

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Roland Soltesz

COMMISSIONERS: Lawrence Segroe, Adam Peck, Roland Soltesz, Brett Taylor, Liz Wynn

MONDAY, NOVEMBER 10, 2014; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda
 - a. No Items on Consent Calendar
5. PUBLIC HEARING- Brandon Smith
Conditional Use Permit No. 2014-24: a request by Seng Saephan to establish a restaurant and sports bar with live entertainment and a pool hall/billiard parlor in the C-R (Regional Retail Commercial) zone. The site is located at 3360 S. Fairway Street (APN: 122-300-042, 043). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2014-63
6. PUBLIC HEARING-Paul Bernal
 - Conditional Use Permit No. 2014-19: A request by 4Creeks, to establish a 25-acre master-planned multi-use business park development in the BRP (Business Research Park) zone. The site is located on the southwest corner of North Plaza Drive and West Crowley Avenue (APNs: 081-170-001, 081-170-002, 081-170-003, 081-170-009, 081-170-010, and 081-170-014). A Mitigated Negative Declaration (MND No. 2014-53) has been prepared for the project.
 - Tentative Parcel Map No. 2014-04: A request by the 4Creeks to subdivide 25-acres of BRP (Business Research Park) zoned property into 11 parcels for a multi-use business park development. The site is located on the southwest corner of North Plaza Drive and West Crowley Avenue (APNs: 081-170-001, 081-170-

002, 081-170-003, 081-170-009, 081-170-010, and 081-170-014). A Mitigated Negative Declaration (MND No. 2014-53) has been prepared for the project.

7. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

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

For the hearing impaired, if signing is desired, please call (559) 713-4359 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 call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

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, NOVEMBER 20, 2014 BEFORE 5 PM

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 425 E. Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, DECEMBER 8, 2014



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: November 10, 2014

PROJECT PLANNER: Brandon Smith, AICP, Senior Planner
Phone No.: (559) 713-4636

SUBJECT: Conditional Use Permit No. 2014-24: a request by Seng Saephan to establish a restaurant and sports bar with live entertainment and a pool hall/billiard parlor in the C-R (Regional Retail Commercial) zone. The site is located at 3360 S. Fairway Street (APN: 122-300-042, 043).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2014-24, as conditioned, based upon the findings and conditions in Resolution No. 2014-43. Staff's recommendation is based on the conclusion that the request is consistent with the City General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2014-24 based on the findings and conditions in Resolution No. 2014-43.

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to allow live entertainment and pool hall / billiard parlor in conjunction with a restaurant/bar in the Regional Retail Commercial (C-R) zone. The business will be located within an existing 9,850 sq. ft. building with access and parking off of Fairway Street as shown in Exhibit "A". The building has recently been vacated and was previously operated as a fraternal meeting hall.

The floor plan would include a 3,569 sq. ft. dining room and bar and a separate 2,680 sq. ft. billiard room with 11 tables, as shown in Exhibit "B". The floor plan also depicts a kitchen area, storage & office area, and two sets of restrooms – one adjoining the dining room and one adjoining the billiard room. The site plan depicts an outdoor enclosed patio on the south side of the building.

The business would be open from 6:00 a.m. to 2:00 a.m. seven days a week as described in the operational statement shown in Exhibit "C". The restaurant would be open at all hours until 12:00 am and would be open to all ages until 10:00 p.m. From 10:00 p.m. to 2:00 a.m. only persons age 21 and over would be allowed in the building. In the billiard room, no persons under the age of 21 will be allowed at any time.

Live entertainment in the form of live music, disc jockey music, and karaoke will occur four nights a week (Wednesday through Saturday) starting at either 9:00 p.m. or following televised sports events. The operational statement proposes to have three to fifteen security personnel that will restrict loitering in the parking lot and a 21 year old age limit for admission to the facility when operating after 10:00 p.m.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Regional Retail Commercial
Zoning:	C-R (Regional Retail Commercial Zone)
Surrounding Zoning and Land Use	North: C-R/ Restaurant South: C-R/ Bowling Alley East: C-R/ Physical Therapy & Medical Offices West: C-R/ Medical Offices
Environmental Review:	Categorical Exemption No. 2014-63 Class 15301
Special Districts:	Design District A
Site Plan:	2014-017

RELATED PLANS & POLICIES

See separate Municipal Ordinance chapters pertaining to Conditional Use Permits and Noise.

RELATED PROJECTS

The following permits were previously approved on the subject site but have since lapsed.

- **Conditional Use Permit No. 2006-41** was approved by the Planning Commission on October 9, 2006, a request by The Visalia Loyal Order of Moose to convert a 9,850 sq. ft. commercial building to a private fraternal lodge.
- **Conditional Use Permit No. 93-32** was approved by the Planning Commission in 1993, allowing a pool hall and arcade in the C-2 zone. In 1996, the application was amended to allow the serving of on-site beer and wine up until the hour of 2:00 a.m.

PROJECT EVALUATION

The following potential issue areas have been identified for the proposed project:

Land Use Compatibility

The Visalia Zoning Matrix identifies both nightclubs and pool halls/billiard parlors as a conditional use in the C-R zone, and requires the submittal and approval of a Conditional Use Permit (CUP) application. Through the CUP process, potential land use impacts can be addressed, thereby ensuring compatibility between the proposed use and existing surrounding uses.

Adjacent land uses include medical offices, a restaurant, and a recreation facility (bowling alley). The latter two uses have operating hours into the late evening similar to that of the proposed use. To the east about 250 feet beyond an adjacent medical office is an existing single-family residential subdivision.

Staff has concluded that the proposed nightclub and billiard parlor will not have a negative impact on surrounding uses if operated in accordance with the conditions of this CUP. The recommended conditions are crafted to ensure a safe environment for patrons and employees, along with the protection of the adjacent land uses including the residential units further to the west of the site. Failure by the owner/operator to comply with these conditions, or a significant

number of verified nuisance violations of noise, lighting, litter or related actions, may result in potential revocation of their CUP.

Relationship Between Restaurant and Billiard Parlor

The proposed use will operate as a single business, but the floor plan suggests that there will be two separate and enclosed areas – one for the restaurant dining room and bar, and another for the billiard parlor. Patrons will immediately step into the dining room upon entering the business. The dining room is intended to be all ages except for after 10:00 p.m., at which point security personnel will be checking the identification of patrons and restricting access to only 21 and over.

The billiard room is accessed from a doorway within the dining room and is restricted to ages 21 and over during all hours of operation. The floor plan shows an opening between the billiard room and the service bar that would allow for alcoholic beverages to be served directly into the billiard room.

As an added security measure to monitor the potential of underage persons wandering into the billiard room, staff is recommending a condition of approval that at least one window (minimum opening of six (6) square feet) be installed between the dining area and billiard room (reference Condition No. 1).

Outdoor Patio

An existing outdoor patio enclosed by a wooden fence is located at the back end (south side) of the building. The patio area has access from the restaurant and the billiard parlor, and has gates on the west leading to Fairway and on the north leading to the front of the building. The site plan shows features within the patio that include a roof structure over a small portion of the patio, a 300 sq. ft. space for outdoor seating, and a large oak tree. A majority of the patio area is landscaped area.

Staff is supportive of the outdoor seating area as shown on the site plan. This area would not count toward the overall parking requirement for the use as staff has historically considered small and casual outdoor dining areas as incidental to the use.

Due to concerns regarding safety and the age-restricted components of the use, staff recommends conditions (reference Condition Nos. 17 and 18) that restrict access in and out of the patio. The conditions of approval include a requirement that during nightclub activities and/or times when the restaurant is age-restricted to 21 and over, gates shall not permit access from outside of the patio. The conditions also include a requirement that the door between the patio and billiard parlor shall not permit access inside the building to prevent possible unmonitored access for persons under 21.

Parking and Access

The parking lot is accessed via a single on-site driveway from Fairway Street. The driveway offers cross access with the adjacent property to the east and ultimately with properties to the north and south. Therefore the site can be accessed from multiple driveways along Fairway.

The site has 67 existing parking stalls dedicated for the use of the building. Parking standards in Visalia Zoning Ordinance Section 17.34.020 require 85 parking stalls for the uses based on the applicant's proposal. The requirement is based on 63 stalls required for square footage associated with the restaurant (6,300 sq. ft. @ one parking stall per 100 sq. ft.) and 22 stalls required for the billiard parlor (11 tables @ two parking stalls per table).

Although the available on-site parking falls short of the requirement, staff believes that an Administrative Adjustment request to parking can be approved based on meeting the required criteria. Specifically, staff finds that the mixed use nature of the business represents a special circumstance wherein patrons may make a single trip and utilize a single parking space to patronize both the restaurant and billiard parlor components of the use. It can also be reasoned that there are different peak hours associated with the two uses and that a shared parking lot for both uses, while falling short of the requirement, would be mutually beneficial for the two uses within the business for the duration of the day. Staff further recognizes that the restaurant has a larger than typical ratio of floor space dedicated to non-dining areas including kitchen, storage, office, and restrooms – approximately 43% or 2,700 sq. ft. in all – which is cause for a lesser parking requirement.

Staff therefore recommends that the recommended conditions of approval include a requirement for obtaining an Administrative Adjustment to a 20% reduction in parking standards, and that the number of pool tables be reduced from 11 to 9 in order to achieve parking standards with a 20% reduction. Said Administrative Adjustment shall be granted on the condition that it is to run with the use as approved by the Conditional Use Permit (reference Condition No. 3).

Police Department Review

The Visalia Police Department has reviewed the proposed operational plan and are supportive of the conditions of approval as recommended in this report and in the resolution.

Alcoholic Beverage Control License

The applicant has applied for a Type 47 license through the State Department of Alcoholic Beverage Control (ABC).

The Department defines a Type 47 license as follows:

Type 47, On Sale General — Eating Place (Restaurant): Authorizes the sale of beer, wine and distilled spirits for consumption on the licensed premises. Authorizes the sale of beer and wine for consumption off the licensed premises. Must operate and maintain the licensed premises as a bonafide eating place. Must make actual and substantial sales of meals, during the normal meal hours that they are open, at least five days a week. Normal mealtimes are 6:00 a.m. - 9:00 a.m., 11:00 a.m. - 2:00 p.m., and 6:00 p.m. - 9:00 p.m. Premises that are not open five days a week must serve meals on the days they are open. Minors are allowed on the premises.

The conditions of approval state that all necessary licenses from the ABC shall be obtained, kept current, and complied with.

Site Security

Trained security personnel will be employed onsite on evenings with live entertainment. The operation statement indicates that security personnel will check the parking lots for loitering and ensure vehicles leave after close of business. Security will also watch inside to ensure that the occupant capacity is not exceeded. Video surveillance cameras and an alarm system will be installed on the building/site.

The applicant will be required to have a security plan submitted and approved by the Visalia Police Department prior to commencing any night club activities (reference Condition No. 23). The security plan shall describe in detail the types of security measures being undertaken and standards for managing the security measures. The security plan shall be in the possession of the Visalia Police Department along with contact information for responsible parties to address any issues.

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed and maintained in substantial conformance with the site plan in Exhibit "A", floor plan in Exhibit "B", and the operational statement in Exhibit "C", with changes in the floor plan that a maximum of nine (9) pool tables be allowed and that at least one window (minimum opening of six (6) square feet) be installed between the dining area and billiard room.
2. That the requirements of Site Plan Review No. 2014-17 shall be met.
3. That the applicant obtain an Administrative Adjustment to a 20% reduction in parking standards. Such Administrative Adjustment shall be granted on the condition that it is to run with the use as approved by the Conditional Use Permit.
4. That the project will be required to maintain the noise standards found in Section 8.36.040 of the Municipal Code for their site, including the parking lot and areas of common use by their patrons.
5. That all lighting for the site shall be installed, directed and/or shielded to prevent any direct or indirect light or glare from falling upon any adjacent residential property. This includes the existing building and parking lot lighting, and any security lighting.
6. That the hours of operation for live entertainment - including live music, disc jockey music, karaoke, and dancing - shall be between the hours of 9:00 p.m. and 2:00 a.m. Similar activities in nature and intensity may be allowed as determined by the City Planner. Any subsequent change to hours of the live entertainment shall require an amendment to the Conditional Use Permit.
7. Live entertainment shall be allowed on a non-amplified basis with no dancing before 9:00 p.m.
8. During live entertainment performances, nightclub patrons are to be 21 years of age and older. When no live entertainment is taking place, nightclub patrons are to be 21 years and older between 9:00 p.m. and 2:00 a.m., unless otherwise allowed by a Temporary Conditional Use Permit for special events. Persons employed by the establishment or performers shall be exempt from this condition.
9. That the establishment be maintained as a bona fide restaurant. The bar area shall not exceed 25% of the public area within the leasable area of the establishment. At all times during normal meal hours the site shall act as a bona fide restaurant with a full menu offering complete meals. During times of live entertainment food service shall be provided until 12:00 midnight as identified in the operational statement.
10. There shall be no adult entertainment as defined in Visalia Municipal Code Section 17.62, including no lingerie/bathing suit shows.
11. During live entertainment, the operator shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises. No alcoholic beverages shall be consumed on any public areas adjacent to the licensed premises under the control of the licensee.
12. During live entertainment, the operator shall be responsible for maintaining the premises and public areas immediately in front of and adjacent to the site free of litter.
13. Public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business.

14. The parking lot and public sidewalks directly adjacent to the site shall be monitored to prevent loitering, noise, littering and related issues during and after any nightclub activities.
15. That the maximum occupancy limit shall be posted and not exceeded.
16. Official inspections on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
17. All exterior doors and all patio gates and doors shall remain closed at all times when the premises are providing live entertainment or is entirely limited to ages 21 and over. Doors may not solely consist of a screen door or ventilated security door.
18. That the doors between the patio and billiard room shall not permit access inside the building.
19. Patrons shall use only the main entrances of the business to enter and exit the nightclub and restaurant except in the event of an emergency.
20. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business. This does not include advertising placed inside the business directed to the outside.
21. No video/arcade games shall be maintained upon the premises unless approved through the site plan review and any subsequent entitlement process.
22. The owner/operator shall provide proof that employees who sell alcohol have completed the following, either:
 - a) Completed training from the State of California Department of Alcoholic Beverage Control--Fresno District Office-administered "Leadership and Education in Alcohol and Drugs" (LEAD) Program as confirmed by receipt of an ABC-issued certificate of completion; or,
 - b) Completed equivalent training acceptable to the ABC Fresno District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.
23. That the owner/operator shall prepare and implement an approved security plan that includes the following:
 - a) Prior to any type of entertainment or dancing identified in this use permit the owner/operator shall prepare and submit to the District Commander a security plan for approval. Approval of the security plan by the District Commander or his/her designee shall not be unreasonably denied. The contents of the security plan shall be incorporated as conditions of approval of CUP. The owner/operator shall be responsible to have the District Commander or his/her designee re-approve the security plan annually running from the anniversary date of the final approval of the CUP. The establishment is responsible for providing both the District Commander and the Planning Division a copy of the approved security plan.
 - b) Identify the establishment's designated contact person for all safety and security management and shall provide the telephone numbers where the contact person may be reached 24 hours a day, seven days a week.
 - c) Confirm that a manager will be on duty during business hours and will be responsible for monitoring and controlling the behavior of patrons.
 - d) Identify all managers of the establishment and their contact telephone numbers.

- e) Confirm that all bartenders and other employees shall be trained to recognize the symptoms of an obviously intoxicated patron, to refuse serving alcoholic beverages to obviously intoxicated patrons, and to report emergencies to the manager on duty and to law enforcement.
 - f) Confirm that first aid supplies and operational fire extinguishers are located in the kitchen (if applicable), service areas and the manager's office.
 - g) Confirm that the burglar and fire alarm is monitored by a security company 24 hours a day, seven days a week.
 - h) Identify an adequate number of acceptable interior security personnel and exterior security personnel who will monitor and control the behavior of customers inside and outside the building, the parking lot and any adjacent property under the establishment's control. The security personnel may be employees of the establishment or licensed security personnel retained from a security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
 - i) Confirm that the security personnel shall regularly monitor the parking lot (if applicable) and any adjacent property under the establishment's control to ensure the areas are free of people loitering or causing a disturbance.
 - j) The establishment shall correct any safety or security problem or security plan violation as soon as possible after receiving written notice of such problem from the Visalia Police Department. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's representative to contact the Visalia Police Department to inquire about police calls for service or public safety problems noted at the location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Visalia Police Department.
 - k) The applicant shall maintain a copy of the current security plan and CUP conditions of approval on the premises and shall present the security plan immediately upon request by a peace officer or code enforcement personnel.
 - l) During times that security guards are required they must be able to provide the number of persons in the building when requested.
 - m) If it is determined that the establishment becomes a public nuisance as outlined in Visalia Municipal Code 8.40.030 the Visalia Police Department may initiate proceedings to amend these conditions to require additional state licensed uniformed security and/ or to recommend suspension or revocation proceeding.
 - n) In the event the physical security plan is withdrawn or revoked, no live or recorded entertainment or dancing shall occur until such time as a security plan which has been approved by the Police Department and City Planner is in effect.
24. That the owner/operator shall maintain a video camera system that includes the following:
- a) Half an hour prior to, during, and half an hour after the times of entertainment and/or dancing, a fully functional color digital video camera must be in place to record the activities of patrons on the premises. The interior of the business must have at least one camera placed to focus on each area where alcoholic beverages are being dispensed (this shall include the outdoor patio area and billiard room), Additionally, there shall be at least one camera placed to focus on each of the following areas; front door(s) and/or

entry area, any area outside where patrons wait to enter the establishment, and the majority of the open floor space area in the establishment.

b) The camera storage capacity should be for at least ten (10) calendar days. The system must continuously record, store, be capable of playing back images and be fully functional at all times. Any recordings of criminal activity shall be provided to the Visalia Police Department within 24 hours of the initial request.

25. That all of the conditions and responsibilities of Conditional Use Permit No. 2014-24 run with the land. The owner/operator shall provide a copy of this resolution and conditions of approval to any and all subsequent owners/operators, who shall be subject to all of the conditions herein unless amended or revoked.

26. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2014-24, Visalia Municipal Code Section No. 17.38.040.

27. 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. 2014-24.

28. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses from the California Department of Alcoholic Beverage Control.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 425 East Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the city clerk.

Attachments:

- Related Plans and Policies
- Resolution
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Operational Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

Related Plans & Policies

Conditional Use Permits (Section 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)

Chapter 8.36 NOISE

8.36.010 Purpose.

A. The city council of the city declares and finds that excessive levels of noise are detrimental to the public health, welfare and safety and are contrary to the public interest as follows:

1. By interfering with sleep, communication, relaxation and the full use of one's property;
2. By interfering with noise sensitive land uses;
3. By contributing to hearing impairment and a wide range of adverse physiological stress conditions; and
4. By adversely affecting the value of real property.

B. It is the intent of this chapter to protect persons from excessive levels of noise within or near noise sensitive land uses such as residences, schools, churches, hospitals or public libraries, or other uses as may be determined by the city council of the city. (Prior code § 5090.1)

8.36.020 Definitions.

The following words, phrases and terms as used in this chapter shall have the following meanings:

“Abutting” means physically adjacent to or coterminous with or separated by means of an alley or a private street less than thirty (30) feet in width.

“Ambient noise level” means the composite of noise from all sources excluding the alleged offensive noise. In this context it represents the normal or existing level of environmental noise at a given location for a specific time of the day or night.

“A weighted sound level” means the sound level in decibels as measured with a sound level meter using the A:P weighted network (scale) at slow meter response. The unit of measurement is referred to herein as dB(A).

“Construction” means construction, erection, enlargement, alteration, conversion or movement of any building, structures or land together with any scientific surveys associated therewith.

“Cumulative period” means an additive period of time composed of individual time segments which may be continuous or interrupted.

“Decibel” means a unit for measuring the amplitude of a sound, equal to twenty (20) times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals.

“Emergency work” means the use of any machinery, equipment, vehicle, manpower or other activity in a short term effort to protect, or restore safe conditions in the community, or work by private or public utilities when restoring utility service.

“Fixed noise source” means a device, machine or combination thereof which creates sounds which is affixed or installed on real property, including but not limited to residential, agricultural, industrial and commercial machinery and equipment, pumps, fans, compressors, air conditioners and refrigeration equipment.

“Hospital” means any building or portion thereof used for the accommodation and medical care of sick, injured or infirm persons including rest homes and nursing homes.

“Impulsive noise” means a noise of short duration, usually less than one second, with an abrupt onset and rapid decay.

“Intruding noise level” means the sound level created, caused, maintained or originating from an alleged offensive source, measured in decibels, at a specified location while the alleged offensive source is in operation.

“Mobile noise source” means any source other than a fixed noise source.

“Noise disturbance” means any sound which violates the standards set forth in this chapter.

“Noise sensitive land use” means residential uses, churches, hospitals, schools, public library, or other such uses which are identified in the noise element of the general plan.

“Pure tone noise” means any noise which is distinctly audible as a single pitch (frequency) or set of pitches. For the purpose of this chapter, a pure tone shall exist if the one-third octave band sound pressure level in the band which the tone exceeds the arithmetic average of the sound pressure levels of the two continuous one-third octave bands by five dB for center frequencies of five hundred (500) Hz and above and by eight dB for center frequencies between one hundred sixty (160) and four hundred (400) Hz and by fifteen (15) dB for frequencies less than or equal to one hundred twenty-five (125) Hz.

“Residential property” means a parcel of real property which is zoned in whole or in part of residential purposes.

“School” means public or private institutions conducting regular academic instruction at preschool, kindergarten, elementary, secondary or collegiate levels.

“Sound level meter” means an instrument meeting American National Standard Institute (ANSI) Standard S1.4-1971 for Type 1 or Type 2 sound level meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data. (Prior code § 5090.2)

8.36.030 Noise measurement criteria.

A. Any noise measurement made pursuant to the provisions of this chapter shall be made with a sound level meter using the “A” weighted network (scale) at slow meter response. Fast meter response shall be used for impulsive type sounds. Calibration of the measurement equipment utilizing an acoustical calibrator certified by its manufacturer to be in compliance with National Bureau of Standards (NBS) reference calibration levels shall be performed immediately prior to recording noise level data.

B. Exterior noise levels shall be measured within fifty (50) feet of the affected residence, school, hospital, church or public library. Where practical, the microphone shall be positioned three to five feet above the ground and away from reflective surfaces.

C. Interior noise levels shall be measured within the affected dwelling unit, at points at least four feet from the wall, ceiling or floor nearest the noise source, with windows in the normal seasonal configuration. Reported interior noise levels shall be determined by taking the arithmetic average of the readings taken at the various microphone locations. (Prior code § 5090.3)

8.36.040 Exterior noise standards--Fixed noise sources.

A. It is unlawful for any person at any location within the city to create any noise, or to allow the creation of any noise, on property owned, leased, occupied or otherwise controlled by such person which causes the exterior noise level, when measured at the property line of any affected noise sensitive land use, to exceed any of the categorical noise level standards as set forth in the following table:

NOISE LEVEL STANDARDS, dBA

Category	Cumulative Number of minutes in any one-hour time period	Evening and Daytime 6 a.m. to 7 p.m.	Nighttime 7 p.m. to 6 a.m.
1	30	50	45

2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards. (Prior code § 5090.4.1)

8.36.050 Exterior noise standards--Mobile noise sources prohibition against use.

It is unlawful to operate any of the below-listed devices, appliances, equipment or vehicles on public or private property abutting noise sensitive land uses between the weekday hours of seven p.m. and six a.m., and between the weekend hours of seven p.m. and nine a.m.

A. Power-assisted leaf blowers, lawn mowers, edgers or other power equipment used for the maintenance of property;

B. Vehicle equipment, which equipment is not expressly regulated by state or federal statute, such as car radios or sound amplification equipment which is audible more than twenty-five (25) feet from the exterior of the vehicle;

C. Construction equipment including jackhammers, portable generators, pneumatic equipment, trenchers, or other such equipment, except for emergency repair purposes as provided in Section 8.36.070;

D. Any other noises made by crying, shouting, or by means of whistle, rattle, bell, gong whether or not for the purpose of advertising or other such purposes. (Prior code § 5090.4.2)

8.36.060 Residential interior noise standards.

A. It is unlawful for any person, at any location within the city, to operate or cause to be operated, any source of sound or to allow the creation of any noise which causes the noise level when measured inside a dwelling unit to exceed any of the categorized noise level standards as set forth in the following table:

NOISE LEVEL STANDARDS, dBA

Category	Cumulative Number of minutes in any one-hour time period	Evening and Daytime 6 a.m. to 7 p.m.	Nighttime 7 p.m. to 6 a.m.
1	5	45	35
2	1	50	40
3	0	55	45

B. In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level.

C. Each of the noise level standards specified above shall be reduced by five dB for pure tone noises, noises consisting primarily of speech or music, or four recurring impulsive noises.

D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards.

E. If the source of noise is of an impulse or voluntary nature such as shouting, loud conversation, playing or operation of audio and video equipment and is audible in a dwelling unit, the noise level in the above table shall conclusively be determined to be exceeded. (Prior code § 5090.6)

8.36.070 Noise source exemptions.

The following activities shall be exempted from the provisions of this chapter:

A. Activities conducted in public parks, public playgrounds and public or private school grounds, including but not limited to school athletic and school entertainment events during normal hours of instruction;

B. Any mechanical device, apparatus or equipment used, related to, or connected with emergency activities or emergency work;

C. Noise sources associated with the infrequent, occasional and unusual maintenance of residential property provided such activities take place between the hours of six a.m. and nine p.m. on any day except Saturday or Sunday, or between the hours of eight a.m. and nine p.m. on Saturday or Sunday;

D. Noise sources associated with a lawful commercial or industrial activity caused by installed mechanical devices or equipment, including air conditioning or refrigeration systems, installed prior to the effective date of this chapter; that this exception shall expire twelve months after the effective date of the chapter. This exception shall not apply to such mechanical devices which are not in good repair;

E. Noise sources associated with the collection of waste or garbage from commercially zoned or industrially zoned property by the city or its authorized franchisee;

F. Any activity to the extent regulation thereof has been preempted by state or federal law;

G. Notwithstanding the provisions of Sections 8.36.040 and 8.36.050, where the intruding noise source when measured as provided in Section 8.36.030 is an existing residential air conditioning or refrigeration system or associated equipment, the exterior noise level at the property line shall not exceed fifty-five (55) dBA. For residential air conditioning or refrigeration systems or associated equipment installed after the effective date of this chapter, the exterior noise level at the property line when measured as provided in Section 8.36.030 shall not exceed fifty (50) dBA;

H. Notwithstanding the provisions of Sections 8.36.040 and 8.36.050, the collection of waste or garbage from residentially zoned property or from persons authorized to engage in such activity, and who are operating truck-mounted loading or compacting equipment, shall not take place before six a.m. or after seven p.m. The noise level created by such activities when measured at a distance of fifty (50) feet in an open area shall not exceed the following standard:

1. Eighty-five (85) dBA for equipment in use, purchased or leased prior to the effective date of this chapter,

2. Eighty (80) dBA for new equipment purchased or leased after the effective date of this chapter;

I. Notwithstanding the provisions of Sections 8.36.040 and 8.36.050, noise sources associated with the operation of electrical substations shall not exceed fifty (50) dBA when measured as provided in Section 8.36.030. (Prior code § 5090.6)

8.36.080 Warning signs in places of public entertainment.

It is unlawful for any person to permit the operation or playing of any loudspeaker, musical instrument, motorized racing vehicle, or other source of sound for public entertainment within a building or structure wherein the noise level exceeds ninety-five (95) dBA as determined using the slow response of a sound level meter at any point normally occupied by a customer, without a conspicuous and legible sign stating "WARNING! SOUND LEVELS WITHIN MAY CAUSE HEARING IMPAIRMENT." (Prior code § 5090.7)

8.36.090 Variances.

A. The owner or operator of a noise source for which it has been determined violates any of the provisions of this chapter may file an application for variance from strict compliance with any particular provisions of this chapter where such variance will not result in a hazardous condition or a nuisance and strict compliance would be unreasonable in view of all the circumstances. The owner or operator shall set forth all actions taken to comply with such provisions, and the reasons why immediate compliance cannot be achieved. A separate application shall be filed for each noise source; provided, however, that several mobile sources under common ownership or fixed sources under common ownership on a single property may be combined into one application.

B. Upon receipt of the application and within thirty (30) days, the community development director shall either: (1) approve such request in whole or in part; (2) deny the request; or (3) refer the request directly to the city council for action thereon in accordance with the provisions of this chapter. In the event the variance is approved, reasonable conditions may be imposed which may include restrictions on noise level, noise duration and operating hours, an approved method of achieving compliance and a time schedule for its implementation. The decision of the community development director is subject to appeal to the city council upon recommendation of the planning commission by filing a written appeal not later than fifteen (15) days following the mailing of the decision to the applicant.

C. Factors which the community development director or city council must consider shall include but not be limited to the following:

1. Uses of property within the area affected by the noise;
2. Factors related to initiating and completing all remedial work;
3. Age and useful life of the existing noise source;
4. The general public interest, welfare and safety.

D. The city council may grant variances from provisions of this chapter subject to such term, conditions and requirement as may be deemed reasonable to achieve compliance with the provisions and intent of this chapter.

E. A fee may be charged to recover the actual costs in processing such variances.

F. The approved noise ordinance variance must be in the possession of any operator of mobile noise sources during otherwise prohibited by the provisions of this chapter. An approved noise ordinance variance shall also be in the possession of a fixed noise source which would otherwise violate the provisions of this chapter. Failure to have the variance in the possession of the operator or property occupant when the provisions of this chapter are violated, as indicated above, shall constitute a violation of this chapter, enforceable as provided in Section 8.36.100. (Prior code § 5090.8)

8.36.100 Violation--Enforcement.

A. The violation of any of the provisions of this chapter shall be a misdemeanor punishable as provided in Section 1.12.010. Each hour of activity which violated the provisions herein shall constitute a sole and separate violation. The provisions of this chapter may also be enforced by an injunction issued out of the court of jurisdiction. Any violation of the provisions of this chapter shall be deemed to be a public nuisance.

B. The community development director, or a designee, shall be responsible for the enforcement of Section 8.36.040 and Section 8.36.060(A) through (D) inclusive. The chief of police shall be responsible for the enforcement of Sections 8.36.050 and 8.36.060(E). (Prior code § 5090.9)

8.36.110 Emergency equipment.

The provisions of this chapter shall have no application to the sounding of a siren or the making of other usual signal or signals by any police or other peace officers in the performance of their duties, nor to the sounding of any siren or the making of any other usual signal upon any ambulance or firefighting equipment in the usual and customary manner. (Prior code § 5091)

RESOLUTION NO. 2014-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2014-24, A REQUEST BY SENG SAEPHAN TO ESTABLISH A RESTAURANT AND SPORTS BAR WITH LIVE ENTERTAINMENT AND A POOL HALL/BILLIARD PARLOR IN THE C-R (REGIONAL RETAIL COMMERCIAL) ZONE. THE SITE IS LOCATED AT 3360 S. FAIRWAY STREET (APN: 122-300-042, 043).

WHEREAS, Conditional Use Permit No. 2014-24 is a request by Seng Saephan to establish a restaurant and sports bar with live entertainment and a pool hall/billiard parlor in the C-R (Regional Retail Commercial) zone. The site is located at 3360 S. Fairway Street (APN: 122-300-042, 043); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on November 10, 2014; 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

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

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

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

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed CUP is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-63)

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 site be developed and maintained in substantial conformance with the site plan in Exhibit "A", floor plan in Exhibit "B", and the operational statement in Exhibit "C", with changes in the floor plan that a maximum of nine (9) pool tables be allowed and that at least one window (minimum opening of six (6) square feet) be installed between the dining area and billiard room.
2. That the requirements of Site Plan Review No. 2014-17 shall be met.
3. That the applicant obtain an Administrative Adjustment to a 20% reduction in parking standards. Such Administrative Adjustment shall be granted on the condition that it is to run with the use as approved by the Conditional Use Permit.
4. That the project will be required to maintain the noise standards found in Section 8.36.040 of the Municipal Code for their site, including the parking lot and areas of common use by their patrons.
5. That all lighting for the site shall be installed, directed and/or shielded to prevent any direct or indirect light or glare from falling upon any adjacent residential property. This includes the existing building and parking lot lighting, and any security lighting.
6. That the hours of operation for live entertainment - including live music, disc jockey music, karaoke, and dancing - shall be between the hours of 9:00 p.m. and 2:00 a.m. Similar activities in nature and intensity may be allowed as determined by the City Planner. Any subsequent change to hours of the live entertainment shall require an amendment to the Conditional Use Permit.
7. Live entertainment shall be allowed on a non-amplified basis with no dancing before 9:00 p.m.
8. During live entertainment performances, nightclub patrons are to be 21 years of age and older. When no live entertainment is taking place, nightclub patrons are to be 21 years and older between 9:00 p.m. and 2:00 a.m., unless otherwise allowed by a Temporary Conditional Use Permit for special events. Persons employed by the establishment or performers shall be exempt from this condition.
9. That the establishment be maintained as a bona fide restaurant. The bar area shall not exceed 25% of the public area within the leasable area of the establishment. At all times during normal meal hours the site shall act as a bona fide restaurant with a full menu offering complete meals. During times of live entertainment food service shall be provided until 12:00 midnight as identified in the operational statement.
10. There shall be no adult entertainment as defined in Visalia Municipal Code Section 17.62, including no lingerie/bathing suit shows.
11. During live entertainment, the operator shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises. No alcoholic

beverages shall be consumed on any public areas adjacent to the licensed premises under the control of the licensee.

12. During live entertainment, the operator shall be responsible for maintaining the premises and public areas immediately in front of and adjacent to the site free of litter.
13. Public sidewalks shall be kept clear for pedestrian use. Patrons waiting to enter the business shall be formed in a single orderly line outside of the front door of the business.
14. The parking lot and public sidewalks directly adjacent to the site shall be monitored to prevent loitering, noise, littering and related issues during and after any nightclub activities.
15. That the maximum occupancy limit shall be posted and not exceeded.
16. Official inspections on the premises may be conducted at any time during business hours to validate conformance with these conditions of approval.
17. All exterior doors and all patio gates and doors shall remain closed at all times when the premises are providing live entertainment or is entirely limited to ages 21 and over. Doors may not solely consist of a screen door or ventilated security door.
18. That the doors between the patio and billiard room shall not permit access inside the building.
19. Patrons shall use only the main entrances of the business to enter and exit the nightclub and restaurant except in the event of an emergency.
20. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business. This does not include advertising placed inside the business directed to the outside.
21. No video/arcade games shall be maintained upon the premises unless approved through the site plan review and any subsequent entitlement process.
22. The owner/operator shall provide proof that employees who sell alcohol have completed the following, either:
 - a) Completed training from the State of California Department of Alcoholic Beverage Control--Fresno District Office-administered "Leadership and Education in Alcohol and Drugs" (LEAD) Program as confirmed by receipt of an ABC-issued certificate of completion; or,
 - b) Completed equivalent training acceptable to the ABC Fresno District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.
23. That the owner/operator shall prepare and implement an approved security plan that includes the following:
 - a) Prior to any type of entertainment or dancing identified in this use permit the owner/operator shall prepare and submit to the District Commander a security plan for approval. Approval of the security plan by the District Commander or his/her designee shall not be unreasonably denied. The contents of the security plan shall be incorporated as conditions of approval of CUP. The owner/operator shall be responsible to have the District Commander or his/her designee re-approve the security plan annually running from the anniversary date of the final

approval of the CUP. The establishment is responsible for providing both the District Commander and the Planning Division a copy of the approved security plan.

- b) Identify the establishment's designated contact person for all safety and security management and shall provide the telephone numbers where the contact person may be reached 24 hours a day, seven days a week.
- c) Confirm that a manager will be on duty during business hours and will be responsible for monitoring and controlling the behavior of patrons.
- d) Identify all managers of the establishment and their contact telephone numbers.
- e) Confirm that all bartenders and other employees shall be trained to recognize the symptoms of an obviously intoxicated patron, to refuse serving alcoholic beverages to obviously intoxicated patrons, and to report emergencies to the manager on duty and to law enforcement.
- f) Confirm that first aid supplies and operational fire extinguishers are located in the kitchen (if applicable), service areas and the manager's office.
- g) Confirm that the burglar and fire alarm is monitored by a security company 24 hours a day, seven days a week.
- h) Identify an adequate number of acceptable interior security personnel and exterior security personnel who will monitor and control the behavior of customers inside and outside the building, the parking lot and any adjacent property under the establishment's control. The security personnel may be employees of the establishment or licensed security personnel retained from a security firm. All on-duty licensed security guards shall comply with the uniform requirements set forth in California Business & Professions code section 7582.26.
- i) Confirm that the security personnel shall regularly monitor the parking lot (if applicable) and any adjacent property under the establishment's control to ensure the areas are free of people loitering or causing a disturbance.
- j) The establishment shall correct any safety or security problem or security plan violation as soon as possible after receiving written notice of such problem from the Visalia Police Department. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's representative to contact the Visalia Police Department to inquire about police calls for service or public safety problems noted at the location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Visalia Police Department.
- k) The applicant shall maintain a copy of the current security plan and CUP conditions of approval on the premises and shall present the security plan immediately upon request by a peace officer or code enforcement personnel.
- l) During times that security guards are required they must be able to provide the number of persons in the building when requested.
- m) If it is determined that the establishment becomes a public nuisance as outlined in Visalia Municipal Code 8.40.030 the Visalia Police Department may initiate proceedings to amend these conditions to require additional state licensed uniformed security and/ or to recommend suspension or revocation proceeding.

- n) In the event the physical security plan is withdrawn or revoked, no live or recorded entertainment or dancing shall occur until such time as a security plan which has been approved by the Police Department and City Planner is in effect.
24. That the owner/operator shall maintain a video camera system that includes the following:
- a) Half an hour prior to, during, and half an hour after the times of entertainment and/or dancing, a fully functional color digital video camera must be in place to record the activities of patrons on the premises. The interior of the business must have at least one camera placed to focus on each area where alcoholic beverages are being dispensed (this shall include the outdoor patio area and billiard room), Additionally, there shall be at least one camera placed to focus on each of the following areas; front door(s) and/or entry area, any area outside where patrons wait to enter the establishment, and the majority of the open floor space area in the establishment.
 - b) The camera storage capacity should be for at least ten (10) calendar days. The system must continuously record, store, be capable of playing back images and be fully functional at all times. Any recordings of criminal activity shall be provided to the Visalia Police Department within 24 hours of the initial request.
25. That all of the conditions and responsibilities of Conditional Use Permit No. 2014-24 run with the land. The owner/operator shall provide a copy of this resolution and conditions of approval to any and all subsequent owners/operators, who shall be subject to all of the conditions herein unless amended or revoked.
26. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2014-24, Visalia Municipal Code Section No. 17.38.040.
27. 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. 2014-24.
28. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses from the California Department of Alcoholic Beverage Control.

Project Information

Use: Tenant Improvement for a new Sports Bar /BBQ and Billiard Hall

Owner: Song Sheehan (559)794-2124

Address: 1340 South Fairway Street
Visalia, CA 93227

A.P.N.: 122-300-012 & 043

Number of Stories: 1

Zone: CR

Building Occupancy: A2

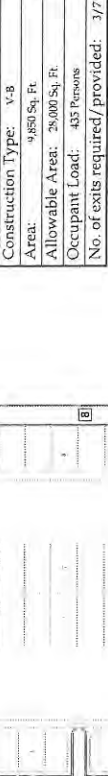
Construction Type: V-B

Area: 9,850 Sq. Ft.

Allowable Area: 26,000 Sq. Ft.

Occupant Load: 435 Persons

No. of exits required/provided: 3/7



Site Notes:

1. Finish of travel (P.O.T.) as indicated is a barrier. Final access to the site shall be provided by the contractor. The contractor shall provide a minimum of 48" high top resistant wall on the site. The contractor shall provide a minimum of 48" high top resistant wall on the site. The contractor shall provide a minimum of 48" high top resistant wall on the site. The contractor shall provide a minimum of 48" high top resistant wall on the site.
2. All stripping and signage shall be properly maintained in a regular condition. (Typical)

No.	Description
1	Existing concrete materials
2	Existing concrete curb 1, gutter
3	Existing accessible parking per ADA see Detail A/T-1
4	Existing asphaltic concrete (AC) paving
5	Existing curb ramp with transverse slopes per ADA
6	Existing approach
7	Existing 18" high open top fence with privacy slats
8	Existing concrete apron
9	Existing exterior patio
10	Existing exterior fence to be repaired
11	Existing exterior fence to be repaired
12	New concrete sign per approach permits
13	Existing trash enclosure, arranged with privacy glass
14	Existing concrete paved patio
15	New concrete pad/stairway
16	New patio floor with plastic membrane
17	Path of travel (POT) - see POT road above
18	Accessible parking stall (per ADA) T-1
19	Van accessible parking stall (per ADA) T-1
20	New accessible ramp per ADA see Detail B/T-1
21	Existing sliding gate to be removed

General Notes:

Refer to Section 02000 for general items and items for specific items.

Accessibility Notes:

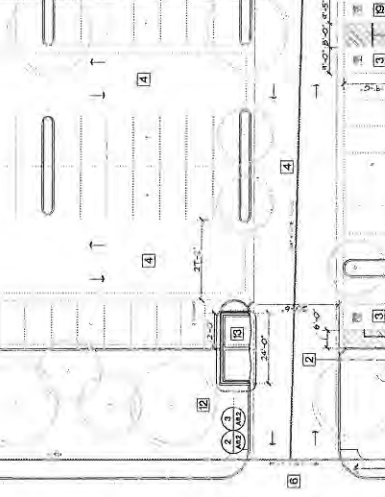
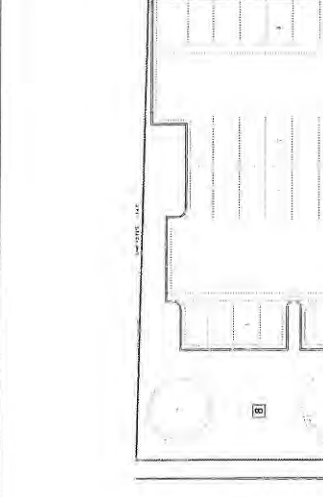
Refer to Section 03000 for general items and items for specific items.

Structural Notes:

Refer to Section 05000 for general items and items for specific items.

Mech. Elect. Plumb Notes:

Refer to Sections 21000, 22000, 23000, 24000, 25000, 26000, 27000, 28000, 29000, 30000, 31000, 32000, 33000, 34000, 35000, 36000, 37000, 38000, 39000, 40000, 41000, 42000, 43000, 44000, 45000, 46000, 47000, 48000, 49000, 50000, 51000, 52000, 53000, 54000, 55000, 56000, 57000, 58000, 59000, 60000, 61000, 62000, 63000, 64000, 65000, 66000, 67000, 68000, 69000, 70000, 71000, 72000, 73000, 74000, 75000, 76000, 77000, 78000, 79000, 80000, 81000, 82000, 83000, 84000, 85000, 86000, 87000, 88000, 89000, 90000, 91000, 92000, 93000, 94000, 95000, 96000, 97000, 98000, 99000, 100000.



No.	Description
1	Existing concrete materials
2	Existing concrete curb 1, gutter
3	Existing accessible parking per ADA see Detail A/T-1
4	Existing asphaltic concrete (AC) paving
5	Existing curb ramp with transverse slopes per ADA
6	Existing approach
7	Existing 18" high open top fence with privacy slats
8	Existing concrete apron
9	Existing exterior patio
10	Existing exterior fence to be repaired
11	Existing exterior fence to be repaired
12	New concrete sign per approach permits
13	Existing trash enclosure, arranged with privacy glass
14	Existing concrete paved patio
15	New concrete pad/stairway
16	New patio floor with plastic membrane
17	Path of travel (POT) - see POT road above
18	Accessible parking stall (per ADA) T-1
19	Van accessible parking stall (per ADA) T-1
20	New accessible ramp per ADA see Detail B/T-1
21	Existing sliding gate to be removed

General Notes:

Refer to Section 02000 for general items and items for specific items.

Accessibility Notes:

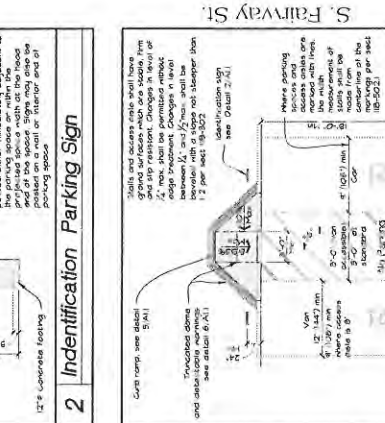
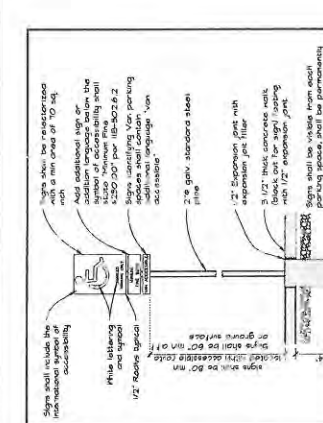
Refer to Section 03000 for general items and items for specific items.

Structural Notes:

Refer to Section 05000 for general items and items for specific items.

Mech. Elect. Plumb Notes:

Refer to Sections 21000, 22000, 23000, 24000, 25000, 26000, 27000, 28000, 29000, 30000, 31000, 32000, 33000, 34000, 35000, 36000, 37000, 38000, 39000, 40000, 41000, 42000, 43000, 44000, 45000, 46000, 47000, 48000, 49000, 50000, 51000, 52000, 53000, 54000, 55000, 56000, 57000, 58000, 59000, 60000, 61000, 62000, 63000, 64000, 65000, 66000, 67000, 68000, 69000, 70000, 71000, 72000, 73000, 74000, 75000, 76000, 77000, 78000, 79000, 80000, 81000, 82000, 83000, 84000, 85000, 86000, 87000, 88000, 89000, 90000, 91000, 92000, 93000, 94000, 95000, 96000, 97000, 98000, 99000, 100000.



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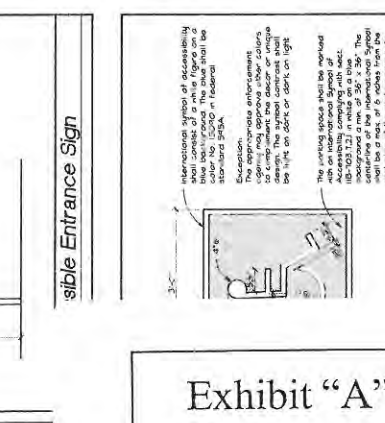
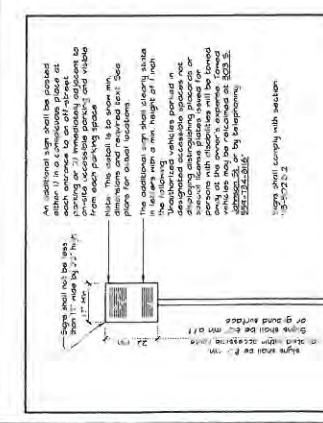
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OPERATIONAL STATEMENT

Nature of the operation/project - Restaurant and Sports Bar with 10 to 13 pool tables.

Hours of operation - The business will be open from 6:00am and close at 2:00am Monday thru Sunday. No one under 21 will allow in the building after 10:00pm. There will be live entertainment on Wednesday, Thursday, Friday, and Saturday from 9:00pm to 2:00am after television sports event are done televised which include live music, disc jockey, and karaoke. No one under 21 will enter the building after. Everyone will be ID. No exception! Everyone under 21 will be escort out by security after 10:00pm. In the billard room, no one under 21 is allow to enter at all time. Everyone entering the room will be ID, no exception!

Capacity - 440

Employees - 10 to 30

Training - We will follow the California Department of Alcoholic Beverage Control rules and regulations. Every bartender hire must attend a mandatory bartending class and be certified. A zero tolerance alcohol sales to minors will be enforce. Any violations will lead to an automatic termination.

Management - There will be managers on duty at all time. All managers will be properly train to follow the strict rules set by the business. Zero tolerance rules will be apply to all managers as well. No exception!

Food menu - We will be serving barbecue throughout the day. The kitchen will be open up till 12:00am.

Security - On the nights when providing entertainment, there will be 3-15 train security staff depending on capacity of the night. The securities will be checking on the parking lot on regular basis to prevent loitering and group gathering, they will be responsible for clearing the parking lot after the facility is close, they will make sure of accurate head counts for the building to make sure it doesn't exceed the occupancy at all time, and also make sure of proper dress code at all time. Zero tolerance also applies to the staff security personnel. We will provide the building with the best camera system, and alarm systems for the safety of everyone.

Goal - Our goal as a business owner is to provide the city with fun, clean, safe, respectful, and friendly environment for everyone to enjoy.

Exhibit "C"



MEETING DATE 04/23/2014
SITE PLAN NO. 14-017
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 8:30 a.m. and 4:30 p.m., Monday through Friday.
- Your plans must be reviewed by:
- | | |
|--|--|
| <input type="checkbox"/> CITY COUNCIL | <input type="checkbox"/> REDEVELOPMENT |
| <input type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER _____ |

ADDITIONAL COMMENTS Revised operational statement is required to proceed.

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



MEETING DATE 4-23-14
SITE PLAN NO. 14-017
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.

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-

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.
- REVISED OPERATIONAL STATEMENT
- Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
- Your plans must be reviewed by:
- | | |
|--|--|
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| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER _____ |
-

ADDITIONAL COMMENTS _____

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

Site Plan Review Committee


City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 2 DATE: April 23, 2014
SITE PLAN NO: SPR14017
PROJECT TITLE: SPORTS BAR/BBQ & BILLIARD HALL
DESCRIPTION: TENANT IMPROVEMENT OF SPORTS BAR/BBQ AND BILLIARD HALL IN EXISTING 9,850 SF BUILDING ON 54,648 SF AREA (CR ZONED) (DISTRICT A)
APPLICANT: SAEPHAN SENG
PROP OWNER: VISALIA LODGE #546 LOYAL ORDER OF MOOSE
LOCATION: 3360 S FAIRWAY ST
APN(S): 122-300-043

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 5 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant improvements)
- Submit 5 sets of plans prepared by an architect or engineer. Must comply with 2013 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets 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 (559) 230-6000*
- 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 \$146.40) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.47 per square foot. Residential \$2.97 per square foot.
- Park Development fee \$ _____, per unit collected with building permits.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: _____


Signature

**Site Plan Review Comments For:**

Visalia Fire Department
 Kurtis A. Brown,
 Assistant Fire Marshal
 707 W Acequia
 Visalia, CA 93291
 559-713-4261 office
 559-713-4808 fax

SITE PLAN NO: SPR14017
 PROJECT TITLE: SPORTS BAR/BBQ & BILLIARD HALL
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 LOCATION: 3360 S FAIRWAY ST
 APN(S): 122-300-043

The following comments are applicable when checked:

- 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 2013 California Fire Code (CFC), 2013 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. *2013 CFC 901.6*
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire & life safety requirements including fire protection.
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on

General:

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*
- A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.) *2013 CFC 506.1*
- All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
- Provide illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*
- When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

- 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. *2013 CFC 304.3.3*
- 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 2013 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

Water Supply:

- Construction and demolition sites shall have an approved water supply for fire protection, either temporary or permanent, and shall be made available as soon as combustible material arrives on the site. *2013 CFC 3312*
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are fire hydrants required for this project. (See marked plans for fire hydrant locations.)
- Fire hydrant spacing shall comply with the following requirements:
 The exact location of fire hydrants and final decision as to the number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. *Visalia Municipal Code 16.36.120 & 16.36.120(8)*
 - Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Commercial or industrial developments shall be provided with fire hydrants every three hundred (300) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
 - Commercial or industrial developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every five hundred (500) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
- When any portion of a building is in excess of one hundred fifty (150) feet from a water supply on a public street there shall be provided on site fire hydrants and water mains capable of supplying the required fire flow. *Visalia Municipal Code 16.36.120(6)*

Emergency Access:

- A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding 75,000 pound piece of fire apparatus, and shall provide access to within 100 feet of temporary or permanent fire department connections. *2013 CFC 3310*

- Buildings or portions of buildings or facilities with a vertical distance between the grade plans and the highest roof surface exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. *2013 CFC D105*

- A fire apparatus access roads shall be provide and must comply with the CFC and extend to within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. *2013 CFC 503.1.1*

- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Length 151-500 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.

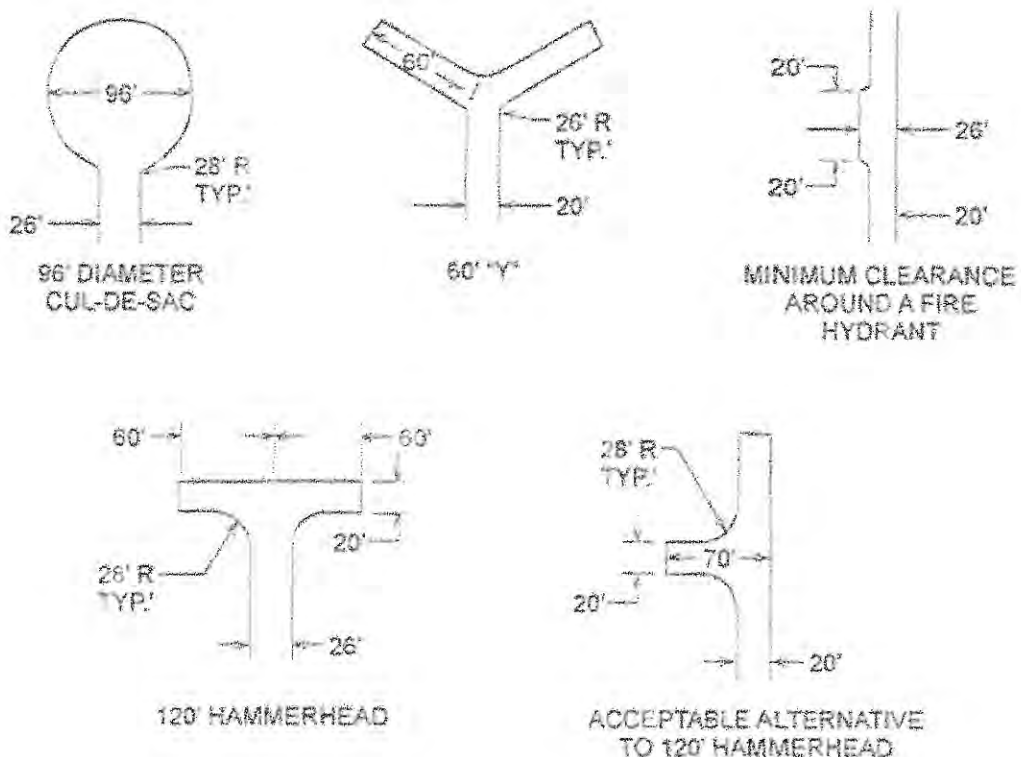



FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

- Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:
2013 CFC D103.5
- Typical chain and lock shall be the type that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system.
 - Gates shall be of the swinging or sliding type.
 - Gates shall allow manual operation by one person. (power outages)
 - Gates shall be maintained in an operative condition at all times.
 - Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- In any and all new One- or two-family dwellings residential developments regardless of the number of units, street width shall be a minimum of 36 feet from curb to curb to allow fire department access and to permit parking on both sides of the street. A minimum of 20 feet shall be provided for developments that don't allow parking on the streets. *2013 CFC D107.2*

Fire Protection Systems:

- An automatic fire sprinkler system will be required for this building. Also a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). *2013 CFC 903 and Visalia Municipal Code 16.36.120(7)*
- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2013 CFC 904.11& 609.2*

Special Comments:


Kurtis A. Brown
Assistant Fire Marshal

QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS

ITEM NO: 2 DATE: April 23, 2014
SITE PLAN NO: SPR14017
PROJECT TITLE: SPORTS BAR/BBQ & BILLIARD HALL
DESCRIPTION: TENANT IMPROVEMENT OF SPORTS BAR/BBQ AND
 BILLIARD HALL IN EXISTING 9,850 SF BUILDING ON
 54,648 SF AREA (CR ZONED) (DISTRICT A)
APPLICANT: SAEPHAN SENG
PROP OWNER: VISALIA LODGE #546 LOYAL ORDER OF MOOSE
LOCATION: 3360 S FAIRWAY ST
APN(S): 122-300-043

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:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR - 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER - ¾ HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED - NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA
PUBLIC WORKS DEPARTMENT
QUALITY ASSURANCE DIVISION
7579 AVENUE 288
VISALIA, CA 93277



AUTHORIZED SIGNATURE

4-21-14

DATE

SPB 14017



**CITY OF VISALIA
NONSIGNIFICANT WASTEWATER
DISCHARGE PERMIT APPLICATION**

Agency Use:
Permit No: _____
Code No: _____
Data Entry By: _____

PLEASE PRINT OR TYPE

APPLICANT BUSINESS NAME: _____ PHONE: _____

BUSINESS ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

BUSINESS OWNER: _____ PHONE: _____

MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

CONTACT PERSON: _____ TITLE: _____

NATURE OF BUSINESS: (restaurant, market, convenience store, yogurt shop, walk-up, etc.)

NO. OF EMPLOYEES: _____ HOURS OPEN: _____ AM/PM TO _____ AM/PM

DAYS PER WEEK BUSINESS OPEN: MON TUES WED THUR FRI SAT SUN

Does your facility have a grease, oil or grit trap installed before discharge to sewer? YES NO

If yes, Name of trap: _____ Size of trap: _____ How often is trap cleaned: _____

I hereby affirm that all information furnished is true and correct
to the best of my knowledge.

Signature

Date

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

CITY OF VISALIA
ORDINANCE 13.08

13.08.570 Traps required.

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

13.08.580 Construction of traps.

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

13.08.590 Maintenance of traps.

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

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: April 23, 2014

SITE PLAN NO: 2014-017 RESUBMITTAL
PROJECT TITLE: SPORTS BAR/BBQ & BILLIARD HALL
DESCRIPTION: TENANT IMPROVEMENT OF SPORTS BAR/BBQ AND BILLIARD HALL
IN EXISTING 9,850 SF BUILDING ON 54,648 SF AREA (CR ZONED)
(DISTRICT A)
APPLICANT: SAEPHAN SENG
PROP. OWNER: VISALIA LODGE #546 LOYAL ORDER OF MOOSE
LOCATION TITLE: 3360 S FAIRWAY ST
APN TITLE: 122-300-043

General Plan: CR – Regional Retail Commercial
Existing Zoning: CR – Regional Retail Commercial

Planning Division Recommendation:

- Revise and Proceed – Off Agenda with Revised Operational Statement
 Resubmit

Project Requirements

- Conditional Use Permit (CUP)
- Additional Information as needed
- Building Permit

PROJECT SPECIFIC INFORMATION: 04/23/2014

1. Prior to submitting the CUP application, staff is requesting the applicant provide a revised Operational Statement that clarifies questions raised by staff during the Site Plan Review
2. Provide an Operational Statement that clearly defines the additional ancillary activities being requested with this project (i.e., nightclub).
3. The operational statement needs to define if the billiards area is restricted to 21 years or older.
4. Define if "Family Sporting Events" are everyday games broadcast on either local or cable networks or are these special Pay-Per View events requiring patrons to pay admission before entering the establishment.
5. Staff has concerns regarding the "wristband" regulation for drinking. Provide clarification on when "wristbands" are required. Staff's initial comments would be to restrict special events (i.e., nightclub) to patrons that are 21 years or older. Individuals under the age of 21 years would be prohibited.
6. If nightclub/dancing activities are being requested with the restaurant/billiards establishment, clearly identify this use in the operational statement and how it would operate during the week.

PREVIOUS COMMENTS

PROJECT SPECIFIC INFORMATION: 02/19/2014

1. A CUP is required for the Billiards proposed with the restaurant use.
2. Provide a detailed operational statement that outlines this businesses daily operations including hours of operation, number of employees, etc.
3. Provide additional information regarding potential to establish live entertainment/nightclub venue within the restaurant.
4. There is an existing Valley Oak Tree located in the patio area. Comply with standards when developing around a Valley Oak Tree. Only pervious material will be allowed under the crown drip line of the tree.
5. Additional comments/requirements may be applied based on further information provided by the applicant's operational statement.
6. Staff has concerns regarding the number of parking spaces provided onsite for the restaurant. Provide a breakdown on the building square footage dedicated to the restaurant and the billiards area. See Parking Requirements on Page 2.

CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

Design District: "A" (See Chapter 17.24 For BRP Zoned Sites) [17.30.160]

Maximum Building Height: 50 Feet

Minimum Setbacks:

	Building	Landscaping
➤ Front (Building site)	20 Feet**	20 Feet** (only building)
➤ Front (Parking)	25 Feet**	25 Feet**
➤ Side	0 Feet	5 Feet*
➤ Street side on corner lot	25 Feet	25 Feet
➤ Side abutting residential zone	15 Feet	5 Feet
➤ Rear	0 Feet	5 Feet*
➤ Rear abutting residential zone	15 Feet	5 Feet

*(Except where building is on property line)

** (Reduce per Ordinance No. 2010-17, see Mooney Blvd. Corridor project)

Minimum Site Area: 5 acres

Parking: As prescribed in Chapter 17.34

Parking:

1. Provide parking based on the following: One space per 100 square feet of gross floor area for the restaurant and two parking spaces for each billiards table (see Zoning Ordinance Section 17.34.020).
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. It is highly recommended that bicycle rack(s) be provided on site plan.
6. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).

Fencing and Screening:

1. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
2. Outdoor retail sales prohibited.
3. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

Landscaping:

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

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

Lighting:

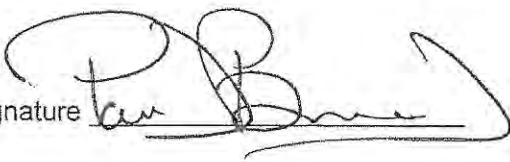
1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.

4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

Music: Regular live music, DJ, dancing or similar entertainment requires a conditional use permit prior to any activity. Please contact staff with any questions regarding music and entertainment.

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 

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
- Adrian Rubalcaba 713-4271

ITEM NO: 2 DATE: APRIL 23, 2014

SITE PLAN NO.: 14-017 RESUBMITTAL
PROJECT TITLE: SPORTS BAR/BBQ & BILLIARD HALL
DESCRIPTION: TENANT IMPROVEMENT OF SPORTS BAR/BBQ AND BILLIARD HALL IN EXISTING 9,850 SF BUILDING ON 54,648 SF AREA (CR ZONED) (DISTRICT A)
APPLICANT: SAEPHAN SENG
PROP OWNER: VISALIA LODGE #546 LOYAL ORDER OF MOOSE
LOCATION: 3360 S FAIRWAY ST
APN: 122-300-043

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;

Sidewalk: _____ width; parkway width at _____

Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.

Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.

Right-of-way dedication required. A title report is required for verification of ownership.

Deed required prior to issuing building permit;

City Encroachment Permit Required. FOR WORK IN 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 Rafael Magallan, 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.

Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.

Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)

Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.

All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.

- Traffic indexes per city standards:
- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show 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 Joel Hooyer at 713-4295 for an Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- 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. Impact fees apply to proposed bar/restaurant use. Previous uses, similar in type, will offset applicable impact fees however any new outdoor seating areas will incur impact fees as it is an extension of building capacity. Refer to page 3 for fee summary.

2. Proposed expansion of existing trash enclosure shall conform to current City refuse enclosure specifications and include gates and concrete apron. Details shall be submitted with site/tenant improvements.

3. Plan check and inspection fees apply, due at time of building permit issuance.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 14-017 RESUBMITTAL

Date: 4/23/2014

**Summary of applicable Development Impact Fees to be collected at the time of building permit:
(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)**

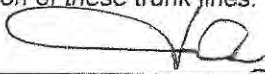
(Fee Schedule Date:8/16/2014)
(Project type for fee rates:RESTAURANT/RETAIL)

Existing uses may qualify for credits on Development Impact Fees. RESTAURANT/RETAIL

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$11,337/1000SF X OUTDOOR SF
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$56/SEAT X OUTDOOR SEATS, TREATMENT PLANT FEE: \$251.20/SEAT X OUTDOOR SEATS
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<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.



 Jason Huckleberry

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

April 23, 2014

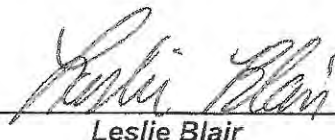
ITEM NO: 2	RESUBMITL
SITE PLAN NO: SPR14017	
PROJECT TITLE: SPORTS BAR/BBQ & BILLIARD HALL	
DESCRIPTION: TENANT IMPROVEMENT OF SPORTS BAR/BBQ AND BILLIARD HALL IN EXISTING 8,850 SF BUILDING ON 54,648 SF AREA (OR ZONED) (DISTRICT A)	
APPLICANT: SAEPHAN SENG	
PROP. OWNER: VISALIA LODGE #546 LOYAL ORDER OF MOOSE	
LOCATION: 3360 S FAIRWAY ST	
APN(S): 122-300-043	

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.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Questionnaire required.

Additional Comments:

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Leslie Blair

ITEM NO: 2 DATE: April 23, 2014
 SITE PLAN NO: SPR14017
 PROJECT TITLE: SPORTS BAR/BBQ & BILLIARD HALL
 DESCRIPTION: TENANT IMPROVEMENT OF SPORTS BAR/BBQ AND
 BILLIARD HALL IN EXISTING 9,850 SF BUILDING ON
 54,648 SF AREA (CR ZONED) (DISTRICT A)
 APPLICANT: SAEPHAN SENG
 PROP OWNER: VISALIA LODGE #546 LOYAL ORDER OF MOOSE
 LOCATION: 3360 S FAIRWAY ST
 APN(S): 122-300-043

City of Visalia
Police Department
 303 S. Johnson St.
 Visalia, Ca. 93292
 (559) 713-4573

Site Plan Review Comments

- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact fee:
 Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
 Effective date - August 17, 2001

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

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

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

- Access Controlled / Restricted etc:

- Lighting Concerns:

- Landscaping Concerns:

- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

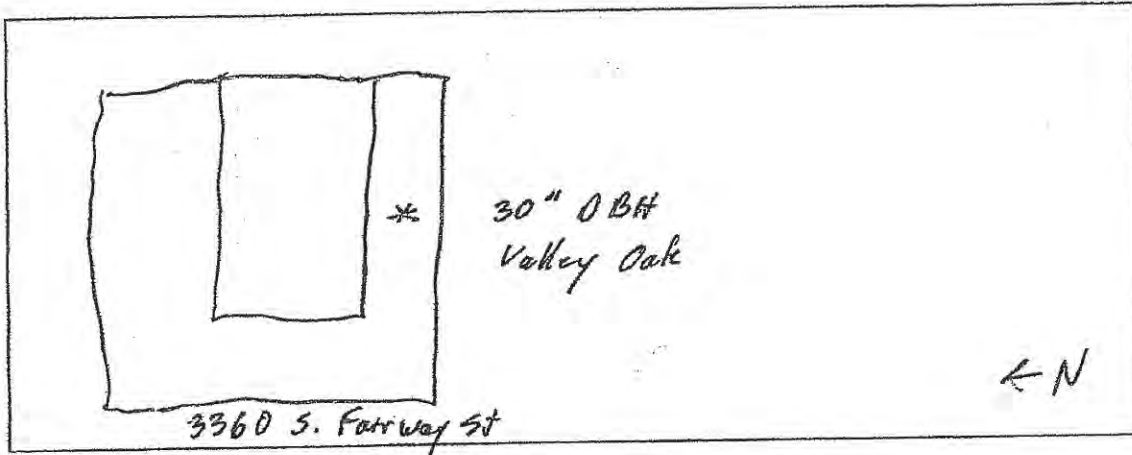
Other Concerns: CONCERNS OF SERVING ALCOHOL IN POOL HALL W/ MINORS.
 POOL HALL W/ MINORS DURING THE HOURS OF OPERATION WONT WORK

Visalia Police Department

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

Date: 2-18-14
2-22-14
Site Plan Review # 14017

SITE PLAN REVIEW COMMENTS



COMMENTS: See Below None

- Please plot and protect all Valley Oak Trees.
- Landscape along parkway to be planted by developer and maintained by a maintenance district.
- All drainage from curb and gutter along streets to be connected to storm drain system.
- All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.
- Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: Can not use concrete next to tree
only pavers if needed on bed of sand.

Joel Hooyer
Joel Hooyer
Parks and Urban Forestry Supervisor
559 713-4295 Fax 559 713-4818

Email: jhooyer@ci.visalia.ca.us

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4338

COMMERCIAL BIN SERVICE

SITE PLAN NO: SPR14017
PROJECT TITLE: SPORTS BAR/BBQ & BILLIARD HALL
DESCRIPTION: TENANT IMPROVEMENT OF SPORTS BAR/BBQ AND BILLIARD HALL IN EXISTING 9,850 SF BUILDING ON 54,648 SF AREA (CR ZONED) (DISTRICT A)
APPLICANT: SAEPHAN SENG
PROP OWNER: VISALIA LODGE #546 LOYAL ORDER OF MOOSE
LOCATION: 3360 S FAIRWAY ST
APN(S): 122-300-043

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

The width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.

Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

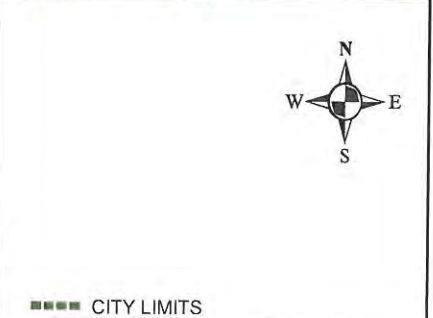
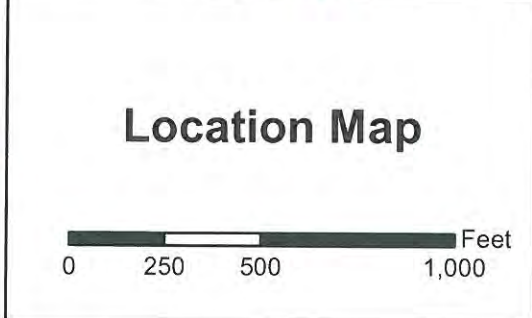
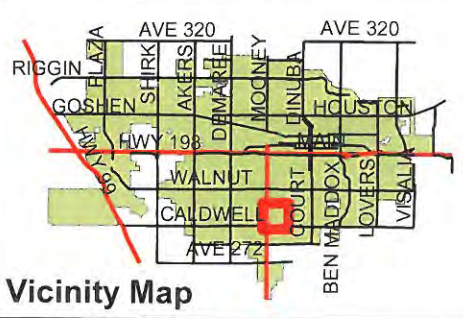
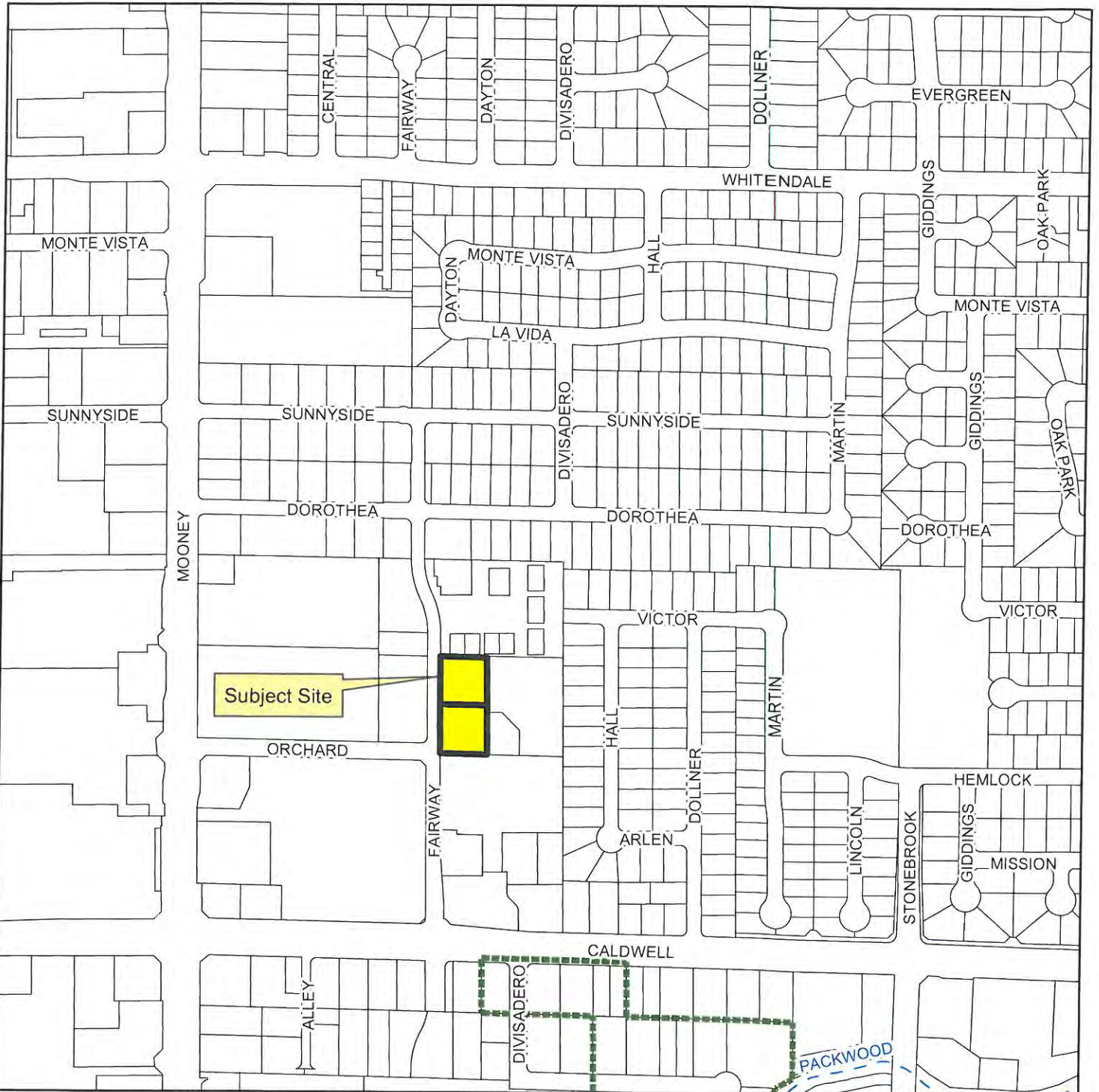
Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post see page 2 for instructions

This location has existing bin service.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

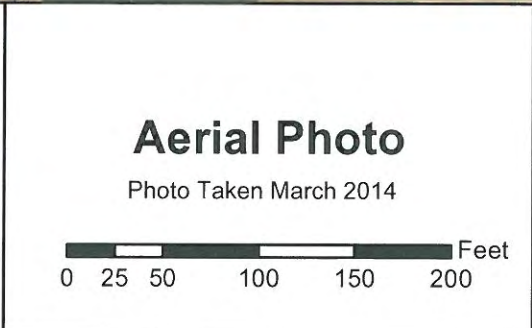
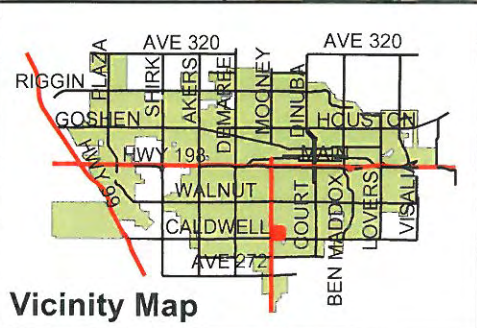
Conditional Use Permit No. 2014-24

The site is located at 3360 S. Fairway Street (APN: 122-300-042, 043).



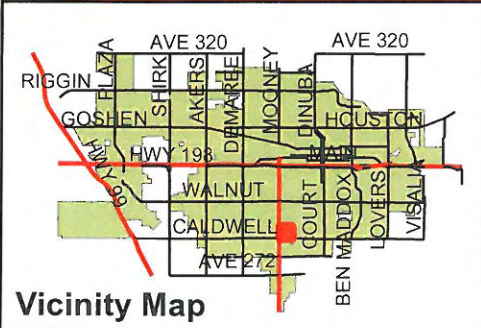
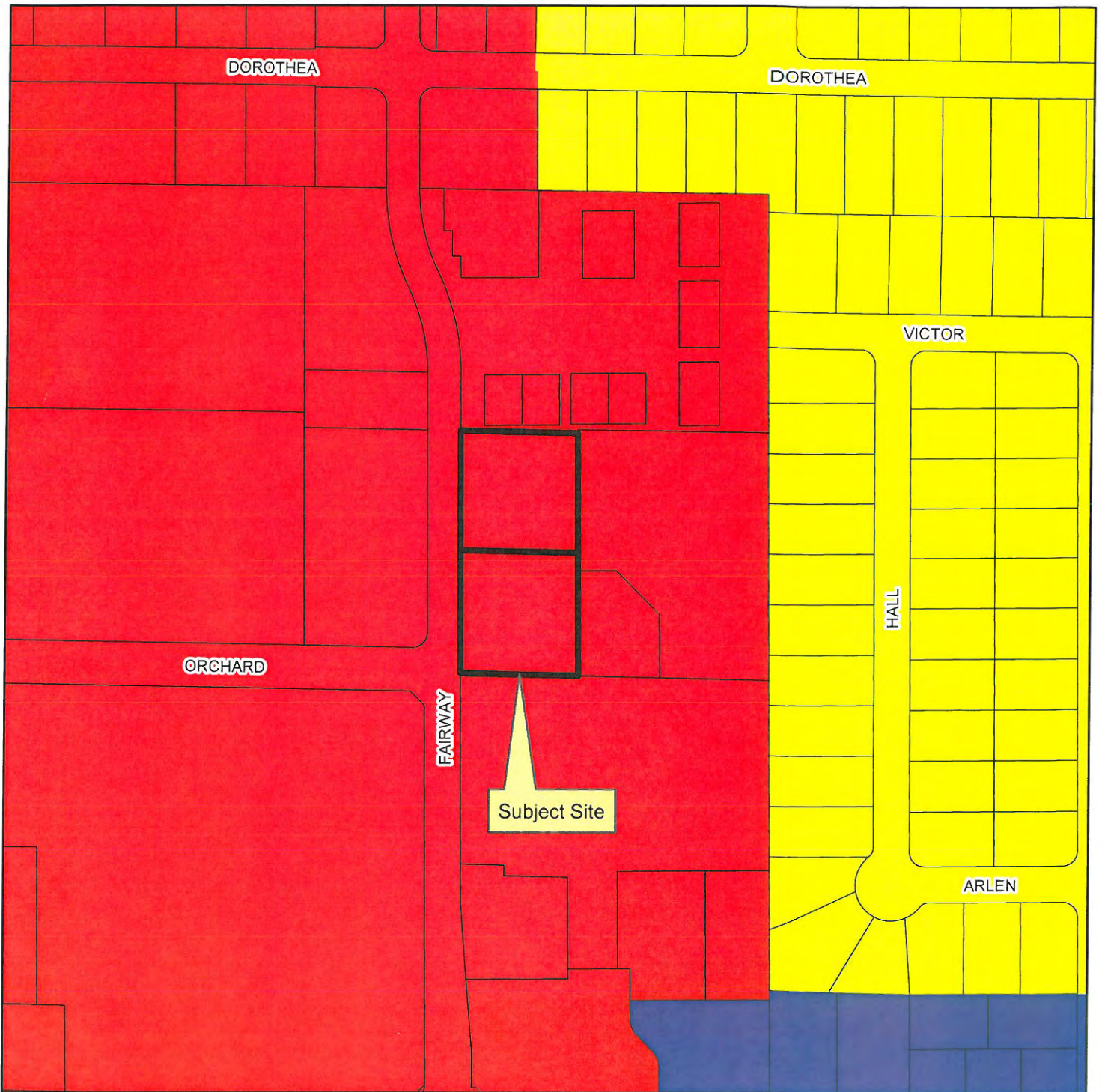
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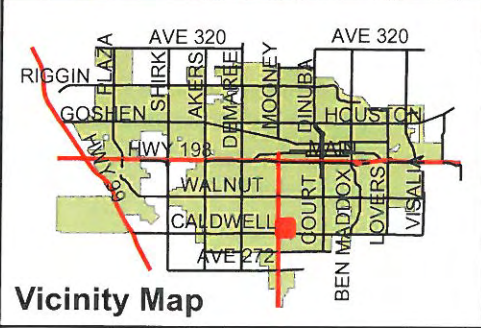
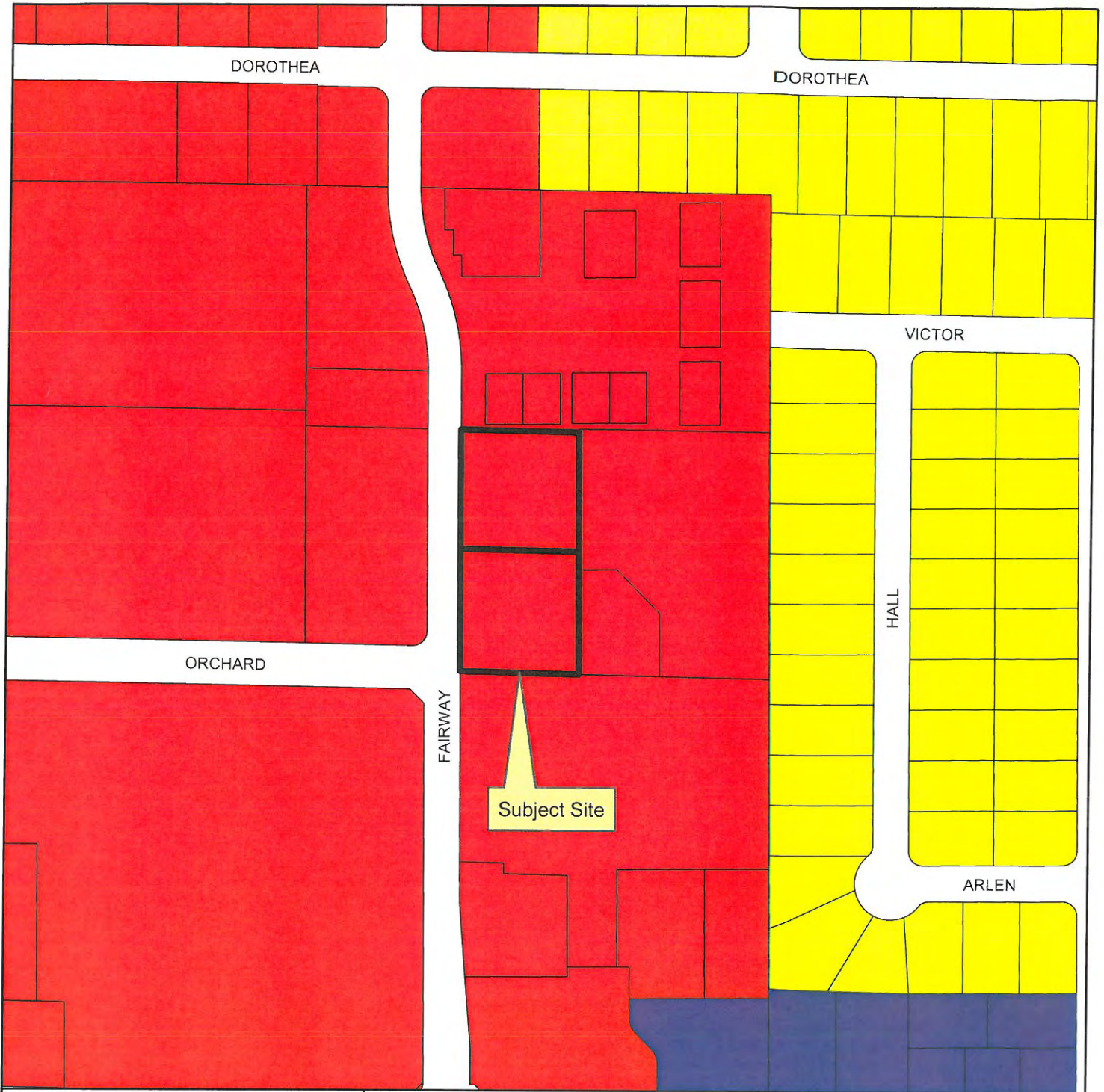
1991 General Plan Land Use Map



- REGIONAL RETAIL COMMERCIAL
- PROFESSIONAL / ADMIN OFFICE
- RESIDENTIAL LOW DENSITY

Conditional Use Permit No. 2014-24

The site is located at 3360 S. Fairway Street (APN: 122-300-042, 043).



Zoning Map



- REGIONAL RETAIL COMMERCIAL
- PROFESSIONAL / ADMIN. OFFICE
- SINGLE-FAMILY RESIDENTIAL, R-1-6