@visalia.city)

**SUBJECT: Tentative Parcel Map No. 2024-02:** A request by Visalia Pavilion, LLC to subdivide a 3.87-acre parcel into two parcels less than 5-acres minimum for commercial use. Parcels created by this map will utilize easements established from a previously approved planned commercial development, CUP No. 2006-56. The project is zoned C-MU (Mixed Use Commercial) and is located southeast of West Caldwell Avenue and South Chinowth Street, immediately west of the WinCo Foods building (APN: 119-340-020 & 119-730-004).

## STAFF RECOMMENDATION

Staff recommends approval of Tentative Parcel Map No. 2024-02 based upon the findings and conditions in Resolution No. 2024-13. Staff's recommendation is based on the project's consistency with the City's General Plan, Demaree/Caldwell Specific Plan, Subdivision Ordinance, and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Tentative Parcel Map No. 2024-02 based on the findings and conditions in Resolution No. 2024-13.

## PROJECT DESCRIPTION

Tentative Parcel Map No. 2024-02 is a request to subdivide a 3.87-acre parcel into two parcels (Exhibit A). The proposed parcel sizes are as follows: 29,641 square feet (0.68 acres) for Parcel 1 and 138,933 square feet (3.189 acres) for Parcel 2. The parcels are both less than the 5-acre minimum in the C-MU (Mixed Use Commercial) zone.

Parcel 1 will consist of a 4,375 square foot building (adjacent to WinCo) and a portion of a shared parking lot. The building is currently vacant and will be sold to and occupied by a dentistry business (Exhibit B). Parcel 2 will encompass a vacant lot / future building sites and the remainder of the parking directly north of the future building sites. The use and build out of the future building sites on Parcel 2 have yet to be determined.

A conditional use permit (CUP) is not required as the existing parcel and development pattern have been established with the approval of CUP No. 2006-56 for a Planned Commercial Development that established parcels without public street frontage and privately maintained access easements to provide through public access. The proposed tentative parcel map does not require any change to these private access easements.

## BACKGROUND INFORMATION

General Plan Land Use Designation	Mixed Use Commercial
Zoning	C-MU (Commercial Mixed Use)
Surrounding Zoning and Land Use	North: R-1-5 (Single-Family Residential, 5,000 sq. ft. minimum site area) – Church South: R-M-3 (Multi-Family Residential, 1,200 sq. ft. minimum suite area) – Vacant parcel East: C-MU (Mixed Use Commercial) – Mix of residential homes and medical office West: R-1-5 (Single-Family Residential, 5,000 sq. ft. minimum site area) – Residential homes
Environmental Review	Categorical Exemption No. 2024-09
Site Plan	SPR No. 2023-218

### **Related Projects**

**Parcel Map No. 4839 (approved as Tentative Parcel Map No. 2006-25):** A request by Visalia Pavilion, LLC to divide 8.77 acres into six parcels. The project was approved in 2006 by the Planning Commission.

**Conditional Use Permit No. 2006-56:** A request by Visalia Pavilion, LLC to allow non-public street access to individual lots in an existing commercial center (The Visalia Pavilion) on 20 +/- acres in the C-CM (Community Commercial) Zone. The project was approved in 2006 by the Planning Commission.

**Parcel Map No. 4685 (approved as Tentative Parcel Map No. 2004-24):** A request by Kornwasser Shopping Center Properties, LLC to divide 23 acres into six parcels to support a new shopping center in conformance with the Demaree/Caldwell Specific Plan. The project was approved in 2004 by the Planning Commission. The parcels have been subsequently altered for development by approved lot line adjustments (LLA 2006-01, 2006-09 and 2006-20).

## PROJECT EVALUATION

Staff recommends approval of Tentative Parcel Map No. 2024-02, as conditioned, based on the project's consistency with the General Plan Land Use Element, Demaree/Caldwell Specific Plan, Subdivision Ordinance, and Zoning Ordinance.

### **Planned Development**

The creation of a parcel without direct access onto a public street requires a Planned Commercial Development, which is reviewed and approved through the conditional use permit process.

The Planning Commission previously reviewed and approved a development plan and circulation pattern for the parcel and the surrounding area through CUP No. 2006-56 (Exhibit C). The proposed Tentative Parcel Map is consistent with the development plan associated with CUP No. 2006-56 and will utilize the easements, setbacks, landscaping, and design requirements with City development standards.

## **Parking and Shared Access**

A shared parking and access agreement has been recorded for the shopping center prior to this Tentative Parcel Map. Updated cross access and maintenance agreements will be required by condition of approval to be recorded on the final map.

## **Subdivision Map Act Findings**

California Government Code Section 66474 lists seven findings for which a legislative body of a city or county shall deny approval of a tentative map if it is able to make any of these findings. These seven “negative” findings have come to light through a recent California Court of Appeal decision (*Spring Valley Association v. City of Victorville*) that has clarified the scope of findings that a city or county must make when approving a tentative map under the California Subdivision Map Act.

Staff has reviewed the seven findings for a cause of denial and finds that none of the findings can be made for the proposed project. The seven findings and staff’s analysis are below. Recommended findings in response to this Government Code section are included in the recommended findings for the approval of the tentative parcel map.

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed map has been found to be consistent with the City’s General Plan, Demaree/Caldwell Specific Plan, and Planned Commercial Development. This is included as recommended Finding No. 1 of the Tentative Parcel Map.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the map has been found to be consistent with the City’s General Plan and Planned Commercial Development. This is included as recommended Finding No. 1 of the Tentative Parcel Map.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed map and its affiliated development plan, which is designated as Mixed-Use Commercial land use. This is included as recommended Finding No. 3 of the Tentative Parcel Map.
(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed density of development in the Mixed Use Commercial land use designation and zone, which does not specify densities of development. This is included as recommended Finding No. 4 of the Tentative Parcel Map.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvement of the map has not been found likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This finding is further supported by the project’s determination of no new effects under the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 6 of the Tentative Parcel Map.



(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Parcel Map.
(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.	The proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 5 of the Tentative Parcel Map.

### **Environmental Review**

The project is Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2024-09.

### **RECOMMENDED FINDINGS**

1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained are consistent with the policies and intent of the General Plan, Demaree/Caldwell Specific Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems.
3. That the site is physically suitable for the proposed tentative parcel map and the way that it will be improved and developed through the previously approved planned development (Conditional Use Permit No. 2006-56).
4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Mixed Use Commercial land use designation and zone, which does not specify densities of development.
5. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
6. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development standards since they are part of a planned development established through Conditional Use Permit No. 2006-56.
7. That there are unique circumstances involved with the project that would deprive the landowner of development potential consistent with other properties classified in the same underlying zone.
8. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2024-09. Furthermore, the design of the subdivision or the proposed improvements is not likely to either cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

## RECOMMENDED CONDITIONS OF APPROVAL

1. That the tentative parcel map shall be developed consistent with the comments and conditions of the Site Plan Review No. 2023-218, incorporated herein by reference.
2. That the tentative parcel map be in substantial compliance with Exhibit A.
3. That all updated cross-access easements and maintenance agreements as applicable be recorded with the final map. The agreement shall be recorded prior to the issuance of any building permits on the Planned Commercial Development site.
4. That all other federal, state and city laws, codes and ordinances be complied with.

## APPEAL INFORMATION

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

### Attachments:

- Related Plans and Policies
- Resolution No. 2024-13
- Exhibit "A" – Tentative Parcel Map No. 2024-02
- Exhibit "B" – Operational Statement
- Exhibit "C" – Conditional Use Permit No. 2006-56
- Site Plan Review Comments No. 2023-218
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

**NOTICE OF EXEMPTION**

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

To: County Clerk  
County of Tulare  
County Civic Center  
Visalia, CA 93291-4593

Tentative Parcel Map No. 2024-02

**PROJECT TITLE**

The site is located southeast of W. Caldwell Ave and S. Chinowth St (APN: 119-340-020 & 119-730-004)

**PROJECT LOCATION**

Visalia

**PROJECT LOCATION - CITY**

Tulare

**COUNTY**

A request by Visalia Pavilion, LLC to subdivide a 3.87-acre parcel into two parcels. The proposed parcels are consistent with Conditional Use Permit No. 2006-56.

**DESCRIPTION - Nature, Purpose, & Beneficiaries of Project**

City of Visalia

**NAME OF PUBLIC AGENCY APPROVING PROJECT**

Visalia Pavilion, LLC 8222 Melrose Ave., Suite 300, Los Angeles CA 90046

**NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT**

Josh Binkley, address is same as above

**NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT**

**EXEMPT STATUS:** (Check one)

☐

Ministerial - Section 15073

☐

Emergency Project - Section 15071

☒

Categorical Exemption - State type and Section number: **Section 15315**

☐

Statutory Exemptions- State code number:

The project involves the subdivision of land into four or fewer parcels.

**REASON FOR PROJECT EXEMPTION**

Colleen A. Moreno, Assistant Planner

**CONTACT PERSON**

(559) 713-4031

**AREA CODE/PHONE**

March 19, 2024

**DATE**

Brandon Smith, AICP

**Environmental Coordinator**

## RELATED PLANS AND POLICIES

### Visalia Municipal Code Title 16 Subdivisions

#### Chapter 16.04 General Provisions

##### **16.04.010 Authority for local regulations.**

This title is enacted pursuant to the provisions of Division 2 of Title 7 of the Government Code of the State of California, referred to herein as the Subdivision Map Act. (Ord. 2017-01 (part), 2017: prior code § 9000)

##### **16.04.020 Purpose and scope.**

A. The subdivision ordinance is adopted to preserve, protect and promote the public health, safety, and general welfare. More specifically, the subdivision ordinance is adopted in order to achieve the following objectives:

1. To aid in the implementation of the general plan of the city, and elements thereof, as adopted by the City Council;
2. To provide lots of sufficient size and appropriate design for the purposes for which they are to be used;
3. To provide streets of adequate capacity for the anticipated traffic that would utilize them and to ensure that they are designed to promote a safe vehicular and pedestrian traffic circulation system;
4. To accommodate new development in a manner that will preserve and enhance the city's living environment and create new beauty through skilled subdivision design;
5. To provide for water supply, sewage disposal, storm drainage, solid waste collection and other utilities and facilities that are required by conditions of an urban environment;
6. To ensure that the costs of providing rights-of-way, street improvements, utilities and public areas and facilities needed to service new developments are borne fairly and equitably by the subdivider rather than by property owners of the city at large.

B. The subdivision ordinance is enacted for the purpose of regulating subdivision of land in accordance with the Subdivision Map Act of the state of California and any future amendments thereto and repeals all other regulations of the city in conflict with this title; provided, however, that such repeal shall not affect any agreement, contract, or bond executed pursuant to such regulations or any rights of action accruing thereunder. The regulations hereinafter in this title contained shall apply to all subdivisions and parcel maps or parts of subdivisions and parcel maps hereafter made entirely or partially within the city. The provisions of this title shall be in addition to and shall be considered as supplemental to the provisions of the Subdivision Map Act of the state of California, as now in effect or hereinafter amended. (Ord. 2017-01 (part), 2017: prior code § 9005)

##### **16.04.030 Responsibilities.**

A. City Attorney. The city attorney shall be responsible for approving as to form all subdivision improvement agreements and subdivision improvements securities.

B. City Council. The City Council shall have final jurisdiction in the approval of final maps if the acceptance of land and improvements is proposed for dedication to the city.

C. City Engineer. The city engineer or his/her designee shall be responsible for:

1. Establishing design and construction details, standards and specifications;

2. Determining if proposed subdivision improvements comply with the provisions of this title and the Subdivision Map Act and for reporting the findings together with any recommendations for approval, or conditional approval, of the tentative map to the city planner;

3. The processing and checking of final maps, parcel maps, reversion to acreage maps, amended maps, subdivision improvement plans, lot line adjustment maps, mergers and certificates of compliance;

4. The inspection and approval of subdivision improvements;

5. The approval of private improvements (improvements not to be maintained by the city).

D. Planning Commission. The Planning Commission is the designated official body charged with the duty of conducting public hearings, making investigations and reports on the design and improvement of proposed divisions of real property, the imposing of requirements or conditions thereon, and shall approve, conditionally approve or disapprove maps.

E. City Planner. The city planner shall be responsible for:

1. Investigating proposed subdivisions and parcel maps for conformity to the general plan, specific plans, and zoning ordinances of the city and reporting his finding together with recommendations for approval, conditional approval, or disapproval to the Planning Commission;

2. Examining and certifying that final maps are in substantial conformance to the approved or conditionally approved tentative map.

F. Site Plan Review Committee. The Site Plan Review Committee shall be responsible for the review of tentative parcel maps, tentative subdivision maps, vesting tentative subdivision maps, and vesting tentative parcel maps and shall provide the subdivider and the Planning Commission with the committee's comments, and requirements for conformance to city ordinances and policies.

G. Subdivider. The subdivider shall prepare maps consistent with the standards contained herein, design public improvements consistent with the public improvement standards of the city, and shall process said maps in accordance with the regulations set forth herein. (Ord. 2017-01 (part), 2017: Ord. 9605 § 32 (part), 1996: prior code § 9010)

#### **16.04.040 Appeals.**

A. The subdivider or any interested person adversely affected may, upon payment of an appeal fee as may be established by resolution of the City Council, appeal any decision, determination, or requirement of the Planning Commission by filing a notice thereof in writing with the city clerk, setting forth in detail the action and the grounds upon which the appeal is based within ten (10) days after the action that is the subject of the appeal. Such notice shall state specifically where it is claimed there was an error or abuse of discretion by the Planning Commission.

B. Upon the filing of an appeal, the City Council shall set the matter for hearing. Such hearings shall be held within thirty (30) days after the date of filing the appeal or receipt of council member request. City clerk shall give notice of the hearing according to the procedure required for the initial action by the Planning Commission, except that the timing of such notice shall be no less than ten (10) days before the hearing date.

C. In holding the hearing on the matter, the council may receive any and all information pertinent to the matter, regardless of whether such information was first presented to the Planning Commission. In the case of decisions by the Planning Commission that followed a public hearing, the City Council shall hold a new public hearing on the matter.

D. Upon the close of the hearing, the Council shall vote to either confirm the decision of the Planning Commission, overturn the decision, or confirm the decision with modifications, and the Council may continue the item to the next meeting if necessary to direct staff to prepare a conforming resolution with findings, which shall be considered by the Council at the next scheduled Council meeting. In the case of tentative maps, the Council may also take any action

identified in Section 16.16.120. Planning Commission. (Ord. 2017-01 (part), 2017: Ord. 2010-02 § 1, 2010: Ord. 2006-18 § 2 (part), 2007: prior code § 9015)

#### **16.04.050 Exceptions.**

A. Petition. The Planning Commission may authorize conditional exceptions to any of the requirements and regulations set forth in this title. Application for any such exception shall be made by a petition of the subdivider stating fully the ground of the application and the facts relied upon by the petitioner. Such petition shall be filed with the tentative map of the subdivision and shall be on a form provided by the city. The application shall be accompanied by a fee as set forth from time to time by resolution of the City Council.

##### **B. Findings.**

1. In order for the property referred to in the petition to come within the provision of this section, it shall be necessary that the Planning Commission make the following findings:

- a. That there are special circumstances and conditions affecting this property;
- b. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
- c. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

2. In approving such exceptions the Planning Commission shall secure substantially the objectives of the regulations to which exceptions are requested, and shall act to protect the public health, safety, convenience and general welfare.

3. In approving any exception under the provisions of this section, the Planning Commission shall report its findings with respect thereto and all facts in connection therewith, and shall specifically and fully set forth the exception recommended and conditions designated. (Ord. 2017-01 (part), 2017: prior code § 9020)

#### **16.04.060 Merger and reversion to acreage.**

Subdivided real property may be merged or reverted to acreage pursuant to provisions of Chapter 6, Article 1 of the state Subdivision Map Act. (Ord. 2017-01 (part), 2017: prior code § 9315)

#### **16.04.070 Certificates of compliance.**

Any eligible person may apply for a certificate of compliance pursuant to the provisions of Section 66499.34 of the Government Code of the state of California. (Ord. 2017-01 (part), 2017: prior code § 9320)

#### **16.04.080 Planned unit developments.**

Where, in accordance with provisions of the zoning ordinance, a use permit has been granted authorizing a planned unit development on the land or a portion of the land proposed to be subdivided, the plan of the subdivision shall conform with the plan of the planned unit development as approved by the Planning Commission and City Council. Exceptions to the subdivision regulations that are necessary to execute the planned unit development as approved by the Planning Commission and City Council may be authorized by the Planning Commission in accordance with the provisions of Section 16.04.050. (Ord. 2017-01 (part), 2017: prior code § 9325)

#### **16.04.085 School site dedications and reservations.**

A. In considering the approval or the conditions of approval of a parcel map or subdivision map, as those terms are defined in the Subdivision Map Act, the City Council or the Planning Commission may require the reservation or dedication of school sites in a manner that is consistent with the provisions of Government Code sections 66478 and 66479, provided that the council or the commission, as the case may be, is able to determine that the conditions

enumerated in those sections, as they may from time to time be amended, are applicable to the proposed subdivision map or parcel map.

B. The planning director, in cooperation with the official designated by the Visalia Unified School District, shall develop and keep in place a policy establishing the manner in which this section shall be implemented by the City Planner and his or her designees. Such policy shall be established at the discretion of the City Planner, provided the policy is consistent with the Government Code sections 66478 and 66479. (Ord. 2017-01 (part), 2017: Ord. 2006-01 § 5, 2006)

#### **16.04.090 Penalties.**

Any person, firm, corporation, partnership, or co-partnership who willfully violates any of the provisions or fails to comply with any of the mandatory requirements of this title is guilty of a misdemeanor, pursuant to the provisions of Chapter 7, Article 1 of the Subdivision Map Act. (Ord. 2017-01 (part), 2017: prior code § 9030)

#### **16.04.100 Ordinances repealed.**

All ordinances and parts of ordinances of the city, in conflict herewith to the extent of such conflict and not further, are hereby repealed. (Ord. 2017-01 (part), 2017: prior code § 9035)  
16.04.110

#### **16.04.110 Severability.**

If any section, subsection, sentence, clause or phrase of this title is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this title. The City Council declares that it would have passed this title in each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional. (Ord. 2017-01 (part), 2017: prior code § 9025)

# **Visalia Municipal Code Title 17 Zoning**

## **Chapter 17.26 Planned Development**

### **17.26.010 Purpose and intent.**

The purpose and intent of the Planned Development regulations contained in this chapter is to provide for land development consisting of a related group of residential housing types or commercial uses, including but not limited to, attached or detached single-family housing, cluster housing, patio homes, town houses, apartments, condominiums or cooperatives or any combination thereof and including related open spaces and community services consisting of recreational, commercial and offices, infrastructure, maintenance and operational facilities essential to the development, all comprehensively planned. Such land development normally requires deviation from the normal zoning regulations and standards regarding lot size, yard requirements, bulk and structural coverage in an effort to maximize the benefits accruing to the citizens of Visalia. (Ord. 2017-01 (part), 2017: Ord. 9718 § 2 (part), 1997: prior code § 7410)

### **17.26.020 Definitions.**

For the purposes of this chapter the following definitions shall apply:

"Density bonus" means dwelling unit increases based on project amenities provided as part of a planned development.

"Dwelling unit" means one or more habitable rooms, designed for or used by one family for living and sleeping purposes and having only one kitchen or kitchenette. Dwelling unit can include various types including, but not limited to, attached or detached single-family homes, cluster homes, patio homes, town houses, condominiums, apartments, or cooperatives.

"Environment, natural" means the physical condition of a proposed PD site prior to proposed development; including, but not limited to, natural features such as waterways, vegetation, topographical features, and animal life.

"Homeowner's association" means an incorporated entity formed under applicable laws and including all properties within a planned development. Such association normally maintains and administers the common open space associated with a planned development.

"Lot or parcel net area" means the land area contained within the boundary of a lot or parcel. Land within public or private streets or property held in common for a particular development amenity is not considered as "net lot area."

"Maintenance district" means an assessment district formed under applicable laws that pays for maintaining dedicated or private open space facilities.

"Neighborhood commercial center" means a convenience shopping complex providing services within a neighborhood and meeting applicable ordinance and general plan requirements.

"Open space" means the area within a planned development not occupied with structures, driveways or parking and storage areas.

"Open space, common" means the area within a planned development under the control and ownership of a homeowner's association. Common open space may include recreation facilities, access and parking, paths, and storage areas.

"Open space, usable" means the area within a planned development that is deemed suitable for use by the residents of the PD; not including parking areas, private patios, required building separations, parking and access, or storage areas.

"Parking, guest" means designated off-street parking areas within a planned development reserved for guest or visitor parking.

"Parking, required" means off-street parking areas within a planned development to be used for long-term storage of resident vehicles, recreational vehicles, boats and trailers.



"Planned development" means a development that includes a mix of land uses and that requires a deviation from normal zoning standards regarding lot size, yard requirements, bulk and structural coverage and is subject to provisions of this chapter.

"Planned residential development" means a planned development consisting of residential uses only and subject to the provisions of this chapter.

"Planned unit development" means a planned development including two, or more, of the following uses: residential, commercial, professional office, quasi-public, and industrial.

"Recreation facility" means an area within a planned development that includes recreational installations for common use. Such installations normally include such things as a swimming pool, recreation building, patio areas, tot lots, and exercise areas.

"Site area, gross" means the total horizontal area included within the property lines of a proposed planned development after dedication of required right-of-way and open space areas. (Ord. 2017-01 (part), 2017: Ord. 9718 § 2 (part), 1997: prior code § 7411)

#### **17.26.030 Location.**

A planned development may be located in residential, commercial or industrial zone upon approval of necessary permits required under this chapter. Planned residential developments and planned unit developments may be located only in appropriate zones as follows:

1. A planned residential development may be allowed in any residential zone.
2. A planned unit development with commercial/industrial uses may be located where those uses are allowed in the underlying zone. (Ord. 2017-01 (part), 2017: Ord. 9718 § 2 (part), 1997: prior code § 7412)

#### **17.26.040 Development standards.**

The following is a list of development standards considered to be necessary to achieve the purpose and intent of this chapter:

##### **A. Site Area.**

1. The minimum site area for a planned residential development shall be one acre of gross site area.
2. The minimum site area for a planned unit development with residential uses shall be ten acres.
3. The minimum site area for a planned unit development without residential uses shall be five acres.
4. The minimum site area for a planned unit development with only industrial uses shall be twenty (20) acres.
5. Parcels smaller than the minimums stated above may be considered if the planning commission finds there are unique circumstances (shape, natural features, location, etc.) that would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.

**B. Density.** The average number of dwelling units per net area shall not exceed the maximum density prescribed by the site area regulations or the site area per dwelling in which the planned unit development is located, subject to a density bonus that may be granted by the city council upon recommendation by the planning commission. A density bonus may be granted as part of a planned development based on the following guidelines:

Percent of Net Site in Usable Open Space	Area Percent of Density Bonus
6% to 10%	6%
11% to 20%	10%
21% to 25%	16%
Over 25%	20%

C. Usable Open Space. Usable open space shall be provided for all planned developments that include residential uses, except as provided in this section. Such open space shall include a minimum of five percent of the net site area of the residential portion of a planned development. The requirement for mandatory usable open space may be waived in developments wherein the net lot area of each lot meets or exceeds minimum standard in the underlying zone classification.

D. Site Design Criteria.

1. Location of proposed uses and their relationship to each other with a planned development shall be consistent with general plan policies and ordinance requirements.
2. The natural environment of a site is to be considered as part of the design criteria. Such features as natural ponding areas, waterways, natural habitats, and mature vegetation are to be considered.
3. If a planned development is located adjacent to a major arterial street, or other existing possible land use conflict, adequate buffering shall be included in the plan.

E. Landscaping and Structural Coverage. Landscaping provided within a planned development shall conform to the general standards imposed by the underlying zone. Additional landscaping may be required as part of a planned development due to unusual circumstances.

F. Circulation.

1. Vehicle circulation shall be based on a street pattern as outlined within the circulation element of the general plan. Use of private streets and variations to normal city street standards are encouraged.
2. There shall be no direct vehicle access from individual lots onto major arterial streets.
3. Pedestrian access and bicycle paths should be incorporated within planned developments. Such paths and bikeways to be separated from vehicle streets when possible.

G. Parking.

1. Required parking shall conform with the existing parking standards required under the zoning ordinance.
2. Guest parking and storage parking shall be encouraged and may be required in planned development.
3. All parking shall be screened from adjacent public right-of-way. Such screening may include dense plantings, fences, landscaped berms, or grade separation.
4. Parking clusters shall be provided rather than large (single) parking areas.

H. Trash Enclosures.

1. Trash enclosures shall be provided as specified by the city solid waste department.
2. Such enclosures shall be screened from view from adjacent structures and roadways and be provided with solid gates. (Ord. 2017-01 (part), 2017: Ord. 9718 § 2 (part), 1997: prior code § 7413)

#### **17.26.050 Application procedures.**

The following procedures specify the process for review of a planned development.

A. Pre-Application Review. Pre-application review shall be a two-step process including a mandatory meeting with the planning department and submittal of a concept plan to the site plan review committee. Such pre-application review shall include, but is not limited to, the following elements:

1. Site area and location;
2. Land use relationships within and outside the proposed site;
3. Circulation and access;
4. Environmental features;
5. Open space and project amenities;
6. Available and needed public improvements and facilities.

B. Application Process. After completing the pre-application review process the owner, or agent, shall file an application for a planned development. Such application submittal shall be processed as a conditional use permit and shall require a site plan review permit. The city planner shall determine the extent of development detail required as part of the application submittal. Such details may include, but is not limited to, the following:

1. Legal description and boundary survey map of the exterior boundaries of land to be developed;
2. A topographic map indicating anticipated grading or fill areas, groupings of existing trees, and other natural features;
3. For residential development:
  - a. The number and type of dwelling units. This may be stated as a range of maximum and minimum number of units by type,
  - b. The approximate total population anticipated in the entire development,
  - c. The proposed standards of height, open space, structural coverage, pedestrian and traffic circulation, and density within use areas;
4. For nonresidential uses:
  - a. Types of uses proposed within the entire area,
  - b. Anticipated employment base which may be stated as a range,
  - c. Methods proposed to control possible land use conflicts and environmental impacts,
  - d. The proposed structure heights, open space buffering, circulation, and parking/loading,
  - e. Pertinent social or economic characteristics of the development such as school enrollment, residence, employment, etc.;
5. A preliminary utilities report;
6. The location, area, and type of sites proposed for open space, recreational facilities, and public facilities;
7. The anticipated timing for each phase, if any, of the development. (Ord. 2017-01 (part), 2017: Ord. 9718 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7414)

#### **17.26.060 Exceptions.**

Exceptions to the design criteria specified in Section 17.26.040 may be modified by the city council upon recommendation by the planning commission based on unique circumstances. Such exceptions shall be reviewed by the site plan committee for comment prior to planning commission recommendation. (Ord. 2017-01 (part), 2017: Ord. 9718 § 2 (part), 1997: prior code § 7415)

#### **17.26.070 Amendments.**

Minor amendments to an approved planned development may be granted by the planning commission upon recommendation of the site plan committee. Major amendments shall be processed as an amendment to a conditional use permit with required public hearings. Major amendments include, but are not limited to, the following:

- A. Changes in residential density;
- B. Changes in land use relationships;
- C. Changes in the location and/or scope of open space;
- D. Changes in circulation patterns;
- E. Other changes as determined by the planning commission upon request. (Ord. 2017-01 (part), 2017: Ord. 9718 § 2 (part), 1997: prior code § 7416)

#### **17.26.080 Timing.**

Once granted, a planned development approval shall be valid for a period of two years. Extensions may be granted by the planning commission for one year periods, not to exceed three such extensions. (Ord. 2017-01 (part), 2017: Ord. 9718 § 2 (part), 1997: prior code § 7417)

## RESOLUTION NO. 2024-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2024-02, A REQUEST BY VISALIA PAVILION, LLC TO SUBDIVIDE A 3.87-ACRE PARCEL INTO TWO PARCELS LESS THAN 5-ACRES MINIMUM FOR COMMERCIAL USE. PARCELS CREATED BY THIS MAP WILL UTILIZE EASEMENTS ESTABLISHED FROM A PREVIOUSLY APPROVED PLANNED COMMERCIAL DEVELOPMENT, CUP 2006-56. THE PROJECT IS ZONED C-MU (MIXED USE COMMERCIAL) AND IS LOCATED SOUTHEAST OF WEST CALDWELL AVENUE AND SOUTH CHINOWTH STREET, IMMEDIATELY WEST OF THE WINCO FOODS BUILDING (APN: 119-340-020 & 119-730-004)

**WHEREAS**, Tentative Parcel Map No. 2024-02, is a request by Visalia Pavilion LLC to subdivide a 3.87-acre parcel into two parcels less than 5-acres minimum for commercial use. Parcels created by this map will utilize easements established from a previously approved planned commercial development, CUP No. 2006-56. The project is zoned C-MU (Mixed Use Commercial) and is located southeast of West Caldwell Avenue and South Chinowth Street, immediately west of the WinCo Foods building (APN: 119-340-020 & 119-730-004); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said commission on April 8, 2024; and

**WHEREAS**, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2024-02, as conditioned, 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**, the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2024-09.

**NOW, THEREFORE, BE IT RESOLVED**, that Categorical Exemption No. 2024-09 was prepared finding the project exempt under CEQA Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended.

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

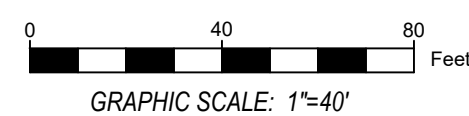
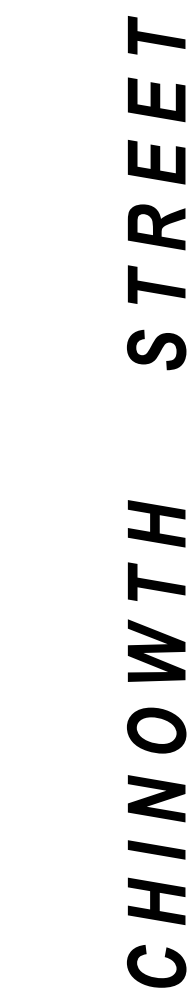
1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained are consistent with the policies and intent of the General Plan, Demaree/Caldwell Specific Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public

health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems.

3. That the site is physically suitable for the proposed tentative parcel map and the way that it will be improved and developed through the previously approved planned development (Conditional Use Permit No. 2006-56).
4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Mixed Use Commercial land use designation and zone, which does not specify densities of development.
5. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
6. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development standards since they are part of a planned development established through Conditional Use Permit No. 2006-56.
7. That there are unique circumstances involved with the project that would deprive the landowner of development potential consistent with other properties classified in the same underlying zone.
8. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2024-09. Furthermore, the design of the subdivision or the proposed improvements is not likely to either cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approved the parcel map on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.26 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the tentative parcel map shall be developed consistent with the comments and conditions of the Site Plan Review No. 2023-218, incorporated herein by reference.
2. That the tentative parcel map be in substantial compliance with Exhibit A.
3. That all updated cross-access easements and maintenance agreements as applicable be recorded with the final map. The agreement shall be recorded prior to the issuance of any building permits on the Planned Commercial Development site.
4. That all other federal, state and city laws, codes and ordinances be complied with.



THIS PROJECT IS SUBJECT TO CC&R'S PROVIDING FOR CROSS EASEMENTS FOR  
PARKING, ACCESS AND UTILITIES RECORDED IN DOC#2006-0053328 &  
DOC#2005-0038328

SCALE:	BENCH MARK	COMPUTED
HORIZ. 1" = <u>40'</u>		DESIGNED
VERT. 1" = _____		DRAWN <i>JRJ</i>
		PROJ. ENGR.

COMPUTED
DESIGNED
DRAWN <i>JRJ</i>
PROJ. ENGR.



**MORTON & PITALO, INC.**  
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING  
Folsom \* Fresno  
600 Coolidge Drive, Suite #140  
Folsom, CA 95630  
phone: (916) 984-7621  
web: [www.mpengr.com](http://www.mpengr.com)

**TENTATIVE PARCEL MAP - Visali Pavillion Lot 6**  
BEING A RE-SUBDIVISION OF PARCEL 6 PER PARCEL MAP NO. 4839 FILED IN BOOK 49 OF PARCEL MAPS, AT PAGE 44 T.C.R. LOCATED IN THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 11, T 19 S R 24 E, M.D.B.&M. IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA

DATE	NOVEMBER 2023
SHEET	1
OF	1

Visalia Pavillions  
Lot 6 Subdivision  
TPM 2024-02

Operational Statement

Subdivide Lot 6 PM4839 into two parcels. Parcel One containing a 4375 square foot building (adjacent to Winco)\_ as a 0.68 parcel and Parcel Two as a 3.19 acre parcel containing existing parking and future building sites. Parcel One to be sold to a dental group.

Building will be occupied by dentist

Existing use: building currently vacant

Hours of Operation: 9 am to 6 pm, Monday through Saturday

Number of anticipated clients at one given time; 7-10

Number of anticipated Employees: 7

No employees will live on-site

Standard delivery van for operational supplies

Equipment: standard dental equipment, including x-ray machine

Only hazardous waste generated is needles and anesthetics, which would be disposed of in accordance with state regulations

Conditional Use Permit No. 2006-56

USER

DATE

DATE RETURNED

**Project I.D.:** Conditional Use Permit No. 2006-56

**Related Projects:**

**APN:** 119-340-13 thru 16 and 119-730-02 thru 04.

**Site Plan No.:** 06-212

**Description:** Conditional Use Permit No. 2006-56: A request by Visalia Pavillion, LLC to allow an existing commercial center to have private driveways for access in the CCM (Planned Community Commercial) zone. The site is located on the southeast corner of Caldwell Avenue and Chinowith Street. APN: 119-340-13 thru 16 and 119-730-02 thru 04.

**Logged on Project Chart:** 10/23/06



# APPLICATION MATERIALS

APPLICATION CHECKLIST  
CITY OF VISALIA

Conditional Use Permit No. 2006-56: A request by Visalia Pavillion, LLC to allow an existing commercial center to have a private driveways for access in the CCM (Planned Community Commercial) zone. The site is located on the southeast corner of Caldwell Avenue and Chinowith Street. APN: 119-340-13 thru 16, and 119-730-02 thru 04

Variance/Exception No. 2006-\_\_\_\_: request by \_\_\_\_\_ to allow a variance/exception from the standard \_\_\_\_\_ in the \_\_\_\_\_ zone. The site is located at/on \_\_\_\_\_ APN(s): \_\_\_\_\_.

Parcel Map No. 2006-25: A request by Visalia Pavillion, LLC to divide 13 acres into six parcels and a remainder. The site is located on the southeast corner of Caldwell Avenue and Chinowith Street. APN: 119-340-13 thru 16, and 119-730-02 thru 04

\_\_\_\_\_ (Vesting) Tentative Subdivision Map No.

\_\_\_\_\_: is a request by \_\_\_\_\_ to divide \_\_\_\_\_ acres into \_\_\_\_\_ lots. The site is located \_\_\_\_\_ APN: \_\_\_\_\_.

Change of Zone No. 2006-\_\_\_\_: is a request by \_\_\_\_\_ to change the Zoning from \_\_\_\_\_ to \_\_\_\_\_ on \_\_\_\_\_ acres.

The site is located \_\_\_\_\_

APN: \_\_\_\_\_.

General Plan Amendment No. 2006-\_\_\_\_: A request by \_\_\_\_\_ to  
change the General Plan land use designation from \_\_\_\_\_ to \_\_\_\_\_ on  
\_\_\_\_\_ acres. The site is located at/on \_\_\_\_\_  
\_\_\_\_\_. APN: \_\_\_\_\_.

**SUBMITTED**

**NEED**

**No** **Yes**

- x Application Form
- x Agency Authorization
- x Hazardous Materials Form
- x Environmental Check List
- x SPR Revise & Proceed Comments

**No** **Yes**

- Light Study
- Traffic Study
- Noise Study
- Visibility Screens
- Landscape Plans
- Sign Program
- Electronic Version of Exhibits
- ☐ Sign Program

**Outside Agency Review:**

- Park and Recreation
- Caltrans
- Tulare County
- Airport Commission

**NEED**  
**No** **Yes**

- Additional Site Plan Review Requirements
- Site Plan (w/ Reductions)
- Elevations (w/ Reductions)
- Floor Plans (w/ Reductions)
- Master Plans (w/ Reductions)
- Operational Statement
- Hazardous Materials List

- Redevelopment Agency
- Fish and Game
- Historic Committee
- Police Department
- LAFCO
- Other

**SPR 05-265**

Name of Person Completing Checklist: Paul S. Date: 10-20-06

x Cat-x        Mit Neg Dec        Neg Dec        EIR  
    Not Complete    x Complete

**Comments:**

**Completeness-**

1. Please provide 20 copies of a separate exhibit Labeled "Conditional Use Permit" at your earliest convenience.

Planner: Teresa assisting Andrew    PC Date: 12-11-06

CC Date:



## PROJECT DESCRIPTION

Describe Project And Listing Of All Components of the CUP (i.e. drive-through, private roads, modified residential standards PUD or PRD, etc.): COMMERCIAL CENTER PARCEL MAP - PARCELS WITHOUT STREET FRONTAGE

## PROJECT DETAILS

(You may be required to provide a separate Operational Statement including the information below)

Gross Acreage	<u>N/A</u>	Net Acreage	<u>13 ACRES</u>
Building Area	<u>N/A</u>	No. of Parking Stalls	<u>N/A</u>
Days of Operation	<u>N/A</u>	Hours of Operation	<u>N/A</u>
No. of Employees	<u>N/A</u>	Max Employees per Shift	<u>N/A</u>
List All Outdoor Activities	<u>N/A</u>		

No. of Outdoor Vendors	<u>N/A</u>	Per Week	<u>N/A</u>	Per Day	<u>N/A</u>
No. of Vehicles Used	<u>N/A</u>				
No. of Vehicles Kept Onsite Overnight	<u>N/A</u>				

If Residential: Number of Single-Family Units N/A Number of Multi-Family Units \_\_\_\_\_  
Other Components \_\_\_\_\_  
Gross Density \_\_\_\_\_ Net Density \_\_\_\_\_  
Open Space \_\_\_\_\_ Acreage \_\_\_\_\_  
Recreation Facilities: Yes / No Specify \_\_\_\_\_

Modified Setbacks or Standards Requested: Yes / No Specify \_\_\_\_\_

## PROVIDE THE FOLLOWING FOR ALL CUP PROJECTS

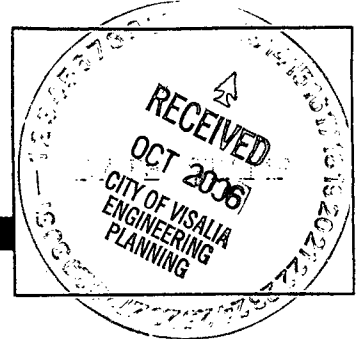
(Person Preparing Application Shall Place Initials On The Space Provided. Required Application Materials Not Included Will Result In Application Being Deemed INCOMPLETE.)

- F 34 Copies of Site Plan (See Supplemental Information required For Site Plans)
- F 1 Copy of Reduced Size Site Plan (8 1/2in. X 11in.)
- \_\_\_\_\_ 10 Copies of Conceptual Building Elevations (See Supplemental Information Required For Building Elevations)
- \_\_\_\_\_ 1 Copy of Reduced Size Conceptual Building Elevations (8 1/2in. X 11in.)
- \_\_\_\_\_ 10 Copies of Floor Plans
- \_\_\_\_\_ 1 Copy of Reduced Size Floor Plans (8 1/2in. X 11in.)
- \_\_\_\_\_ 10 Copies of Preliminary Landscape Plans (Including Fencing and Wall Details)
- \_\_\_\_\_ 1 Copy of Reduced Size Preliminary Landscape Plans (8 1/2in. X 11in.)
- \_\_\_\_\_ 2 Copies of Site Plan Review Committee Revise & Proceed Comments
- \_\_\_\_\_ 1 Copy of Signage and/or Sign Program
- \_\_\_\_\_ 2 Copies of Noise Study (If required by Site Plan Review Committee)
- \_\_\_\_\_ 2 Copies of Traffic Impact Study (If required by Site Plan Review Committee)
- \_\_\_\_\_ 1 Copy Of Trash Enclosure Details
- F Electronic Files of all Exhibits (Adobe Acrobat, or similar format) Provided on CD Disk

VERSION 1-9-06 SUPERCEDES ALL PREVIOUS VERSIONS



CITY OF VISALIA  
PLANNING DIVISION PERMIT  
APPLICATION



**PERMIT APPLICATION(S):**

Check all permits being applied for with this application.

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> <u>  X  </u> CONDITIONAL USE PERMIT | <input type="checkbox"/> <u>      </u> LOT LINE ADJUSTMENT            |
| <input type="checkbox"/> <u>      </u> AMENDMENT TO EXISTING CUP        | <input checked="" type="checkbox"/> <u>  X  </u> TENTATIVE PARCEL MAP |
| <input type="checkbox"/> <u>      </u> ZONING VARIANCE/EXCEPTION        | <input type="checkbox"/> <u>      </u> TENTATIVE SUBDIVISION MAP      |
| <input type="checkbox"/> <u>      </u> NOISE VARIANCE                   | <input type="checkbox"/> <u>      </u> GENERAL PLAN AMENDMENT         |
| <input type="checkbox"/> <u>      </u> CHANGE OF ZONE                   | <input type="checkbox"/> <u>      </u> SPECIFIC PLAN AMENDMENT        |
| <input type="checkbox"/> <u>      </u> ANNEXATION                       |   |

**\*\*Staff Use Only\*\***

Project Number(s) \_\_\_\_\_

Planning Commission \_\_\_\_\_

Date: \_\_\_\_\_

Short title or name of proposed project:

TENTATIVE PARCEL MAP

Summary description of the proposed project: \_\_\_\_\_

DIVIDE A PORTION OF VISALIA PAVILION PARCEL INTO ADDITIONAL PARCELS FOR

FUTURE COMMERCIAL DEVELOPMENT. TENTATIVE

CONDITIONAL USE PERMIT FOR PARCELS WITH STREET FRONTAGE.

**SITE:**

Site Plan Review number(s) 06-212

Date of SPR Committee revise & precede authorization 9-27-2006

Address or nearest major street intersection 3701 W. CALDWELL

APN(s) 119-340-13 THRU 16 & 119-730-02 THRU 04

Existing Zone CCM Existing General Plan Land Use Designation COMMERCIAL

Proposed Zoning Designation NO CHANGE

Proposed Land Use Designation NO CHANGE

10/13/2006 10:32 FAX 559 732 8400

FORESTER WEBER

001

Site area (acres, or square feet if less than one acre) 13 ACRES

Existing streets directly adjacent to the site CHINOWETH, CALDWELL &amp; DEMAREE

Existing use(s) COMMERCIAL

Existing improvements/structures SITE IMPROVEMENTS &amp; BUILDINGS UNDER CONSTRUCTION

## PROPERTY OWNER(S)

If more than two owners, please provide information and signature(s) on a separate sheet.

Name (print) VISALIA PAVILION LLC Name (print)

Mailing Address 2720 E. CAMELBACK RD. Mailing Address  
SUITE 275

PHOENIX AZ 85016 Phone 602-889-2070

Statement: I/We declare under penalty of perjury that I am/we are the legal owner(s) of the property involved in this application. I/We authorize the person named in this application as the Project Main Contact to act as my/our representative with City Staff regarding the processing of this application.

Date

Property Owner Signature

Date

Property Owner Signature

## PROJECT MAIN CONTACT/REPRESENTATIVE

(This is the person who will be the main contact with City Staff, and will receive all correspondence.)

Name (print) DENNIS R. FORESTER

Firm/Company FORESTER, WEBER &amp; ASSOCIATES

Mailing Address 1620 W. MINERAL KING AVE. VISALIA CA 93291

Phone 732-0102 Fax 732-8479 E-Mail

Statement: I will be the main contact and representative of the proposed project with City Staff during the processing of this application. I declare under penalty of perjury that all statements and documents submitted with this application are true and correct to the best of my knowledge.

Date

Project Main Contact/Representative Signature

VERSION 1-9-02  
SUPERSEDES ALL PREVIOUS  
Page 3 of 3

Site area (acres, or square feet if less than one acre) 13 ACRES

Existing streets directly adjacent to the site CHINOWETH, CALDWELL & DEMAREE

Existing use(s) COMMERCIAL

Existing improvements/structures SITE IMPROVEMENTS & BUILDINGS UNDER CONSTRUCTION

**PROPERTY OWNER(S):**

If more than two owners, please provide information and signature(s) on a separate sheet.

Name (print) VISALIA PAVILION LLC Name (print) \_\_\_\_\_

Mailing Address 2720 E. CAMELBACK RD. SUITE 275 Mailing Address \_\_\_\_\_

~~XXXXX~~ PHOENIX AZ 85016 Phone 602-889-2070

Statement: I/We declare under penalty of perjury that I am/we are the legal owner(s) of the property involved in this application. I/We authorize the person named in this application as the Project Main Contact to act as my/our representative with City Staff regarding the processing of this application.

\_\_\_\_\_  
Date Property Owner Signature

\_\_\_\_\_  
Date Property Owner Signature

**PROJECT MAIN CONTACT/REPRESENTATIVE:**

(This is the person who will be the main contact with City Staff, and will receive all correspondence.)

Name (print) DENNIS R. FORESTER

Firm/Company FORESTER, WEBER & ASSOCIATES

Mailing Address 1620 W. MINERAL KING AVE. VISALIA CA 93291

Phone 732-0102 Fax 732-8479 E-Mail \_\_\_\_\_

Statement: I will be the main contact and representative of the proposed project with City Staff during the processing of this application. I declare under penalty of perjury that all statements and documents submitted with this application are true and correct to the best of my knowledge.

9-28-2006  
Date

  
Project Main Contact/Representative Signature

**OTHER INVOLVED PARTIES:**

Fill in all that apply.

Is the property currently in escrow? If so, to whom? NONE

(Write "none" if property is not in escrow.)

Developer/Builder VISALIA PAVILION LLCMailing Address 2720 E. CAMELBACK RD., SUITE 275 PHOENIX AZ 85016Phone 602-889-2070

Fax \_\_\_\_\_

Contractor QUIRING GENERALEngineer FORESTER, WEBER & ASSOCIATES, LLCArchitect PERKOWITZ & RUTH**NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:**

List the names of any and all principals, partners, and/or trustees where any property owner or developer/builder is a corporation, partnership, or trust. For corporations provide names of officers and directors. For trusts provide names of trustees and beneficiaries.

KORNWASSER SHOPPING CENTER DEVELOPERS

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



# PLANNING CORRESPONDENCE



315 East Acequia Ave., Visalia, CA 93291

Tel: (559) 713-4359 Fax: (559) 713-4814

October 23, 2006

DENNIS R. FORESTER  
FORESTER, WEBER & ASSOCIATES  
1620 W. MINERAL KING AVENUE  
VISALIA, CA 93291

RE: Complete application

Dear Sirs:

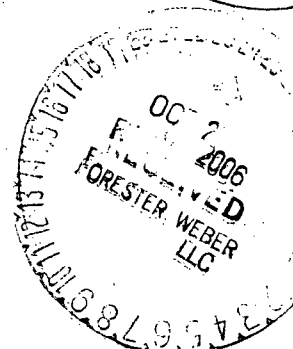
Thank you for your application submittal of Conditional Use Permit No. 2006-56 & Parcel Map No. 2006-25: a request by Visalia Pavillion, LLC. The site is located on the southeast corner of Caldwell Avenue and Chinowith Street. APN: 119-340-13 thru 16, and 119-730-02 thru 04. The application was determined to be complete and the public hearing before the Planning Commission has been set for December 11, 2006.

\* Please provide 20 copies of a separate exhibit Labeled "Conditional Use Permit" at your earliest convenience.

If you have any questions concerning your application please feel free to contact Andrew Chamberlain at 559-713-4003.

Sincerely,

Susan Currier  
Planning Assistant





315 East Acequia Ave., Visalia, CA 93291

Tel: (559) 713-4359 Fax: (559) 713-4814

October 23, 2006

DENNIS R. FORESTER  
FORESTER, WEBER & ASSOCIATES  
1620 W. MINERAL KING AVENUE  
VISALIA, CA 93291

RE: Complete application

Dear Sirs:

Thank you for your application submittal of Conditional Use Permit No. 2006-56 & Parcel Map No. 2006-25: a request by Visalia Pavillion, LLC. The site is located on the southeast corner of Caldwell Avenue and Chinowith Street. APN: 119-340-13 thru 16, and 119-730-02 thru 04. The application was determined to be complete and the public hearing before the Planning Commission has been set for December 11, 2006.

- \* Please provide 20 copies of a separate exhibit Labeled "Conditional Use Permit" at your earliest convenience.

If you have any questions concerning your application please feel free to contact Andrew Chamberlain at 559-713-4003.

Sincerely,

Susan Currier  
Planning Assistant

# ENGINEERING CORRESPONDENCE

PLANNING  
COMMISSION  
&  
CITY COUNCIL



Acceptance of Conditions

January 25, 2007

DENNIS R. FORESTER  
FORESTER, WEBER & ASSOCIATES  
1620 W. MINERAL KING AVENUE  
VISALIA, CA 93291

Re: Conditional Use Permit No. 2006-56 & Parcel Map No. 2006-25

Conditional Use Permit No. 2006-56 & Parcel Map No. 2006-25: The site is located on the southeast corner of Caldwell Avenue and Chinowth Street. APN: 119-340-13 thru 16, and 119-730-02 thru 04.

On behalf of: Visalia Pavilion, LLC, I hereby acknowledge and accept the conditions of approval specified in Planning Commission Resolution No. 2006-131, for the approval of, Conditional Use Permit No. 2006-56 and Resolution No. 2006-130, for the approval of Parcel Map No. 2006-25.

Signature

2/6/07

Date

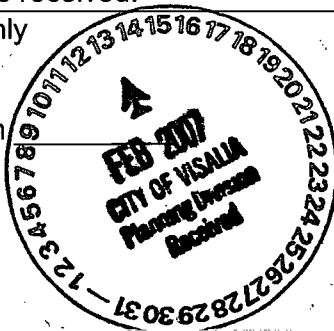
GORDON KIKG

Printed Name

Note: Please mail this acceptance to: 315 East Acequia, Visalia, CA 93291 within 5 working days of the date received.

For Department Use Only

Acceptance received on



# **City of Visalia**



**To:** Planning Commission

**From:** Teresa Nickell, Project Planner (713-4328)

**Date:** January 8, 2007

**Re:** Continuance of Conditional Use Permit No. 2006-56 and Tentative Parcel Map No. 2006-25: A request by Visalia Pavilion, LLC to allow non-public street access to individual lots in an existing commercial center (The Visalia Pavilion) on 20 +/- acres in the C-CM (Community Commercial) Zone, and a request by Visalia Pavilion, LLC to divide 8.77 acres into six parcels. The site is located on the southeast corner of South Caldwell Avenue and South Chinowth Street (APNs: 119-340-013 thru 015, and 119-730-002 thru 004).

---

## **Background:**

On December 11, 2006, a public hearing was conducted before the Planning Commission for the above-mentioned projects, and by direction of the Planning Commission, the hearing was continued to January 8, 2007. The continuance was directed to provide adequate notification to the surrounding neighbors regarding non-public street access to individual lots created by the proposed parcel map across a previously excluded parcel (WinCo Food Store site shown as "not a part" on Exhibit "B" of the original Staff Report packet). This lot has four private access points from public rights-of-way: one to the west of the subject site on Chinowth Street, two to the east of the site on Demaree Street, and a point north of the site on Caldwell Avenue.

By including this lot in the project description for the Conditional Use Permit, the 300-foot radius for noticing this project will expand further south and southwest which will incorporate five (5) additional residences in the southwest area. Respectively, the project has been re-noticed to the public. The new radius map is included as Attachment "A".

The project description for the Conditional Use Permit is amended to include the WinCo parcel (APN 119-730-001). The existing Staff Report information remains unchanged. A revised site plan for the Conditional Use Permit (Exhibit "C" attached) will replace Exhibit "B" of the original Staff Report packet. The only difference is that the new site plan includes the WinCo parcel for consideration under the conditional use permit for providing on-site traffic access from the public streets to interior lots (Parcels 1, 2 and 3). The CUP Planning Commission Resolution has been amended (please see attached Resolution).

Attachments:

Planning Commission Staff Report December 11, 2006

Radius Mailing Map – Attachment “A”

Amended Resolution No. 2006-131 for Conditional Use Permit No. 2006-56

Amended Resolution No. 2006-130 for Tentative Parcel Map No. 2006-25

Revised Site Plan – Exhibit “C”





January 25, 2007

DENNIS R. FORESTER  
FORESTER, WEBER & ASSOCIATES  
1620 W. MINERAL KING AVENUE  
VISALIA, CA 93291

**Re:** Conditional Use Permit No. 2006-56 & Parcel Map No. 2006-25

On December 11, 2006 the Visalia City Planning Commission passed and adopted Resolution No. 2006-131 approving, Conditional Use Permit No. 2006-56 & Resolution No. 2006-130, approving Parcel Map No. 2006-25. The site is located on the southeast corner of Caldwell Avenue and Chinowth Street. APN: 119-340-13 thru 16, and 119-730-02 thru 04.

This Conditional Use Permit became effective December 11, 2006, and shall expire December 11, 2008, unless a building permit is issued by the City of Visalia and construction is commenced and diligently pursued toward completion on the site.

This Parcel Map became effective December 11, 2006 and shall expire December 11, 2008, unless a final map has been recorded and improvements commenced on the subject site.

**Attached is an acceptance letter which needs to be signed by the property owner and applicant, and then returned. A return envelope is enclosed for your convenience.**

YOU ARE HEREWITH NOTIFIED that the City of Visalia, pursuant to Resolution No. 85-136, has specifically made the provision of Code of Civil Procedure, Section 1094.6 applicable to all final administrative orders or decisions of the City of Visalia. Pursuant to said Code Section, you have ninety days within which to seek judicial review of the validity of this decision by the City of Visalia.

If you have any questions regarding this action, please call the Planning Division at 713-4369.

Susan Currier  
Planning Assistant

Attachments



**NOTICE REGARDING THE IMPOSITION  
OF DEVELOPMENT IMPACT FEES, DEDICATIONS,  
RESERVATIONS OR OTHER EXACTIONS**

Pursuant to Section 66020 of the Government Code of the State of California, the project applicant is hereby notified that the fees, dedications, reservations, or other exactions included in Exhibit 'A', attached hereto and included by this reference, are imposed on the applicant's development project as conditions of approval of said project.

Notice is further given that the project applicant may protest the imposition of said fees or conditions included in Exhibit 'A'. The protest shall be filed at the time of the approval or conditional approval of the development or within 90 days after the imposition of the fees or conditions included in Exhibit 'A'. For the purposes of Section 66020, approval or conditional approval of a development occurs when the tentative subdivision map or tentative parcel map is approved or conditionally approved. Also for the purposes of Section 66020, imposition of fees, dedications, reservations, or other exactions occurs when they are imposed or levied on a specific development. The 90 day period within which a protest may be filed for this project begins on January 25, 2007.

Any protest of the fees or conditions imposed on the development project as included in Exhibit 'A', shall meet the requirements of Section 66020(a) as listed below:

- 1) Tendering any required payment in full or providing satisfactory evidence of arrangements to pay the fee when due or ensure performance of the conditions necessary to meet the requirements of the imposition.
- 2) Serving written notice on the Council of the City of Visalia, which notice shall contain all of the following information:
  - a) A statement that the required payment is tendered or will be tendered when due, or that any conditions which have been imposed are provided for or satisfied, under protest.
  - b) A statement informing the Council of the City of Visalia of the factual elements of the dispute and the legal theory forming the basis for the protest.

The written notice mentioned in (2) above, may be delivered to the City Manager of the City of Visalia located at 707 W. Acequia Avenue, Visalia, CA 93291.

In accordance with Section 66020(d)(2), once a protest has been filed with the Council of the City of Visalia, an action to attack, review, set aside, void, or annul the imposition of the fees or conditions included in Exhibit 'A' may be filed within 180 days after the delivery of the protest notice. If no action is filed within the 180 day period, all persons are barred from any action or proceeding or any defense of invalidity or unreasonableness of the imposition.

Pursuant to the requirements and conditions of Section 66020(c), the City of Visalia may suspend the approval or conditional approval of the proposed development pending withdrawal of the protest, the expiration of the 180 day limitation period without the filing of an action, or resolution of any action filed.

In addition to the provisions of Section 66020, Section 66006(f) of the Government Code of the State of California requires that at the time a fee is imposed for public improvements on a specific development project, the City of Visalia shall identify the public improvements that the fee will be used to finance. Exhibit 'B', which is attached and included herein by this reference, lists the various applicable fees and describes the public improvements to be financed by these fees.

**EXHIBIT 'A'**

**Project Description:** Parcel Map 06-25; Site Plan 06-212; CUP 06-56

**Project Applicant:**

**NOTE: FEES DEFERRED TO TIME OF DEVELOPMENT**

Transportation Impact Fee:

Trunk Line Capacity Charge:

Treatment Plant Connection Capacity Charge:

Storm Drainage Impact Fee:

Park Acquisition and Development Fee:

Northeast Specific Plan Area Development Fee: **N/A**

Waterways Acquisition Fee:

Groundwater Overdraft Mitigation Fee:

Public Safety Impact Fee (Police):

Police:

Fire:

Public Facility Impact Fee:

Civic Center:

Corporation Yard:

Library:

(This list does not include fees for processing development applications or building permits, inspection fees, sanitary sewer front foot fees, or parking-in-lieu fees which are not subject to Gov. Code Sections 66006(f) or 66020. Fees listed above are estimates based on the current fee schedule. Fee schedules are adjusted periodically. Fees will be recalculated based on the fee schedule at the time of development or the issuance of a building permit.)

---

Descriptions of required dedications, reservations or other exactions:

Dedications:

Reservations:

Other Exactions: Provide access easements to all parcels on Parcel Map.

---

Description of required public improvements:

## **EXHIBIT 'B'**

### **DEVELOPMENT IMPACT FEES**

[subject to Gov. Code Section 66020 and 66006(f)]

#### **Park Acquisition and Development Fees**

Fees paid by developers, builders, and subdividers to help fund the land acquisition and development of parks, and recreational facilities as identified in the current Conservation, Open Space, Recreation, and Parks Element of the City's General Plan. These fees are deposited into the Recreational Facilities Fund (1211) and are restricted for use in financing the aforementioned projects.

#### **Storm Drainage Impact Fees**

Fees paid by developers, builders, and subdividers to fund the land acquisition and development of storm drainage facilities for new development as identified in the current Storm Drain Master Plan. These fees are deposited into the Storm Drain Fund (1221) and are restricted for use in financing the aforementioned projects.

#### **Trunk Line Capacity Charges**

Fees paid by developers, builders, and subdividers to fund the right-of-way acquisition and construction of sewer trunk line facilities as identified in the current Sanitary Sewer Master Plan. These fees are deposited into the Sanitary Sewer Trunk Expansion Fund (1231) and are restricted for use in financing the aforementioned projects.

#### **Transportation Impact Fees**

Fees paid by developers and builders to fund the construction of arterial and collector streets identified in the current Circulation Element of the City's General Plan. These fees are deposited into the Transportation Impact Fund (1241) and are restricted for use in financing the aforementioned projects.

#### **Waterways Acquisition Fees**

Fees paid by developers, builders, and subdividers to help fund the acquisition of waterway setbacks as identified in the Waterways Policy of the Conservation, Open Space, Recreation, and Parks Element of the General Plan. These fees are deposited into the Waterways Acquisition Fund (1251) and are restricted for use in financing the aforementioned projects.

#### **Northeast Specific Plan Area Development Fees**

Fees paid by developers, builders, and subdividers for projects located in the Northeast Specific Plan Area to fund the construction of storm drain facilities, parks, bike paths, medians, block walls, landscaping, and amenities identified in the Northeast Specific Plan. (The storm drain portion of the Northeast Fees is collected in-lieu of the Storm Drainage Impact Fees listed above. The parks portions of the Northeast Fees is collected in-lieu of the full Park Acquisition and Development Fees listed above. Only a portion of the Park Acquisition and Development fee is paid in the Northeast area to contribute towards city-wide recreational facilities.) These fees are deposited into the Northeast Fund (1711) and are restricted for use in financing the aforementioned projects.

#### **Treatment Plant Connection Capacity Charges**

Fees paid by developers and builders to fund the construction and expansion of the sewer treatment plant as identified in the current Wastewater Treatment Master Plan. These fees are deposited into the Sanitary Sewer Facilities Fund (4312) and are restricted for use in financing the aforementioned projects.

#### **Public Safety Impact Fees**

Fees paid by developers and builders to fund the equipment and facilities needed to maintain adequate levels of service as identified in the Public Safety Impact Fee Study dated April 26, 2001. These fees are deposited into the Police Facilities Fund (1265) and Fire Facilities Fund (1266) and are restricted for use in financing the aforementioned projects.

**Public Facility Impact Fees**

Fees paid by developers and builders to fund the construction and expansion of the Civic Center and related Parking Structures, Library Facilities, and Corporation Yard Facilities as needed to maintain the existing level of public services as identified in the General Facilities and Library Impact Fee Study. These fees are to be deposited into the Civic Center Fund (1276), Corporation Yard Fund (1277) and the Library Fund (1278) and are restricted for use in financing the aforementioned projects.

[A list of the individual projects being funded by each of the fees listed above is available at the Engineering counter in the Visalia City Hall located at 315 E. Acequia Avenue, Visalia, CA. These lists are updated from time to time and the most current list will be made available.]

RESOLUTION NO. 2006-131

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2006-56, A REQUEST TO ALLOW NON-PUBLIC STREET ACCESS TO INDIVIDUAL LOTS IN AN EXISTING COMMERCIAL CENTER (THE VISALIA PAVILION) ON 20 +/- ACRES IN THE C-CM (COMMUNITY COMMERCIAL) ZONE. THE SITE IS LOCATED ON THE SOUTHEAST CORNER OF SOUTH CALDWELL AVENUE AND SOUTH CHINOWTH STREET

**WHEREAS**, Conditional Use Permit No. 2006-56: A request by Visalia Pavilion, LLC to allow non-public street access to individual lots in an existing commercial center (The Visalia Pavilion) on 20 +/- acres in the C-CM (Community Commercial) Zone. The site is located on the southeast corner of South Caldwell Avenue and South Chinowth Street (APNs: 119-340-013 thru 015, and 119-730-001 thru 004); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on December 11, 2006, and continued the public hearing to January 8, 2007; and

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

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

1. That the site is located within Sub-Area A of the Demaree/Caldwell Specific Plan, and is consistent with the goals and policies of the Demaree/Caldwell Specific Plan.
2. That the proposed Conditional Use Permit is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
3. That the proposed Conditional Use Permit is compatible with adjacent land uses.
4. That the proposed Conditional Use Permit is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
5. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in

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

1. That the project be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2006-212.

2. That the site be developed in substantial compliance with the approved site plan shown in Exhibit "C".
3. That all other City codes and ordinances shall be met, unless modified by the Specific Plan.
4. That the project be developed in substantial compliance with the goals and policies contained in the Demaree/Caldwell Specific Plan.
5. 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 this Conditional Use Permit, prior to the issuance of any building permits for this project.


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

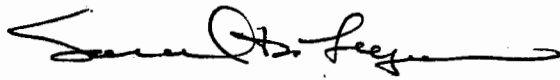
AYES: Commissioners Logan, Salinas, Perez, Segrue, Peck  
NOES:  
ABSTAINED:  
ABSENT:

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

ATTEST: Fred Brusuelas, AICP  
Community Development Assistant Director

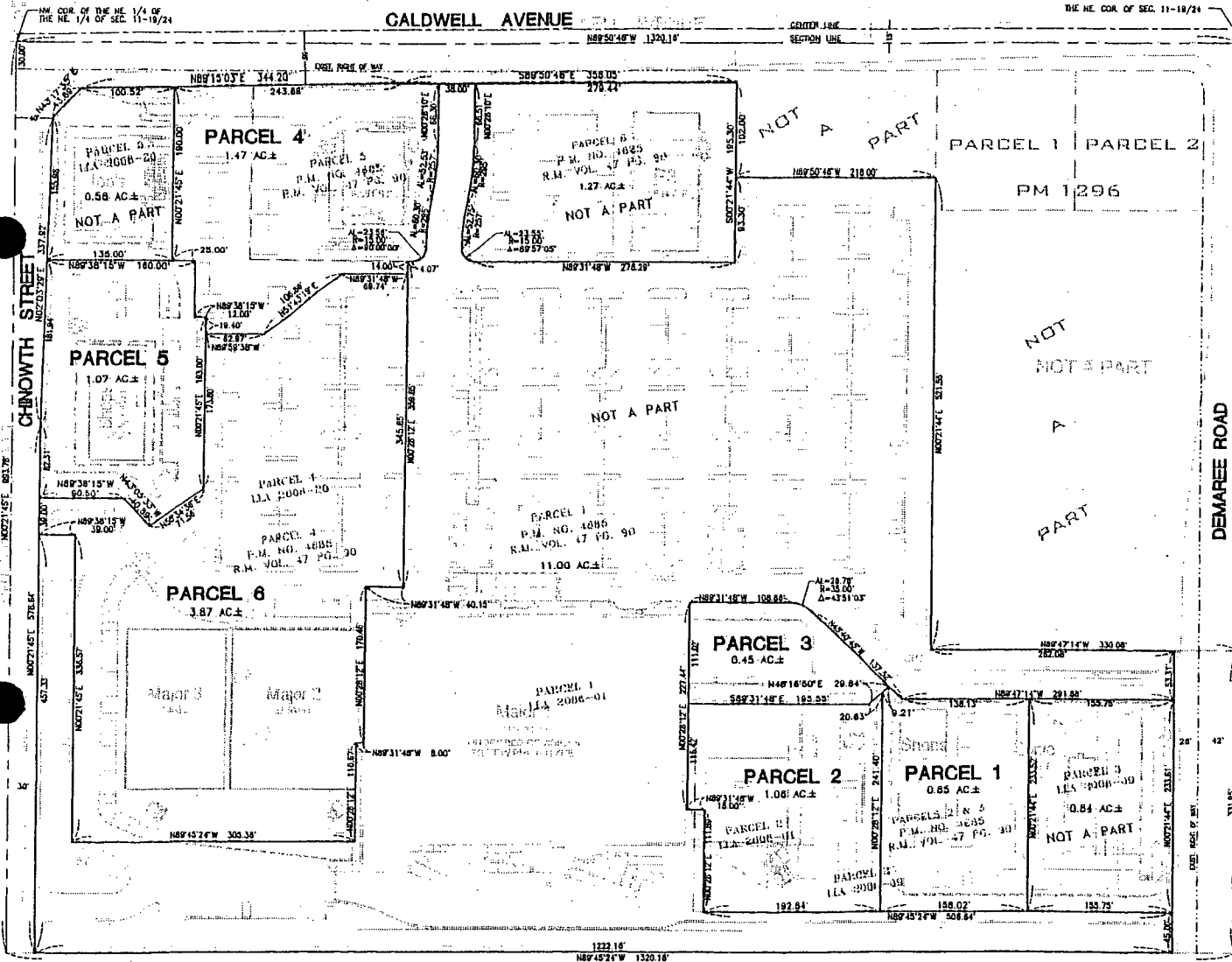
I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2006-131, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on January 8, 2007.

  
\_\_\_\_\_  
Fred Brusuelas, AICP  
Community Development Assistant Director

  
\_\_\_\_\_  
Sam Logan, Chairperson

# TENTATIVE PARCEL MAP

BEING PARCELS 1-6 OF PARCEL MAP NO. 4885 AS PER MAP FILED IN BK. 47 OF PARCEL MAPS, AT PG. 90 T.C.R. LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SEC. 11 T.19S., R.24E., M.D.B. & U. IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.



OWNERS:

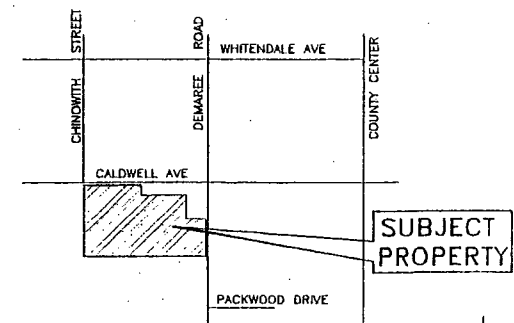
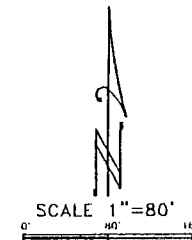
VISALIA PAVILION, LLC.  
2720 E. CAMELBACK RD. SUITE 275  
PHOENIX, AZ 85016

SURVEYOR:

FORESTER, WEBER & ASSOCIATES L.L.C.  
1620 W. Mineral King Ave., Suite B  
Visalia, California 93291  
(559) 732-0102

NOTES:

EXISTING PROPERTY USE: VACANT  
PROPOSED PROPERTY USE: COMMERCIAL  
A.P.N.: PTN 119-340-013, 014, 015 & 016 119-730-002, 003 & 004  
ZONING: CCM  
WATER: CITY OF VISALIA  
SEWAGE: CITY OF VISALIA  
FLOOD ZONE: AH & B



Vicinity Map

NO SCALE

Exhibit "A"



# CONDITIONAL USE PERMIT

BEING PARCELS 1-6 OF PARCEL MAP NO. 4885 AS PER MAP FILED IN BK. 47 OF PARCEL MAPS, AT PG. 90 T.C.R. LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SEC. 11 T.18S. R.24E, M.D.B. & M. IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.

OWNERS:

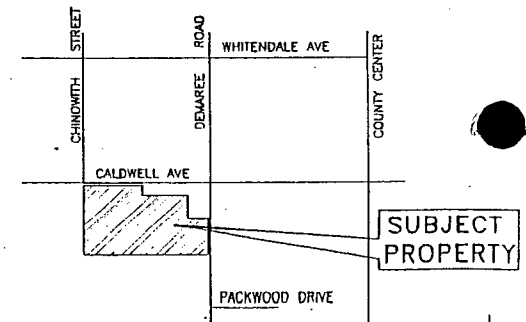
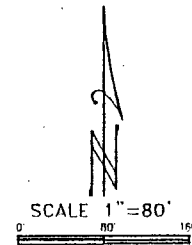
**VISALIA PAVILION, LLC.**  
2720 E. CAMELBACK RD. SUITE 275  
PHOENIX, AZ. 85018

SURVEYOR:

**FORESTER, WEBER & ASSOCIATES L.L.C.**  
1820 W. Mineral King Ave., Suite B  
Visalia, California 93291  
(559) 732-0102

NOTES:

EXISTING PROPERTY USE: VACANT  
PROPOSED PROPERTY USE: COMMERCIAL  
A.P.N.: PTN.119-340-013, 014, 015 & 016 119-730-002,003 & 004  
ZONING: CCM  
WATER: CITY OF VISALIA  
SEWAGE: CITY OF VISALIA  
FLOOD ZONE: AH & B



**Vicinity Map**  
NO SCALE

SHEET 1 OF 1

3:\PROJECTS\2008\2210N\2210N.dwg 9/18/2008 1:30:01 PM PST

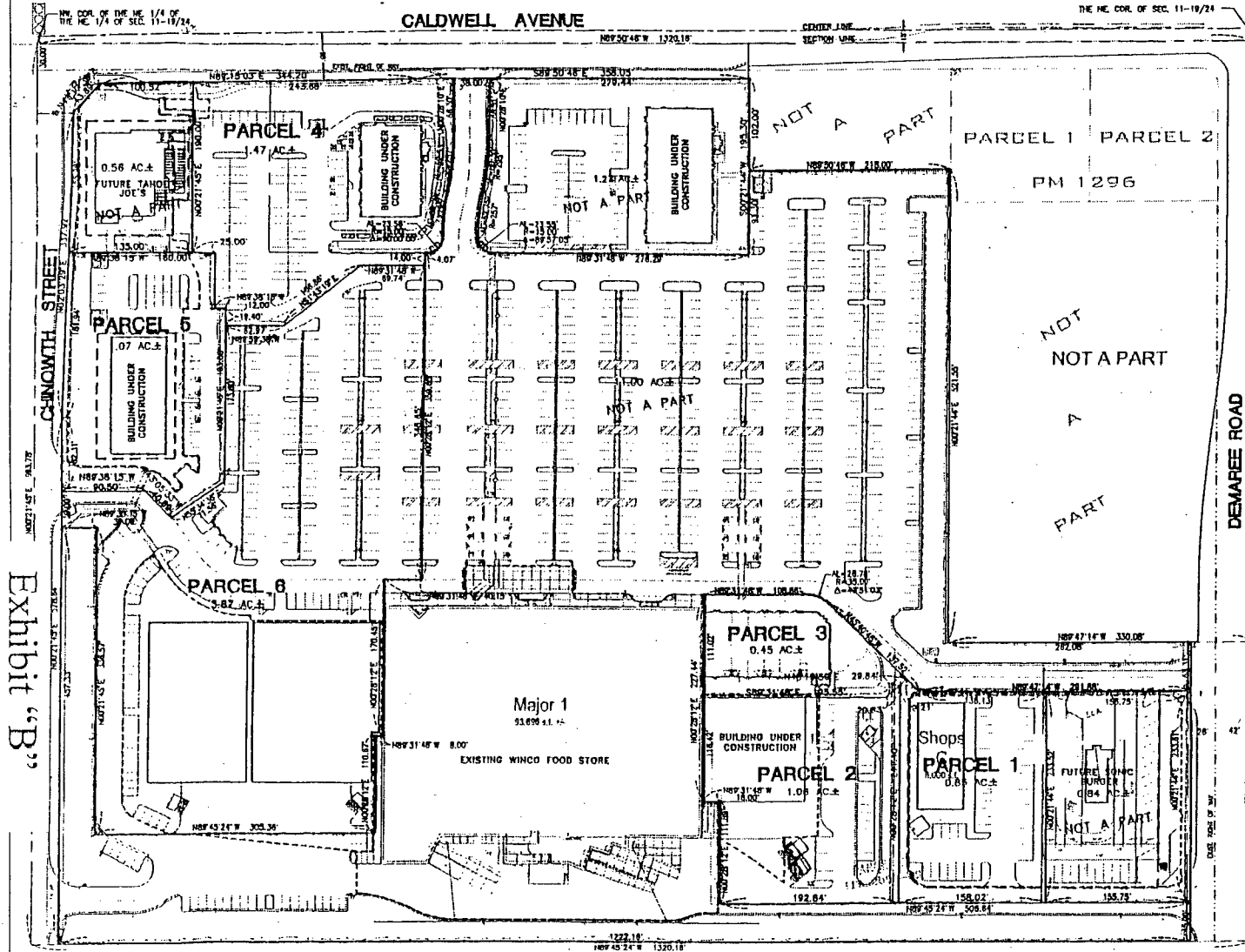


Exhibit "B"

RESOLUTION NO. 2006-130

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING PARCEL MAP NO 2006-25: A REQUEST TO DIVIDE 8.77 ACRES INTO 6 PARCELS. THE SITE IS LOCATED ON THE SOUTHEAST CORNER OF SOUTH CALDWELL AVENUE AND SOUTH CHINOWTH STREET

**WHEREAS**, Parcel Map No. 2006-25: A request by Visalia Pavilion, LLC to divide 8.77 acres into 6 parcels. The site is located on the southeast corner of South Caldwell Avenue and South Chinowth Street (APNs: 119-340-014 and 015, and 119-730-002 thru 004); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said Commission on December 11, 2006, and continued the public hearing to January 8, 2007; and

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

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

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

1. That the site is located within Sub-Area A of the Demaree/Caldwell Specific Plan, and is consistent with the goals and policies of the Demaree/Caldwell Specific Plan.
2. That the proposed Tentative Parcel Map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
3. That the proposed Tentative Parcel Map is compatible with adjacent land uses.
4. That the proposed Tentative Parcel Map is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
5. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the parcel map on the real property herein above 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 project be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2006-212.
2. That the final map be developed in substantial compliance with the approved tentative parcel map shown in Exhibit "A".
3. That all other City codes and ordinances shall be met, unless modified by the Specific Plan.
4. That the project be developed in substantial compliance with the goals and policies contained in the Demaree/Caldwell Specific Plan.
5. That all cross access easements and maintenance agreements be recorded with the final map.

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

AYES: Commissioners Logan, Salinas, Perez, Segrue, Peck

NOES:

ABSTAINED:

ABSENT:

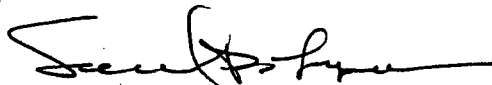
STATE OF CALIFORNIA)  
COUNTY OF TULARE ) ss  
CITY OF VISALIA )

ATTEST: Fred Brusuelas, AICP  
Community Development Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2006-130, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on January 8, 2007.



Fred Brusuelas, AICP  
Community Development Assistant Director



Sam Logan, Chairperson

# **City of Visalia**



**To:** Planning Commission

**From:** Teresa Nickell, Project Planner (713-4328)

**Date:** January 8, 2007

**Re:** Continuance of Conditional Use Permit No. 2006-56 and Tentative Parcel Map No. 2006-25: A request by Visalia Pavilion, LLC to allow non-public street access to individual lots in an existing commercial center (The Visalia Pavilion) on 20 +/- acres in the C-CM (Community Commercial) Zone, and a request by Visalia Pavilion, LLC to divide 8.77 acres into six parcels. The site is located on the southeast corner of South Caldwell Avenue and South Chinowth Street (APNs: 119-340-013 thru 015, and 119-730-002 thru 004).

---

## **Background:**

On December 11, 2006, a public hearing was conducted before the Planning Commission for the above-mentioned projects, and by direction of the Planning Commission, the hearing was continued to January 8, 2007. The continuance was directed to provide adequate notification to the surrounding neighbors regarding non-public street access to individual lots created by the proposed parcel map across a previously excluded parcel (WinCo Food Store site shown as "not a part" on Exhibit "B" of the original Staff Report packet). This lot has four private access points from public rights-of-way: one to the west of the subject site on Chinowth Street, two to the east of the site on Demaree Street, and a point north of the site on Caldwell Avenue.

By including this lot in the project description for the Conditional Use Permit, the 300-foot radius for noticing this project will expand further south and southwest which will incorporate five (5) additional residences in the southwest area. Respectively, the project has been re-noticed to the public. The new radius map is included as Attachment "A".

The project description for the Conditional Use Permit is amended to include the WinCo parcel (APN 119-730-001). The existing Staff Report information remains unchanged. A revised site plan for the Conditional Use Permit (Exhibit "C" attached) will replace Exhibit "B" of the original Staff Report packet. The only difference is that the new site plan includes the WinCo parcel for consideration under the conditional use permit for providing on-site traffic access from the public streets to interior lots (Parcels 1, 2 and 3). The CUP Planning Commission Resolution has been amended (please see attached Resolution).

Attachments:

Planning Commission Staff Report December 11, 2006

Radius Mailing Map – Attachment "A"

Amended Resolution No. 2006-131 for Conditional Use Permit No. 2006-56

Amended Resolution No. 2006-130 for Tentative Parcel Map No. 2006-25

Revised Site Plan – Exhibit "C"



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** December 11, 2006

**PROJECT PLANNER:** Teresa Nickell, Project Planner  
713-4328

**SUBJECT: Parcel Map No. 2006-25:** A request by Visalia Pavilion, LLC to divide 8.77 acres into six parcels. The site is located on the southeast corner of South Caldwell Avenue and South Chinowth Street (APNs: 119-340-014 and 015, and 119-730-002 thru 004).

**Conditional Use Permit No. 2006-56:** A request by Visalia Pavilion, LLC to allow non-public street access to individual lots in an existing commercial center (The Visalia Pavilion) on 20 +/- acres in the C-CM (Community Commercial) Zone. The site is located on the southeast corner of South Caldwell Avenue and South Chinowth Street (APNs: 119-340-013 thru 015, and 119-730-002 thru 004).

*Item # 6*

## STAFF RECOMMENDATION

Staff recommends approval of Parcel Map No. 2006-25 and Conditional Use Permit No. 2006-56, based upon the findings and conditions in Resolution Nos. 2006-130 and 2006-131, since the request is consistent with the General Plan, Subdivision and Zoning Ordinances.

## RECOMMENDED MOTION

I move to approve Parcel Map No. 2006-25 based on the findings and conditions in Resolution No. 2006-130 and Conditional Use Permit No. 2006-56 based on the findings and conditions in Resolution No. 2006-131.

## PROJECT DESCRIPTION

### Parcel Map No. 2006-25

Parcel Map No. 2006-25 is a request for a tentative parcel map, shown as Exhibit "A", to divide 8.77 acres of developed land into six parcels, located on the southeast corner of South Caldwell Avenue and South Chinowth Street. The area to be divided by the map represents current Parcels 2 and 4 of Lot Line Adjustment No. 2006-20 and Parcels 2 and 3 of Parcel Map No. 4685 which established the Visalia Pavilion shopping center.

Parcels 1, 2 and 3 are anchored by retail shops under construction. Parcel 4 is anchored by a Starbuck Coffee restaurant shop with drive-thru under construction. Parcel 5 will be occupied by a future Tahoe Joe's restaurant, and Parcel 6 is anchored by two retail major sub-tenants, adjacent to a future WinCo Foods grocery outlet. The purpose of the map is to provide existing commercial uses with their own individual parcels for financing purposes.

### Conditional Use Permit No. 2006-56

Conditional Use Permit No. 2006-56 is a request to allow non-public street access to the interior individual lots (Parcels 1 thru 3) created by proposed Parcel Map No. 2006-25 (please refer to Exhibit "B"). Access to the interior parcels will be provided from Demaree Road, Chinowth Street and Caldwell Avenue entrances.

## BACKGROUND INFORMATION

General Plan Land Use Designation: Community Commercial – Demaree/Caldwell Specific Plan

Zoning: P-C-CM (Planned Community Commercial)

Surrounding Zoning and Land Use: North: P-PA (Planned Professional/Administrative Office), R-1-6 (Single-family Residential – 6,000 sq. ft. minimum), and P-C-CM – commercial and medical offices, Latter Day Saints church, single family residences, home improvement store (The Home Depot), auto lube service (Auto Oil Changers) and automatic car wash facility.

South: R-M-3 (Multi-family Residential – 1,500 sq. ft. minimum) – Small church, single-family residences, farm land

East: P-C-CM and P-OG (Planned Office Garden) - Small retail service center, mini-mart gas station, proposed Longs Drugs Store commercial site, single-family residences, offices.

West: R-1-6 – Single-family residences

Environmental Review: Categorical Exemption No. 2006-107

Special Districts: Design District “J”

Site Plan: Site Plan Review No. 2006-212 (Parcel Map and Conditional Use Permit)

## RELATED PROJECTS

Recorded Parcel Map No. 4685 (approved as Tentative Parcel Map No. 2004-14 by the Planning Commission on December 13, 2004 by Resolution No. 2004-165) created six parcels, of which the current project comprises Parcels 2 thru 5 of this map. These parcels have been subsequently altered for development by approved lot line adjustments (LLA 2006-01, 2006-09 and 2006-20).

On May 22, 2006, the Planning Commission approved Conditional Use Permit 2006-06 by Resolution No. 2006-57, a request to allow a restaurant facility with a drive-thru lane (Starbucks Coffee), which is located on proposed Parcel 4.

On June 12, 2006, the Planning Commission approved Conditional Use Permit No. 2006-22 by Resolution No. 2006-63, to allow a 1,525 sq. ft. drive-in fast-food restaurant with a drive-thru lane (Sonic Burger) on the southeast corner of the Visalia Pavilion shopping center site (not a part).

## PROJECT EVALUATION

### General

The project is located in Design District “J” and is subject to the land use policies and design standards prescribed for Sub-Area A in the Demaree/Caldwell Specific Plan. However, the proposed conditional use permit is only to allow access from public right-of-way to non-public

parcels created by the tentative parcel map. Therefore, only the development requirements of the Demaree/Caldwell Specific Plan that address lot configuration, access, parking, and on-site circulation have been applied to these applications. The project already meets all of the setback, landscaping, and design requirements of the Demaree/Caldwell Specific Plan.

### **Parking and Access**

A shared parking and access agreement has been recorded for the shopping center. Subsequent to this project, cross access and maintenance agreements will be required by condition of approval to be recorded on the final map.

### **Site Area and Configuration**

The proposed division will reconfigure the property into six commercial parcels. The WinCo Foods grocery store and main parking lot is not a part of this parcel map.

### **Summary**

The project meets setbacks, lot size and configuration requirements through the original and subsequent conditional approvals.

### **Environmental Review**

This project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for minor alterations in land use limitations. (Categorical Exemption No. 2006-107)

## **RECOMMENDED FINDINGS**

### **Parcel Map No. 2006-25**

1. That the site is located within Sub-Area A of the Demaree/Caldwell Specific Plan, and is consistent with the goals and policies of the Demaree/Caldwell Specific Plan.
2. That the proposed Tentative Parcel Map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
3. That the proposed Tentative Parcel Map is compatible with adjacent land uses.
4. That the proposed Tentative Parcel Map is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
5. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

### **Conditional Use Permit No. 2006-56**

1. That the site is located within Sub-Area A of the Demaree/Caldwell Specific Plan, and is consistent with the goals and policies of the Demaree/Caldwell Specific Plan.
2. That the proposed Conditional Use Permit is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
3. That the proposed Conditional Use Permit is compatible with adjacent land uses.
4. That the proposed Conditional Use Permit is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.



5. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

### **RECOMMENDED CONDITIONS OF APPROVAL**

#### **Parcel Map No. 2006-25**

1. That the project be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2006-212.
2. That the final map be developed in substantial compliance with the approved tentative parcel map shown in Exhibit "A".
3. That all other City codes and ordinances shall be met, unless modified by the Specific Plan.
4. That the project be developed in substantial compliance with the goals and policies contained in the Demaree/Caldwell Specific Plan.
5. That all cross access easements and maintenance agreements be recorded with the final map.

#### **Conditional Use Permit No. 2005-15**

1. That the project be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2006-212.
2. That the site be developed in substantial compliance with the approved site plan shown in Exhibit "B".
3. That all other City codes and ordinances shall be met, unless modified by the Specific Plan.
4. That the project be developed in substantial compliance with the goals and policies contained in the Demaree/Caldwell Specific Plan.
5. 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 this Conditional Use Permit, prior to the issuance of any building permits for this project.

### **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.38.120, an appeal to the City Council may be submitted within five working days following the date of a decision by the Planning Commission on a conditional use permit application. Also, an appeal of the Planning Commission decision on the parcel map may be submitted to the City Council within ten (10) calendar days following the date of a decision by the Planning Commission. An appeal shall be in writing and shall be filed with the City Clerk at 707 W. Acequia Ave., 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.

Attachments:

- Resolutions
- Exhibit "A" – Tentative Parcel Map
- Exhibit "B" – Conditional Use Permit Site Plan
- Site Plan Review No. 2006-212 Comments (Tentative Parcel Map/Conditional Use Permit)
- Project Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Sketch

RESOLUTION NO. 2006-130

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING PARCEL MAP NO 2006-25: A REQUEST TO DIVIDE 8.77 ACRES INTO 6 PARCELS. THE SITE IS LOCATED ON THE SOUTHEAST CORNER OF SOUTH CALDWELL AVENUE AND SOUTH CHINOWTH STREET

**WHEREAS**, Parcel Map No. 2006-25: A request by Visalia Pavilion, LLC to divide 8.77 acres into 6 parcels. The site is located on the southeast corner of South Caldwell Avenue and South Chinowth Street (APNs: 119-340-014 and 015, and 119-730-002 thru 004); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said Commission on December 11, 2006; and

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

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

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

1. That the site is located within Sub-Area A of the Demaree/Caldwell Specific Plan, and is consistent with the goals and policies of the Demaree/Caldwell Specific Plan.
2. That the proposed Tentative Parcel Map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
3. That the proposed Tentative Parcel Map is compatible with adjacent land uses.
4. That the proposed Tentative Parcel Map is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
5. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the parcel map on the real property herein above 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 project be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2006-212.
2. That the final map be developed in substantial compliance with the approved tentative parcel map shown in Exhibit "A".
3. That all other City codes and ordinances shall be met, unless modified by the Specific Plan.
4. That the project be developed in substantial compliance with the goals and policies contained in the Demaree/Caldwell Specific Plan.
5. That all cross access easements and maintenance agreements be recorded with the final map.

RESOLUTION NO. 2006-131

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2006-56, A REQUEST TO ALLOW NON-PUBLIC STREET ACCESS TO INDIVIDUAL LOTS IN AN EXISTING COMMERCIAL CENTER (THE VISALIA PAVILION) ON 20 +/- ACRES IN THE C-CM (COMMUNITY COMMERCIAL) ZONE. THE SITE IS LOCATED ON THE SOUTHEAST CORNER OF SOUTH CALDWELL AVENUE AND SOUTH CHINOWTH STREET

**WHEREAS**, Conditional Use Permit No. 2006-56: A request by Visalia Pavilion, LLC to allow non-public street access to individual lots in an existing commercial center (The Visalia Pavilion) on 20 +/- acres in the C-CM (Community Commercial) Zone. The site is located on the southeast corner of South Caldwell Avenue and South Chinowth Street (APNs: 119-340-013 thru 015, and 119-730-002 thru 004); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on December 11, 2006; and

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

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

1. That the site is located within Sub-Area A of the Demaree/Caldwell Specific Plan, and is consistent with the goals and policies of the Demaree/Caldwell Specific Plan.
2. That the proposed Conditional Use Permit is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
3. That the proposed Conditional Use Permit is compatible with adjacent land uses.
4. That the proposed Conditional Use Permit is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
5. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in

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

1. That the project be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2006-212.
2. That the site be developed in substantial compliance with the approved site plan shown in Exhibit "B".

3. That all other City codes and ordinances shall be met, unless modified by the Specific Plan.
4. That the project be developed in substantial compliance with the goals and policies contained in the Demaree/Caldwell Specific Plan.
5. 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 this Conditional Use Permit, prior to the issuance of any building permits for this project.

# TENTATIVE PARCEL MAP

BEING PARCELS 1-6 OF PARCEL MAP NO. 4885 AS PER MAP FILED IN BK. 47 OF  
PARCEL MAPS, AT PG. 90 T.C.R. LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SEC.  
11 T.18S., R.24E., M.D.B. & M. IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE  
OF CALIFORNIA

OWNERS:

VISALIA PAVILION, LLC.  
2720 E. CAMELBACK RD. SUITE 275  
PHOENIX, AZ. 85016

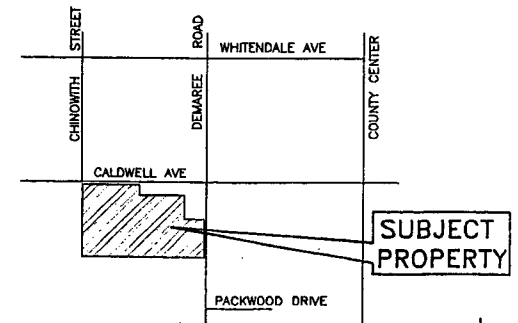
SURVEYOR:

FORESTER, WEBER & ASSOCIATES L.L.C.  
1620 W. Mineral King Ave., Suite B  
Visalia, California 93291  
(559) 732-0102

NOTES:

EXISTING PROPERTY USE: VACANT  
PROPOSED PROPERTY USE: COMMERCIAL  
A.P.N.: PTN.110-340-013, 014, 015 & 016 119-730-002,003 & 004  
ZONING: CCM  
WATER: CITY OF VISALIA  
SEWAGE: CITY OF VISALIA  
FLOOD ZONE: AH & B

SCALE 1"=80'



Vicinity Map

NO SCALE

SHEET 1 OF 1

\\PROJECTS\2006\22106\22106.dwg 6/18/2006 2:30:51 PM PST

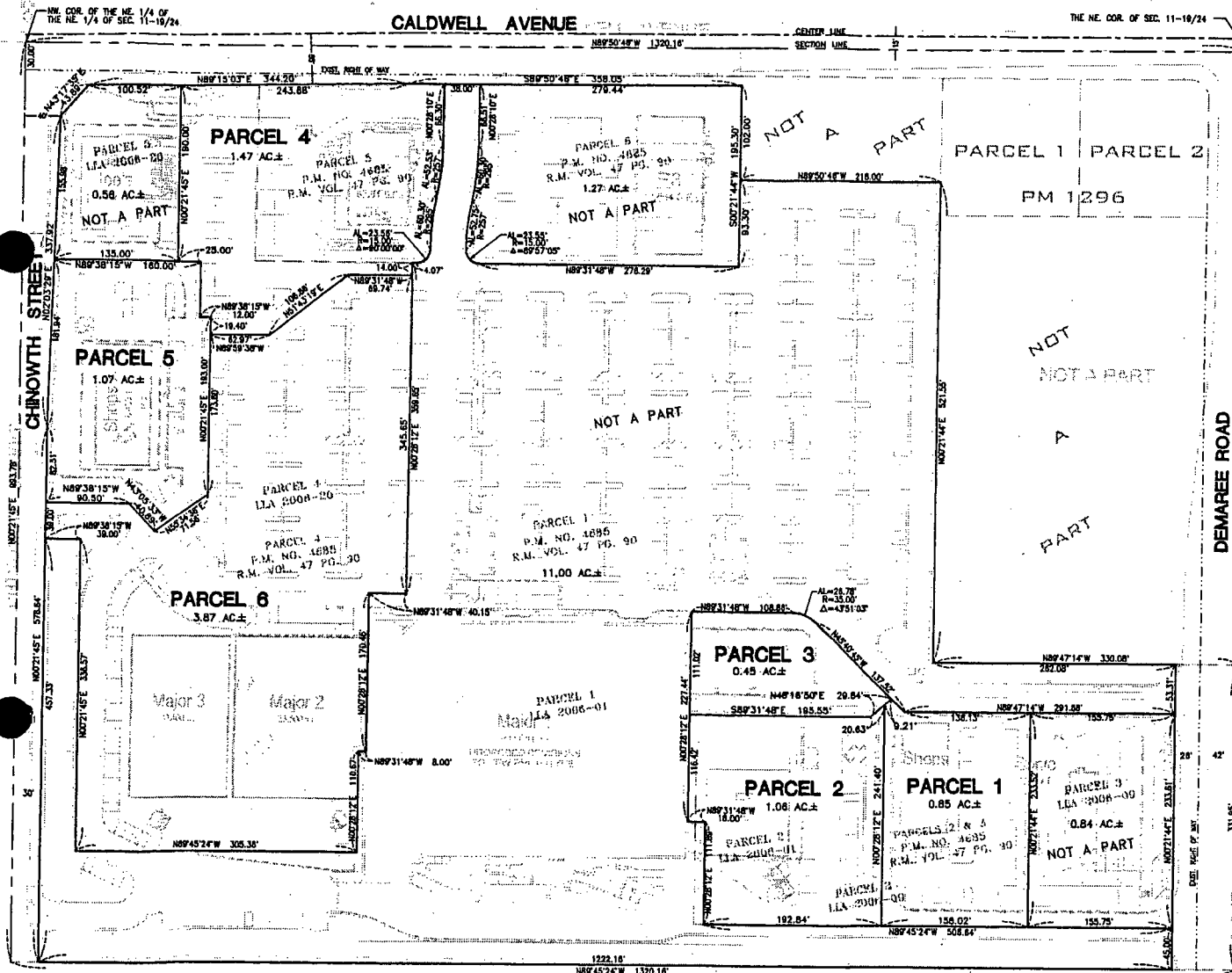
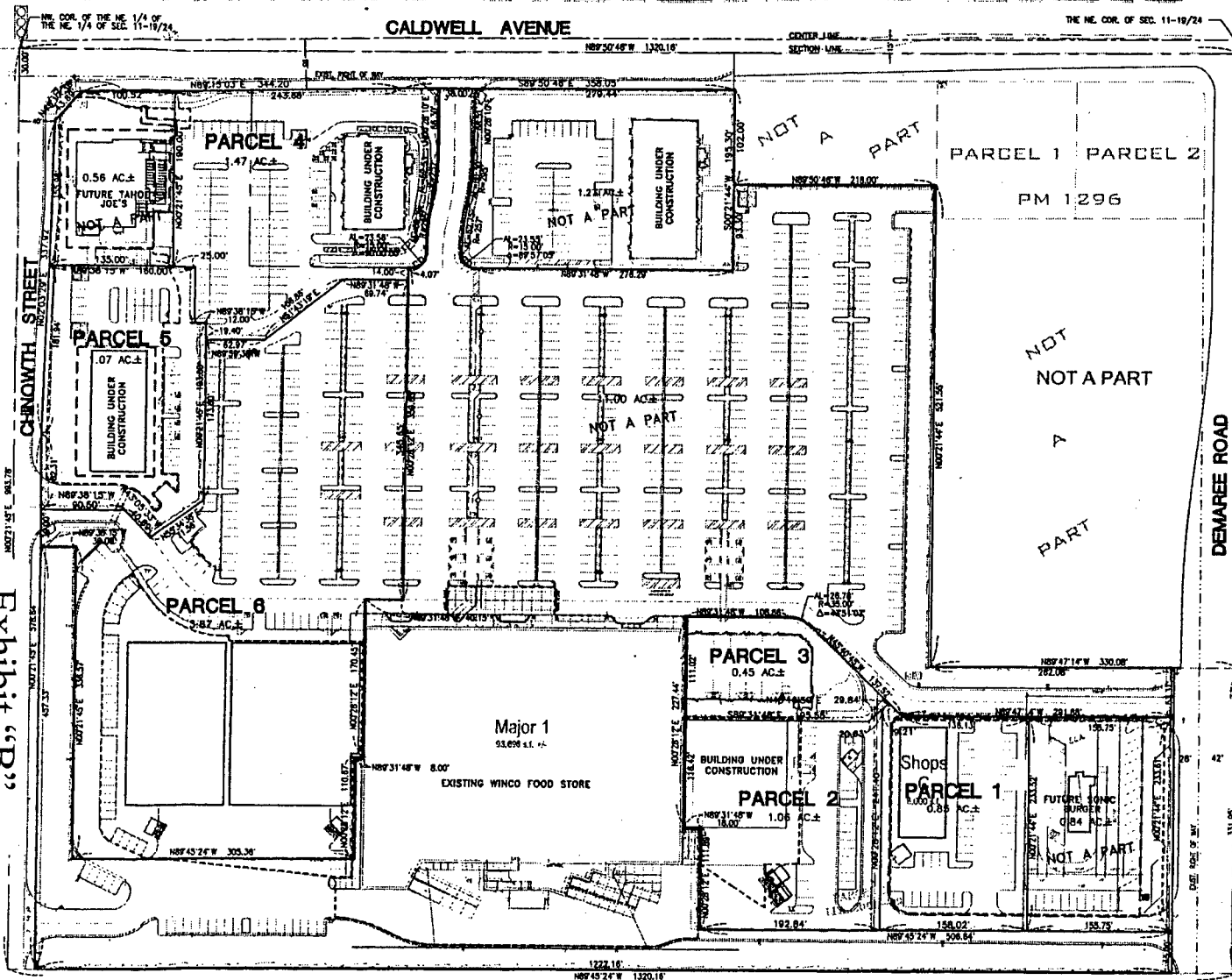


Exhibit "A"

Exhibit "B"



## CONDITIONAL USE PERMIT

BEING PARCELS 1-8 OF PARCEL MAP NO. 4886 AS PER MAP FILED IN BK. 47 OF PARCEL MAPS AT PG. 90 T.C.R. LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SEC. 11 T.19S., R.24E., M.D.B. & M. IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.

OWNERS:

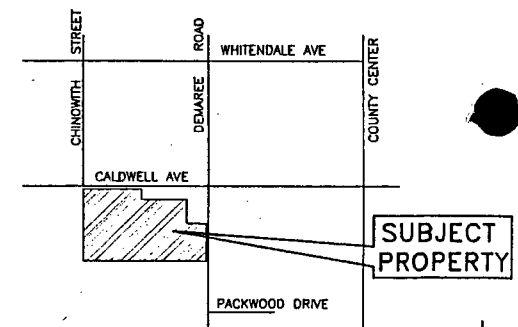
VISALIA PAVILION, LLC.  
2720 E. CAMELBACK RD., SUITE 275  
PHOENIX, AZ. 85018

SURVEYOR:

FORESTER, WEBER & ASSOCIATES L.L.C.  
1820 W. Mineral King Ave., Suite B  
Visalia, California 93291  
(559) 732-0102

NOTES:

EXISTING PROPERTY USE: VACANT  
PROPOSED PROPERTY USE: COMMERCIAL  
A.P.N.: PTN.119-340-013, 014, 015 & 016 119-730-002,003 & 004  
ZONING: CDM  
WATER: CITY OF VISALIA  
SEWAGE: CITY OF VISALIA  
FLOOD ZONE: AH & B



Vicinity Map

NO SCALE

SHEET 1 OF 1

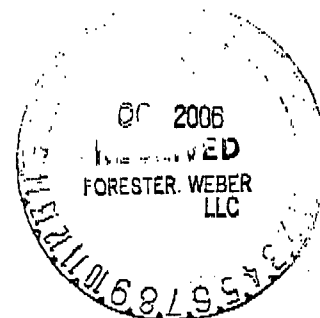
3\\PROJECTS\\F008\\23106\\23106.dwg 9/18/2008 7:30:51 PM PST





713-4814

MEETING DATE 9/27/2006  
SITE PLAN NO. 06-212  
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.

☐ **RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

☐ During site plan design/policy concerns were identified, schedule a meeting with  
☐ Planning ☐ Engineering prior to resubmittal plans for Site Plan Review.

☐ Solid Waste ☐ Parks and Recreation ☐ Fire Dept.

☒ **REVISE AND PROCEED** (see below)

☐ A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

☐ Submit plans for a building permit between the hours of 8 a.m. and 5 p.m., Monday through Friday.

☒ Your plans must be reviewed by:

☐ CITY COUNCIL

☐ REDEVELOPMENT

☒ PLANNING COMMISSION

☐ PARK/RECREATION

☐ HISTORIC PRESERVATION

☐ OTHER \_\_\_\_\_

☐ **ADDITIONAL COMMENTS** \_\_\_\_\_

If you have any questions or comments, please call Dennis Lehman, Building Official, Site Plan Committee member at 713-4495.



Site Plan Review Committee

# Building Site Plan Review Comments

ITEM NO: 6

DATE: SEPTEMBER 27, 2006

SITE PLAN NO:

08-212

PROJECT:

TENTATIVE PARCEL MAP

APPLICANT TITLE:

TENTATIVE PARCEL MAP WITH 9  
PARCELS TO MAKE 6 PARCELS ON 13  
ACRES (CCM ZONED)

LOCATION TITLE:

FORESTER WEBER & ASSOCIATES,  
VISALIA PAVILLION (PROP. OWNER)  
CALDWELL, W.

APN TITLE:

119-340-013, 014, 015, 016, 119-730-

- ☐ Submit 3 sets of engineered plans and 2 sets of calculations.
- ☐ Indicate abandoned wells, septic systems and excavations on construction plans.
- ☐ Meet city and state requirement for the physically handicapped.
- ☐ Submit 3 sets of plans signed by architect or engineer. Must comply with 2001 California Building Code Sec. 2320 for conventional light-frame construction or submit 2 sets of engineered calculations.
- ☐ Maintain sound transmission control between units.
- ☐ Maintain fire-resistive requirements at property lines.
- ☐ Obtain required permits for Air Pollution Board, Tulare County.
- ☐ Location of cashier must provide clear view of gas pump island.
- ☐ Calculations of free-standing carport.
- ☐ Treatment connection charge to be assessed based on use.
- ☐ Must comply with state energy requirements.
- ☐ Plans must be approved by the Tulare County Health Department.
- ☐ Common areas must comply with requirements for access by the handicapped.
- ☐ Project is located in flood zone \_\_\_\_\_. Minimum finished floor elevations requires \_\_\_\_\_.
- ☐ All accessible units required to be adaptable for the physically handicapped.
- ☐ Acceptable as submitted.
- ☐ Arrange for an in-site inspection.
- ☐ Hazardous materials report.
- ☐ A demolition permit is required.
- ☐ School Development fees. Commercial \$0.42 per square foot. Residential \$3.08 per square foot.
- ☐ Park Development fees \$ \_\_\_\_\_, per unit collected with building permits.
- ☐ Existing address must be changed to be consistent with city address policy.

August 9, 2006

Signature

**Site Plan Review Comments For:**

Visalia Fire Department  
Doyle Sewell, Fire Marshal  
309 S. Johnson  
Visalia, CA 93291  
559-713-4486 *office*  
559-713-4808 *fax*

**ITEM NO:** 6  
**SITE PLAN NO:** 06-212  
**PROJECT:** TENTATIVE PARCEL MAP  
**APPLICANT TITLE:** TENTATIVE PARCEL MAP WITH 9  
PARCELS TO MAKE 6 PARCELS ON 13  
ACRES (CCM ZONED)  
**LOCATION TITLE:** FORESTER WEBER & ASSOCIATES,  
VISALIA PAVILLION (PROP. OWNER)  
**APN TITLE:** CALDWELL, W.  
119-340-013, 014, 015, 016, 119-730-

The following comments are applicable when checked:

- ☐ No comments at this time for this project.
- ☐ Refer to previous comments dated .
- ☒ No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- ☐ 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.
- ☐ 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.
- ☐ The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- ☐ An 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.
- ☐ A fire lane is required for this project. The location will be given to you during the site plan meeting.
- ☐ A Knox Box key lock system is required. Applications are available at the Building Department counter.
- ☐ 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 Building Department counter.

- ☐ 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 in the front of the building, if possible.
- ☐ An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- ☐ Fire Department Impact Fee - \$1393.49 per acre.
- ☐ Fire Department Permit Fee - complete application during Building Department permit process.
- ☐ Special comments:

  
\_\_\_\_\_  
Doyle Sewell, Fire Marshal

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

**COMMERCIAL BIN SERVICE**

ITEM NO: 6

DATE: SEPTEMBER 27, 2006

SITE PLAN NO:

06-212

PROJECT:

TENTATIVE PARCEL MAP

APPLICANT TITLE:

TENTATIVE PARCEL MAP WITH 9  
PARCELS TO MAKE 6 PARCELS ON 13  
ACRES (CCM ZONED)

LOCATION TITLE:

FORESTER WEBER & ASSOCIATES,  
VISALIA PAVILLION (PROP. OWNER)  
CALDWELL, W.

APN TITLE:

119-340-013, 014, 015, 016, 119-730-

No comments.

Same comments 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 a (x) T - 1 or ( ) T - 2 by City Standards

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 stadards  
The width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.  
Please keep solid waste informed as parcel develop

comments:

JAVIER HERNANDEZ

Phone # 713-4338

QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS

ITEM NO: 6      DATE: SEPTEMBER 27, 2006  
SITE PLAN NO: 06-212  
PROJECT: TENTATIVE PARCEL MAP  
APPLICANT TITLE: TENTATIVE PARCEL MAP WITH 9  
PARCELS TO MAKE 6 PARCELS ON 13  
ACRES (CCM ZONED)  
LOCATION TITLE: FORESTER WEBER & ASSOCIATES,  
VISALIA PAVILLION (PROP. OWNER)  
APN TITLE: CALDWELL, W.  
119-340-013, 014, 015, 016, 119-730-

YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS

- ☐ PRETREATMENT PROGRAM \_\_\_\_\_
- ☐ RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) \_\_\_\_\_
- ☐ SAND AND GREASE TRAP - 3 COMPARTMENT \_\_\_\_\_
- ☐ GREASE TRAP \_\_\_\_\_ LB. CAPACITY \_\_\_\_\_
- ☐ GARBAGE GRINDER - 3/4 HP. MAXIMUM \_\_\_\_\_
- ☐ SUBMISSION OF A DRY PROCESS DECLARATION \_\_\_\_\_
- ☐ NO SINGLE PASS COOLING WATER IS PERMITTED \_\_\_\_\_
- ☐ OTHER \_\_\_\_\_

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA  
PUBLIC WORKS DEPARTMENT  
QUALITY ASSURANCE DIVISION  
7579 AVE 288 336 N. BEN MADDOX WAY  
VISALIA, CA 93292 93277

*[Signature]*

AUTHORIZED SIGNATURE

9-25-06

DATE

## SITE PLAN REVIEW COMMENTS

TRANSIT DIVISIONITEM NO. 6      DATE: September 27, 2006

SITE PLAN NO.: 06-212  
PROJECT: TENTATIVE PARCEL MAP  
TENTATIVE PARCEL MAP WITH 9 PARCELS TO MAKE 6  
PARCELS ON 13 ACRES (CMM ZONED)  
APPLICANT: FORESTER WEBER & ASSOCIATES, VISALIA PAVILLION  
(PROP OWNER)  
LOCATION: 3701 CALDWELL AVE, W.  
APN: 119-340-013, 014, 015, 016, 119-730-004, 003, 002

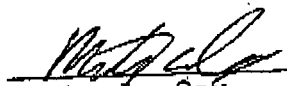
NOTES

Please be advised that a new bus stop needs to be established at the following location:

- ♦ On the South side of Caldwell Ave, between 150' and 300' West of Chinowth St.

This bus stop will require sidewalk and accessible bus stop pad improvements in agreement with the Americans with Disabilities Act of 1990.

For more information, please contact the Transit Division at 713-4100.

  
\_\_\_\_\_  
Monty A. Cox  
Transit Manager

**SUBDIVISION & PARCEL MAP  
REQUIREMENTS  
ENGINEERING DIVISION**

<input type="checkbox"/> Andrew Benelli	713-4340
<input type="checkbox"/> Doug Damko	713-4268
<input type="checkbox"/> Ken McSheehy	713-4447
<input type="checkbox"/> Peter Spiro	713-4256
<input type="checkbox"/> Norm Goldstrom	713-4638
<input type="checkbox"/> Greg Dais	713-4419
<input checked="" type="checkbox"/> Steven Son	713-4259

ITEM NO: 6 DATE: 9/27/06

SITE PLAN NO.: 06-212  
PROJECT: Tentative Parcel Map  
APPLICANT: Forester Weber & Associates, Visalia Pavillion  
LOCATION: 3701 Caldwell  
APN: 119-340-013, 014, 015, 016

**SITE PLAN REVIEW COMMENTS**

- ☒ REQUIREMENTS (Indicated by checked boxes):
- ☐ Submit improvements plans detailing all proposed work; ☐ Subdivision Agreement will detail fees & bonding requirements
- ☒ Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- ☒ The Final Map & Improvements shall conform with Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- ☒ A preconstruction conference is required prior to the start of any construction.
- ☐ Right-of-way dedication required; ☐ by map ☐ by deed
- ☒ City Encroachment Permit Required which shall include an approved traffic control plan.
- ☐ CalTrans Encroachment Permit Required. ☐ CalTrans comments required prior to tentative parcel map approval. CalTrans contacts: Al Dias (planning) 488-7306
- ☒ 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. Contact Doug Damko, 713-4268, 315 E. Acequia Ave.
- ☐ 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.
- ☒ Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- ☐ Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- ☒ Written comments required from ditch company. Contacts: James Silva 747-1177 for Modoc, Bersian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal; Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- ☐ Final Map & Improvements shall conform to the City's Waterways Policy. ☐ Access required on ditch bank, 12' minimum. ☐ Provide wide riparian dedication from top of bank
- ☒ Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- ☐ Storm Drain master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. ☐ A permanent basin is required. ☐ A temporary basin is required until a permanent facility is provided.
- ☒ 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.



- ☐ 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.
- ☒ Subdivider shall relocate existing utility poles and/or facilities.
- ☐ Provide "R" value tests: each at
- ☒ Traffic indexes-per city standards.
- ☐ All public streets shall be designed to City standards in regards to curb, gutter, sidewalk, knuckles, cul-de-sacs, width, curve radii and intersection offsets.
- ☒ All lots shall have separate drive approaches constructed to City Standards.
- ☐ The Developer shall perform street striping as required by the City Engineer.
- ☒ Install sidewalk: ft. wide, with ft. wide parkway on
- ☐ 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. ☐ Remove existing leach fields and septic tanks.
- ☐ Dust control is required on site during construction and for all material excavated, graded, and/or transported.
- ☒ Storm Water Discharge permit is required.

- ☐ Comply with prior comments ☐ Resubmit with additional information. ☐ Redesign required. ☐ Summary of Estimated Engineering fees is attached.

**Additional Comments:**

1. Cross access agreement shall be shown on the map for between parcels.

**TRAFFIC SAFETY**

☒ Eric Bons 713-4350  
☐ Myron Rounsfull 713-4412  
☐ Doug Damko 713-4268

ITEM NO: 006

DATE: SEPTEMBER 27, 2006

SITE PLAN NO.:  
PROJECT:06-212  
TENTATIVE PARCEL MAP  
TENTATIVE PARCEL MAP WITH 9 PARCELS TO  
MAKE 6 PARCELS ON 13 ACRES  
(CCM ZONED)

APPLICANT:

FORESTER WEBER & ASSOCIATES, VISALIA  
PAVILLION (PROP. OWNER)LOCATION:  
APN:3701 CALDWELL, W.  
119-340-013, 014, 015, 016, 119-730-004, 003, 002**SITE PLAN REVIEW COMMENTS****THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY**

- ☐ No Comments
- ☒ See Previous Site Plan Comments
- ☐ Install Street Light(s) on Marbelite Standards.
- ☐ Install Street Name Blades at Locations.
- ☐ Install Stop Signs at Locations.

**Additional Comments:****Show all cross access agreements or easements on the parcel map.**  
Eric Bons

**SUMMARY OF ESTIMATED ENGINEERING FEES**

Site Plan No:

Date:

**Summary of Estimated Engineering Fees: (Preliminary estimate based on current fee schedule.) The fee schedule is periodically adjusted and final fees will be based on fee schedule in effect at time of approved subdivision/parcel map & improvements plans.**

(Basis of fee calculation: )

(Credits: )

☐ Additional information is required prior to estimating applicable Engineering Fees.

ITEM	FEES/UNIT	UNITS	CREDITS (if applicable)	ESTIMATED TOTAL
<input checked="" type="checkbox"/> Trunk Line Capacity Fee				
<input type="checkbox"/> Sewer Front Foot Fee				
<input checked="" type="checkbox"/> Storm Drain Fee Acquisition				
<input type="checkbox"/> Park Acquisition Fee				
<input checked="" type="checkbox"/> Northeast Fees				
<input type="checkbox"/> Final Map Check				
<input type="checkbox"/> Plan Check & Inspection Fee	3.0% of Estimated Construction Cost for Public Improvements	n/a	n/a	
<input type="checkbox"/> Waterways Acquisition Fee				

**Reimbursement:**

- 1.) Reimbursement is available for the development of arterial/collector streets identified in the City's Circulation Element. The developer will be reimbursed for all costs associated with the development of these streets from curb to curb plus street lights. The specific details regarding reimbursement are identified in the City's reimbursement policy. The right of way dedication shall be reimbursed in the form of a Transportation Impact Fee credit. The credit will be calculated per lot and applied at the time of building permit issuance.
- 2.) Reimbursement is available to a developer for storm drain trunk lines and sewer trunk lines identified in the City's Storm Water Master Plan and Sewer System Master Plan. The developer will be reimbursed for 100% the cost of storm drain trunk lines. The developer will be reimbursed for 100% the cost of sewer trunk lines not needed by the developer. If the developer needs a sewer line and is required to enlarge the sewer line in accordance with the Sewer System Master Plan, then the developer will be reimbursed for the differential cost. The City will reimburse the developer for design and construction costs associated with the installation of these trunk lines.

  
Steven Son

**SITE PLAN REVIEW COMMENTS****PLANNING DIVISION**

Planning Division (559) 713-4369

Date: September 27, 2006

SITE PLAN NO: 06-212  
PROJECT: TENTATIVE PARCEL MAP WITH 9 PARCELS TO MAKE 6 PARCELS ON 13 ACRES  
APPLICANT TITLE: FORESTER WEBER & ASSOCIATES, VISALIA PAVILLION (PROP OWNER)  
LOCATION TITLE: 3701 Caldwell, W.  
APN TITLE: 119-340-013, 014, 015, 016, 119-730-004, 003, 002

General Plan: CCM Community Comm. (Spec. Plan req.)  
Existing Zoning: CCM

**The project will require the following:****PROJECT SPECIFIC INFORMATION: 09/27/2006**

1. Tentative Parcel Map
2. Conditional Use Permit for parcels with no street frontage
3. Cross access and maintenance agreements
4. provide corresponding site plan for buildings to illustrate how map is to be cut.

**CITY GENERAL PLAN CONSISTENCY**

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan.

See Caldwell Specific Plan

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.

Signature 



**CALIFORNIA WATER SERVICE COMPANY**

216 NORTH VALLEY OAKS DRIVE • VISALIA, CA 93292-6717  
(559) 624-1600 • FAX (559) 734-9512

**VISALIA DISTRICT**

October 31, 2006

City of Visalia  
Planning Division  
315 E. Acequia Ave.  
Visalia, California 93291

RE: Parcel Map No. 2006-25

Gentlemen:

We have reviewed a copy of Parcel Map No. 2006-25 in the City of Visalia and found it to be satisfactory for our purpose.

California Water Service Company will extend its mains to serve the parcels on the above referenced map in accordance with the main extension rules of the Public Utilities Commission of the State of California. If and when the applicant has entered into an agreement with this Company and has deposited the estimated cost of making the extension, we will install the necessary water mains and serve the project with ample water at the rates and in accordance with the rules and regulations of the Commission.

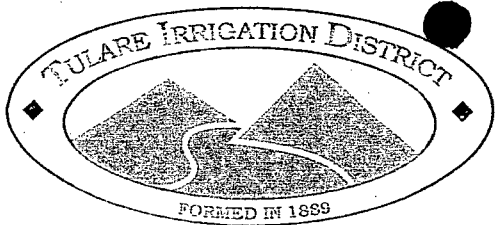
Sincerely,

A handwritten signature in dark ink, appearing to read 'Phil Mirwald', written over a horizontal line.

Phil Mirwald  
District Manager

PM:bb

pc: L. Przybyla



# TULARE IRRIGATION DISTRICT

1350 West San Joaquin Avenue ♦ Tulare, California 93274 ♦ Telephone (559) 686-3425

November 21 2006

RECEIVED  
NOV 27 2006  
COMM. DEVELOP.  
CITY OF VISALIA

Development and Planning Services  
City of Visalia  
315 E. Acequia Ave.  
Visalia, CA 93271

Re: ~~Parcel Map No. 2006-25~~  
SE Cor. Caldwell and Chinowth

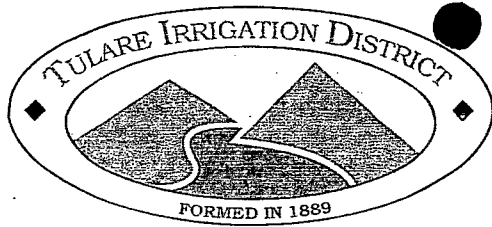
Ladies and Gentlemen:

The Evans Ditch Company has no facilities in the area of the above noted Parcel Map.

Thank you for your cooperation in this matter.

Very truly yours,

  
David L. Zack,  
Consulting Engineer



# TULARE IRRIGATION DISTRICT

1350 West San Joaquin Avenue ♦ Tulare, California 93274 ♦ Telephone (559) 686-3425

November 21 2006

RECEIVED

NOV 27 2006

COMM. DEVELOP.  
CITY OF VISALIA

Development and Planning Services  
City of Visalia  
315 E. Acequia Ave.  
Visalia, CA 93271

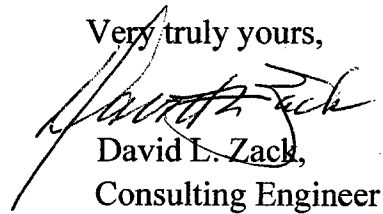
Re: ~~Parcel Map No. 2006-25~~  
SE Cor. Caldwell and Chinowth

Ladies and Gentlemen:

The ~~Tulare Irrigation Company~~ has no facilities in the area of the above noted Parcel Map.

Thank you for your cooperation in this matter.

Very truly yours,

  
David L. Zack,  
Consulting Engineer

315 East Acequia Ave., Visalia, CA 93291

Tel: (559) 713-4359 Fax: (559) 713-4814



October 23, 2006

Kaweah Delta Water  
Conservation District  
2975 North Farmersville Boulevard  
Farmersville, CA 93223

**Parcel Map No. 2006-25:**

Parcel Map No. 2006-25: A request by Visalia Pavillion, LLC to divide 13 acres into six parcels and a remainder. The site is located on the southeast corner of Caldwell Avenue and Chinowith Street. APN: 119-340-13 thru 16, and 119-730-02 thru 04.

Enclosed is a copy of the tentative map for the above-mentioned development. Please note your requirements on the copy and return to the City of Visalia Planning Department prior to **November 23, 2006** for Planning Commission consideration.

PLANNING DIVISION

Enclosure

sc

NO COMMENTS

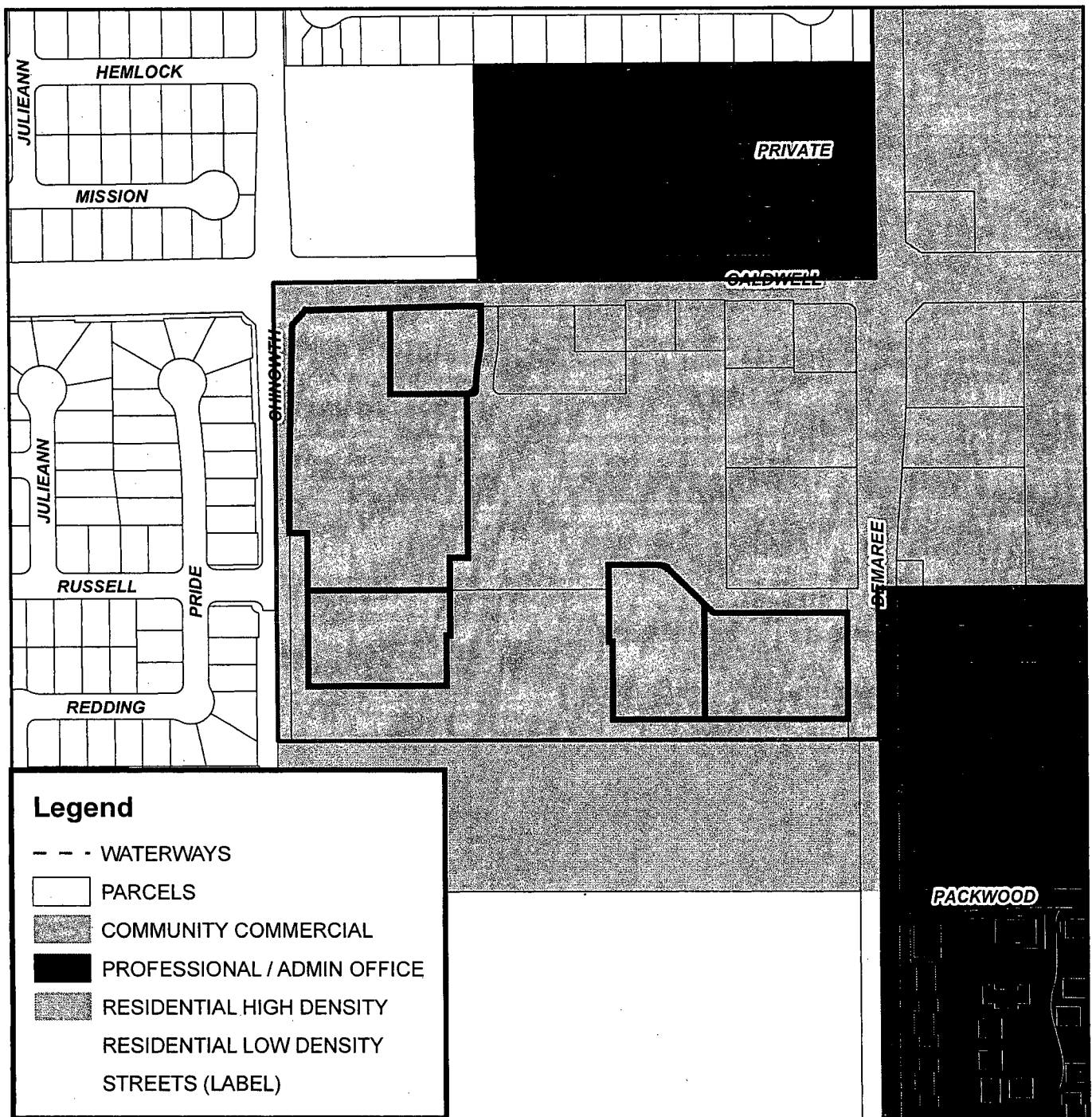
LARRY DOTSON  
SR. ENGR.

10/30/06



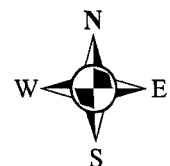
# Visalia Pavilion, LLC Tentative Parcel Map No. 2006-25/CUP 2006-56

Location: Southeast corner of South Caldwell Avenue and South Chinoweth Street



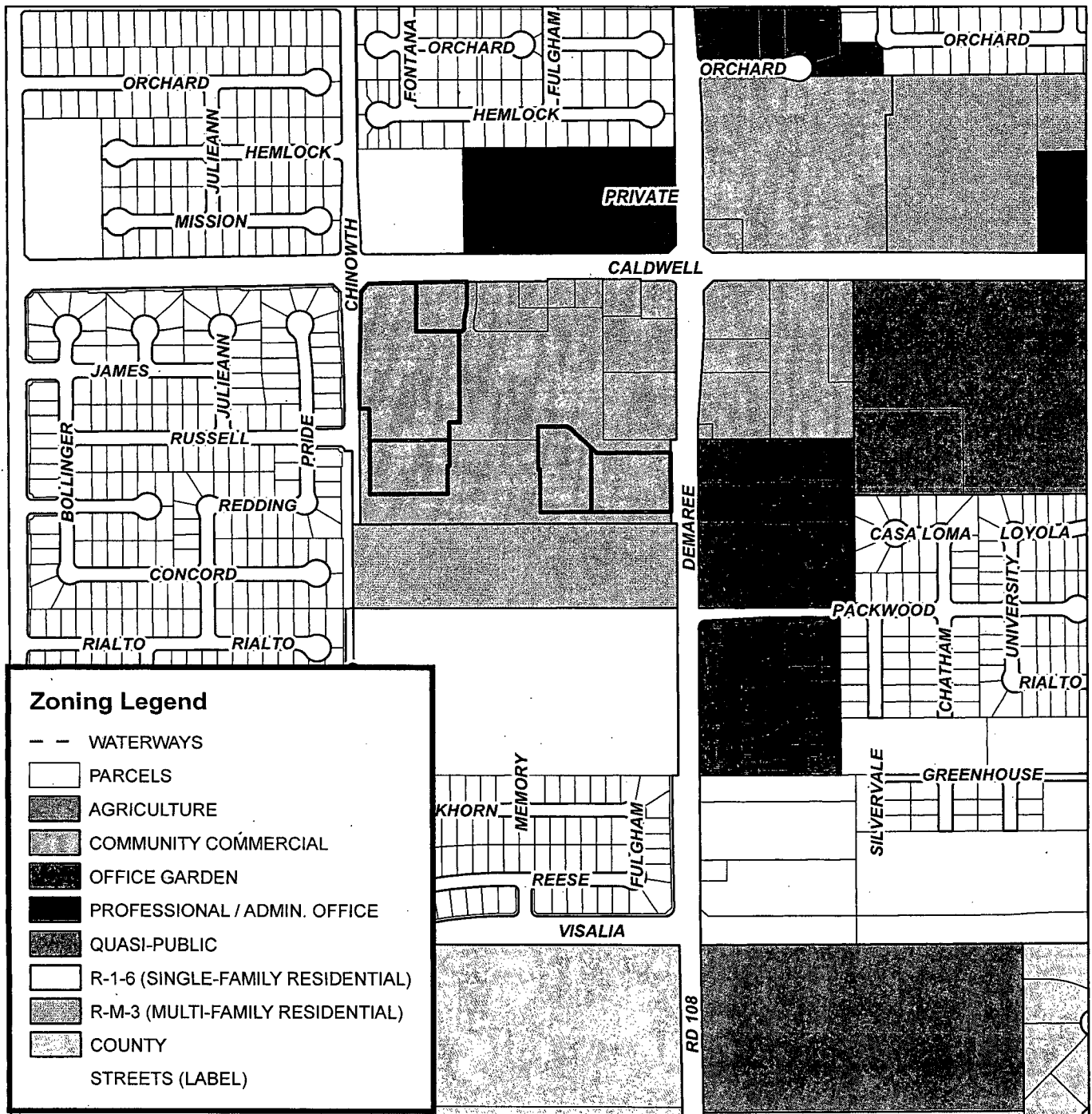
## General Plan Land Use

0 100 200 400 600 800 Feet

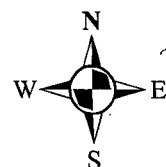


# Visalia Pavilion, LLC Tentative Parcel Map No. 2006-25/CUP 2006-56

Location: Southeast corner of South Caldwell Avenue and South Chinowth Street



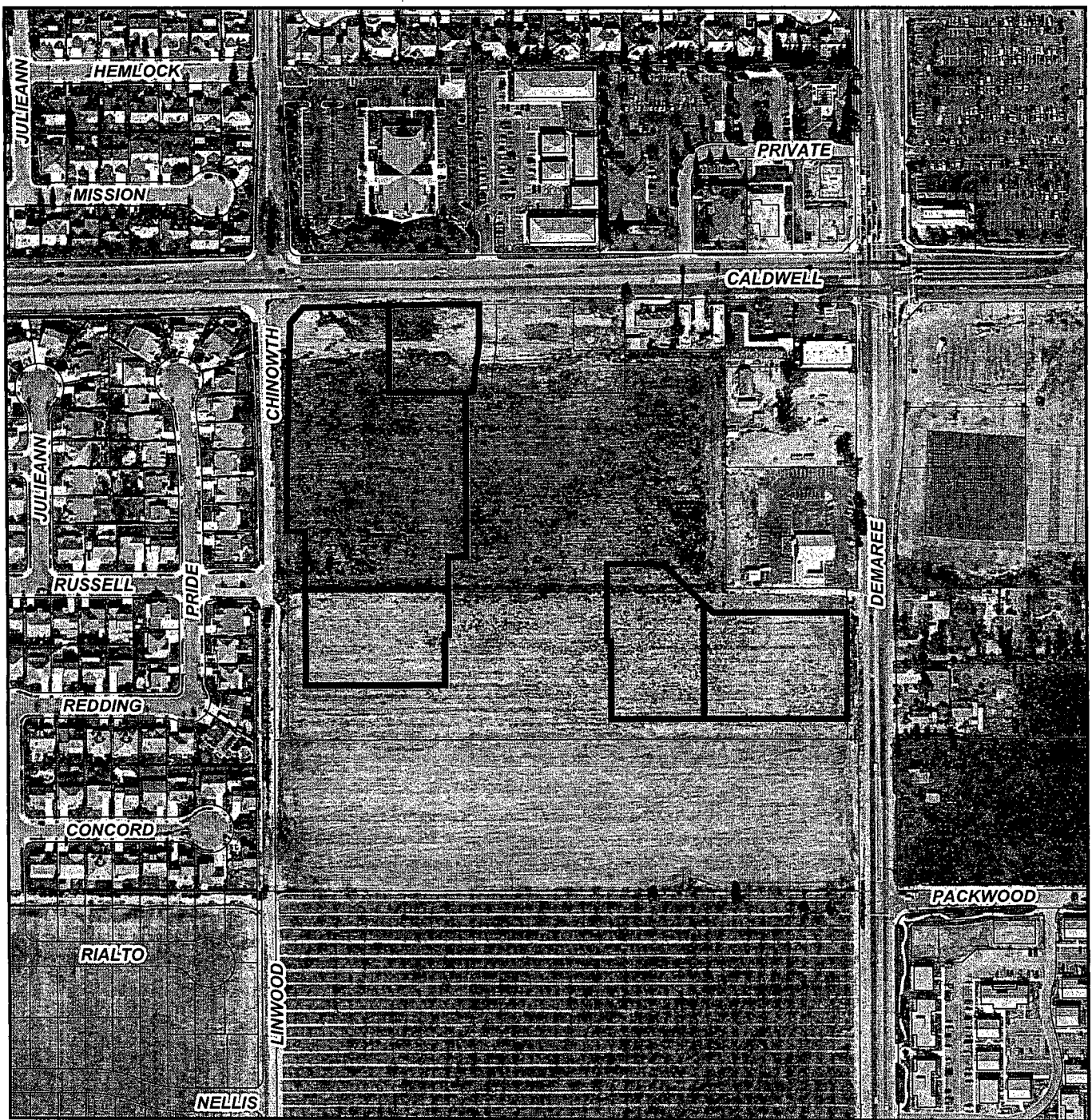
## Zoning Map



0 275 550 1,100 1,650 2,200 Feet

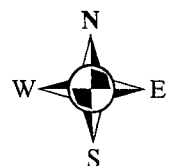
**Visalia Pavilion, LLC**  
**Tentative Parcel Map No. 2006-25/CUP 2006-56**

Location: Southeast corner of South Caldwell Avenue and South Chinowth Street



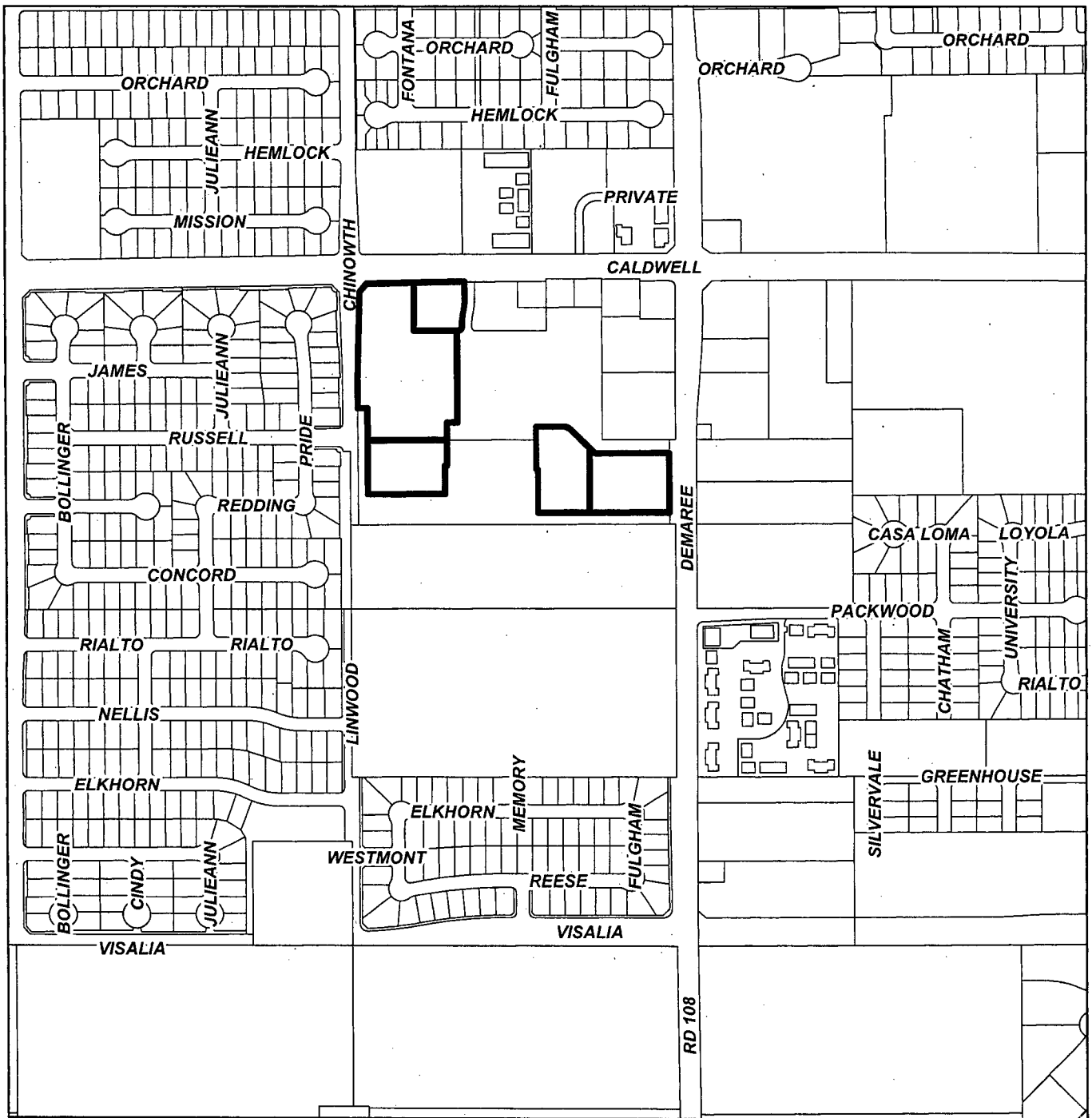
**Aerial Map**

0 100 200 400 600 800 Feet



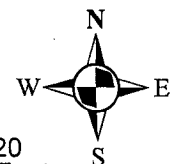
# Visalia Pavilion, LLC Tentative Parcel Map No. 2006-25/CUP 2006-56

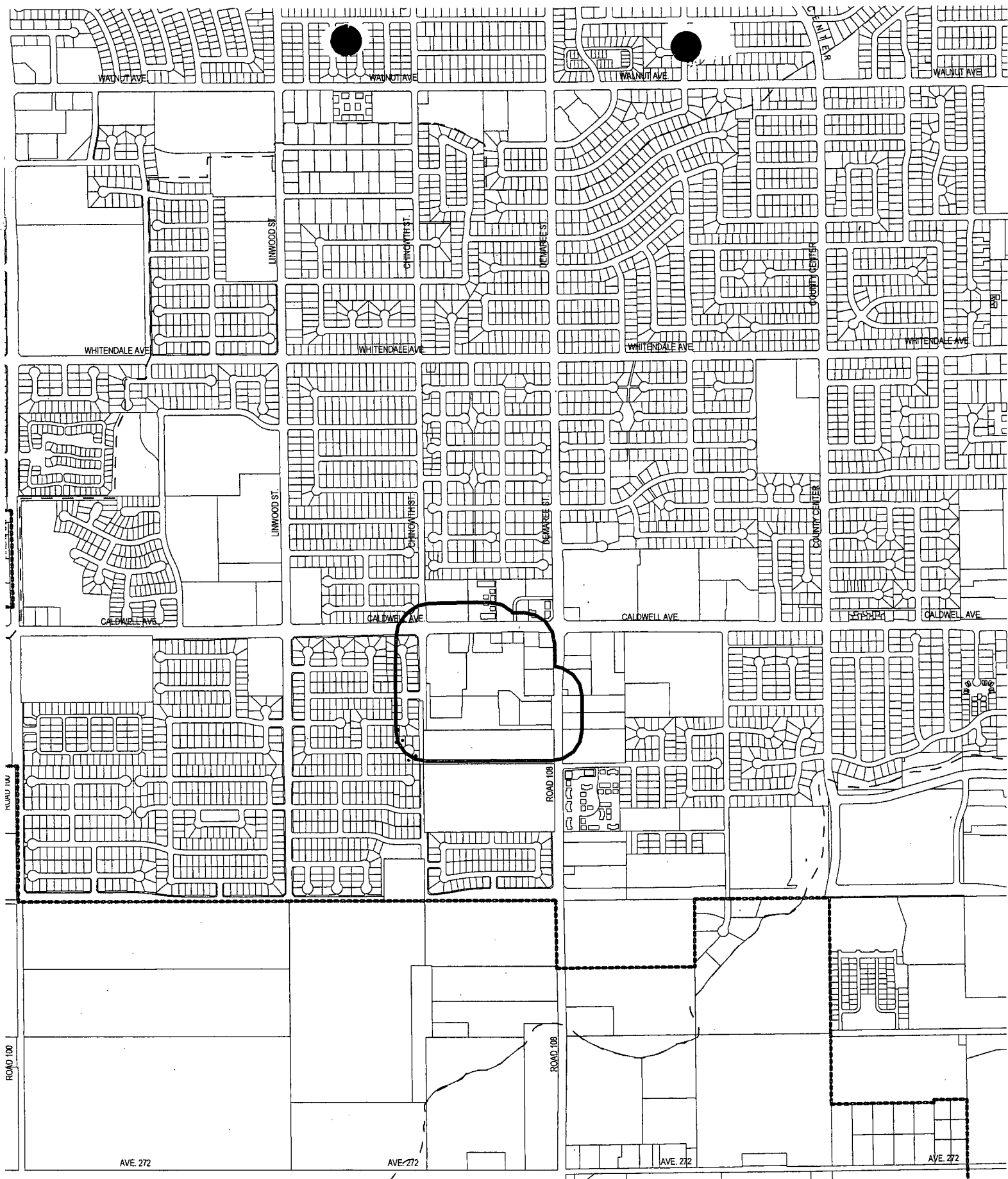
Location: Southeast corner of South Caldwell Avenue and South Chinowth Street



## Location Map

0 265 530 1,060 1,590 2,120 Feet





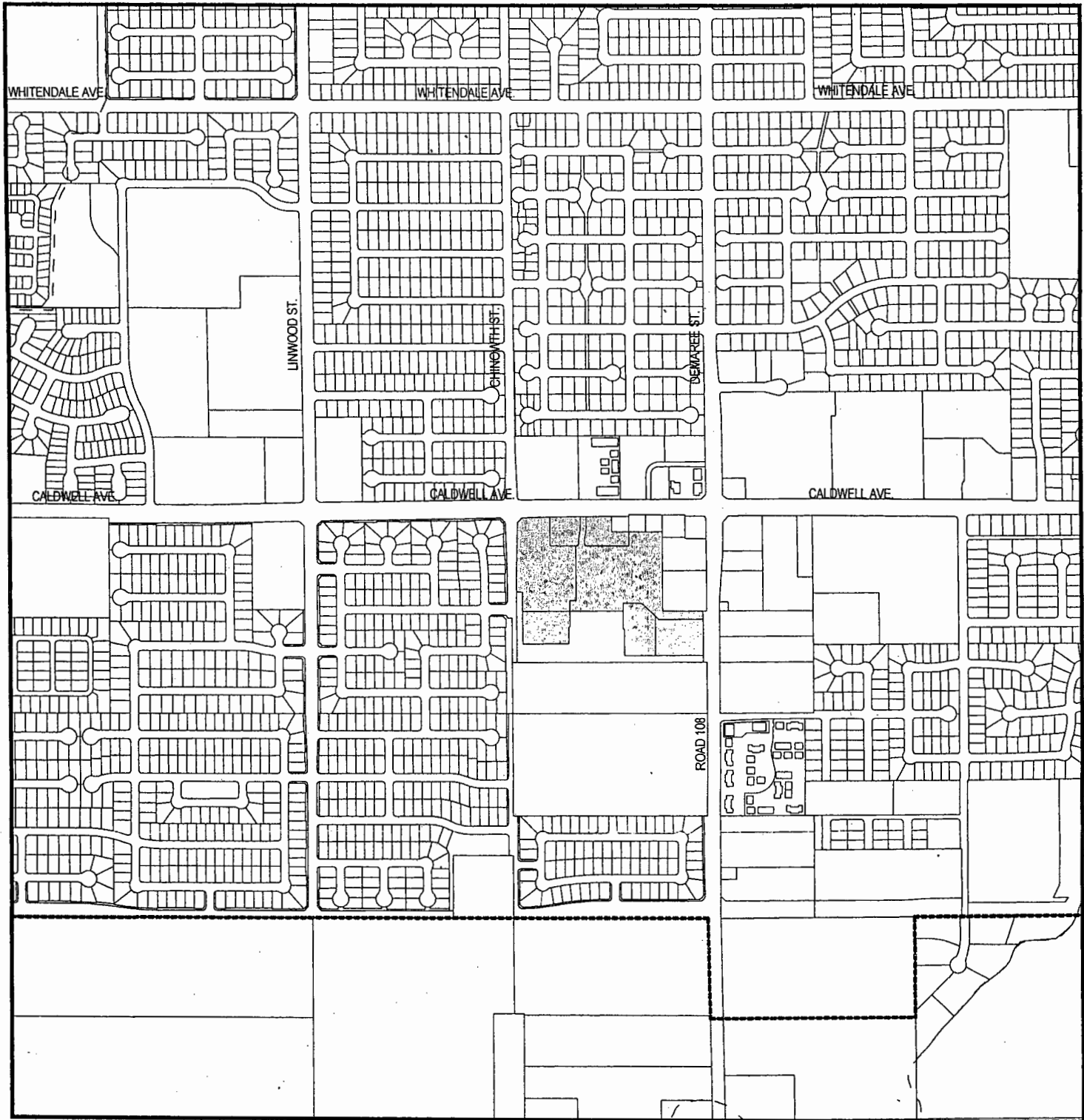
## RADIUS MAILING MAP

### ATTACHMENT "A"

# PROJECT NOTICE



City of Visalia  
Parcel Map No. 2006-25 & Conditional Use Permit No. 2006-56



CITY LIMITS  
WATERWAYS  
PARCELS



NO SCALE



City of Visalia 18111  
315 E. acequia Ave.  
Visalia, CA 93291  
RETURN ADDRESS REQUESTED

Project Planner  
315 E. Acequia  
Visalia, CA 93291

This map shall not be copied or reproduced in any form without the express written consent of the City of Visalia G.I.S. Department. This map has been carefully prepared from official records, however the information hereon is not warranted and the City of Visalia shall not in any event be liable for any errors or inaccuracies.

## PUBLIC HEARING

The Visalia City Planning Commission will consider the following items on **Monday, December 11, 2006**, at **7:00 p.m.**, City Hall, Council Chambers, 707 W. Acequia Avenue, Visalia:

- **Parcel Map No. 2006-25:** A request by Visalia Pavilion, LLC to divide 8.77 acres into six parcels. The site is located on the southeast corner of Caldwell Avenue and Chinowth Street. APNs: 119-340-14 thru 16 and 119-730-02 thru 04
- **Conditional Use Permit No. 2006-56:** A request by Visalia Pavilion, LLC to allow non-public street access to individual lots in an existing commercial center (The Visalia Pavilion) on 20 +/- acres in the C-CM (Community Commercial) Zone. The site is located on the southeast corner of Caldwell Avenue and Chinowth Street. APNs: 119-340-13 thru 16 and 119-730-02 thru 04.

You are welcome to attend this meeting to express your views on these requests. If you want more information regarding these requests, please call the Visalia City Planning Department at (559) 713-4359 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

If you challenge the decision made regarding these requests in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Visalia at, or prior to, the public hearing.

For the hearing impaired, if signing is desired, please call (559) 713-4900 twenty-four (24) hours in advance of the scheduled meeting time to request these services.

For the visually impaired, if enlarged print or Braille copy is desired, please request this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

Este Aviso es para informarle que habra una audiencia para el público ante el comisionario de proyectos de la ciudad de Visalia.

Para más información o si necesita repasar los planes respecto a esta solicitud, por favor llame a la ciudad de Visalia de proyectos del comisionario al numero (559) 713-4359.

Fred Brusuelas, AICP  
Community Development Assistant Director



# CONDITIONAL USE PERMIT

BEING PARCELS 1-6 OF PARCEL MAP NO. 4685 AS PER MAP FILED IN BK. 47 OF  
PARCEL MAPS, AT PG. 90 T.C.R. LOCATED IN THE NE. 1/4 OF THE NE. 1/4 OF SEC.  
11 T.19S., R.24E., M.D.B. & M. IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE  
OF CALIFORNIA.

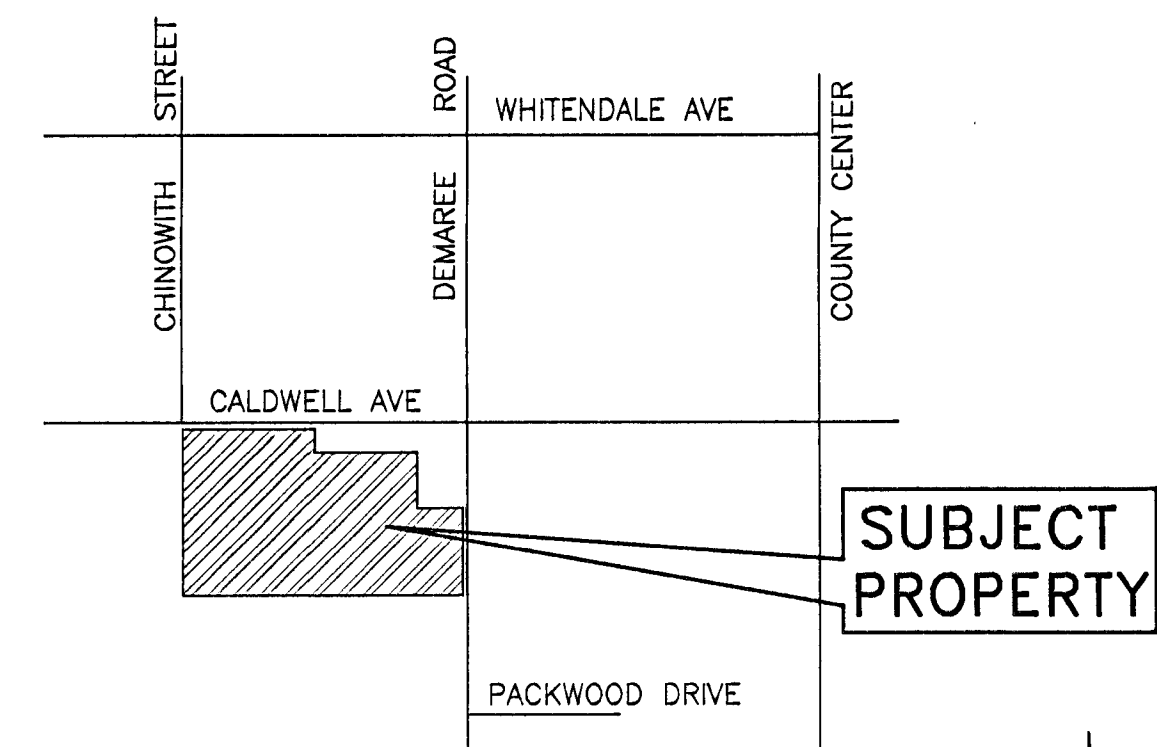
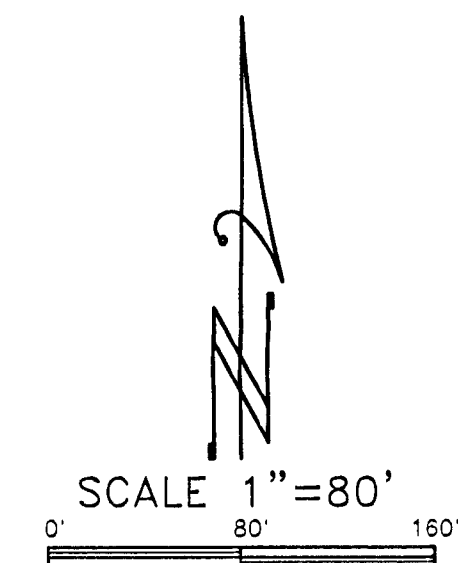
OWNERS:

**VISALIA PAVILION, LLC.**  
2720 E. CAMELBACK RD. SUITE 275  
PHOENIX, AZ. 85016

SURVEYOR:

**FORESTER, WEBER & ASSOCIATES L.L.C.**  
1620 W. Mineral King Ave., Suite B  
Visalia, California 93291  
(559) 732-0102

NOTES: EXISTING PROPERTY USE: VACANT  
PROPOSED PROPERTY USE: COMMERCIAL  
A.P.N.: PTN.119-340-013, 014, 015 & 016 119-730-001,002,003 & 004  
ZONING: CCM  
WATER: CITY OF VISALIA  
SEWAGE: CITY OF VISALIA  
FLOOD ZONE: AH & B

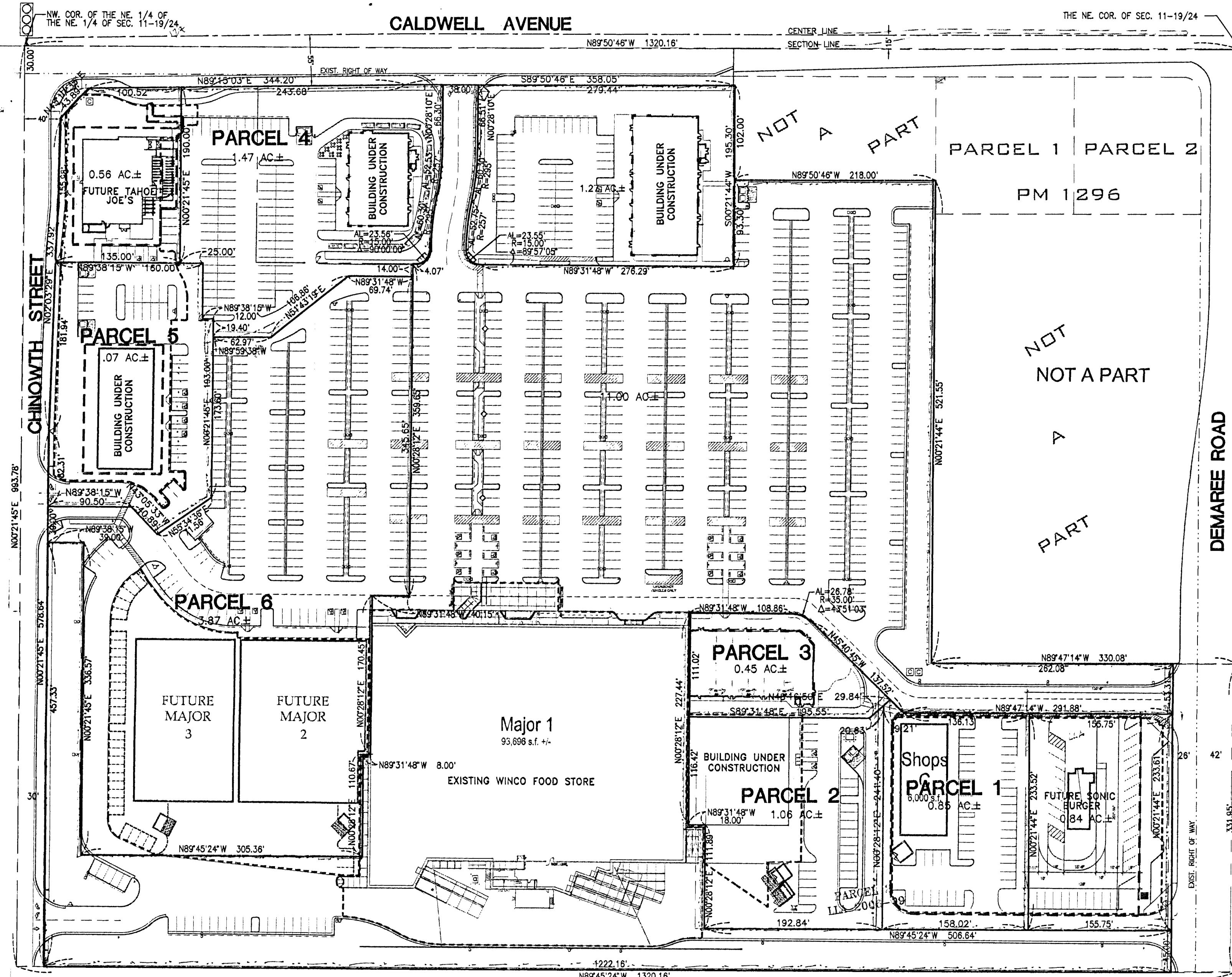


Vicinity Map

NO SCALE

SHEET 1 OF 1

S:\PROJECTS\2006\22106\22106.dwg 9/18/2006 2:30:51 PM PST



SITE PLAN  
&  
EXHIBITS

# CONDITIONAL USE PERMIT

BEING PARCELS 1-8 OF PARCEL MAP NO. 4688 AS PER MAP FILED IN BK. 47 OF PARCEL MAPS, AT PG. 90 T.C.R. LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SEC. 11 T.19S., R.24E., M.D.B. & M. IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.

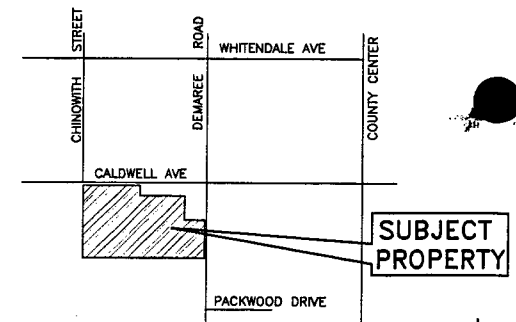
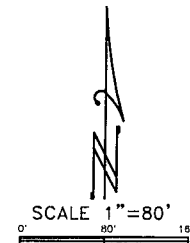
OWNERS:

**VISALIA PAVILION, LLC.**  
2720 E. CAMELBACK RD., SUITE 275  
PHOENIX, AZ 85016

SURVEYOR:

**FORESTER, WEBER & ASSOCIATES L.L.C.**  
1620 W. Mineral King Ave., Suite B  
Visalia, California 93291  
(559) 732-0102

NOTES: EXISTING PROPERTY USE: VACANT  
PROPOSED PROPERTY USE: COMMERCIAL  
A.P.N.: PTN.119-340-013, 014, 015 & 016 119-730-001,002,003 & 004  
ZONING: CCM  
WATER: CITY OF VISALIA  
SEWAGE: CITY OF VISALIA  
FLOOD ZONE: AH & B

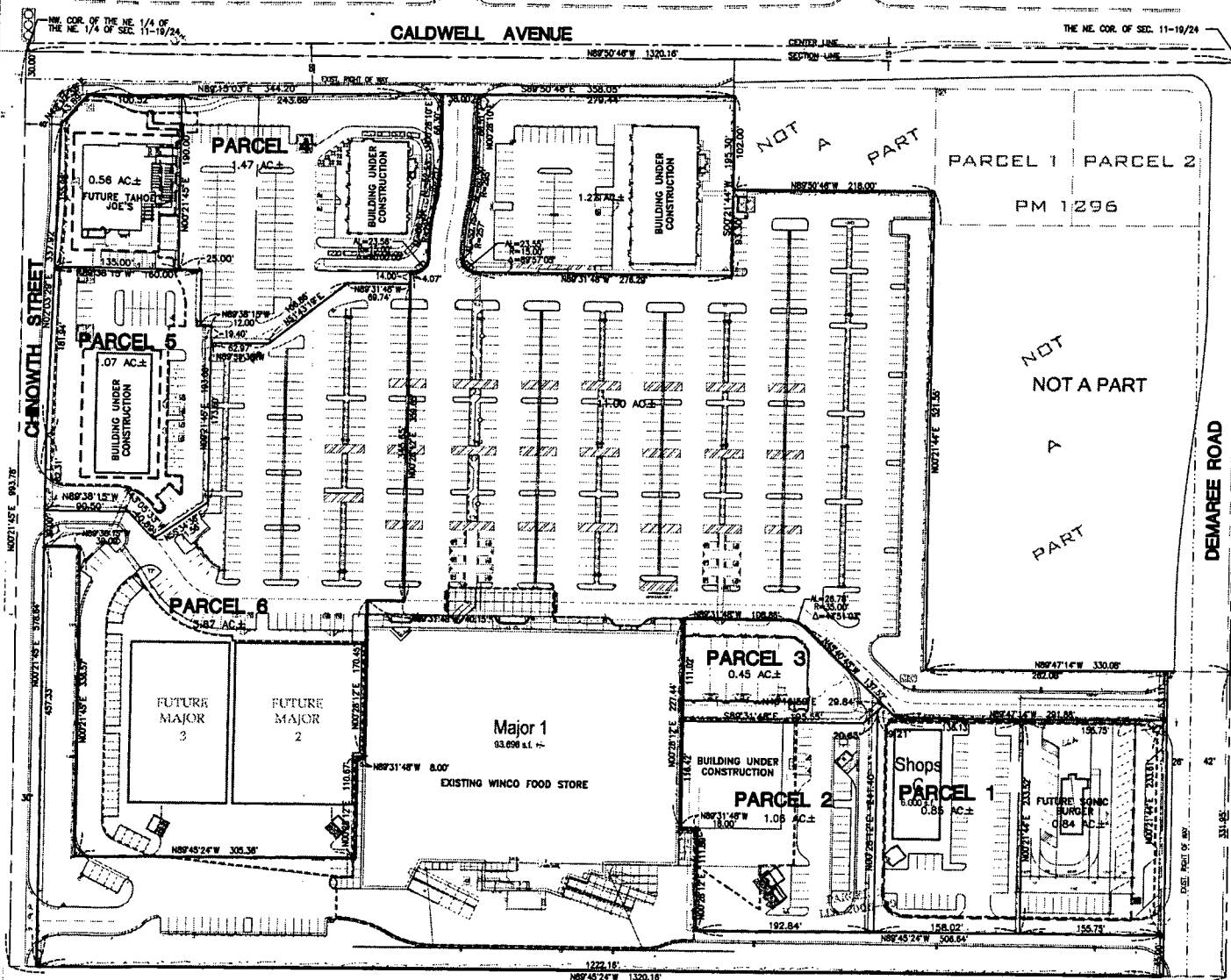


**Vicinity Map**

NO SCALE

SHEET 1 OF 1

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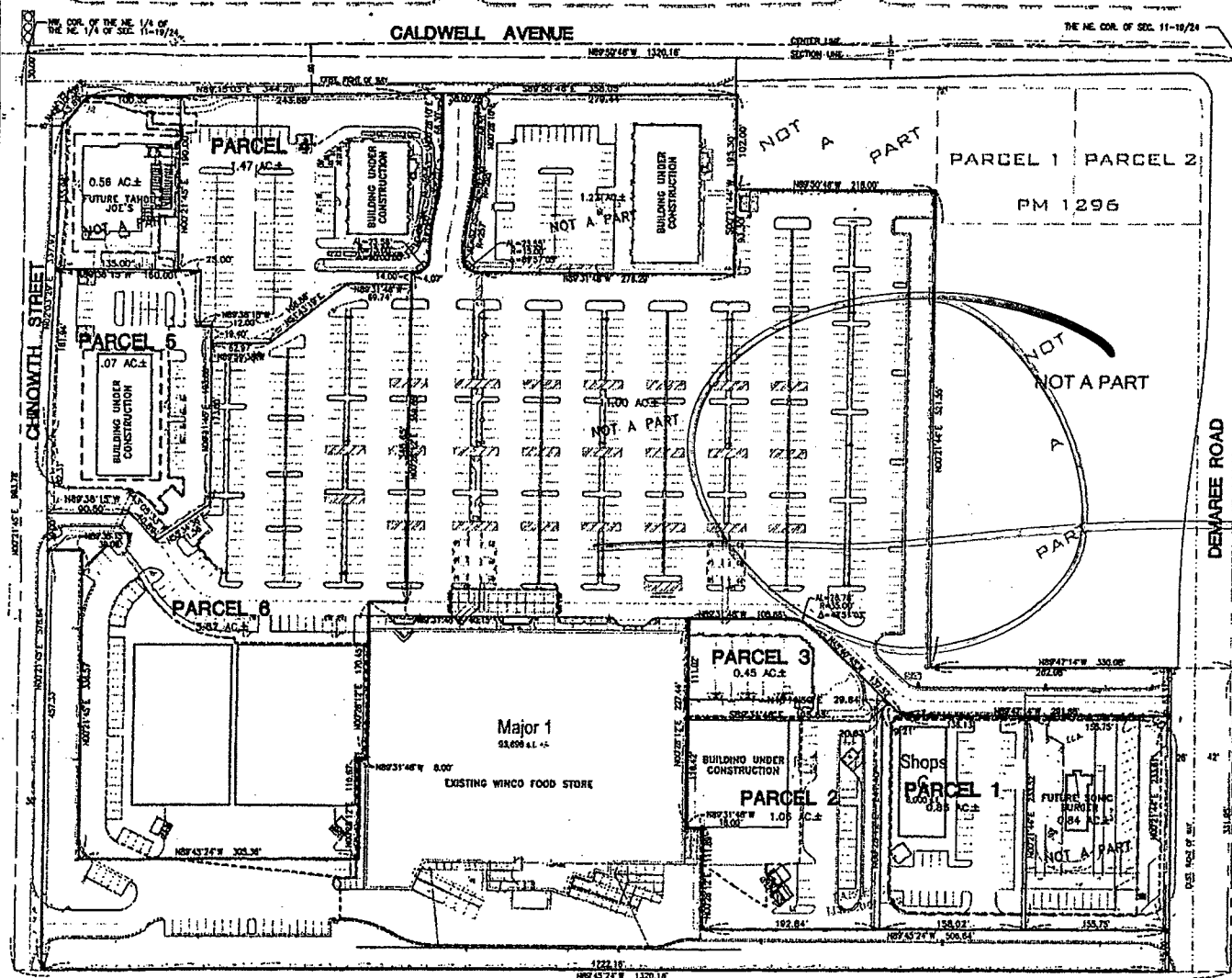


BEING PARCELS 1-8 OF PARCEL MAP NO. 4000 AS PER MAP FILED IN BK. 47 OF  
PARCEL MAPS, AT PG. 90 T.C.R. LOCATED IN THE NE. 1/4 OF THE NE. 1/4 OF SEC.  
11 T.19S., R.24E., M.D.B. & M. IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE  
OF CALIFORNIA.

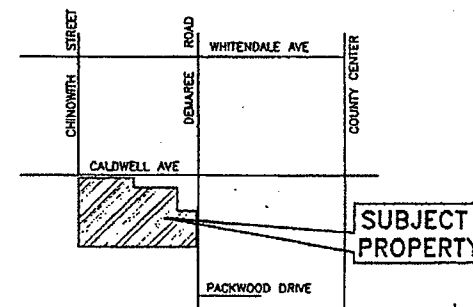
**VISALIA PAVILION, LLC.**  
2720 E. CAMELBACK RD. SUITE 273  
PHOENIX, AZ. 85016

**FORESTER, WEBER & ASSOCIATES L.L.C.**  
1620 W. Mineral King Ave., Suite B  
Visalia, California 93291  
(559) 732-0102

NOTES: EXISTING PROPERTY USE: VACANT  
PROPOSED PROPERTY USE: COMMERCIAL  
A.P.N.: PTN.119-340-013, 014, 015 & 016 119-730-002,003 & 004  
ZONING: CCW  
WATER: CITY OF VISALIA  
SEWAGE: CITY OF VISALIA  
FLOOD ZONE: AH & B



SCALE 1"=80'



Vicinity Map  
NO SCALE



# CONDITIONAL USE PERMIT

BEING PARCELS 1-6 OF PARCEL MAP NO. 4685 AS PER MAP FILED IN BK. 47 OF  
PARCEL MAPS, AT PG. 90 T.C.R. LOCATED IN THE NE. 1/4 OF THE NE. 1/4 OF SEC.  
11 T.19S., R.24E., M.D.B. & M. IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE  
OF CALIFORNIA.

OWNERS:

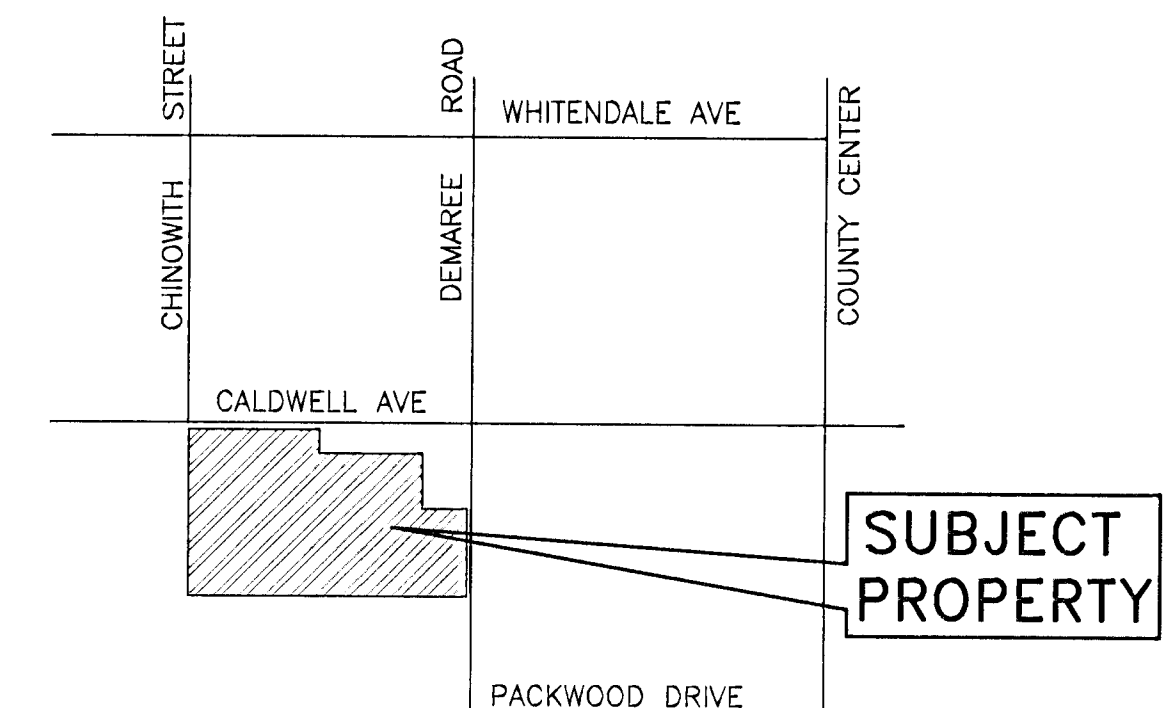
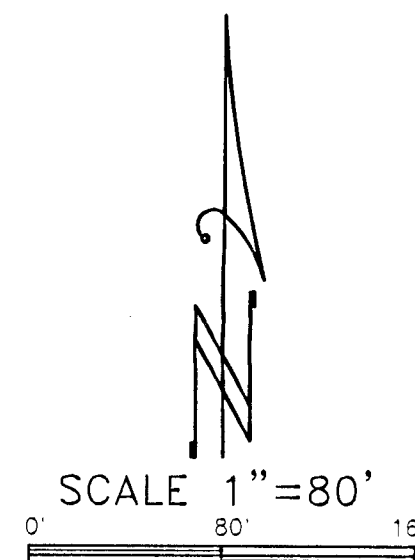
VISALIA PAVILION, LLC.  
2720 E. CAMELBACK RD. SUITE 275  
PHOENIX, AZ. 85016

SURVEYOR:

FORESTER, WEBER & ASSOCIATES L.L.C.  
1620 W. Mineral King Ave., Suite B  
Visalia, California 93291  
(559) 732-0102

NOTES:

EXISTING PROPERTY USE: VACANT  
PROPOSED PROPERTY USE: COMMERCIAL  
A.P.N.: PTN.119-340-013, 014, 015 & 016 119-730-002,003 & 004  
ZONING: CCM  
WATER: CITY OF VISALIA  
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FLOOD ZONE: AH & B

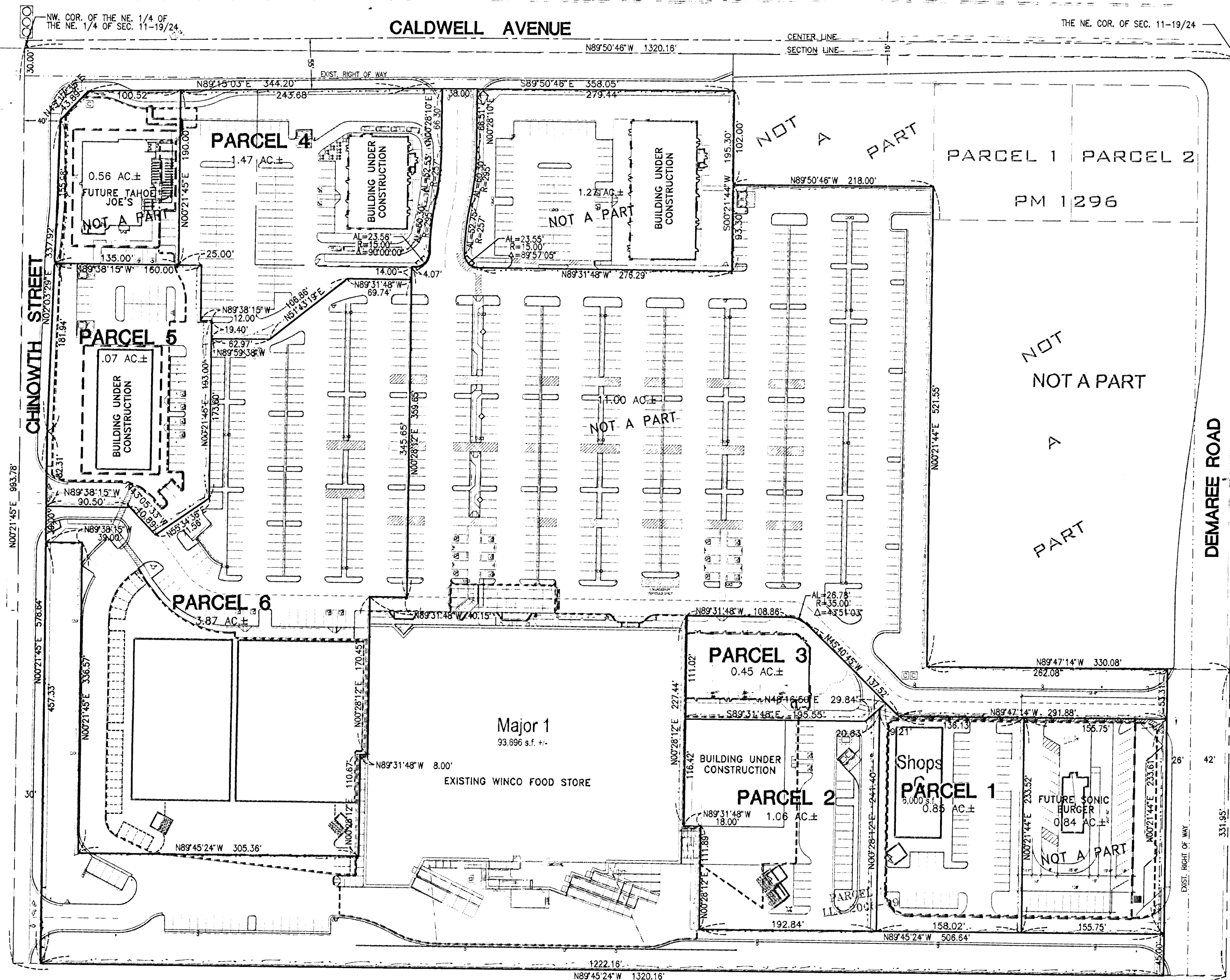


Vicinity Map

NO SCALE

SHEET 1 OF 1

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January 26, 2024

**Site Plan Review No. 2023-218:**

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **December 13, 2023**. 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.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal".

Paul Bernal  
City Planner  
315 E. Acequia Ave.  
Visalia, CA 93291

**Attachment(s):**

- Site Plan Review Comments



MEETING DATE

December 13, 2023

SITE PLAN NO.

2023-218

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.

☐ **RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

☐ During site plan design/policy concerns were identified, schedule a meeting with

☐ Planning

☐ Engineering prior to resubmittal plans for Site Plan Review.

☐ Solid Waste

☐ Parks and Recreation

☐ Fire Dept.

☒ **REVISE AND PROCEED** (see below)

☐ A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

☐ Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

☒ Your plans must be reviewed by:

☐ CITY COUNCIL

☐ REDEVELOPMENT

☒ PLANNING COMMISSION

☐ PARK/RECREATION

☒ CUP, TPM

☐ HISTORIC PRESERVATION

☐ OTHER – Lot Line Adjustment

☐ **ADDITIONAL COMMENTS:**

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440  
Site Plan Review Committee



# SITE PLAN REVIEW COMMENTS

**Brandon Smith, Planning Division, (559) 713-4636**

Date: December 13, 2023

SITE PLAN NO: 2023-218  
PROJECT: Visalia Pavilions Lot 6 Parcel Map  
DESCRIPTION: SUBDIVIDE LOT 6 PM4839 INTO TWO PARCELS. PARCEL ONE CONTAINING A 4375 SQUARE FOOT BUILDING (ADJACENT TO WINCO AS A 0.68 PARCEL AND PARCEL TWO AS A 3.19 ACRE PARCEL CONTAINING EXISTING PARKING AND FUTURE BUILDING SITES.  
APPLICANT: JOSH BINKLEY  
PROP. OWNER: VISALIA PAVILLION LLC  
LOCATION TITLE: 4041 W. CALDWELL AVENUE, VISALIA 93277  
APN TITLE: 119-730-004  
GENERAL PLAN: CMU  
ZONING: C-MU – Commercial Mixed Use

## **Planning Division Recommendation:**

- ☒ Revise and Proceed  
☐ Resubmit

## **Project Requirements**

- Tentative Parcel Map
- Conditional Use Permit

## **PROJECT SPECIFIC INFORMATION:** April 26, 2023, 2023

1. A Tentative Parcel Map shall be required.
2. A Conditional Use Permit shall be required to divide the project site into parcels smaller than the minimum lot size of five acres, and to create non street-fronting parcels.
3. A development plan shall be provided with the TPM/CUP proposal.
4. The tentative parcel maps shall depict all existing and proposed easements.

## **Applicable sections of the Visalia Municipal Code, Title 17 (Zoning):**

- 17.19 Mixed Use Zones
- 17.30.015 Development Standards

Accessible at [https://codelibrary.amlegal.com/codes/visalia/latest/visalia\\_ca/0-0-0-33310](https://codelibrary.amlegal.com/codes/visalia/latest/visalia_ca/0-0-0-33310)

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

Signature:





**SUBDIVISION & PARCEL MAP  
REQUIREMENTS  
ENGINEERING DIVISION**

<input type="checkbox"/> Lupe Garcia	713-4197
<input type="checkbox"/> Keyshawn Ford	713-4268
<input type="checkbox"/> Edelma Gonzalez	713-4364
<input type="checkbox"/> Sarah MacLennan	713-4271
<input checked="" type="checkbox"/> Luqman Ragabi	713-4362

ITEM NO: 5 DATE: DECEMBER 13<sup>TH</sup>, 2023

SITE PLAN NO.: 23-218  
PROJECT TITLE: VISALIA PAVILLIONS LOT 6 PARCEL MAP  
DESCRIPTION: SUBDIVIDE LOT 6 OF PM 4839 INTO TWO PARCELS.  
APPLICANT: JOSH BINKLEY  
PROP. OWNER:  
LOCATION: 4041 W CALDWELL AVE UNIT A  
APN: 119-730-004

**SITE PLAN REVIEW COMMENTS**

- ☒ REQUIREMENTS (Indicated by checked boxes)
- ☐ Submit improvements plans detailing all proposed work; ☐ Subdivision Agreement will detail fees & bonding requirements
- ☐ Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- ☒ The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- ☐ A preconstruction conference is required prior to the start of any construction.
- ☐ Right-of-way dedication required. A title report is required for verification of ownership. ☐ by map ☐ by deed
- ☐ City Encroachment Permit Required which shall include an approved traffic control plan.
- ☐ CalTrans Encroachment Permit Required. ☐ CalTrans comments required prior to tentative parcel map approval. CalTrans 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.
- ☐ Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- ☐ Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- ☐ Written comments required from ditch company. Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- ☐ Final Map & Improvements shall conform to the City's Waterways Policy. ☐ Access required on ditch bank, 12' minimum. ☐ Provide wide riparian dedication from top of bank.
- ☐ Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- ☐ 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) ☐ 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 basin:



- : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- ☐ 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 (559)713-4428 for a Valley Oak tree evaluation or permit to remove. ☐ Valley 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.
  - ☐ 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.
  - ☐ All lots shall have separate drive approaches constructed to City Standards.
  - ☐ Install street striping as required by the City Engineer.
  - ☐ Install sidewalk: ft. wide, with ft. wide parkway on
  - ☐ 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. ☐ Remove existing leach fields and septic tanks.
  - ☒ 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. Proposed parcel map will need to adhere to City standards.***
- 2. Provide common easements for access, parking and utilities to serve the separate parcels; to be incorporated into CCR's. Further coordinate with City staff.***
- 3. Development impact fees can be deferred until time of development of either parcel. Final map filing fees will apply.***

## **SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **23-218**

Date: **12/13/2023**

**Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:**

**(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)**

(Fee Schedule Date:**08/19/2023**)

(Project type for fee rates:(**TENTATIVE PARCEL MAP**)

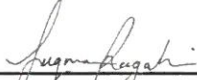
☐ Existing uses may qualify for credits on Development Impact Fees.

<b><u>FEE ITEM</u></b>	<b><u>FEE RATE</u></b>
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drainage Acquisition Fee	
<input type="checkbox"/> Park Acquisition Fee	
<input type="checkbox"/> Northeast Acquisition Fee Total	
Storm Drainage	
Block Walls	
Parkway Landscaping	
Bike Paths	
<input type="checkbox"/> Waterways Acquisition Fee	

**Additional Development Impact Fees 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.

  
\_\_\_\_\_  
**Luqman Ragabi**



City of Visalia

Building: Site Plan

Review Comments

SPR 23218  
VISALIA PAVILLIONS  
LOT 6 PARCEL MAP

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.

- ☐ A building permit will be required. *For information call (559) 713-4444*
- ☐ 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 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- ☐ Indicate abandoned wells, septic systems and excavations on construction plans.
- 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.
- ☐ A demolition permit & deposit is required. *For information call (559) 713-4444*
- ☐ Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (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*
- ☐ School Development fees.
- ☐ Park Development fee \$\_\_\_\_\_, per unit collected with building permits.
- ☐ Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- ☐ Acceptable as submitted
- ☐ No comments at this time

Additional comments:

EXTERIOR WALL LESS THAN 5 FEET  
TO PROPERTY LINES SHALL BE RATED FOR 2HR  
AND HAVE PARAPETS EXTENDING 30  
INCHES MIN ABOVE THE ROOF.

YALGARCIA 12/12/23  
Signature

**Site Plan Comments**

Visalia Fire Department  
Corbin Reed, Fire Marshal  
420 N. Burke  
Visalia CA 93292  
559-713-4272 office  
prevention.division@visalia.city

Date	December 12, 2023
Item #	5
Site Plan #	23218
APN:	119730004

- 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 2022 California Fire Code (CFC), 2022 California Building Codes (CBC) and City of Visalia Municipal Codes.
- Fire protection items are not required to be installed for **parcel map or lot line adjustment** at this time; however, any developments taking place on these parcels 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.



---

Corbin Reed  
Fire Marshal



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

Date: 12/13/23  
Item: 5  
Site Plan: SPR23218  
Name: Robert Avalos

**Site Plan Review Comments**

- ☒ No Comment at this time.
- ☐ Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- ☐ Public Safety Impact Fee:  
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code  
Effective date - August 17, 2001.
- ☐ Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.
- ☐ Not enough information provided. Please provide additional information pertaining to:
- ☐ Territorial Reinforcement: Define property lines (private/public space).  
\_\_\_\_\_
- ☐ Access Controlled/ Restricted etc.  
\_\_\_\_\_
- ☐ lighting Concerns:  
\_\_\_\_\_
- ☐ Traffic Concerns:  
\_\_\_\_\_
- ☐ Surveillance Issues:  
\_\_\_\_\_
- ☐ Line of Sight Issues:  
\_\_\_\_\_
- ☐ Other Concerns:  
\_\_\_\_\_



# **SITE PLAN REVIEW COMMENTS**

## **CITY OF VISALIA TRAFFIC SAFETY DIVISION**

**December 13, 2023**

**ITEM NO: 5**      **Added to Agenda**      **MEETING TIME: 10:00**  
**SITE PLAN NO:** [SPR23218](#)      **ASSIGNED TO:** Josh Dan [Josh.Dan@visalia.city](mailto:Josh.Dan@visalia.city)  
**PROJECT TITLE:** Visalia Pavillions Lot 6 Parcel Map  
**DESCRIPTION:** Subdivide Lot 6 PM4839 into two parcels. Parcel One containing a 4375 square foot building (adjacent to Winco) as a 0.68 parcel and Parcel Two as a 3.19 acre parcel containing existing parking and future building sites.  
**APPLICANT:** Josh Binkley - Applicant  
**APN:** 119730004  
**ADDRESS:** 4041 W CALDWELL AVE UNIT A

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

- ☐ No Comments
- ☐ See Previous Site Plan Comments
- ☐ Install Street Light(s) per City Standards at time of development.
- ☐ Install Street Name Blades at Locations at time of development.
- ☐ Install Stop Signs at **local road intersection with collector/arterial** Locations.
- ☐ Construct parking per City Standards PK-1 through PK-4 at time of development.
- ☐ Construct drive approach per City Standards at time of development.
- ☐ Traffic Impact Analysis required (CUP)
  - ☐ Provide more traffic information such as . 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 improvements needed in concurrence with TIF.

### **Additional Comments:**

- Was a TIA performed for the master plan of this site? At time of development of parcel, applicant will be required to provide conformance with TIA performed for master plan and trip generation comparison. If increase in trips, an update to TIA may be required. Depends on size of increase, if any.
- Extension of Chinowth may be required at time of development.

*Leslie Blair*  
\_\_\_\_\_  
**Leslie Blair**



## Susan Currier

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**From:** Lau, Scott@DOT <Scott.Lau@dot.ca.gov>  
**Sent:** Tuesday, December 19, 2023 4:31 PM  
**To:** Susan Currier  
**Cc:** lorena.mendibles@dot.ca.gov; Deel, David@DOT  
**Subject:** Caltrans response to Visalia SPR 121323

Hi Susan,

I have reviewed Visalia's SPR Agenda for December 13, 2023, and here are my findings:

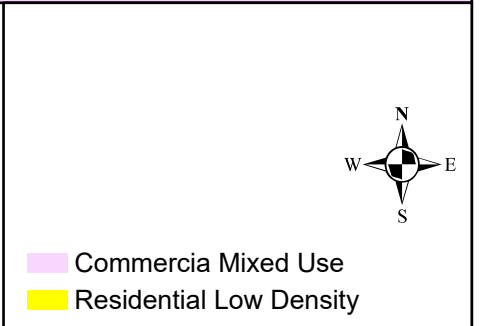
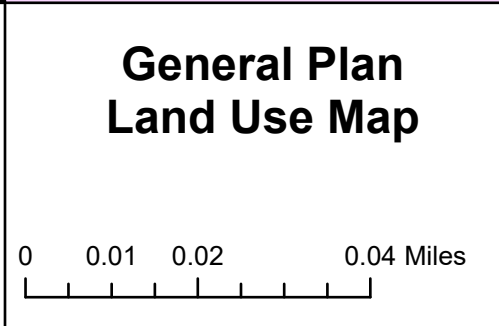
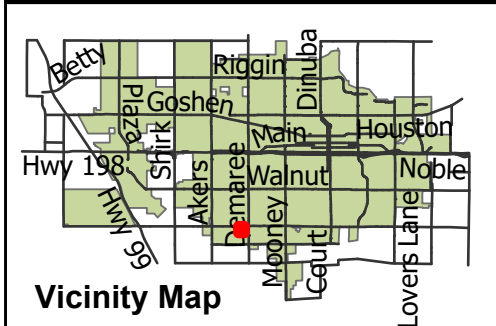
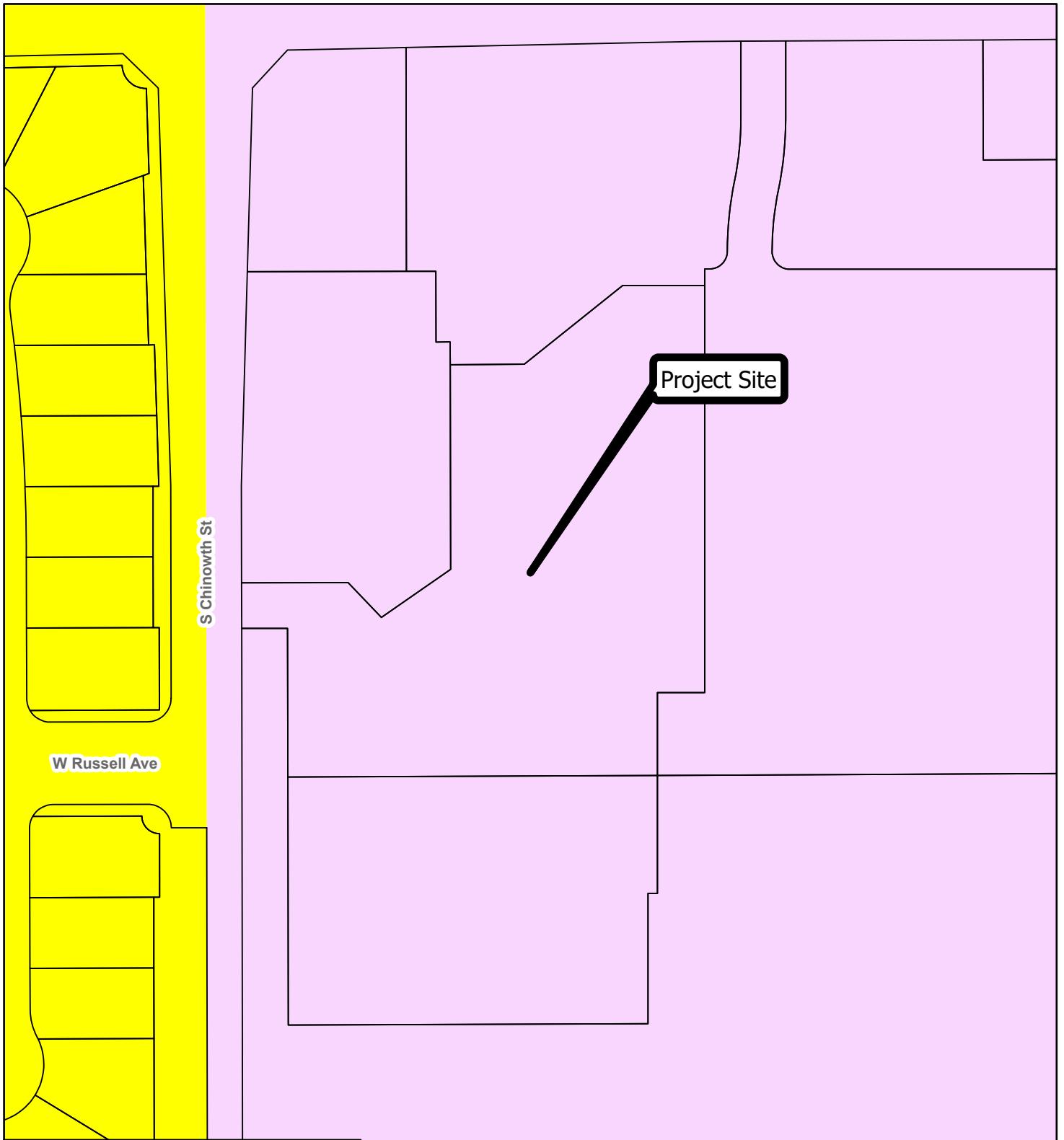
1. SPR 23183-1 – Raising Cane's Restaurant: No comments.
2. SPR 23214 -- Derrells Storage: No comments.
3. SPR 23215 – 5 Kingz Smoke Shop: No comments.
4. SPR 23217 – Jack in the Box Site Plan Review: **Need more information.**
5. SPR 23218 – Visalia Pavilions Lot 6 Parcel Map: No comments.
6. SPR 23219 – Unlimited Church International Ministry: No comments.
7. SPR 23220 – New Middle School Counseling Office: No comments.
8. SPR 23221 – Hassia Equipment Addition: No comments.
9. SPR 23222 – Mooney and Ave 264 Overall Site Plan: **Routed for Review.**

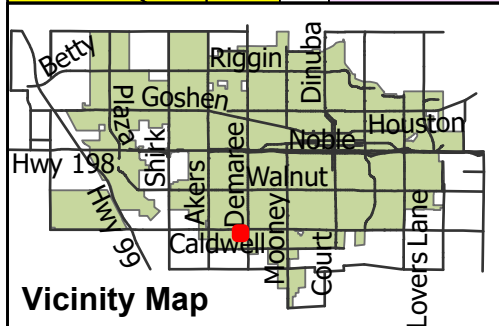
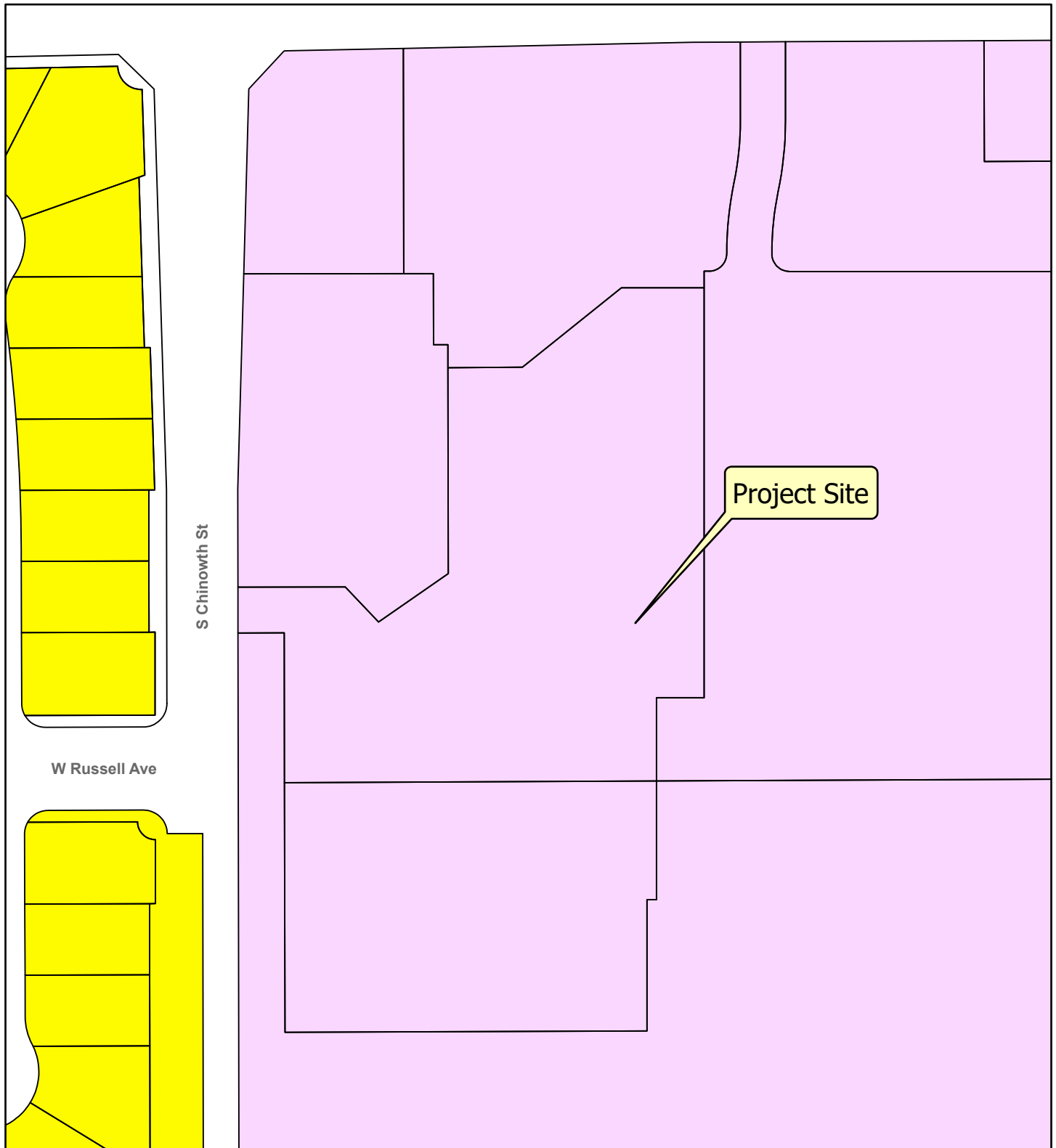
Respectfully,



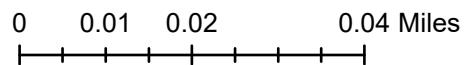
**Scott Lau**

Associate Transportation Planner  
California Department of Transportation  
1352 West Olive Avenue  
Fresno, CA 93778  
Cell: (559) 981-7341





# Zoning Map



- C-MU Mixed Use Commercial
- R-1-5 Single-family Residential

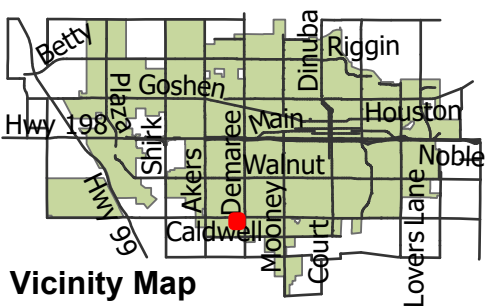




Project Site

S Chinoweth St

W Russell Ave



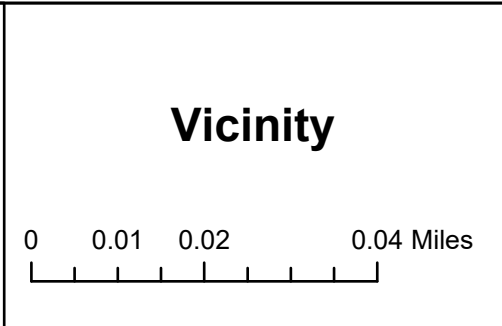
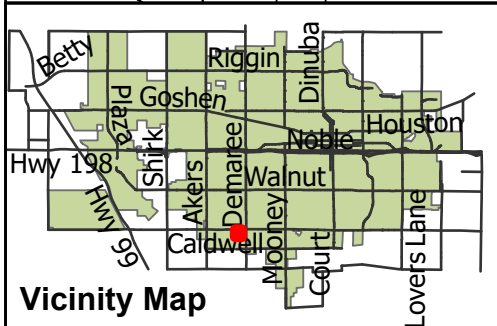
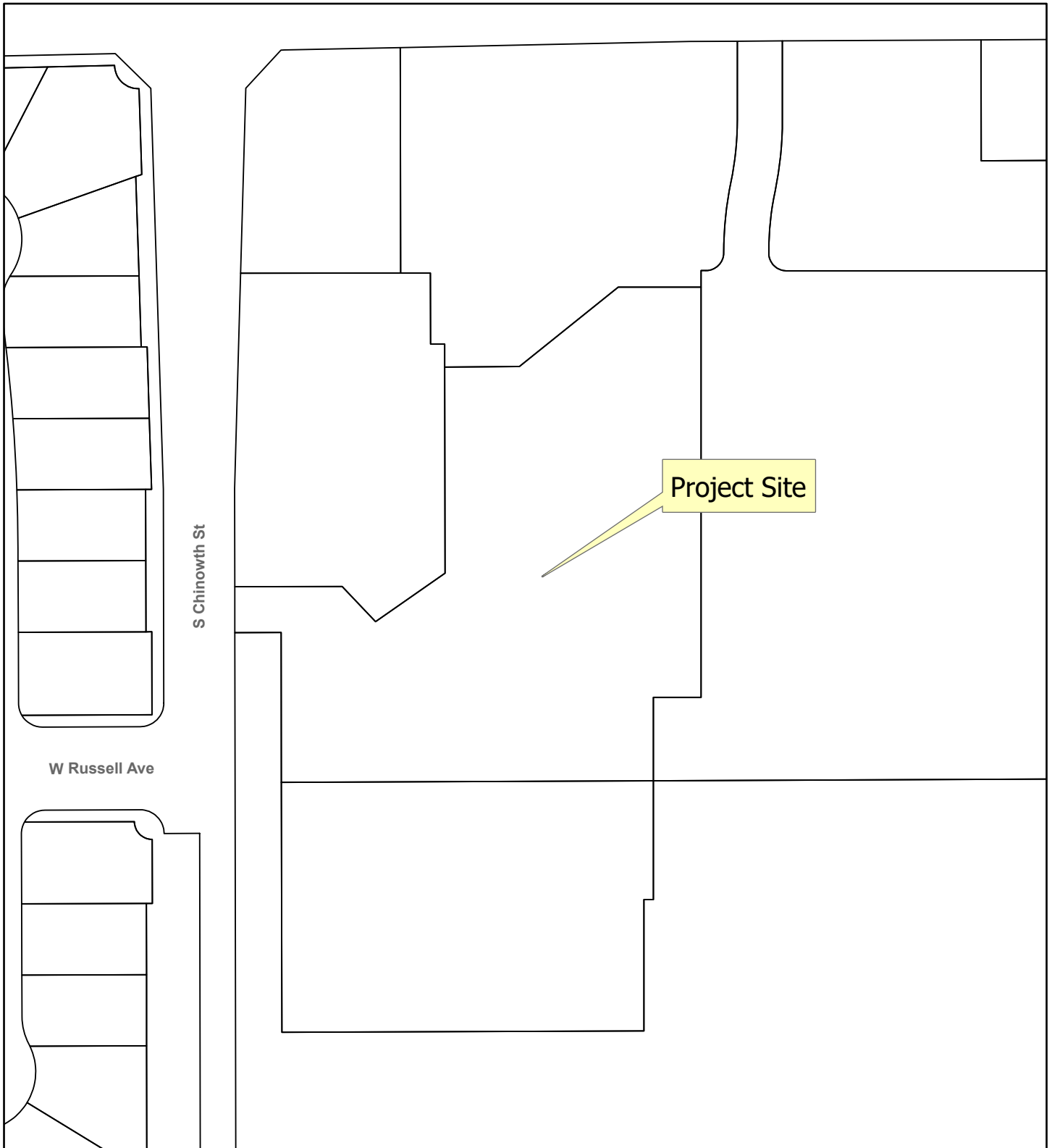
Vicinity Map

Aerial Map

0 0.01 0.03 0.05 Miles









## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** April 8, 2024

**PROJECT PLANNER:** Paul Bernal, Director  
Phone: (559) 713-4025  
Email: [paul.bernal@visalia.city](mailto:paul.bernal@visalia.city)

**SUBJECT: Planning Division Fee Amendments:** Consideration of amendments to the Planning Division fees for the 2024-2025 fiscal year as contained in City of Visalia Fee Resolution No. 2024-19.

### STAFF RECOMMENDATION

Staff recommends that the Planning Commission consider the proposed fee amendments to the Planning Division's fee schedule and recommend that the City Council amend the Planning Division's fees as contained in Resolution No. 2024-19.

### RECOMMENDED MOTION

I move to recommend that the City Council amend the Planning Division's fees for the 2024/2025 fiscal year as contained in the attached Resolution No. 2024-19.

### BACKGROUND INFORMATION

The City of Visalia annually adjust fees for the various services the City provides. The Planning Division's fees were amended in 2023. Based on this year's adjustment using the California Consumer Price Index (CPI) for All Items – All Urban Consumers, the percent change in the index used to calculate the adjustment for fiscal year 2024-2025 is 3.94%, with the exception of Home Occupation Permits. The Home Occupation Permit fee is established based on cost recovery calculated on an hourly rate.

The Planning Division has reviewed the Fee Schedule based on its average processing costs and determined that the fee schedule accurately reflects the range of billable services performed by the Division. Although the fees are being increased for the 2024-2025 fiscal year, the Planning Division fee increases are rounded down to the nearest dollar. However, the Home Occupation Permit fee is established by staff's average hourly rate to perform this task.

**Next Step:** The Planning Commission's actions in this regard are advisory only. The final action to revise the Fee Schedule will be considered by the City Council. It is anticipated that the fee amendments will be presented to the City Council at a Work Session in June 2024, followed by a public hearing for the adoption of the fees in July 2024.

**Environmental Finding:** This project is considered exempt from the California Environmental Quality Act (CEQA) under Section 15273 Rates, Tolls, Fares, and Charges.

### Attachments:

- Resolution No. 2024-19 – 2024-2025 Planning Fee Amendments

RESOLUTION NO. 2024-19

A RESOLUTION OF THE VISALIA PLANNING COMMISSION  
RECOMMENDING THAT THE CITY COUNCIL AMEND THE FEE RESOLUTION  
PERTAINING TO PLANNING DIVISION PERMIT PROCESSING FEES

**WHEREAS**, the City of Visalia is allowed to recover the full costs incurred for processing permit applications; and

**WHEREAS**, the fees are adjusted annually using the California Consumer Price Index for All Items; and

**WHEREAS**, the percent change in the index used to calculate the adjustment for the 24/25 fiscal year is 3.94% of the 2023 California Consumer Price Index, and

**WHEREAS**, the intent of the Planning Division fee amendment proposed herein is to achieve cost recovery for permit processing services provided; and

**WHEREAS**, on April 8, 2024, the Planning Commission of the City of Visalia considered amendments to the Planning Division fees; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15273.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Planning Commission of the City of Visalia recommends that the City Council amend the fee resolution pertaining to Planning Division permit processing fees as contained in Attachment "A" of this resolution.

## Attachment "A"

### FY 24-25 Planning Division Fee Schedule COMMUNITY DEVELOPMENT PLANNING

**FY 23-24**

**FY 24-25**

#### **Administrative Adjustment**

\$	176.00	\$	182.00	Administrative Adjustment
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#### **Adult-Oriented Business**

\$	258.00	\$	268.00	Performer Permit Application Fee
\$	1,729.00	\$	1,797.00	Regulatory Permit Application Fee
\$	258.00	\$	268.00	Performer Permit - Renewal Fee
\$	258.00	\$	268.00	Regulatory Permit - Renewal Fee

#### **Agricultural Preserve**

\$	2,470.00	\$	2,567.00	Disestablishment
\$	821.00	\$	853.00	New Contract
\$	164.00	\$	170.00	Notice of Full Nonrenewal
\$	655.00	\$	680.00	Notice of Partial Nonrenewal
\$	4,116.00	\$	4,278.00	Cancellation
Time & Materials				Easement Exchange

#### **Annexation**

\$	2,780.00	\$	2,889.00	Amendment to Pre-Annexation Agreement
\$	5,562.00	\$	5,781.00	Up to 15 acres
\$	10,045.00	\$	10,440.00	Over 15 acres and up to 50 acres
\$	14,496.00	\$	15,067.00	Over 50 acres up to 100 acres
\$	18,129.00	\$	18,843.00	Over 100 acres plus ...

*Applicants also pay fees adopted by LAFCO and State Board of Equalization Fees*

#### **Appeal**

\$	617.00	\$	641.00	Appeal of Planning Commission action to City Council or Appeal of Site Plan Review (SPR)
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#### **Building Permit Plan Application Review**

\$	19.00	\$	19.70	Per permit for Residential, Multifamily, Commercial
\$	19.00	\$	19.70	Per permit for plan changes from Approved Plans
\$	57.00	\$	59.20	Expedited Plan Check (availability dependent upon staffing resources)



**Certificate of Compliance**

\$	624.00	\$	648.00
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Certificate of Compliance

**Conditional Use Permit**

\$	1,619.00	\$	1,682.00
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Minor / Amendment to Approved CUP

\$	5,026.00	\$	5,224.00
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Regular / PUD / PRD

\$	7,537.00	\$	7,833.00
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Master CUP

\$	176.00	\$	182.00
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Temporary – Counter

\$	288.00	\$	299.00
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Temporary – Requiring Site Plan Review

\$	534.00	\$	555.00
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Temporary – To Planning Commission

**PLANNING (cont.)****FY 23-24****FY 24-25****Development Agreement**

\$	5,262.00	\$	5,469.00
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Development Agreement

\$	1,684.00	\$	1,750.00
----	----------	----	----------

Amendment to Development Agreement

**Downtown News Rack Permit**

\$	38.00	\$	39.00
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Newspaper Racks in the Downtown Retail Overlay District

**ENVIRONMENTAL APPLICATIONS****Categorical Exemption**

\$	86.00	\$	89.00
----	-------	----	-------

Categorical Exemption

**Environmental Impact Report (EIR)**7 1/2% of Contract  
Actual Cost + 10%  
contract7 1/2% of Contract  
Actual Cost + 10%  
contractProcessing fee  
City Managed Consultant Work**Environmental Notices**

\$	166.00	\$	172.00
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Environmental Notices per year; renewal needed each year

**Finding of Consistency**

\$	267.00	\$	277.00
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Finding of Consistency

**Initial Study / Negative Declaration or Mitigated Negative Declaration**

\$	266.00	\$	276.00
----	--------	----	--------

Review of Technical Study

\$	894.00	\$	929.00
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Simple

Resolution No. 2024-19

\$	3,367.00	\$	3,499.00	Complex
<b>NEPA Environmental Review</b>				
\$	894.00	\$	929.00	Simple
\$	4,486.00	\$	4,662.00	Complex
<b>General Plan Amendment</b>				
\$	2,871.00	\$	2,984.00	Simple
\$	12,746.00	\$	13,248.00	Complex
<b>General Plan Maintenance Fee</b>				
\$	477.00	\$	495.00	Per acre for new annexation Paid when LAFCO approves annexation
<b>Home Occupation Permit</b>				
\$	35.00			Home Occupation Permit-new
\$	17.00			Home Occupation Permit-change of location
<b>PLANNING (cont.)</b>				
	<b><u>FY 23-24</u></b>		<b><u>FY 24-25</u></b>	
<b>Lot Line Adjustment</b>				
\$	727.00	\$	755.00	Lot Line Adjustment
\$	176.00	\$	182.00	Legal Description Resubmittal (each)
<b>Maps</b>				
\$	9,064.00	\$	9,421.00	Tentative Subdivision Map
\$	9,064.00	\$	9,421.00	Tentative Parcel Map - commercial - over 4 lots
\$	3,681.00	\$	3,826.00	Tentative Parcel Map - 4 lots or less
<b>Noise Variance</b>				
\$	176.00	\$	182.00	Administrative
\$	2,780.00	\$	2,889.00	City Council
<b>Sidewalk Outdoor Dining Permit</b>				
\$	82.00	\$	85.00	Sidewalk/Outdoor Dining Permit
<b>Specific Plan</b>				
\$	15,082.00	\$	15,676.00	Commercial / Residential
<b>Specific Plan Amendment</b>				
\$	6,372.00	\$	6,623.00	Commercial / Residential Amendment

**Subdivision Sign Program**

\$	56.00	\$	58.00	Amendment
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**Zoning Text Amendment**

\$	4,665.00	\$	4,848.00	Text Amendment
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**Time Extension**

\$	267.00	\$	277.00	Time Extension
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**Variance**

\$	1,027.00	\$	1,067.00	Single Family – No Site Plan
\$	1,740.00	\$	1,808.00	Single Family
\$	3,266.00	\$	3,394.00	Other

**Zone Change**

\$	4,665.00	\$	4,848.00	Change of Zone
\$	801.00	\$	832.00	Conditional Zone Agreement
\$	2,330.00	\$	2,421.00	Amendment to Conditional Zone Agreement

**PLANNING (cont.)**

<u>FY 23-24</u>	<u>FY 24-25</u>
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**OTHER ADMINISTRATIVE FEES****Copies (per page) - Citywide Fee**

\$	0.20	\$	-	Single-sided
\$	0.25	\$	-	Double-sided
\$	0.25	\$	-	Legal
\$	0.30	\$	-	Legal double-sided
\$	1.00	\$	1.00	Color Letter/Legal Size
\$	2.00	\$	2.00	Color 11X17
\$	5.00	\$	5.00	Black and White 24 X 36
\$	1.00	\$	1.00	Micro fiche

**Documents**

\$	40.00	\$	41.00	Zoning Verification Letters & Burn Letters
\$	85.00	\$	88.00	300' Radius Map and Labels

**Special Services Fee/Inspections**

Direct Rate (Salary& Benefits) and Indirect Rate - Per Hour