



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: July 13, 2015

PROJECT PLANNER: Paul Bernal, Principal Planner
Phone No.: (559) 713-4025

SUBJECT: Conditional Use Permit No. 2015-18: A request by Cameron Creek Marketplace, LLC to amend Conditional Use Permit No. 2005-22, which adopted a master plan for a neighborhood shopping center on 15.5-acres in the Planned Neighborhood Commercial (P-N-C) zone, and to allow the development of a 3,037 square foot Jack in the Box fast-food restaurant with a drive-thru lane. The Jack in the Box restaurant is proposed to be constructed at the southwest corner of West Caldwell Avenue and South Court Street (APN: 126-870-003).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2015-18, based upon the findings and conditions in Resolution No. 2015-28. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2015-18 based on the findings and conditions in Resolution No. 2015-28.

PROJECT DESCRIPTION

Conditional Use Permit 2015-18 is a request to amend previously approved Conditional Use Permit No. 2005-22, to construct a new 3,037 square foot Jack in the Box restaurant with a drive-thru lane. The Jack in the Box, (see Exhibit "A") will be developed on the southwest corner of South Court Street and West Caldwell Avenue. The site will be accessible from both Caldwell Avenue and Court Street. As part of the initial phase of development, the Jack in the Box restaurant, along with the Cameron Creek Shopping Center will construct the two primary drive aisles, which will provide vehicular access from Caldwell Avenue or Court Street (see Exhibit "A"). The Jack in the Box restaurant is the first building to be constructed as part of the overall Cameron Creek Shopping Center, which was approved as a multi-entitlement project in 2005.

The fast food restaurant (see Exhibit "B") is proposing to modify the building orientation from an east-west direction (per the 2005 approval, see Exhibit "C"), to a north-south orientation. The new orientation of the building places the drive-thru lane along the east side of the building. The drive-thru lane, as designed, can accommodate up to eight cars; however, vehicles in the drive-thru lane will be completely contained on-site. The floor plan (see Exhibit "D") depicts the interior layout of the fast food restaurant including the dining room and food service areas. The elevations provided (see Exhibit "E") identify the color scheme and building materials proposed for this Jack in the Box restaurant.

The Jack in the Box restaurant will include the development of 58 parking spaces. Additional improvements associated with this development include the installation of landscaping on their Parcel (i.e., Parcel 8 of the Parcel Map No. 2005-14), and installing sidewalks along Court Street from Caldwell Avenue to Kimball Avenue, and along the Caldwell Avenue frontage from Court Street to West Street (see Exhibit "A"). The installation of sidewalk is included as Condition Nos. 3 and 4 of the Conditions of Project Approval.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Neighborhood Commercial
Zoning:	C-N (Neighborhood Commercial)
Surrounding Land Uses and Zoning:	North: Caldwell Avenue, R-M-2 (Multi-Family Residential) & P-A (Professional / Admin. Office) – Caldwell Avenue, Kingstowne Apartments, Office Complex South: Kimball Avenue & R-1-6 (Single-Family Residential) – Kimball Court Residential Subdivision East: Caldwell Avenue & P-A (Professional / Admin. Office) – Caldwell Avenue & Salser and Dillard Funeral Chapel West: R-1-6 (Single-Family Residential) – Cameron Creek Residential Subdivision
Environmental Review:	Adopted Negative Declaration No. 2005-56
Special Districts:	Design District "K"
Site Plan:	2015-045

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies. The proposed project is consistent with applicable plans and policies.

RELATED PROJECTS

Conditional Use Permit (CUP) No. 2005-022, Variance No. 2005-08 and Parcel Map No. 2005-14, were submitted for the development of the 15.55-acre Cameron Creek Shopping Center. The development consisted of a total building area of 106,132 square feet. The shopping center will consist of two large anchor pads and various retail buildings along the southern portion of the site. The remaining balance of the site includes the development of out-pads buildings with drive-thru lanes along the Caldwell Avenue street frontage. The variance established a sign program for the entire shopping center while the parcel map depicted the subdivision of the entire shopping center into eight parcels. The Planning Commission approved the CUP, Variance and Parcel Map on July 25, 2005.

Conditional Use Permit No. 2008-06 and Variance No. 2008-02 was a request by the applicant to develop the Caldwell and Court Commercial Center (i.e., Cameron Creek Shopping Center) with a total building area consisting of 118,558 square feet. The commercial center consisted of commercial and office space, a pharmacy with a drive-thru and a neighborhood grocery. The Variance allows a sign program for a retail center that varies from the standard signage provisions of Design District A, specifically with regard to quantities of freestanding

signs. The Planning Commission approved the CUP and Variance on March 10, 2008. A parcel map was not submitted as part of this project and the applicants never submitted building plans to initiate their land use entitlement. CUP No. 2008-06 and Variance No. 2008-02 expired two years after the Planning Commission approval this project.

PROJECT EVALUATION

Staff supports the requested amended conditional use permit, as conditioned, based on project consistency with the Visalia General Plan and the Zoning Ordinance.

Entitlement History

The 15.55-acre neighborhood commercial zoned property was initially entitled with approval of CUP No. 2005-22, Variance No. 2005-08 and Parcel Map No. 2005-14 for the Cameron Creek Shopping Center. The Planning Commission approved these entitlements on July 25, 2005. The approval of these entitlements is subject the expiration timelines for the Parcel Map. The approval provides two years for the applicant to submit building plans and a final parcel map to initiate the development of this shopping center. The expiration date for these entitlements was set to expire on July 25, 2007, but time extensions subject to provisions of both the Subdivision Map Act (SMA) Section §66452.6 and the Zoning Ordinance Section 17.38.030, allow an applicant to request time extensions for a maximum of three years. The applicant filed and was granted a one-year extension extending the expiration date for these entitlements to July 25, 2008.

Subsequently, the California State Legislature passed Senate Bill 1185, on July 15, 2008, which provided a statewide one-year time extension to all active tentative subdivision and parcel maps in the wake of the economic downturn. Ensuing legislative bills (Assembly Bills 333, 208, and 116) were approved in 2009, 2011, and 2013 that each provided for two-year extensions pushing map expiration dates into 2015 or later.

The automatic time extensions approved by the State Legislature have kept the 2005 land use entitlements for this shopping center active. The applicant has submitted a Final Parcel Map, with the intent to record the map creating parcels subject to the 2005 approved tentative map and the underlying 2005 master site plan (see Exhibits "C" and "F"). The City's Engineering Division is currently reviewing the final map. Upon deeming the Final Map technically correct, and subject to City Council acceptance and approval of any street dedications, public utility easements, etc., the Final Map would be recorded. The recordation of the Final Map would "lock in" the 2005 master site plan associated with the Cameron Creek Shopping Center.

It should be noted; new entitlements (i.e., CUP No. 2008-06 and Variance No. 2008-02) were filed for the 15.55-acre site that were significantly different from the 2005 approval. The 2008 entitlements were not associated with a parcel map and therefore were subject to the time extensions as prescribed in the Zoning Ordinance for the CUP. The CUP time extension request allows for a one-time extension, which would extend the approval of the 2008 project by one year from the date of approval. The applicant did not pursue building plans nor did they request a time extension request for the 2008 entitlements. Consequently, the CUP and Variance expired two years (March 10, 2010), after the Planning Commission approval for the 2008 entitlements. Moreover, Conditions of Project Approval for the 2008 entitlements did contain language that rescinded the 2005 entitlement approval for this shopping center site.

Land Use Compatibility

The overall approval of the Cameron Creek Shopping Center is consistent with the Land Use Policies of the Visalia General Plan. The 2005 approval noted Land Use Element Policy 3.2.5 which requires neighborhood shopping centers have a major grocery store as an anchor and supporting business which service the surrounding residential areas. In addition, the 2005 master site plan depicted the development of several commercial pads with associated drive-thru lanes located along the Caldwell Avenue frontage.

Staff believes that the amended CUP for the Jack in the Box fast food restaurant is consistent in nature and character with the original 2005 approval. Caldwell Avenue is a major arterial roadway and the future development of this 15.55-acre site will provide eating and neighborhood shopping opportunities to the surrounding residential neighborhoods that are not currently being served with these types of services. With the development of the major street intersection (i.e., Caldwell / Court), and the installation of street improvements, the catalyst for the remaining balance of the site to be developed could be initiated by this new construction.

The applicant has informed staff that that Jack in the Box operates 24 hours a day. The primary hours for the dine-in restaurant are Monday through Sunday from 6:00 a.m. to 12:00 a.m. However, the drive-thru lane operates 24 hours a day. There are residential subdivisions located to the south and a multi-family development located to the north across Caldwell Avenue. The Jack in the Box site plan (see Exhibit "B") places the menu board and speaker box south of the building with an orientation towards Kimball Avenue. The distance from the speaker box to the closest residential structure is ±450 feet. Given the distance of the speaker box to sensitive noise receptors, and the potential development of future buildings south of the Jack in the Box, it is anticipated noise levels will be less than significant. However, noise levels emitted from the speaker box of the drive-thru are still required to meet the community noise standards as set forth in Chapter 8.36 (Noise Ordinance) of the Municipal Code. The requirement to meet comply with the City's Noise Ordinance is included as Condition No. 6 of the Conditions of Project of Approval.

Primary Access Drive Aisles and Frontage Improvements

During the Site Plan Review meeting, staff commented on the requirement that the primary drive aisles along Caldwell Avenue and Court Street would need to be installed with the development of the Jack in the Box site. The construction of these two drive aisles provides the necessary vehicular access to the site in a manner that is consistent with the 2005 master site plan approval. The applicant has provided Exhibit "A" depicting the construction of these two drive aisles as stated by staff. Condition No. 5 requires the construction of these drive aisle as part of the Jack in the Box development. The construction of these primary drive aisles to provides alternative routes for vehicles to enter and exit the site in a safe and appropriate manner.

Staff also noted the requirement to construct sidewalks with the initial phase of development. Although the Jack in the Box is only proposing to develop one acre of an overall 15.55-acre site, staff concludes the installation of sidewalks is necessary to complete pedestrian connectivity along these two major street corridors (Caldwell and Court). Exhibit "A" notes only the requirement to install sidewalk along a smaller segment of the Caldwell Avenue frontage. Staff has included Condition No. 3 requiring the installation of sidewalk along the entire Caldwell Avenue frontage from Court Street to West Street with the development of the Jack in the Box restaurant. The installation of sidewalk along the Court Street frontage is noted on Exhibit "A" and is included as Condition No. 4. Sidewalk improvements along West Street are not required at this time. However, when development is proposed at the southeast corner of Caldwell Avenue and West Street, the requirement to complete sidewalk along the West Street frontage will be included as a condition of that project.

Parking

The Zoning Ordinance Section 17.34.020.F.14 establishes a parking requirement of one space per 225 square feet of floor area for large shopping centers with a major anchor tenant. Based on this parking requirement, the Jack in the Box restaurant exceeds the parking ratio required for this commercial pad, however, the parking areas developed is consistent with the overall development plan of the approved master site plan for the Cameron Creek Shopping Center.

Landscaping

Street tree landscaping within the park strips along Caldwell Avenue and Court Street within the boundaries of Jack in the Box development (i.e., Parcel 8) is required with this project (see Exhibit "B"). The street tree requirement within the park strip for the Jack in the Box frontages is included as Condition No. 7. In addition, Jack in the Box will develop their onsite-landscaping planters subject to complying the City's Water Efficient Landscape Ordinance. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State and City's water conservation requirements.

Building Elevations

Exhibits "E" provide typical building elevations proposed for the Jack in the Box restaurant. The elevations depict stucco siding, window awnings and decorative metal banding. Staff has included Condition No. 8 of the Conditions of Approval for CUP No. 2015-18, requiring that the building elevations be developed consistent with those provided in Exhibit "E".

Environmental Review

An Initial Study, resulting in the adoption of Negative Declaration No. 2005-56 was prepared and approved for the 15.55-acre Cameron Creek Shopping Center project. A copy of the approved Negative Declaration is attached to this report. The project description prepared for the entire shopping center included the development of multiple restaurant out-pads with drive-thru lanes, including the out-pad proposed for the Jack in the Box restaurant. The Negative Declaration disclosed that the project would not have a significant effect on the environment.

The revised fast food restaurant site plan has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the previously approved Negative Declaration No. 2005-56. The Negative Declaration prepared for the entire 15.55-acre master planned Cameron Creek Shopping Center was approved by Resolution Nos. 2005-74, 2005-75 and 2005-76. No further environmental review is required. The project, as proposed, is consistent with the California Environmental Quality Act (CEQA).

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The project site has adequate ingress and egress and parking for the proposed fast food restaurant.

- 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. The project site has adequate ingress and egress and parking for the proposed fast food restaurant.
3. That an Initial Study was prepared for the entire 15.55-acre site consistent with California Environmental Quality Act (CEQA). The Initial Study, resulting in a Negative Declaration No. 2005-56, disclosed that the project would not have a significant effect on the environment. The revised fast food restaurant site plan has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the previously approved Negative Declaration No. 2005-56. The Negative Declaration prepared for the entire 15.55-acre site was approved by 2005-74, 2005-75 and 2005-76. No further environmental review is required.

RECOMMENDED CONDITIONS OF APPROVAL

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2015-045 incorporated herein by reference.
2. That the project be developed in substantial compliance with the site plan exhibits identified as Exhibit "A" and Exhibit "B" of the CUP No. 2015-18 staff report.
3. That the construction of sidewalk along the entire Cameron Creek Shopping Center Caldwell Avenue street frontage (from Court Street to West Street) be installed with the development of the Jack in the Box fast food restaurant. A building permit final will not be issued for the Jack in the Box restaurant until the sidewalk has been constructed and approved by the City's Engineering Division.
4. That the construction of sidewalk along the entire Cameron Creek Shopping Center Court Street frontage (from Caldwell Avenue to Kimball Avenue) be installed with the development of the Jack in the Box fast food restaurant. A building permit final will not be issued for the Jack in the Box restaurant until the sidewalk has been constructed and approved by the City's Engineering Division.
5. That the primary drive aisles as depicted on Exhibit "A" be constructed with the Jack in the Box fast food restaurant.
6. That the noise emitted from the drive-thru teller speaker box shall meet all community noise standards as identified in the City's Noise Ordinance Chapter 8.36.
7. That the park strip landscaping, within the boundaries of the Jack in the Box fast food restaurant, be installed with this development.
8. That the Jack in the Box restaurant be developed in substantial compliance with the elevations shown in Exhibits "E".
9. That the Final Parcel Map be recorded prior to the issuance of any building permit for the Jack in the Box fast food restaurant.
10. That landscape and irrigation plans be submitted with the building permit, designed by a professional landscape architect. In addition, landscape and irrigation plans shall comply with the State Model Water Efficient Landscape Ordinance by submittal of Landscape Documentation Packages and Certificates of Compliance certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by ordinance.

11. That all of the conditions and responsibilities of Conditional Use Permit No. 2015-18 and Conditional Use Permit No. 2005-22, Variance No. 2005-08 and Tentative Parcel Map No. 2005-14 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
12. That all signs shall require a separate building permit, and are subject to the sign requirements as approved with Variance No. 2005-08.
13. That all other federal, state and city codes, ordinances and laws be met.
14. 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. 2015-18.

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 & Policies
- Resolution 2015-28
- Exhibit "A" – Overall Master Cameron Creek Shopping Center Site Plan
- Exhibits "B" – Jack In The Box Site Plan
- Exhibit "C" – 2005 Approved Cameron Creek Shopping Center Site Plan
- Exhibit "D" – Floor Plan
- Exhibit "E" – Elevations
- Exhibit "F" – Tentative Parcel Map No. 2005-14
- Site Plan Review Comments
- Negative Declaration No. 2005-56
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

Related Plans & Policies Conditional Use Permits

17.38.010 Purposes and powers

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

RESOLUTION NO. 2015-28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2015-18, A REQUEST BY CAMERON CREEK MARKETPLACE, LLC TO AMEND CONDITIONAL USE PERMIT NO. 2005-22, WHICH ADOPTED A MASTER PLAN FOR A NEIGHBORHOOD SHOPPING CENTER ON 15.5-ACRES IN THE PLANNED NEIGHBORHOOD COMMERCIAL (P-N-C) ZONE, AND TO ALLOW THE DEVELOPMENT OF A 3,037 SQUARE FOOT JACK IN THE BOX FAST-FOOD RESTAURANT WITH A DRIVE-THRU LANE. THE JACK IN THE BOX RESTAURANT IS PROPOSED TO BE CONSTRUCTED AT THE SOUTHWEST CORNER OF WEST CALDWELL AVENUE AND SOUTH COURT STREET (APN: 126-870-003).

WHEREAS, Conditional Use Permit No. 2015-18, is a request by Cameron Creek Marketplace, LLC to amend Conditional Use Permit No. 2005-22, which adopted a master plan for a neighborhood shopping center on 15.5-acres in the Planned Neighborhood Commercial (P-N-C) zone, and to allow the development of a 3,037 square foot Jack in the Box fast-food restaurant with a drive-thru lane. The Jack in the Box restaurant is proposed to be constructed at the southwest corner of West Caldwell Avenue and South Court Street (APN: 126-870-003); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on July 13, 2015; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2015-18, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared, and adopted which disclosed that no significant environmental impacts would result from this project.

NOW, THEREFORE, BE IT RESOLVED, that Negative Declaration No. 2005-56 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The project site has adequate ingress and egress and parking for the proposed fast food restaurant.

- 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. The project site has adequate ingress and egress and parking for the proposed fast food restaurant.
3. That an Initial Study was prepared for the entire 15.55-acre site consistent with California Environmental Quality Act (CEQA). The Initial Study, resulting in a Negative Declaration No. 2005-56, disclosed that the project would not have a significant effect on the environment. The revised fast food restaurant site plan has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the previously approved Negative Declaration No. 2005-56. The Negative Declaration prepared for the entire 15.55-acre site was approved by 2005-74, 2005-75 and 2005-76. No further environmental review is required.

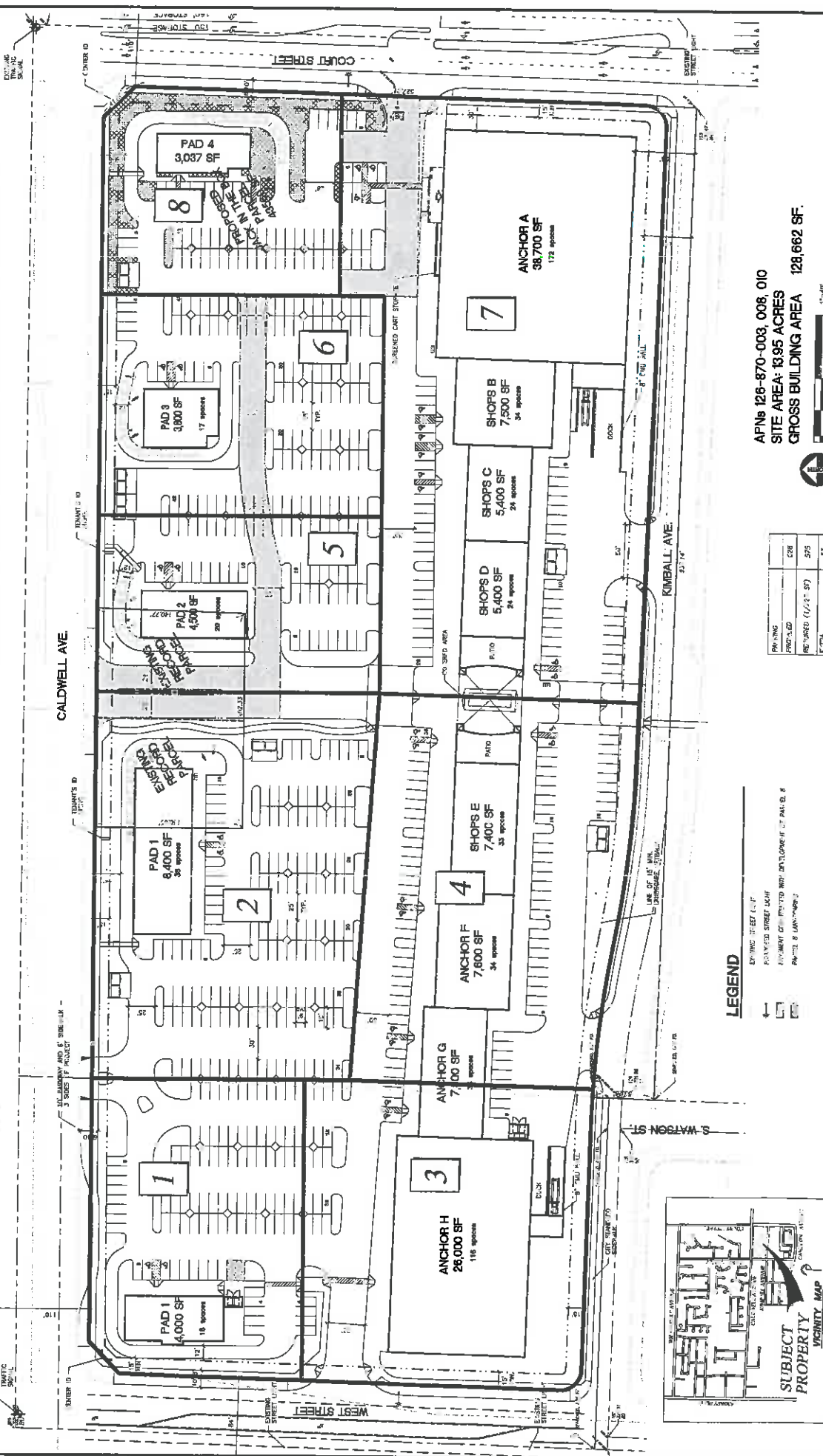
BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2015-045 incorporated herein by reference.
2. That the project be developed in substantial compliance with the site plan exhibits identified as Exhibit "A" and Exhibit "B" of the CUP No. 2015-18 staff report.
3. That the construction of sidewalk along the entire Cameron Creek Shopping Center Caldwell Avenue street frontage (from Court Street to West Street) be installed with the development of the Jack in the Box fast food restaurant. A building permit final will not be issued for the Jack in the Box restaurant until the sidewalk has been constructed and approved by the City's Engineering Division.
4. That the construction of sidewalk along the entire Cameron Creek Shopping Center Court Street frontage (from Caldwell Avenue to Kimball Avenue) be installed with the development of the Jack in the Box fast food restaurant. A building permit final will not be issued for the Jack in the Box restaurant until the sidewalk has been constructed and approved by the City's Engineering Division.
5. That the primary drive aisles as depicted on Exhibit "A" be constructed with the Jack in the Box fast food restaurant.
6. That the noise emitted from the drive-thru teller speaker box shall meet all community noise standards as identified in the City's Noise Ordinance Chapter 8.36.
7. That the park strip landscaping, within the boundaries of the Jack in the Box fast food restaurant, be installed with this development.
8. That the Jack in the Box restaurant be developed in substantial compliance with the elevations shown in Exhibits "E".
9. That the Final Parcel Map be recorded prior to the issuance of any building permit for the Jack in the Box fast food restaurant.

10. That landscape and irrigation plans be submitted with the building permit, designed by a professional landscape architect. In addition, landscape and irrigation plans shall comply with the State Model Water Efficient Landscape Ordinance by submittal of Landscape Documentation Packages and Certificates of Compliance certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by ordinance.
11. That all of the conditions and responsibilities of Conditional Use Permit No. 2015-18 and Conditional Use Permit No. 2005-22, Variance No. 2005-08 and Tentative Parcel Map No. 2005-14 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
12. That all signs shall require a separate building permit, and are subject to the sign requirements as approved with Variance No. 2005-08.
13. That all other federal, state and city codes, ordinances and laws be met.
14. 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. 2015-18.

NOTES

- 1 CURB, GUTTER, LANDSCAPE PARAPET, SIDEWALK, AND PARKING LANDSCAPING TO BE BUILT ALONG FRONTAGE OF PARCELS 1, 2, 3, 4, 5, 6, 7, AND 8 IN CONJUNCTION WITH DEVELOPMENT OF PARCEL 1.
- 2 CURB, GUTTER, SIDEWALK, AND PARKING TO BE BUILT ALONG FRONTAGE OF PARCEL 1 IN CONJUNCTION WITH DEVELOPMENT OF PARCEL 2.

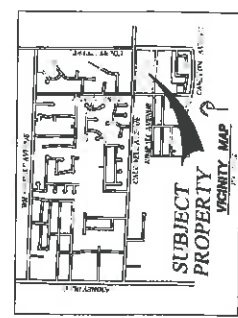


APNs 126-870-003, 006, 010
 SITE AREA: 13.95 ACRES
 GROSS BUILDING AREA 128,662 SF.

PARKING	276
ANCHOR A	575
RETAILED (1/2" x 5')	53
ETC.	


LEGEND

- 1 EXISTING STREET LIGHT
- 2 PROPOSED STREET LIGHT
- 3 EXISTING CURB AND GUTTER WITH DEVELOPMENT OF PARCEL 1
- 4 PROPOSED CURB AND GUTTER WITH DEVELOPMENT OF PARCEL 2




**CAMERON CREEK COMMERCIAL MARKETPLACE - VISALIA, CA
 CONCEPTUAL SITE PLAN**

SPECIAL NOTE: THIS EXHIBIT INDICATES PRELIMINARY LEASING CONCEPTS ONLY AND IS NOT A CONTRACT. THE INFORMATION HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT REPRESENT THE INTENT, SIZE OR OPENING DATE OF ANY TENANT OR SPACE IN THE PROJECT.



in the box
8450 BARKER AVENUE
DUBLIN, CA 94568
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REVISED: APRIL 11, 2018
P.L. UPDATE: OCT. 7, 2013
SUBMITAL DATE: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



ROBERT A. MARTINEZ
ARCHITECT / ASSOCIATES
10000 BARKER AVENUE
DUBLIN, CA 94568
TEL: 916.484.1111
FAX: 916.484.1112
WWW.RAMARTINEZ.COM

SITE INFORMATION
JOB # 15-23
JOB TYPE MULTIFAMILY
ADDRESS CORWELL / E. 1950A, CA
PROJECT # 15-23
DATE 1/14/18

ENLARGED SITE PLAN
SCALE: 1/16" = 1'-0"



NORTH

SD1.1

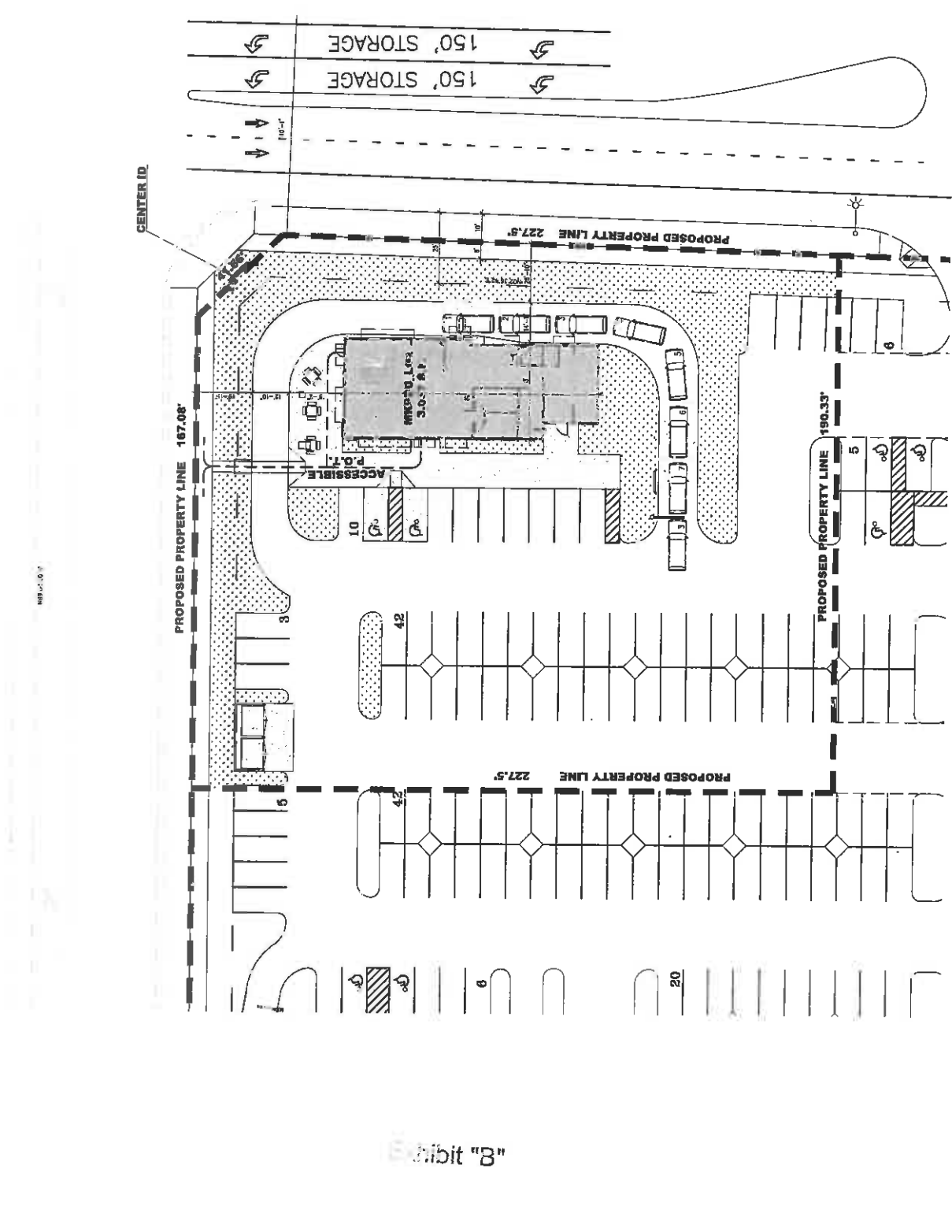


Exhibit "8"



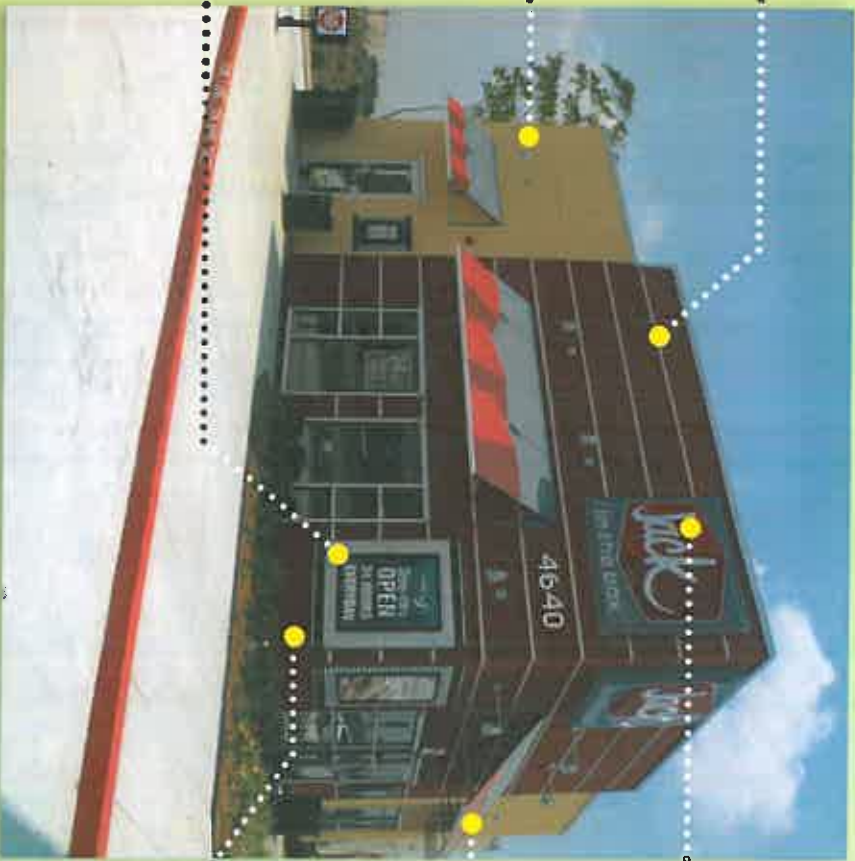
HORIZONTAL BANDING



LIGHTING



GRAPHICS



BUILDING EXTERIOR



SIGNAGE

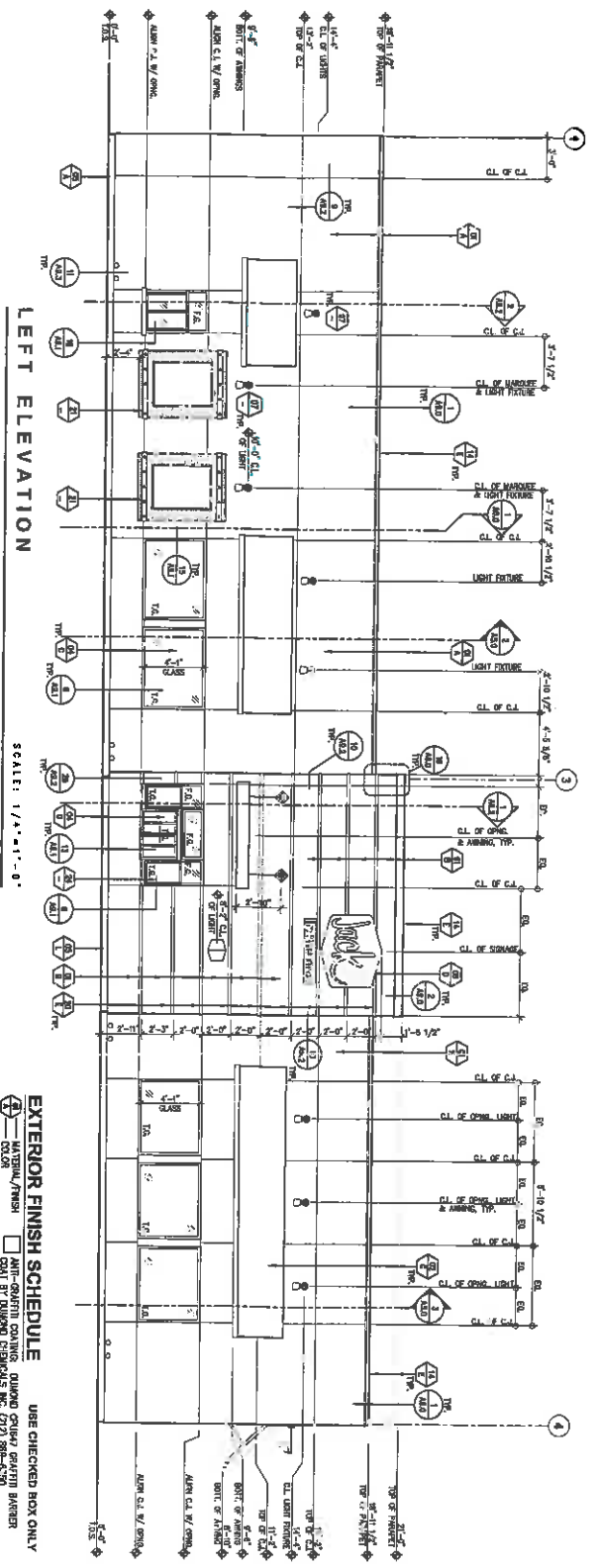


AWNINGS



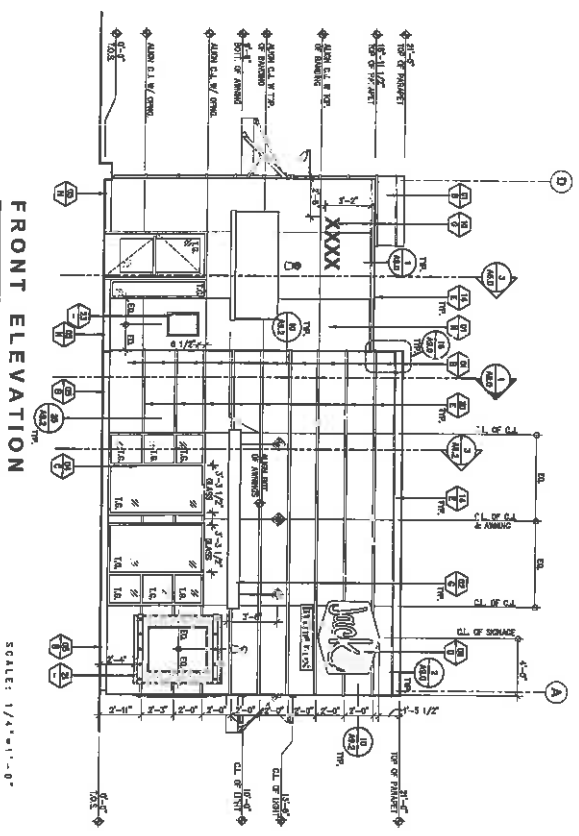
COLOR SCHEME

2.3 | BUILDING EXTERIOR | COMPONENTS



LEFT ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

EXTERIOR FINISH SCHEDULE USE CHECKED BOX ONLY

- MATERIAL/FINISH
- COLOR
- FINISH
- COLOR
- COLOR

WATERPROOFING:

- EXTERIOR GRADE PLASTER - SAND FLOAT FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER - SAND FLOAT FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER - SAND FLOAT FINISH (SEE SPECIFICATIONS)

FINISHES:

- HYDROSTATIC ELASTOMERIC: 60/25, FINE TEXTURE
- EXTERIOR INSULATION FINISHING SYSTEM (EIFS)
- AS ALTERNATE, CONSTRUCTION TO SUBSTITUTIVE ERS
- FINISH TO BE DETERMINED BY ARCHITECT

GLASS:

- ANTIMICROBIAL / SUPPORT BY GASKET (CONSTRUCTION)
- ANTIMICROBIAL / SUPPORT BY GASKET (CONSTRUCTION)
- ANTIMICROBIAL / SUPPORT BY GASKET (CONSTRUCTION)

GLASS:

- 1" CLEAR INSULATED GLASS
- 1/2" CLEAR GLASS
- ANTI-GRITTY FILM

GLASS:

- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)

GLASS:

- 1" CLEAR INSULATED GLASS
- 1/2" CLEAR GLASS
- ANTI-GRITTY FILM

GLASS:

- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)

GLASS:

- 1" CLEAR INSULATED GLASS
- 1/2" CLEAR GLASS
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GLASS:

- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)

GLASS:

- 1" CLEAR INSULATED GLASS
- 1/2" CLEAR GLASS
- ANTI-GRITTY FILM

GLASS:

- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)
- EXTERIOR GRADE PLASTER FINISH (SEE SPECIFICATIONS)

in the box

3300 BALBOA AVENUE
SAN DIEGO, CA 92123
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DATE: NOV. 17, 2010
P.L. NUMBER: NOV. 18, 2010
SHEET NO.: 1

REVISIONS:

NO.	DESCRIPTION
1	
2	
3	

EXTERIOR ELEVATIONS

A4.0

PROJECT #13-23
DATE: 03/03/09
SCALE: AS NOTED

1. PLAN 01
2. PLAN 02
3. PLAN 03
4. PLAN 04
5. PLAN 05
6. PLAN 06
7. PLAN 07
8. PLAN 08
9. PLAN 09
10. PLAN 10
11. PLAN 11
12. PLAN 12
13. PLAN 13
14. PLAN 14
15. PLAN 15
16. PLAN 16
17. PLAN 17
18. PLAN 18
19. PLAN 19
20. PLAN 20
21. PLAN 21
22. PLAN 22
23. PLAN 23
24. PLAN 24

GENERAL NOTES:
1. ALL WORK IS UNDER SEPARATE SUBMITTAL AND PERMIT (N.C.C.).
2. C.A. = PLASTER CONTROL JAMB PER 8209.2
3. ALL EXTERIOR ACCESSORIES, FLASHINGS ETC. SHALL BE PAINTED TO MATCH ADJACENT FINISHES.
4. ALL EXTERIOR WALL FINISHES FOR PERIMETERS, ROOF EAVES, ETC. SHALL BE FINISHED 5% FLOOR FINISH. GENERAL NOTES AND SPECIFICATIONS ARE ON SEPARATE SHEETS.



MEETING DATE 4/1/2015
SITE PLAN NO. 15-045
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:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

HISTORIC PRESERVATION

OTHER _____

ADDITIONAL COMMENTS _____

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



Site Plan Review Committee

#1

MEETING DATE APRIL 1, 2015

SITE PLAN NO. 15-045

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
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Solid Waste Parks and Recreation Fire Dept.

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REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

HISTORIC PRESERVATION

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: 1 DATE: April 01, 2015
 SITE PLAN NO: SPR15045 **CONTINUED**
 PROJECT TITLE: CAMERON CREEK MARKETPLACE (no map)
 DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE
 THRU, RETAIL SHOPS, (P) GROCERY STORE, (P)
 OFFICES ON 13.95 ACRES (CN ZONED) (X)
 (DISTRICT A)
 APPLICANT: SCHUIL RICK
 PROP. OWNER: CAMERON CREEK MARKETPLACE LLC
 LOCATION: 105 W CALDWELL AVE
 APN(S): 126-870-003 126-870-008 126-870-010 126-870-011
 126-870-012

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

- Business Tax Certification is required. *For information call (559) 713-4326*
 - A building permit will be required. *For information call (559) 713-4444*
 - Submit 4 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
 - Submit 4 sets of plans prepared by an architect or engineer. Must comply with 2013 California Building Code 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, common area and public right of way must comply with requirements for access for persons with disabilities.
 - Multi family units shall be accessible or 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 clearance from San Joaquin Valley Air Pollution Board. Prior to any demolition work
For information call (661) 392-5500
 - Location of cashier must provide clear view of gas pump island
 - Plans must be approved by the Tulare County Health Department. *For information call (559) 624-7400*
 - Project is located in flood zone _____ * Hazardous materials report.
 - Arrange for an on-site inspection. (Fee for inspection \$151.90) *For information call (559) 713-4444*
 - School Development fees. Commercial \$0.54 per square foot. Residential \$3.48 per square foot.
 - Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
 - Acceptable as submitted
 - No comments
 - See previous comment, dated: _____
- Special comments: _____

G. FERRER Date: 3-31-15
 signature



Site Plan Review Comments For:

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

ITEM NO: 1

DATE: April 01, 2015

SITE PLAN NO: SPR15045 CONTINUED
PROJECT TITLE: CAMERON CREEK MARKETPLACE (no map)
DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE THRU, RETAIL SHOPS, (P) GROCERY STORE, (P) OFFICES ON 13.95 ACRES (CN ZONED) (X), (DISTRICT A)
APPLICANT: SCHUIL RICK
PROP OWNER: CAMERON CREEK MARKETPLACE LLC
LOCATION: 105 W CALDWELL AVE
APN(S): 126-870-003 126-870-008 126-870-010 126-870-011 126-870-012

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, bolt 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.

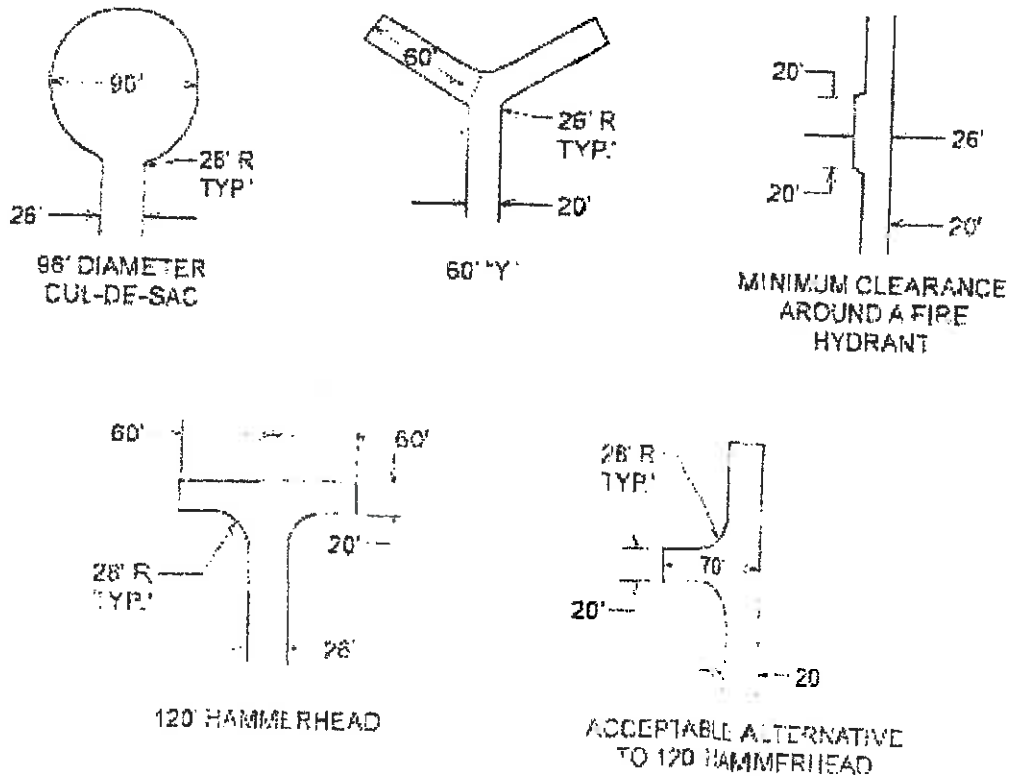


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUNDS

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:



Maribel Vasquez
Fire Inspector

ITEM NO: 1

DATE: April 01, 2015

SITE PLAN NO:

SPR15045

CONTINUED

PROJECT TITLE:

CAMERON CREEK MARKETPLACE (no msp)

DESCRIPTION:

MINIMART, FAST FOOD RESTAURANT WITH DRIVE THRU, RETAIL SHOPS, (P) GROCERY STORE, (P) OFFICES ON 13.95 ACRES (CN ZONED) (X)

APPLICANT:

SCHUIL RICK

PROP OWNER:

CAMERON CREEK MARKETPLACE LLC

LOCATION:

105 W CALDWELL AVE

APN(S):

126-870-000 126-870-008 126-870-010 126-870-011 126-870-012

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

Site Plan Review Comments

No Comment at this time.

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

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

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

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

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

Access Controlled / Restricted etc:

Lighting Concerns:

Landscaping Concerns:

Traffic Concerns:

Surveillance Issues:

Line of Sight Issues:

Other Concerns:

Visalia Police Department

QUALITY ASSURANCE DIVISION

SITE PLAN REVIEW COMMENTS

ITEM NO: 1 DATE: April 01, 2015
 SITE PLAN NO: SPR15045 **CONTINUED**
 PROJECT TITLE: CAMERON CREEK MARKETPLACE (no map)
 DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE
 THRU, RETAIL SHOPS, (P) GROCERY STORE, (P)
 OFFICES ON 13.95 ACRES (CN ZONED) (X)
 (DISTRICT A)
 APPLICANT: SCHUIL RICK
 PROP OWNER: CAMERON CREEK MARKETPLACE LLC
 LOCATION: 105 W CALDWELL AVE
 APN(S): 126-870-003 126-870-005 126-870-010 126-870-011
 126-870-012

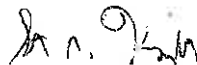
YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION for fast food restaurant and mini-mart
- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL for fast food restaurant
- 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

3-30-15

 DATE



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
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)

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

COMMERCIAL BIN SERVICE

1

SITE PLAN NO: SPR15045 CONTINUED
PROJECT TITLE: CAMERON CREEK MARKETPLACE (no map)
DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE
THRU, RETAIL SHOPS, (P) GROCERY STORE, (P)
OFFICES ON 13.85 ACRES (ON ZONED) (X,
(DISTRICT A)
APPLICANT: SCHUL RICK
PROP OWNER: CAMERON CREEK MARKETPLACE LLC
LOCATION: 105 W CALDWELL AVE
APN(S): 126-870-003 126-870-008 126-870-010 126-870-011
126-870-012

- 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.

X

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

ENCLOSURE LOCATIONS LOOKS GOOD, STILL GOT A QUESTION REGARDING COMPACTOR ROLL OFF SERVICE.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

[]

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

COMMERCIAL BIN SERVICE

PERMIT NO: _____
SITE PLAN NO: SPR15045
PROJECT TITLE: CAMERON CREEK MARKETPLACE
DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE THRU, RETAIL SHOPS, (P) GROCERY STORE, (P) OFFICES ON 12.95 ACRES (CH ZONED) (X) (DISTRICT A)
APPLICANT: SCHUL RICK
PROP OWNER: CAMERON CREEK MARKETPLACE LLC
LOCATION: 105 W CALDWELL AVE
APN(S): 126-870-003 126-870-008 126-870-010 126-870-011 126-870-012

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 before disposing of in recycle containers.

ALL refuse enclosures must be R-3 or R-4

Customer must provide combination or keys for access to locked gates/bins

Type of refuse service not indicated.

Location of bin enclosure not acceptable. See comments below.

Bin enclosure not to city standards double.

Inadequate number of bins to provide sufficient service. See comments below.

Drive approach too narrow for refuse trucks access. See comments below.

Area not adequate for allowing refuse truck turning radius of :
Commercial (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

X

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.

X

Bin enclosure gates must open 100 degrees and also hinges must be mounted in front of post see page 2 for instructions

ENCLOSURES LOCATION LOOKS GOOD. QUESTION FOR ANCHOR A AND H IS THAT COMPACTOR ROLL OFF SERVICE?

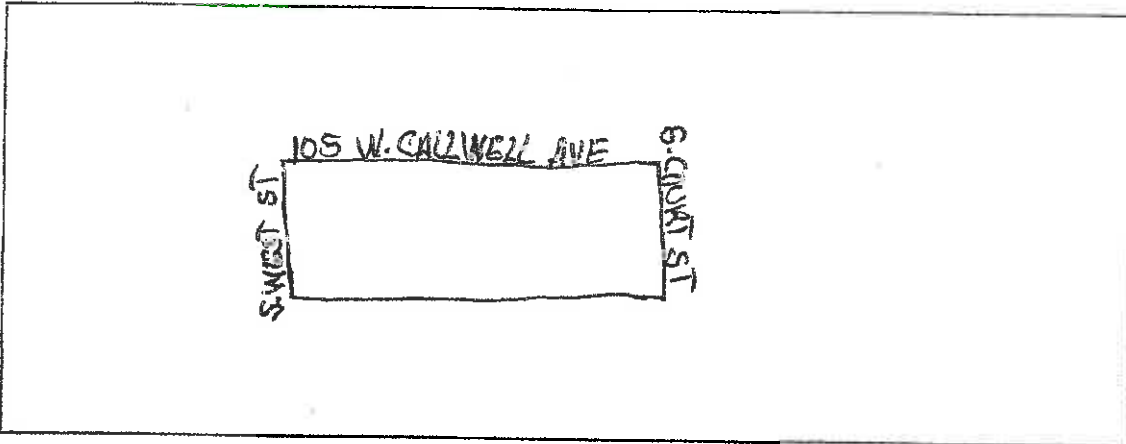
Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

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

Date: 3-23-15

Site Plan Review # 15-045

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: _____

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

Email: jhooyer@ci.visalia.ca.us

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

March 25, 2015


ITEM NO: 5
SITE PLAN NO: SPR15045
PROJECT TITLE: CAMERON CREEK MARKET PLACE
DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE THRU, RETAIL SHOPS, (P) GROCERY STORE, (P) OFFICES ON 13.25 ACRES (CM ZONED) (D) (DISTRICT A)
APPLICANT: SCHULZ RICK

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 Analysis required.

Additional Comments:

- Court St driveway – right in and right out only
- West St driveway – per City Standard C-32 there is insufficient space for locating a driveway due to the close proximity to the intersections
- Driveways off of Kimbal Ave need to align with existing street and driveway.
- Westerly driveway off of Caldwell Ave is not per City standards.



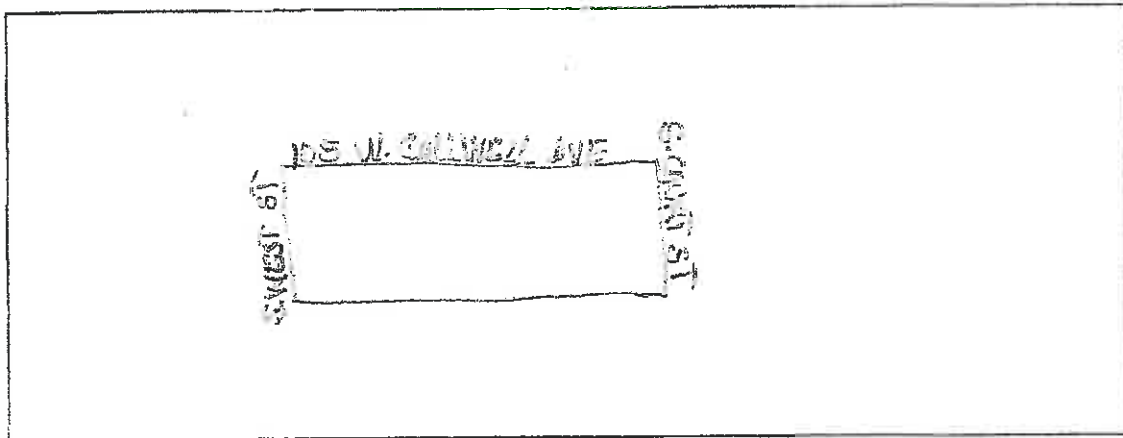
Leslie Blair

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

Date: 3-23-15

Site Plan Review # 15-045


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: _____


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

Email: jhooyer@ci.visalia.ca.us

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

Jason Huckieberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 1 DATE: APRIL 1, 2015

SITE PLAN NO.: 15-045
PROJECT TITLE: CAMERON CREEK MARKETPLACE
DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH
DRIVE THRU, RETAIL SHOPS, (P) GROCERY
STORE, (P) OFFICES ON 13.95 ACRES (CN
ZONED) (X) (DISTRICT A)
APPLICANT: SCHUIL RICK
PROP OWNER: CAMERON CREEK MARKETPLACE LLC
LOCATION: 105 W CALDWELL AVE
APN: 126-870-003, 008, 010, 011, 012

SITE PLAN REVIEW COMMENTS

REQUIREMENTS (indicated by checked boxes)

Install curb return with ramp, with _____ radius; *see comments*

Install curb; gutter *Court, Kimball, & West*

Drive approach size: **30' min.** Use radius return; *Refer to City commercial approach standards*

Sidewalk: **6' min.** width; **10'** parkway width at *Court, West, & Caldwell*

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

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

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

Deed required prior to issuing building permit; *Easements required for sidewalk*

City Encroachment Permit Required. *Any 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 Encroachment Tech. at 713-4414.

CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;

Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.

Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.

Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin 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. *Court, West, & Kimball*
- Traffic indexes per city standards: *Refer to 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: 1 each at **300' intervals**
- 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. Easements for 6' sidewalk will be required along Caldwell, West, & Court streets. Right-of-way and easements shall be granted with parcel map, otherwise by separate instrument per City standards prior to permit issuance.**
- 2. Phased development of land will require separate Site Plan Review submittals. Phase 1 for Jack in the Box, per this Site Plan, shall construct the following improvements to Court street: pavement, curb & gutter, street lights, street re-striping, 35' radius curb return at Caldwell, 30' radius curb return at Kimball, parkway landscaping, and sidewalk. Phase 1 improvements shall also include sidewalk and parkway landscaping along Caldwell Ave.**
- 3. Further required public improvements will be dependant on subsequent development phasing; to be determined at time of Site Plan Review.**
- 4. Applicant desires to record parcel map for Jack in the Box development; phase one improvements and associated impact fees can be deferred until time of development of newly created parcel.**
- 5. Further coordination with City Engineer & Traffic Safety is required for improvements associated with Court Street.**
- 6. Per the City's Circulation Element, a portion of Court street improvements is reimbursable in accordance with the current Transportation Impact Fee program. Further coordination with City Engineer is required. A Reimbursement Agreement will need to be established.**

7. Proposed drive approach on Court Street will be restricted to right-in, right-out only access. Onsite signage and striping shall reflect restricted condition.

8. Refer to previous Site Plan comments, SPR 04-174.

9. An accessible path of travel from public sidewalk to building entrance is required.

10. Impact fees will apply to each parcel development. The City's impact fee schedule is currently in process of annual assessments and increases. Refer to page 3 for fee summary; rates are subject to change.

11. Building permit plan check and inspection fees apply.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 15-045
Date: 4/1/2015

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:8/15/2014)
(Project type for fee rates:RETAIL, OFFICE, FAST FOOD)

Existing uses may qualify for credits on Development Impact Fees.

FEE ITEM	FEE RATE
<input checked="" type="checkbox"/> Groundwater Overdraft Mitigation Fee	\$1,168/AC
<input checked="" type="checkbox"/> Transportation Impact Fee	RETAIL \$11,868/1000SF GENERAL OFFICE \$5,309/1000SF
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	RETAIL \$21/1000SF, FAST FOOD \$4,094/EACH, OFFICE \$88/1000SF, RESTAURANT \$59/SEAT TREATMENT PLANT FEES: RETAIL \$51/1000SF, FAST FOOD \$17,957/EACH, OFFICE \$209/1000SF, RESTAURANT \$263/SEAT
<input checked="" type="checkbox"/> Sewer Front Foot Fee	\$39/LF X 2200 West,Caldwell,Court
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	\$6,241/AC
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$4,581/AC
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	\$7,830/AC
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire	\$1,713/AC
<input checked="" type="checkbox"/> Public Facility Impact Fee	COMMERCIAL \$502/1000SF, OFFICE \$625/1000SF
<input type="checkbox"/> Parking In-Lieu	

Reimbursement:

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


Adrian Rubalcaba

City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 5 DATE: March 25, 2015
SITE PLAN NO: SPR15045
PROJECT TITLE: CAMERON CREEK MARKETPLACE
DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE
 THRU, RETAIL SHOPS, (P) GROCERY STORE, (P)
 OFFICES ON 13.95 ACRES (CN ZONED) (X)
 (DISTRICT A)
APPLICANT: SCHUIL RICK
PROP OWNER: CAMERON CREEK MARKETPLACE LLC
LOCATION: 105 W CALDWELL AVE
APN(S): 126-870-003 126-870-008 126-870-010 126-870-011
 126-870-012

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 Code 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 line.
- 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 \$0.⁵⁴ per square foot. Residential \$^{3.26} 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: _____

G. FERRERO
Signature

ITEM NO: 5

DATE: March 25, 2015

SITE PLAN NO: SPR15045
PROJECT TITLE: CAMERON CREEK MARKETPLACE
DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE THRU, RETAIL SHOPS, (P) GROCERY STORE, (F) OFFICES ON 13.85 ACRES (CN ZONED) (X) (DISTRICT A)
APPLICANT: SCHUIL RICK
PROP OWNER: CAMERON CREEK MARKETPLACE LLC
LOCATION: 105 W CALDWELL AVE
APN(S): 126-870-003 126-870-008 126-870-010 126-870-011 126-870-012



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

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, bolt 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.

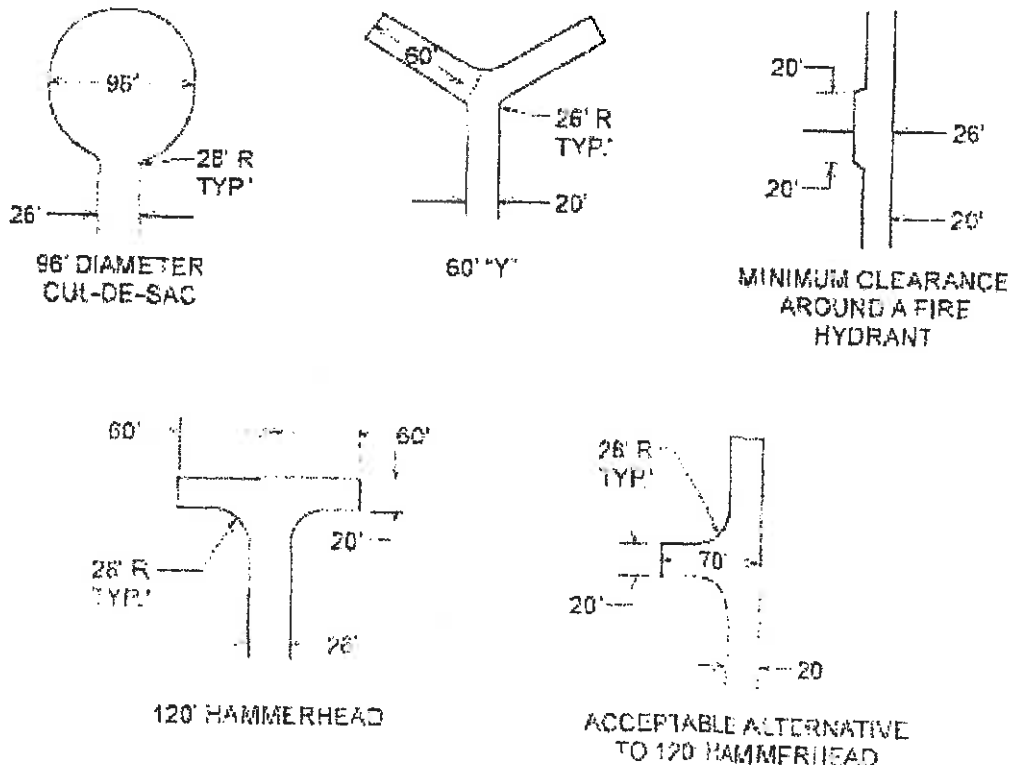


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUNDS



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:

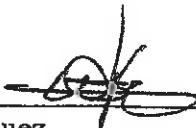


An automatic fire sprinkler system will be required for this building. Also a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). *2013 CFC 903 and Visalia Municipal Code 16.36.120(7)*



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:



Maribel Vasquez
Fire Inspector

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

ITEM NO: E DATE: March 25, 2015
SITE PLAN NO: SPR15045
PROJECT TITLE: CAMERON CREEK MARKETPLACE
DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE
 THRU, RETAIL SHOPS, (P) GROCERY STORE, (P)
 OFFICES ON 13.95 ACRES (CN ZONED) (X)
 (DISTRICT A)
 SCHUIL RICK
APPLICANT: CAMERON CREEK MARKETPLACE LLC
PROP OWNER: 105 W CALDWELL AVE
LOCATION: 126-870-003 126-870-008 126-870-010 126-870-011
APN(S): 126-870-012

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:

BWINTER L98

**QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS**

ITEM NO: 5 DATE: March 25, 2015
 SITE PLAN NO: SPR15045
 PROJECT TITLE: CAMERON CREEK MARKETPLACE
 DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE
 THRU, RETAIL SHOPS, (P) GROCERY STORE, (P)
 OFFICES ON 13.95 ACRES (CN ZONED) (X)
 (DISTRICT A)
 APPLICANT: SCHUIL RICK
 PROP OWNER: CAMERON CREEK MARKETPLACE LLC
 LOCATION: 105 W CALDWELL AVE
 APN(S): 126-870-003 126-870-008 126-370-010 126-870-011
 126-870-012

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 *FOR FAST FOOD RESTAURANT AND MINI-MART*
- SAND AND GREASE INTERCEPTOR - 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER - ¼ 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

Schuil Rick

 AUTHORIZED SIGNATURE
 3-20-15



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

SEA 15045



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

CITY OF VISALIA TRAFFIC SAFETY DIVISION

April 1, 2015

ITEM NO: 1	CONTINUED
SITE PLAN NO:	SFR15045
PROJECT TITLE:	CAMERON CREEK MARKET PLACE (no map)
DESCRIPTION:	MINIMART, FAST FOOD RESTAURANT WITH DRIVE THRU, RETAIL SHOPS, (P) GROCERY STORE, (P) OFFICES ON 13.86 ACRES (ON ZONED) (R) (DISTRICT A)
APPLICANT:	SCHULZ RICK
PROP. OWNER:	CAMERON CREEK MARKETPLACE LLC
LOCATION:	905 W CALDWELL AVE
APN(S):	120-870-009 120-870-008 120-870-010 120-870-011 120-870-012

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 Analysis required.

Additional Comments:

- Court Street driveway – right in, right out only with median



Leslie Blair

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: March 25, 2015 continued to April 1, 2015

SITE PLAN NO: 2015-045
PROJECT TITLE: CAMERON CREEK MARKETPLACE
DESCRIPTION: MINIMART, FAST FOOD RESTAURANT WITH DRIVE THRU, RETAIL SHOPS, (P) GROCERY STORE, (P) OFFICES ON 13.95 ACRES (CN ZONED) (X) (DISTRICT A)
APPLICANT: SCHUIL RICK
PROP. OWNER: CAMERON CREEK MARKETPLACE LLC
LOCATION TITLE: 105 W CALDWELL AVE
APN TITLE: 126-870-003
GENERAL PLAN: Neighborhood Commercial
EXISTING ZONING: NC (Neighborhood Commercial)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Prior Entitlements

- CUP 2005-22/Var. 2005-08/PM 2005-14
- CUP 2008-06/Var. 2008-02
(Entitlements have expired)

Project Requirements

- Conditional Use Permit Amendment (required if applicant elects to pursue the site plan as submitted)
- Initial Study (new initial study required if applicant elects to pursue the site plan as submitted)
- Noise Study / Traffic Impact Study (studies required if applicant elects to pursue the site plan as submitted)
- Building Permit
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: 03/25/2015 continued to 04/01/2015

1. During the site plan review meeting, staff noted, based on the information provided by the applicant, that a CUP amendment is required for the proposed changes to the shopping center. A new initial study is required as part of the CUP amendment including a new noise study for the proposed unloading zones near existing single-family residential development.
2. The applicant, during the discussion regarding the CUP amendment requirement, clarified their position to pursue the recording of the Final Parcel Map for TPM No. 2005-14, and subject to frontage improvements as conditioned by the previous CUP entitlement, not request any modifications to their existing CUP. Based on this information, a CUP amendment is not required if the project site is to remain the same.
3. In future modifications/revisions to the master site plan approved with CUP No. 2005-22 are proposed, staff will require a CUP amendment.
4. Staff does not support the full median opening in Court Street as depicted on the site plan. Redesign the median opening to comply with the previous CUP approval.
5. Staff will require that the major street frontage improvements along West Caldwell Avenue and South Court and West Streets (i.e., curb, gutter, sidewalk, park-strip landscaping) be installed with the first phase of development.
6. This site plan review item, as initially submitted, will be placed in a Resubmit status if the applicant elects to file an amendment to the previous CUP No. 2005-22. The resubmitted site plan shall provide a detailed list identifying all changes being requested with the amendment related to the approved development requirements.

7. Any new buildings/uses that were not identify with the prior CUP No. 2005-22 require Site Plan Review and a CUP amendment.
8. Additional technical studies may be required based on the proposed use.
9. Comply with all conditions for CUP No. 2005-22, Variance No. 2005-08 and Tentative Parcel Map No. 2005-14.

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: "K" [17.30.270]

The following development standards shall apply to property located in district K.

New development of property within this district shall comply with the conditions of approval of the applicable planned unit development permit. New development of property not situated within a planned unit development shall conform with development standards as determined by the site plan review committee as provided in Section 17.18.020.

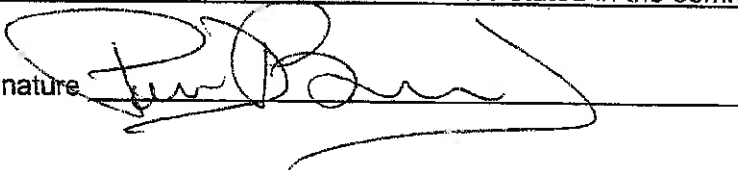
Parking:

1. Parking shall be provided at the unified shopping center rate of one space per 225 square feet of gross floor area (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).

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

A handwritten signature in black ink, appearing to be "J. B. ...", written over a horizontal line.

To: Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: City of Visalia
315 E. Acequia Avenue
Visalia, CA 93291

County Clerk
County of Tulare
County Civic Center, Rm 105
Visalia, CA 93291

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: _____

_____	City of Visalia	559 463-4359
State Clearinghouse Number	Lead Agency	Area Code/Telephone/Extension

Project Location: (include county) Southwest corner of Court Street and Caldwell Avenue, City of Visalia, County of Tulare.

Project Description: Parcel Map to divide 15.5 acres into 8 parcels, Conditional Use Permit to allow a 135,900 sq.ft. commercial center with drive-thru lanes, Variance to allow increased commercial signage.

This is to advise that the City Council Planning Commission has approved the above described project on _____ and has made the following determinations regarding the above described project:

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (were were not) made a condition of the approval of the project.
4. A statement of Overriding Considerations (was was not) adopted for this project.
5. Findings (were were not) made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at the City of Visalia Planning County located at 315 E. Acequia Avenue.


Signature
City of Visalia Environmental Coordinator

7-26-05
Date

Date received for filing at OPR:

FILED
TULARE COUNTY

JUL 27 2005

GREGORY B. HARDCASTLE
ASSESSOR/CLERK RECORDER
BY:

**CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding**

Project Title/Location (include County):

Southwest corner of Court Street and Caldwell Avenue, City of Visalia, County of Tulare.

Project Description:

Parcel Map to divide 15.5 acres into 8 parcels, Conditional Use Permit to allow a 135,900 sq.ft. commercial center with drive-thru lanes, Variance to allow increased commercial signage.

Findings of Exemption (attach as necessary):

1. That an Initial Study was prepared for the proposed project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and Negative Declaration No. 2005-56 is hereby adopted.
2. That there is no evidence before the Visalia City Council Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code.

Based on the findings of the Initial Study, Negative Declaration No. 2005-56 was adopted per City Council Planning Commission Resolution No.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Date:

7/16/05



Environmental Coordinator
City of Visalia

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

**NOTICE OF A PROPOSED
NEGATIVE DECLARATION**

Project Title: Conditional Use Permit No. 2005-22, Parcel Map No. 2005-14, & Variance No. 2005-08

Project Description:

Conditional Use Permit No. 2005-22: A request by McMillin Commercial Inc. to allow a Neighborhood Commercial Center with shared access, 4 drive thru pads, and one drive-up service for commercial/office use. The site is located at the southwest corner of Court Street and Caldwell Avenue. (APN's 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003).

Parcel Map No. 2005-14: A request by McMillin Commercial Inc. to divide 15.5 acres into 8 parcels. The site is located at the southwest corner of Court Street and Caldwell Avenue. (APN's: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003).

Variance No. 2005-08: A request by McMillin Commercial Inc. to allow a variance from the standard setbacks in Design District 'A' and to allow two monument signs and two center identification signs for a Neighborhood Commercial Shopping Center. The site is located at the southwest corner of Court Street and Caldwell Avenue. (APN's: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003).

Contact Person: Trish Garrett, Planner **Phone:** (559) 713-4002

Time and Place of Public Hearing: A public hearing will be held before the Planning Commission on July 25, 2005 at 7:00 p.m. in the City Hall Council Chambers located at 707 W. Acequia, Visalia, CA.

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

Reasons for Negative Declaration: Initial Study No. 2005-56 has not identified any significant, adverse environmental impacts that may occur because of the project. Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 E. Acequia Ave., Visalia, CA.

Comments on this proposed Negative Declaration will be accepted until July 21, 2005.

Date: 6.21.05

Signed: FRED SAWYER
Environmental Coordinator
City of Visalia

NEGATIVE DECLARATION

DESCRIPTION OF PROJECT:

Conditional Use Permit No. 2005-22: A request by McMillin Commercial Inc. to allow a Neighborhood Commercial Center with shared access, 4 drive thru pads, and one drive-up service for commercial/office use. The site is located at the southwest corner of Court Street and Caldwell Avenue. (APN's: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003).

Parcel Map No. 2005-14: A request by McMillin Commercial Inc. to divide 15.5 acres into 8 parcels. The site is located at the southwest corner of Court Street and Caldwell Avenue. (APN's: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003).

Variance No. 2005-08: A request by McMillin Commercial Inc. to allow a variance from the standard setbacks in Design District 'A' and to allow two monument signs and two center identification signs for a Neighborhood Commercial Center. The site is located at the southwest corner of Court Street and Caldwell Avenue. (APN's: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003).

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

Attachments:

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

DECLARATION OF NO SIGNIFICANT EFFECT:

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

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

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

APPROVED

Fred Brusuelas

Environmental Coordinator

By: Fred Brusuelas

Date Approved: 6.21.05

Review Period: 20 days

INITIAL STUDY

I. GENERAL

A. Description of the Project:

Conditional Use Permit No. 2005-22: A request by McMillin Commercial Inc. to allow a Neighborhood Commercial Center with shared access, 4 drive thru pads, and one drive-up service for commercial/office use. The site is located at the southwest corner of Court Street and Caldwell Avenue. (APN's: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003).

Parcel Map No. 2005-14: A request by McMillin Commercial Inc. to divide 15.5 acres into 8 parcels. The site is located at the southwest corner of Court Street and Caldwell Avenue. (APN's: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003).

Variance No. 2005-08: A request By McMillin Commercial Inc. to allow a variance from the standard setbacks in Design District 'A' and to allow two monument signs and two center identification signs for a Neighborhood Commercial Center. The site is located at the southwest corner of Court Street and Caldwell Avenue. (APN's: 126-100-039, 126-100-033, 126-100-014, 126-100-015, 126-100-003).

B. Identification of the Environmental Setting: There are five residences on the 15.5 acre site that will be removed, the rest of the site is vacant. The surrounding zoning and land uses are as follows:

North: R-M-3 (multi-family residential), P-PA (professional/administrative office), P-C-C (planned convenience commercial) /Caldwell Avenue, gas station, businesses & multi-family

South: R-1-6 (single-family residential) / Kimball Avenue, single-family residences

East: P-PA (planned professional/ administrative office), QP (quasi-public) / Court Street, Funeral Home, chiropractic office

West: R-1-6 (single-family residential) / single-family residences

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

C. Plans and Policies:

The General Plan Land Use Element (LUE) designates this land Neighborhood Commercial. The site is zoned P-C-N (planned neighborhood commercial). The proposed commercial shopping/office use would be consistent with the Land Use Element of the General Plan.

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project. The City of Visalia Land Use Element and Zoning Ordinance contain land use mitigation measures that are designed to reduce/eliminate impacts to a level of non-significance.

III. MITIGATION MEASURES

~~None. The City of Visalia Zoning Ordinance contains guidelines, criteria and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance.~~

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

~~The project is compatible with the General Plan and Zoning Ordinance as the project relates to surrounding properties and proposed land use designations of Commercial Shopping/Office.~~

V. NAME OF PERSON WHO PREPARED INITIAL STUDY

Trish Garrett

Trish Garrett
Planner

Fred Brusuelas

Fred Brusuelas, A.I.C.P.
Environmental Coordinator

Would the project:

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

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
- 1 ii) Strong seismic ground shaking?
- 1 iii) Seismic-related ground failure, including liquefaction?
- 1 iv) Landslides?
- 1 b) Result in substantial soil erosion or loss of topsoil?
- 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 85962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Would the project:

- 1 a) Violate any water quality standards of waste discharge requirements?
- 1 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 1 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- 1 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- 1 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- 1 f) Otherwise substantially degrade water quality?
- 1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Inundation by seiche, tsunami, or mudflow?

Would the project:

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

Would the project:

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

Would the project:

- 2 a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Would the project:

- 1 b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 2 c) A substantial permanent increases in ambient noise levels in the project vicinity above levels existing without the project?
- 2 d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Would the project:

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

Would the project:

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

Would the project:

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

Would the project:

- 2 a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of

vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- 2 b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Result in inadequate parking capacity?

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 1 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 1 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

Would the project:

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

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

- a. The Sierra Nevada mountain range is a scenic vista that can be seen from Visalia on clear days. The new commercial buildings may partially block this view; however this is typical of urban development and will not create a significant impact.
- b. There are no scenic resources on the site.
- c. The City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is not degraded.
- d. The project will create new sources of light that is typical of commercial/office development. The City has development standards that require that light be directed and/or shielded so it does not fall upon adjacent residential and commercial properties.

II. AGRICULTURAL RESOURCES

- a. The site does not contain an agricultural zoning, and is not under agricultural use.
- b. The site is not under Williamson Act contract or not within an Agricultural Preserve. The City of Visalia General Plan has designated the site Commercial Shopping Office. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use.
- c. The site is not under Williamson Act contract or not within an Agricultural Preserve. The project will not involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland to nonagricultural use.

III. AIR QUALITY

- a. The project in itself does not disrupt implementation of the San Joaquin Valley Unified Air Pollution Control District's air quality plan.
- b. The project will not violate an air quality standard or contribute substantially to an existing or projected air quality violation.
- c. The San Joaquin Valley is a region that is already at non-attainment status for air quality. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use.
- d. The project's proposed land uses generally do not generate substantial pollutant concentrations.
- e. The project's proposed land uses generally do not generate objectionable odors.

IV. BIOLOGICAL RESOURCES

- a. There are no identified candidate, sensitive or special status species on the site.
- b. The project is not located within or adjacent to a sensitive riparian habitat or other natural community.

- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.
- d. Development and/or changes in the land use designations of the sites will not act as a barrier to animal movement. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for urban use.
- e. The City has a municipal ordinance in place to protect oak trees. Any oak trees on the site will be under the jurisdiction of this ordinance.
- f. There are no local or regional habitat conservation plans for the areas. This is an in-fill site which has been surrounded by intensive urban development for many years with regular disking of the site for weed control, therefore, native habitat no longer exists on the site.

V. CULTURAL RESOURCES

- a. There are no known historical resources located within the project area. If some potentially historical or cultural resource is unearthed during construction all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during construction all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known unique paleontological resources or geologic features located within the project area.
- d. There are no known human remains buried in the project vicinity. If human remains are unearthed during construction all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations.

VI. GEOLOGY AND SOILS

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. The project will not result in substantial soil erosion or a loss of topsoil.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area generally have low expansion characteristics.
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.

VII. HAZARDS AND HAZARDOUS MATERIALS

- a. Hazardous materials such as gasoline and pesticides will most likely be found within the project area after the project is constructed, but only in quantities typically used for commercial lawn care use or application. This will not create a significant hazard.
- b. There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment.
- c. The project site is not located within one-quarter mile of a designated school site. The project would not emit hazardous emissions or involve any hazardous or acutely hazardous materials, substances, or waste. Hazardous materials such as gasoline and pesticides will most likely be found within the project area after the project is constructed, but only in quantities typically used for commercial use or application. This will not create a significant hazard.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 85692.5.
- e. The project area is not located within any airport land use plan or within 2 miles of a public airport.
- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. There are no wild lands within or near the project area.

VIII. HYDROLOGY AND WATER QUALITY

- a. The project will not violate any water quality standards. Development standards are already in place to require that storm water drainage be held on-site with a drainage basin or to connect to the City storm water drainage system.
- b. The project will not substantially deplete groundwater supplies in the project vicinity.
- c. The project will not result in substantial erosion on- or off-site.
- d. Development standards are already in place to require that storm water drainage be held on-site with a drainage basin or to connect to the City storm water drainage system through the City Storm Water Master Plan.
- e. Development standards are already in place to require that storm water drainage be held on-site with a drainage basin or to connect to the City storm water drainage system.
- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. The project area is located within Zone X and is therefore not prone to 100-year flood events. Sites designated as being within Zone X are areas outside of 500-year flood.

- h. The project area is located within Zone X and is therefore not prone to 100-year flood events. Areas designated as being within Zone X are areas outside of 500-year flood. The proposed development will not impede or redirect flood flows.
- i. The project would not expose people or structures to risks from failure of levee or dam.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, so there will be no impacts related to mudflow.

IX. LAND USE AND PLANNING

- a. The project will not physically divide an established community.
- b. The site is within the current Urban Development Boundaries of the City of Visalia. The City of Visalia designates the area for urban development. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use.
- c. The project does not conflict with any applicable conservation plan.

X. MINERAL RESOURCES

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

XI. NOISE

- a. ~~The project will result in noise generation typical of urban development. There will be noise generated by traffic along arterial and collector streets. The City's standards for setbacks and/or construction of walls along major streets will reduce noise levels to a level that is less than significant.~~
- b. The project will not result in ground-borne vibration or ground-borne noise levels. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.
- c. Noise levels will increase beyond current levels as a result of the project. These levels will be typical of noise levels associated with urban development. Therefore, the increase is less than significant.
- d. Noise levels will increase during the construction of the project but shall remain within the limits defined by the City Noise Ordinance.
- e. The project area is not within an airport land use plan, nor is it within 2 miles of a public airport.
- f. There is no private airstrip near the project area.

XII. POPULATION AND HOUSING

- a. Development of the site will not result in increased housing or induce substantial population growth. These sites were evaluated in the EIR for the City of Visalia Land Use Element Update for urban use. The City adopted mitigation measures for conversion to urban development.

- b. There are 5 houses on the site, however, removing these structures will not displace substantial numbers of housing units which would necessitate the construction of replacement housing elsewhere.
- c. Development of the site will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

XIII. PUBLIC SERVICES

- a.
 - i. Current fire protection facilities can adequately serve the site without a need for alteration.
 - ii. Current police protection facilities can adequately serve the site without a need for alteration.
 - iii. Current school facilities can adequately serve the site without a need for alteration.
 - iv. Current park and recreation facilities can adequately serve the site without a need for alteration.
- b. Other public facilities can adequately serve the site without a need for alteration.

XIV. RECREATION

- a. The proposed project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- b. The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities, but does include a requirement for small areas of open space to accommodate incidental use of the residents of the proposed residential units.

XV. TRANSPORTATION AND TRAFFIC

- a. ~~This project will facilitate future development of the site, which will result in increased traffic in the area. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for urban use. The City adopted mitigation measures for conversion to urban development.~~
- b. This site is projected for urban development by the City and County General Plans. The project is not proposed to exceed what has already been planned for in this area.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs that are considered hazardous.
- e. The existing public street patterns adjacent to the project site will provide adequate emergency access.

- f. The project will be required to meet the City's parking requirements related to Office and Service Commercial developments.

XVI. UTILITIES AND SERVICE SYSTEMS

- a. These sites are projected for urban development by the City's General Plan. The project is not proposed to exceed what has already been planned for in this area.
- b. The project will require connection to existing Sanitary Sewer facilities located on Caldwell Avenue. The connection is consistent with the City's adopted Sanitary Sewer Master Plan.
- c. The City has an adopted Storm Water Master Plan which will provide for the project. This will not result in a significant effect.
- d. There is sufficient water to support the project.
- e. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project should be able to meet the applicable regulations for solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

- a. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- b. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use. The City adopted mitigation measures for new and existing urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c. This site was evaluated in the EIR for the City of Visalia Land Use Element Update for conversion to urban use. The City adopted mitigation measures for urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

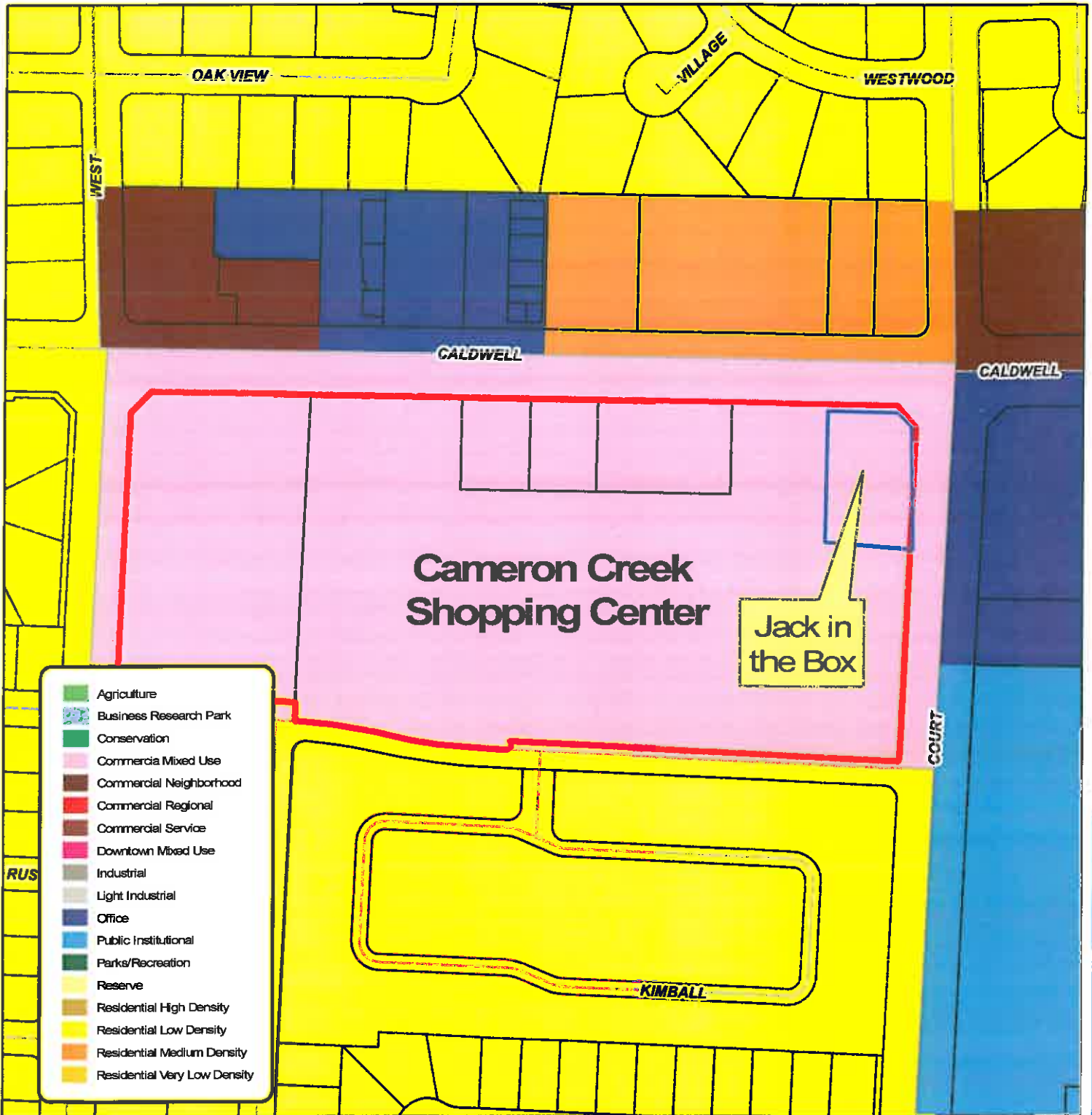
On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. A **NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. A **MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required
- I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 90020160). The Environmental Impact Report prepared for the City of Visalia Land Use Element (Amendment No. 90-04) was certified by Resolution NO. 91-105 adopted on September 3, 1991. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

AND BANAWANIM
City of Visalia

6.21.05
Date

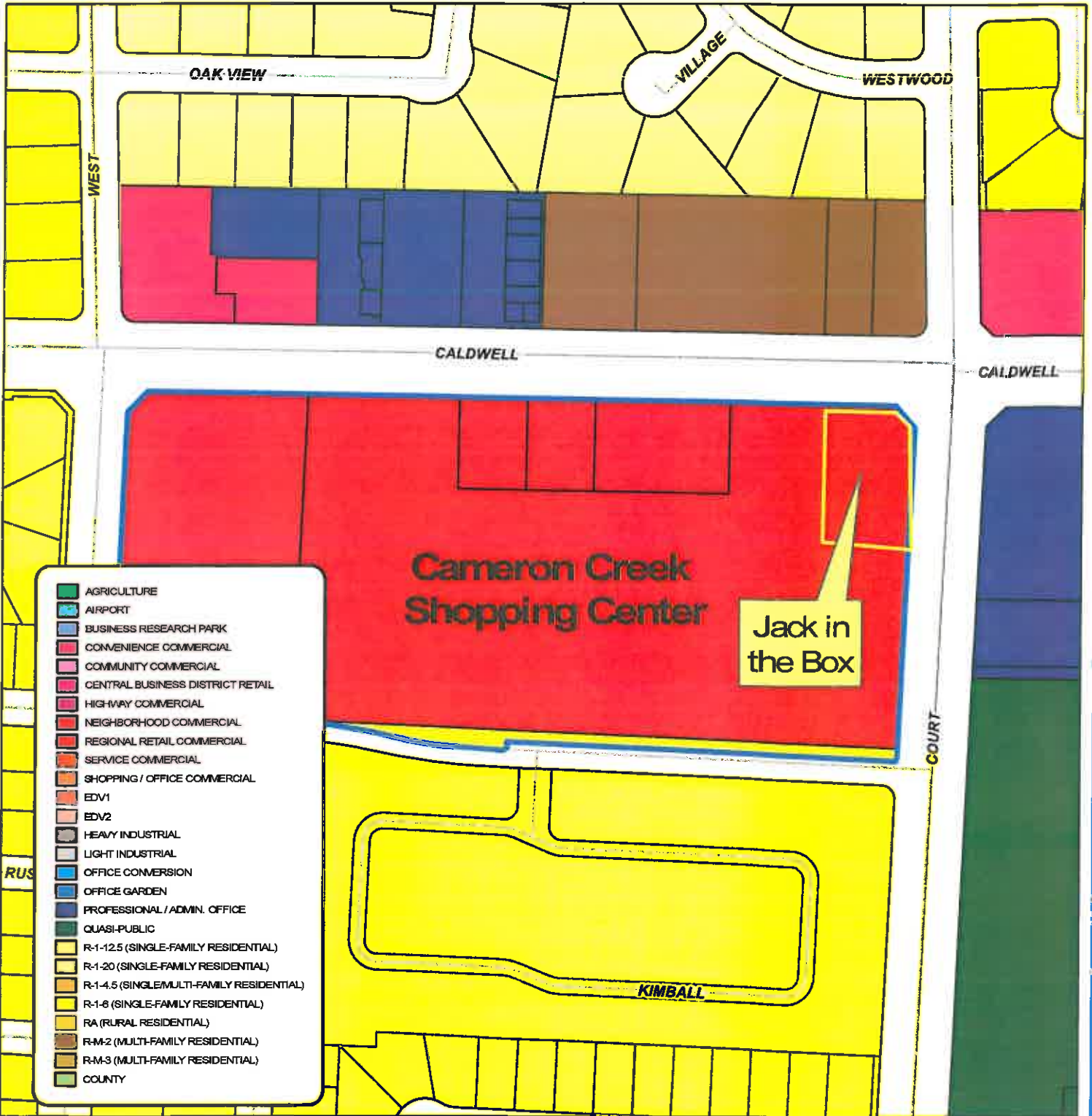
Conditional Use Permit No. 2015-18



General Plan Land Use Map



Conditional Use Permit No. 2015-18



Zoning Map



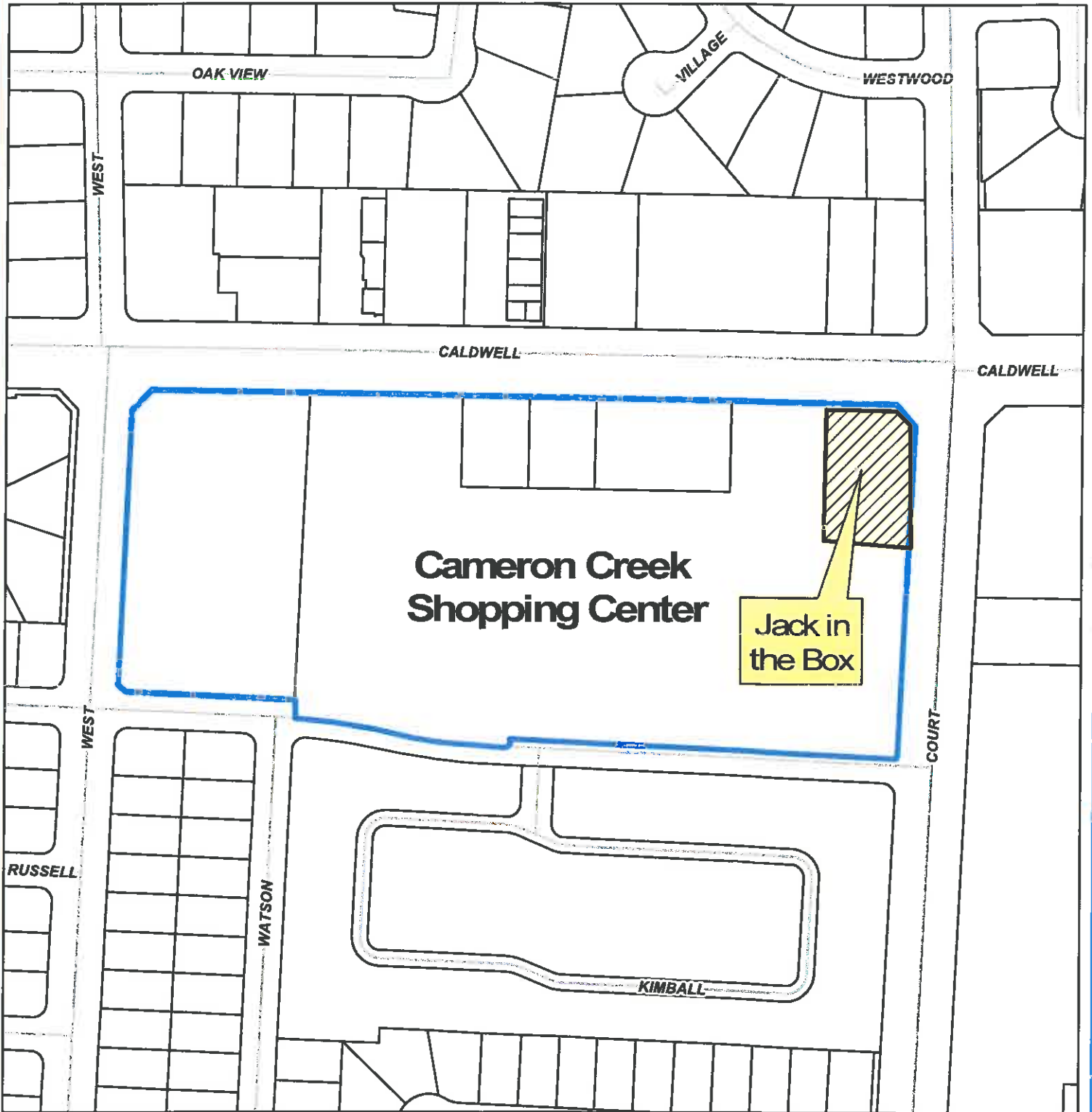
Conditional Use Permit No. 2015-18



Aerial Map



Conditional Use Permit No. 2015-18



Vicinity Map



City of Visalia

Memo



To: Visalia Planning Commission
From: Brandon Smith, Senior Planner (713-4636) *BS*
Date: July 9, 2015
Re: Request for Continuation of **Variance No. 2015-04:** A request by Gateway Plaza Partners, L.P., to allow a variance to the maximum sign areas associated with building and freestanding signs in Design District A in the Regional Retail Commercial (C-R) Zone. The site is located at the southwest corner of Mooney Boulevard and Caldwell Avenue. (APN: 126-041-055, 063)

Recommended Action

Staff recommends that the Planning Commission continue the item to August 10, 2015, the next available Planning Commission meeting.

Discussion

The appellant has provided written correspondence requesting a continuation of Variance No. 2015-04 from the July 13, 2015 date to the next available Planning Commission meeting. The appellant's letter states they need additional time to coordinate with staff to resolve any and all issues pertaining to the sign variance request. Staff supports their request for continuation to the next available Planning Commission meeting, which is August 10, 2015. A copy of the staff report which had already been completed is included in the Planning Commission packet and copies have been distributed to all parties involved in the appeal.

Enclosure

PAYNTER

REALTY & INVESTMENTS, INC.

July 8, 2015

Via Email and Regular Mail

Brandon Smith, AICP
Senior Planner
City of Visalia
315 Acequia Ave
Visalia, CA 93291

**RE: Request for Public Hearing Continuance
Sign Variance Application #2015-04**

Dear Brandon:

Pursuant to our conversation today, please accept this letter as our request to continue the above referenced item regarding our sign variance request at the Planning Commission meeting currently scheduled for July 13, 2015 to the next available Planning Commission meeting.

We believe this extension will give us time to coordinate and resolve any and all issues. If you have any questions, please do not hesitate to call me.

Sincerely,



David H. Paynter



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: July 13, 2015

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

SUBJECT: Variance No. 2015-04: A request by Gateway Plaza Partners, L.P., to allow a variance to the maximum sign areas associated with building and freestanding signs in Design District A in the Regional Retail Commercial (C-R) Zone. The site is located at the southwest corner of Mooney Boulevard and Caldwell Avenue. (APN: 126-041-055, 063)

STAFF RECOMMENDATION

Staff recommends that Variance No. 2015-04 be approved with regard to building signs and approved as modified by staff with regard to freestanding signs, based upon the findings in Resolution No. 2015-35.

RECOMMENDED MOTION

I move to approve the request to building signage and allow a modified approval to freestanding signs in Variance No. 2015-04, based on the findings in Resolution No. 2015-35.

PROJECT DESCRIPTION

The applicant is requesting a variance to building and freestanding sign standards in conjunction with the occupancy of two new retail stores – Home Goods and DSW Shoes – in the Gateway Plaza Shopping Center, as illustrated in Exhibits “A” and “B”. The applicant has submitted written findings in support of the request in Exhibit “G”.

The variance to building sign standards is to allow a single wall sign on the front elevation of the proposed Home Goods store totaling 162.9 square feet, as illustrated in Exhibit “C”. The regulations for Design District “A” allow a maximum of 150 square feet of sign copy for a single frontage of occupancy.

The variance to freestanding sign standards is to increase the sign copy and height of two existing freestanding signs on the north and east sides of the shopping center facing Caldwell Avenue and Mooney Boulevard. The objective is to add two new tenant identification plates to the existing signs shown in Exhibits “E” and “F”. Both signs would be increased from 35 square feet to 70 square feet per side and from 10’ 6” to 12’ 0” in height. The regulations for Design District “A” allow a maximum of 35 square feet of sign copy per side and a maximum height of 10 feet.

The applicant’s request is based upon the finding that the front of the proposed retail stores, formerly Staples office supply and Rent-A-Center furniture, is obscured by other buildings and is difficult to see from Mooney Boulevard. The applicant also notes that the City has previously granted larger signs that result in more site and building signage visibility.

BACKGROUND INFORMATION

General Plan Land Use Designation	Regional Retail Commercial
Zoning	C-R (Regional Retail Commercial)
Surrounding Zoning and Land Use	North: C-R (Regional Retail Commercial) / Retail Commercial South: C-R (Regional Retail Commercial) / Retail Commercial East: C-R (Regional Retail Commercial) / Retail Commercial West: R-M-3 (High Density Multiple-Family Residential) / Multiple Family Units
Environmental Review	Categorical Exemption No. 2015-37
Special Districts:	Design District "A"
Site Plan Review	N/A

RELATED PROJECTS

The Planning Commission considered and approved **Variance No. 2011-10** on December 12, 2011. This was a request by Gateway Plaza Partners LP to allow 439.2 square feet of building signage for Dick's Sporting Goods at 3631 S. Mooney Boulevard, located within the same shopping center north of the proposed Home Goods and DSW Shoes.

The Planning Commission has previously considered and taken action on several sign variances pertaining to sites along Mooney Boulevard in Design District "A". These actions are summarized in the Project Evaluation below.

PROJECT EVALUATION

There are two components to the applicant's request for sign variance – the request for the wall sign and the request for the monument/freestanding sign addition. Staff has prepared separate analyses and recommendations for each component, which are below. The applicant has provided a single set of variance findings which apply to the overall request.

Gateway Plaza Shopping Center

The Gateway Plaza shopping center has no established sign program, and signage within the center must comply with Zoning Ordinance standards. With regards to monument / freestanding signs there are two identical existing signs (the subject of the variance request) that advertise the center's anchor tenants. There are six additional monument signs associated with the shopping center's outpad buildings – Visalia Community Bank, Sizzler, Valero, the former Cask & Cleaver, Wells Fargo, and Taco Bell. These signs are all located on separate parcels fronting Mooney Boulevard, and are neither affiliated with nor under the same ownership as the shopping center.

Staff Analysis – Wall Sign

Each occupancy within Design District "A" is permitted two square feet of building signage per linear foot of occupancy frontage to maximum of 150 square feet. The occupancy frontage for the Home Goods store is 126' 6", which would entitle the occupancy to the full 150 square feet.

The applicant has provided five findings for the variance in Exhibit "G" which discuss the requested signage, with the primary basis for the increased signage being that the building frontage is the furthest from Mooney Boulevard in the shopping center and is obscured by outpad buildings along Mooney Boulevard. Staff visited the property and found that the storefront is in fact visible only from a narrow view at the drive approach but is otherwise obscured by buildings and parking lot trees.

Staff finds that the 163 square foot wall sign proposed through the variance would not be inconsistent with signs found on other properties in the same zone. While there are no known similar-sized buildings in the same zone that have received a variance, some slightly larger buildings have received variances for signs of similar size (see analysis below). For example, the JoAnn's store at 35,000 sq. ft. in size was approved for a 159 square foot wall sign.

Comparison of other wall sign variances

Over the past several years, many large-sized occupancies along Mooney Boulevard have been approved for more than the maximum allowed 150 square foot sign copy. The following table provides a history of recent wall sign variances and specific plan approvals along Mooney Boulevard.

	Design District A Standards	Home Goods	Dick's Sporting Goods	Mor	Ashley	CostCo	JoAnn's	Target	Lowes
Entitlement		VAR 2015-04	VAR 2011-10	VAR 2014-04	VAR 2014-02	SPA 2007-11	VAR 2005-16 / Admin Adj	Specific Plan	Admin Adj
Primary Sign Area (sq. ft.)	150	163	281	198 (123+45+30)	187.5 (150+37.5)	252	159 (Proposed @ 215)	217	165
Distance from St. (ft.)		415	395	140	750	430	495	800	770
Building size (sq. ft.)		20,000	48,100	40,000	42,507	152,595	35,000	147,109	165,375
Building Occupancy Frontage(ft.)		127	260	163	200	470	154	400	445
Ratio- Sign Area : Frontage		1.28	1.08	1.21	0.94	0.54	1.03	0.54	0.37

The entitlements have been granted to occupancies having larger building size, larger frontage, and in some cases greater distance from the street than the Home Goods store. Although the Home Goods store is a smaller building size by comparison, the requested sign area would appear to be consistent in scale (i.e. ratio of sign area to occupancy frontage) with that of other occupancies.

Staff Analysis – Freestanding Sign

Each commercial site within Design District "A" is permitted one double-faced freestanding sign, not exceeding an area of 35 square feet of sign copy per face nor exceeding a height of ten feet. The subject site has two signs – one fronting Mooney and one fronting Caldwell – which is typical of shopping centers on corners of major roadways.

The findings provided by the applicant in Exhibit "G" discuss the requested signage, with the primary basis for the additional signage being limited visibility on the site which cause this site and other retailers on Mooney to need additional signage for visibility along the corridor.

Staff finds the granting of a variance as requested may result in the granting of special privilege inconsistent with the limitations on other properties in the same zone. This is for the reason that tenant identification signs belonging to other shopping centers in the same zone do not have as much sign area as is being requested.

Staff is therefore recommending a modified approval of the portion of Variance No. 2015-04 pertaining to freestanding signage, to allow 50 square feet rather than 70 square feet of sign copy per side which is more consistent with other approvals along Mooney Boulevard (see analysis below). Staff is also recommending a 12' sign height consistent with other approved signs.

Comparison of other monument sign variances

Over the past several years, many commercial sites along Mooney Boulevard have been approved for additional monument signs and/or additional sign area. The following table provides a history of recent monument sign variances and specific plan approvals.

	Design District A Standards	Gateway Plaza Proposed Signs	Packwood Creek Specific Plan	Sequoia Mall Existing Signs	OSH
Entitlement		VAR 2015-04	Specific Plan	VAR 99-26	VAR 2009-10
Sign Copy Per Side (sq. ft.)	35 sq. ft.	70 sq. ft.	50 sq. ft.	38 sq. ft.	42 sq. ft.
Sign Area Per Side (sq. ft.)	70 sq. ft.	99 sq. ft.	100 sq. ft.	84 sq. ft.	77 sq. ft.
Height (ft.)	10' (changing to 12')	12' 6"	10'	13' 6"	16'
# of Tenants Advertised		4 tenants	6 tenants	8 tenants	1 tenant

Staff finds that the shopping centers above, developed within the last 20 years, have been permitted between 38 to 50 square feet of sign copy. In most cases, the larger copy size was to accommodate multiple tenants within the shopping center. Staff further finds that the subject site faces similar limitations as the other shopping centers evaluated above, however its limitations do not justify sign area greater than what has been approved for these centers. It is staff's recommendation that the variance be approved for no more than 50 square feet of sign copy per side.

Planning Commission Variance Findings

Variances are intended to prevent unnecessary hardships resulting from strict or literal interpretation of regulations while not granting a special privilege to the applicant. The Planning Commission has the power to grant variances to regulations prescribed in the Zoning Ordinance. The applicant has provided proposed variance findings in Exhibit "G" intended to justify their goal of having increased signage as summarized below:

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;

The existing site signage consists of two panels on each monument sign which are used by Dick's Sporting Goods and Staples. The expectation of Home Goods and DSW to join in the site signage for the shopping center is significant towards their branding and identification. The limited visibility of their building frontage creates an unnecessary hardship and disadvantage, which can be overcome by the permitting of two additional sign panels and a larger building sign for Home Goods. The size and total square footage are consistent with signage at other Home Goods and DSW locations through out the Central Valley.

Analysis: Concur with applicant. The specified regulation may result in an unnecessary hardship for the shopping center to identify multiple major tenants within the allowed monument sign copy. The site also has limited visibility from the primary street frontage which can provide justification for a larger building sign for Home Goods. The hardship is overcome by the larger monument sign and larger wall sign being requested through the variance.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;

The location of their building frontage sits in the southwest corner of the shopping center and is the furthest away from Mooney Blvd in the shopping center. Their building frontage is blocked by buildings we do not own or control. Without site signage visibility on Mooney Blvd and Caldwell Ave and larger building signage for Home Goods, it will be extremely difficult to re-tenant this building which has been vacant for two years or bring new national businesses in of their caliber into this shopping center.

Analysis: Concur with applicant. The deep setback of the major tenant stores and the existing buildings along Mooney Boulevard which obscure the major tenant stores represent an exceptional circumstance to the intended use of the property.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;

Other retailers on Mooney Blvd. have much more site and building signage visibility. There have been other variances granted in this regional zone district and the granting of this variance would allow for consistency with other retailers.

Analysis: Concur with applicant. Other properties within the Regional Retail Commercial zone along Mooney Boulevard have been granted variances to building and monument signage for the same reasons of site visibility which occur as a result of obscured visibility and exceptionally large setbacks.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;

Other properties that may be in the same zone will not have the same problematic visibility issues that are specific to this location. Visibility is limited which makes the need for additional sign panels on the monument signs and building signage for Home Goods critical.

Analysis: Concur with applicant but not on all points. The granting of a variance to building signage would not constitute a grant of special privilege since other properties in the same zone have been granted variances to building signage. Although these instances have involved properties with greater building size and occupancy frontage than the Home Goods store, the proposed sign size is proportional to the signs and the respective building sizes and occupancy frontages of past approvals.

The granting of a variance to monument signage may constitute a grant of special privilege in that no other sites in the same zone have been granted 70 square feet of sign copy on a single side of a monument sign under the current Ordinance. The Packwood Creek shopping center has been able to achieve advertising up to six tenants with 50 square feet of sign copy on a single side of a monument sign. Therefore, allowing 50 square feet of sign copy would not be considered a grant of special privilege.

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The addition of Home Goods and DSW stores is very much a positive for the City of Visalia and enhances the entire City. There will be little or no impact for the variance in signage to other retail properties on Mooney Blvd. in this same zone district. There are no residential properties in the area that will be impacted by the granting of the requested variance.

Analysis: Concur with applicant. The granting of a variance to setbacks is not considered detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. The variance would assist in advertising stores which represent a draw to the Regional Retail Commercial zone.

Environmental Review

The project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended, minor alterations to land use limitations, such as variances, that do not result in changes in land use or density. (Categorical Exemption No. 2015-37).

RECOMMENDED FINDINGS

The Planning Commission is required to make findings for approval of a variance to City standards. Staff recommends the following findings for approval of the variance application:

1. That the strict or literal interpretation and enforcement of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply to the other properties classified in the same zone.

3. That the strict or literal interpretation and enforcement of the ordinance would deprive the applicant of privileges enjoyed by the owners of the other properties classified in the same zone.
4. That the granting of the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zone.
5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2015-37).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the allowed signage under Variance No. 2015-04 shall be as follows:
 - A maximum amount of 50 square feet of sign copy is allowed on each side of the two shopping center monument signs identified in Exhibit "A".
 - A maximum height of 12 feet is allowed on the two shopping center monument signs identified in Exhibit "A". These signs shall be developed as depicted in the elevation plans in Exhibit "D".
 - A maximum amount of 163 square feet of building sign copy is allowed on the east elevation of the proposed Home Goods site identified in Exhibit "B".
2. That any additional signage on the subject building and on the subject monument signs shall conform to Zoning Ordinance Chapter 17.48.
3. All building and monument signage shall require a separate building permit.
4. That all applicable federal, state and city laws, codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Variance No. 2015-04, prior to the issuance of any sign permits for this project.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 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:

- Summary of Related Plans & Policies
- Resolution
- Exhibit "A" – Site Plan of Site Signage
- Exhibit "B" – Site Plan of Proposed Home Goods store
- Exhibit "C" – Elevation Plan of Home Goods building signage
- Exhibit "D" – Elevation of Proposed Monument Sign
- Exhibit "E" – Elevation of Existing Mooney Blvd. Monument Sign
- Exhibit "F" – Elevation of Existing Caldwell Ave. Monument Sign
- Exhibit "G" – Variance Findings
- Land Use Map
- Zoning Map
- Aerial Photo
- Location Sketch

RELATED PLANS AND POLICIES

ZONING ORDINANCE

Chapter 17.48 Signs.

17.48.080 Sign regulations for design districts.

A. The following regulations apply to uses in design districts A, B, C, D, E, and F with the exception of those zones specifically identified in Section 17.48.070. The signs within the downtown retail design district are subject to the provisions of Chapter 17.58.

1. Signs Permitted.
 - a. Building signs as specified in Section 17.48.070(A)(2);
 - b. One pedestrian oriented sign per occupancy;
 - c. One freestanding sign per commercial site.
2. Building Signs.

a. Permitted Sign Area. Two square feet of sign area is permitted for each foot of linear occupancy frontage to a maximum area of one hundred fifty (150) square feet. A building sign may not exceed the height of the roof line or parapet wall upon which it is mounted. Building signs may not exceed eighty (80) percent of the surface upon which it is mounted.

b. Users may choose which exterior side of the building will be used for the purpose of calculating the permitted sign area. The building signs, however, shall be mounted on the building used to calculate the permitted sign area.

c. Additional signs of a maximum twenty-five (25) percent of the sign area as calculated in Section 17.48.080(A)(2)(b) shall be allowed for each remaining exterior wall provided that the sign area for any given wall does not exceed two square feet per linear foot of the wall length.

d. Commercial buildings which occupy the entire depth of a city block shall be eligible to apply for signing on each of the street exposures.

e. Commercial buildings which have alley access shall be eligible to apply for signing on both the street and the alley frontages.

f. Building signs shall be mounted flush against or be oriented parallel to the wall of the structure on which it is located. No part of the sign shall extend more than eighteen inches (18) from the surface of the structure except in those cases as specified in Section 17.48.040(C).

g. Signs may be mounted on a mansard or angled roof. The sign shall not, however, extend higher than the peak of the roof.

h. The sign area as calculated for the occupancy frontage may be used on the occupancy frontage or may be divided between the occupancy frontage and any other exterior walls; provided, that the total sign area does not exceed that as calculated for the occupancy frontage or that the sign area on any exterior wall does not exceed two square feet per one foot of linear occupancy frontage.

i. Each building of shopping center may display a reader board of a maximum area of twenty (20) square feet indicating the name, address and type of business or the businesses within the building. If the reader board is located on a part of the building qualifying as an occupancy frontage for which sign area may be calculated, the sign area used for the reader board shall be deducted from the total permitted for that occupancy.

j. Reader boards shall be designed as one sign with each copy panel consisting of similar materials and design. Permits for reader boards shall not be issued without consent of the property owner.

3. Freestanding Sign.

a. Each commercial site, excluding highway commercial uses along Highway 198 and Highway 99 is permitted one double-faced freestanding sign, not exceeding an area of thirty-five (35) square feet of sign copy per face. The total area of the aggregate surface of the sign face and the sign structure, as viewed from one side, may not exceed seventy square feet. The freestanding sign shall not exceed a height of ten feet.

b. The total area of the sign faces of a multi-sided freestanding sign shall not exceed seventy (70) square feet, and the total area of the aggregate surface of the sign faces and the sign structure shall not exceed one hundred forty (140) square feet.

c. Freestanding signs may be located within the required setback areas without the required variance procedure as long as all parts of the freestanding sign are located more than five feet from the front property line and public or private right-of-way line, except in design districts E and D in which signs may be located up to the property line upon approval of the planning department.

d. A freestanding sign shall be set back a minimum of twenty (20) feet from any interior side property line. Encroachment into the twenty (20) foot setback may be approved by the planning department where the location of existing improvements presents a functional hardship to compliance with the required setback.

e. Highway commercial uses along Highway 198 and Highway 99 are permitted one double-faced freestanding sign per commercial site not exceeding a sign area of seventy (70) square feet per face or a height of twenty (20) feet.

f. Freestanding signs ten feet or less in height shall be mounted on a base, the width of which is not less than fifty (50) percent of the width of the widest part of the sign.

17.48.110 Variance and exceptions.

A. Variance Purposes. The planning commission may grant variances in order to prevent unnecessary hardships that would result from a strict or literal interpretation and enforcement of certain regulations prescribed by this chapter. A practical difficulty or unnecessary hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from street locations or traffic conditions in the immediate vicinity that would affect the signing of said site or building.

B. Exception Purposes. The planning commission may grant an exception to the physical design standards if it can be demonstrated that such an exception is necessary to facilitate an improved aesthetic relationship between the signs and the structures upon which they are mounted.

C. Variance Powers of City Planning Commission. The city planning commission may grant exceptions to the regulations prescribed in this chapter, in accordance with the procedures prescribed in this chapter.

D. Exception Powers of City Planning Commission. The city planning commission may grant exceptions to the regulations prescribed in this chapter, in accordance with the procedures prescribed in this chapter.

E. Application Procedures. Application for a variance or exception shall be made to the city planning commission on a form prescribed by the commission and shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property, is the authorized agent of the owners, or is or will be the plaintiff in an action in eminent domain to acquire the property involved;
3. Address and legal description of the property;
4. Statement of the precise nature of the variance or exception requested and the hardship or practical difficulty which would result from the strict interpretation and enforcement of this chapter;
5. The application shall be accompanied by such sketches or drawings which may be necessary to clearly show applicant's proposal;
6. Additional information as required by the historic preservation advisory board;
7. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application;
8. The application shall be filed with the city planner. He shall give notice to the applicant of the time when the application will be considered by the commission, and he may give notice of the time to any other interested party.

F. Hearing and Notice.

1. The city planning commission shall hold a public hearing on an application for a variance.
2. Notice of a 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.

G. Investigation and Report. The city planner shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the city planning commission.

H. Public Hearing Procedure. At a public hearing the city planning commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in Section 17.42.090.

I. Variance Action of the City Planning Commission.

1. The city planning commission may grant a variance to a regulation prescribed within this chapter. The variance may be granted as applied for, or as modified by the commission; provided that, on the basis of the application and staff report and/or evidence submitted, the commission is able to make the following findings:

- a. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the sign and zoning ordinance;
- b. That there are exceptional or extraordinary circumstances or conditions applicable to the property which do not apply generally to other properties classified in the same zoning district;
- c. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;
- d. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district;
- e. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

2. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe.

3. The city planning commission may deny a variance application.

J. Exception Action of the City Planning Commission. The planning commission may approve, conditionally approve or deny a request for an exception to the physical design standards of this chapter. For the planning commission to approve an exception, the following findings must be made:

1. That the granting of the exception is necessary to attain a high aesthetic sign design which would be restricted if the provisions of this chapter were strictly applied;

2. That the granting of an exception would not adversely affect the visibility of signing on adjacent properties;

3. That the granting of an exception would not constitute a granting of a special privilege.

K. Appeal to City Council.

1. Within ten days following the date of a decision of the city planning commission on a variance or exception application, the decision may be appealed to the city council by the applicant or any other interested party. An appeal shall be made on a form prescribed by the commission and shall be filed with the city clerk. The appeal shall specify errors or abuses of discretion by the commission, or decisions not supported by the evidence in the record.

2. The city clerk shall give notice to the applicant and the appellant (if the applicant is not the appellant) and may give notice to any other interested party of the time when the appeal will be considered by the city council.

L. Action of City Council.

1. The city council shall review and may affirm, reverse or modify a decision of the city planning commission on a variance or exception application; provided, that if a decision denying a variance or exception is modified, the city council shall, on the basis of the record transmitted by the city planner and such additional evidence as may be submitted, make the findings prerequisite to the granting of a variance or exception as prescribed in Section 17.48.110(I)(1), (I)(2) or (J), whichever is applicable.

2. A variance or exception which has been the subject of an appeal to the city council shall become effective immediately after review and affirmative action by the city council.

M. Revocation. A variance or exception granted subject to a condition or conditions shall be revoked by the city planning commission if the condition or conditions are not complied with.

N. New Application. Following the denial of a variance or exception application or the revocation of a variance or exception, no application for the same or substantially the same site shall be filed within one year of the date of denial of the variance or exception application or revocation of the variance or exception. (Ord. 9605 § 30 (part), 1996: prior code § 7620)

RESOLUTION NO. 2015-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2015-04: A REQUEST BY GATEWAY PLAZA PARTNERS, L.P., TO ALLOW A VARIANCE TO THE MAXIMUM SIGN AREAS ASSOCIATED WITH BUILDING AND FREESTANDING SIGNS IN DESIGN DISTRICT A IN THE REGIONAL RETAIL COMMERCIAL (C-R) ZONE. THE SITE IS LOCATED AT THE SOUTHWEST CORNER OF MOONEY BOULEVARD AND CALDWELL AVENUE. (APN: 126-041-055, 063)

WHEREAS, Variance No. 2015-04 is a request by Gateway Plaza Partners, L.P., to allow a variance to the maximum sign areas associated with building and freestanding signs in Design District A in the Regional Retail Commercial (C-R) Zone. The site is located at the southwest corner of Mooney Boulevard and Caldwell Avenue. (APN: 126-041-055, 063); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on July 13, 2015; and

WHEREAS, the Planning Commission of the City of Visalia finds Variance No. 2015-04, as conditioned by staff, to be in accordance with Section 17.48.110 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 of the City of Visalia finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

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

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

1. That the strict or literal interpretation and enforcement of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply to the other properties classified in the same zone.

3. That the strict or literal interpretation and enforcement of the ordinance would deprive the applicant of privileges enjoyed by the owners of the other properties classified in the same zone.
4. That the granting of the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zone.
5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2015-37).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves Variance No. 2015-04, as conditioned, on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.48.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the allowed signage under Variance No. 2015-04 shall be as follows:
 - A maximum amount of 50 square feet of sign copy is allowed on each side of the two shopping center monument signs identified in Exhibit "A".
 - A maximum height of 12 feet is allowed on the two shopping center monument signs identified in Exhibit "A". These signs shall be developed as depicted in the elevation plans in Exhibit "D".
 - A maximum amount of 163 square feet of building sign copy is allowed on the east elevation of the proposed Home Goods site identified in Exhibit "B".
2. That any additional signage on the subject building and on the subject monument signs shall conform to Zoning Ordinance Chapter 17.48.
3. All building and monument signage shall require a separate building permit.
4. That all applicable federal, state and city laws, codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Variance No. 2015-04, prior to the issuance of any sign permits for this project.

GATEWAY PLAZA SHOPPING CENTER

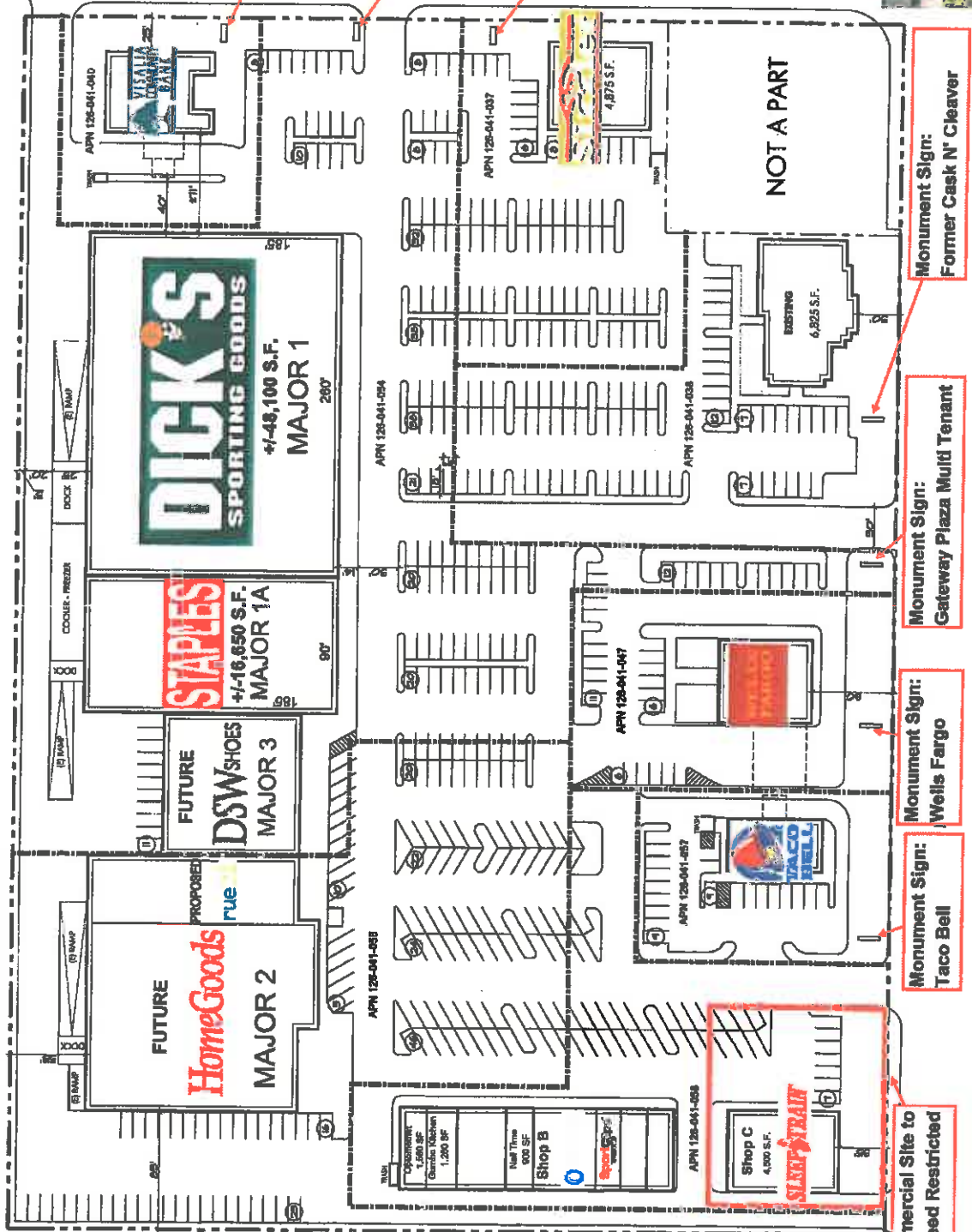
SITE SIGNAGE SITE PLAN

SWC MOONEY BLVD
& CALDWELL AVE
VISALIA, CA

CALDWELL AVENUE



PAYNTER
LAND & DEVELOPMENT, INC.



Monument Sign:
Visalia Community Bank

Monument Sign:
Gateway Plaza Multi Tenant

Monument Sign:
Sizzler

Monument Sign:
Former Cask N' Cleaver

Monument Sign:
Gateway Plaza Multi Tenant

Monument Sign:
Wells Fargo

Monument Sign:
Taco Bell

Commercial Site to
be Deed Restricted

Exhibit "A"

DESIGN REVISIONS:	
R#:	DATE:
NAME:	NOTES:

SIGN INVENTORY:		
I.D.	DESCRIPTION:	QTY:
A)	Interior-Illuminated Channel Letters	1
B)	Interior-Illuminated Under-Canopy Sign (Susp'd)	1
C)	Sign Face Panel Replacements / Existing Pylon	2
D)	Sign Face Panel Replacements / Existing Pylon	2

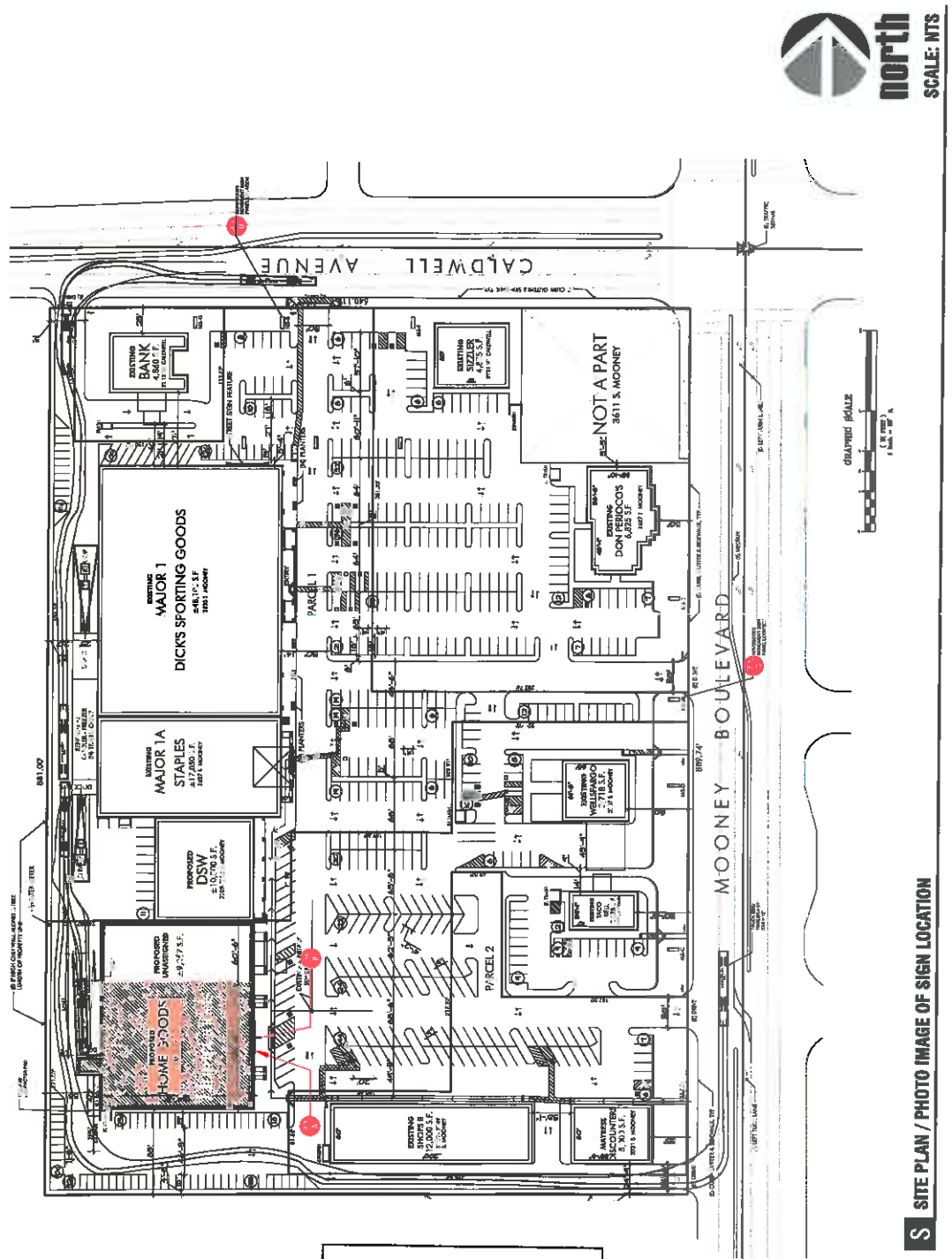


Exhibit "B"

S SITE PLAN / PHOTO IMAGE OF SIGN LOCATION

Project Name: TJX Companies HomeGoods	Project Address: Mooney Blvd/Caldwell Ave Visalia, CA 93277	Representative: Dave Terrack Designer: Laurence Henkins	Design Date: 05.11.15	Design Number:	Page: 02
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Step down top-cap painted to match center colors

.080 aluminum sea-cool finish painted DE 5331 PASTA, 3/16" acrylic face panels with (3M) vinyl film decorations.

2" Reveal painted black

Internally illuminated with HO fluorescent lamps & electronic ballast housed within electrical receptacle.

.080 aluminum sea-cool finish cap painted to match center colors with decorative brick base.



Exhibit "D"

GATEWAY PLAZA - INTERNALLY LIGHTED MONUMENT SIGN

1/2" = 1'



5901 E. CLINTON AVE. FRESNO, CA. 93727
 TEL. (559) 282-2944 / FAX (559) 282-2680
 www.signcompany.com / sales@signcompany.com

Produced - Gateway Plaza
 Contract - Jim Sanders
 Order # - 1016011
 Date - 10/16/11

CUSTOMER APPROVAL
 DATE: _____

PROPERTY OWNER APPROVAL
 DATE: _____

THIS DESIGN IS THE PROPERTY OF
 FRESNO NEON SIGN CO.
 NO UNAUTHORIZED USE OR
 REPRODUCTION IS ALLOWED.

DRAWING NUMBER
GP-MS2

**MOONEY BLVD
MONUMENT SIGN**



EXHIBIT E

03/17/2015

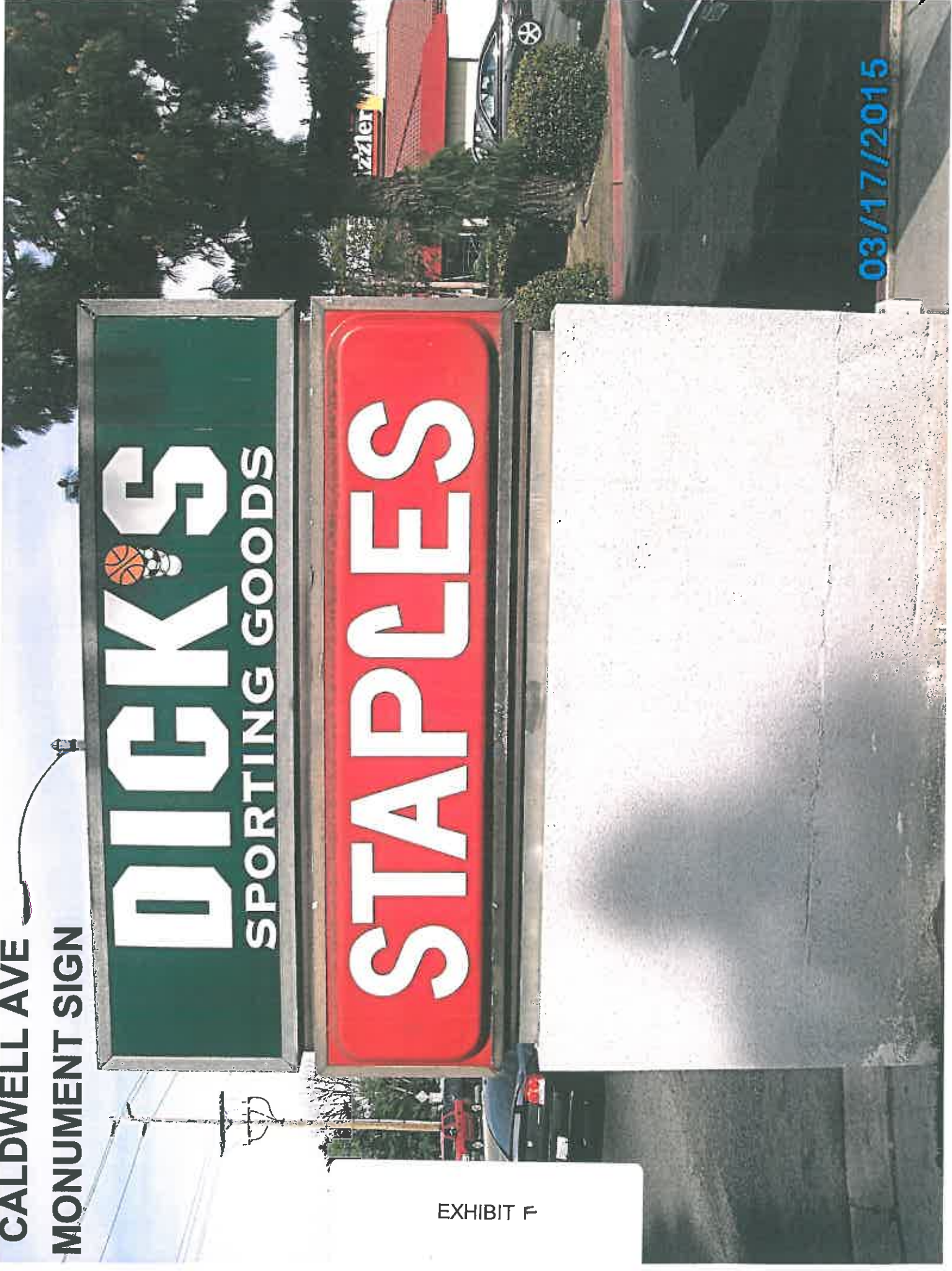
**CALDWELL AVE
MONUMENT SIGN**

DICK'S
SPORTING GOODS

STAPLES

EXHIBIT F

03/17/2015



SIGN VARIANCE REQUEST
Gateway Plaza Shopping Center
SWC Mooney Blvd. and Caldwell Ave.
Visalia, CA

The Gateway Plaza Shopping Center on South Mooney Blvd was constructed 25 years ago. In 2011, we purchased a portion of the 12.88 acre shopping center. In 2012 Dick's Sporting Goods opened and we remodeled the other existing shop buildings. In 2013, we relocated Staples within the shopping center to be adjacent to Dick's Sporting Goods and purchased the last remaining anchor building to be remodeled, the 30,000 square foot former Payless Drug Store building which Staples use to own and operate. The position of the buildings as originally constructed on the Shopping Center site plus the construction of additional out parcel buildings severely limits the visibility to buildings in the back of the center. The 30,000 s.f building has been empty for 2 years. We have procured two new retailers to join the Visalia community: Home Goods, a national home furnishing retailer with over 485 stores nationwide, to occupy 20,000 square feet; and DSW, Designer Show Warehouse, a shoe retailer with over 430 stores nationwide, to occupy 10,000 square feet. Both national retailers recognize signage visibility as of utmost importance in any new location they choose to operate in.

Variance being requested:

The request will allow for site signage and building signage for Home Goods, both of which exceeds what is normally allowable in the PCR zone district. Specifically, the request is for the addition of two equal sized panels (8'0" by 2'2") to the existing Gateway Plaza Shopping Center monument signs on both Mooney Blvd and Caldwell Ave. The total added square footage of signage on Mooney Blvd would be 34.67 square feet and the total added square footage of signage on Caldwell Ave would be 34.67 square feet. The sign to be mounted on the front of the building (facing Mooney Blvd) for Home Goods would be 233.10 square feet.

Findings:

- 1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the sign and zoning;**

The existing site signage consists of two panels on each monument sign which are used by Dick's Sporting Goods and Staples. The expectation of Home Goods and DSW to join in the site signage for the shopping center is significant towards their branding and identification. The limited visibility of their building frontage

creates an unnecessary hardship and disadvantage, which can be overcome by the permitting of two additional sign panels and a larger building sign for Home Goods. The size and total square footage are consistent with signage at other Home Goods and DSW locations throughout the Central Valley.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties classified in the same zone;

The location of their building frontage sits in the southwest corner of the shopping center and is the furthest away from Mooney Blvd in the shopping center. Their building frontage is blocked by buildings we do not own or control. Without site signage visibility on Mooney Blvd and Caldwell Ave and larger building signage for Home Goods, it will be extremely difficult to re-tenant this building which has been vacant for two years or bring new national businesses in of their caliber into this shopping center.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;

Other retailers on Mooney Blvd. have much more site and building signage visibility. There have been other variances granted in this regional zone district and the granting of this variance would allow for consistency with other retailers.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;

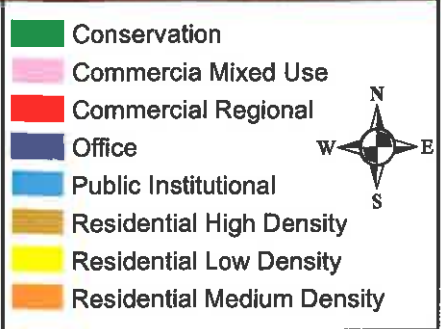
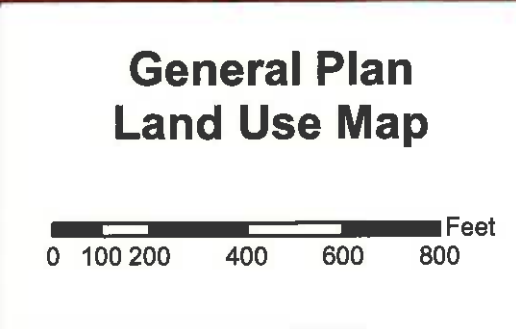
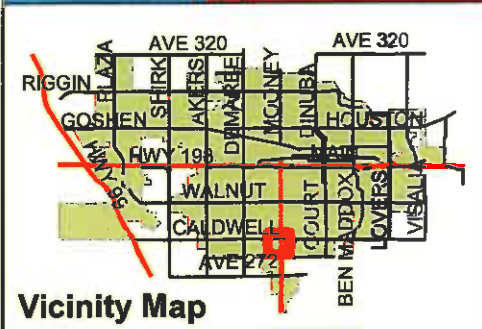
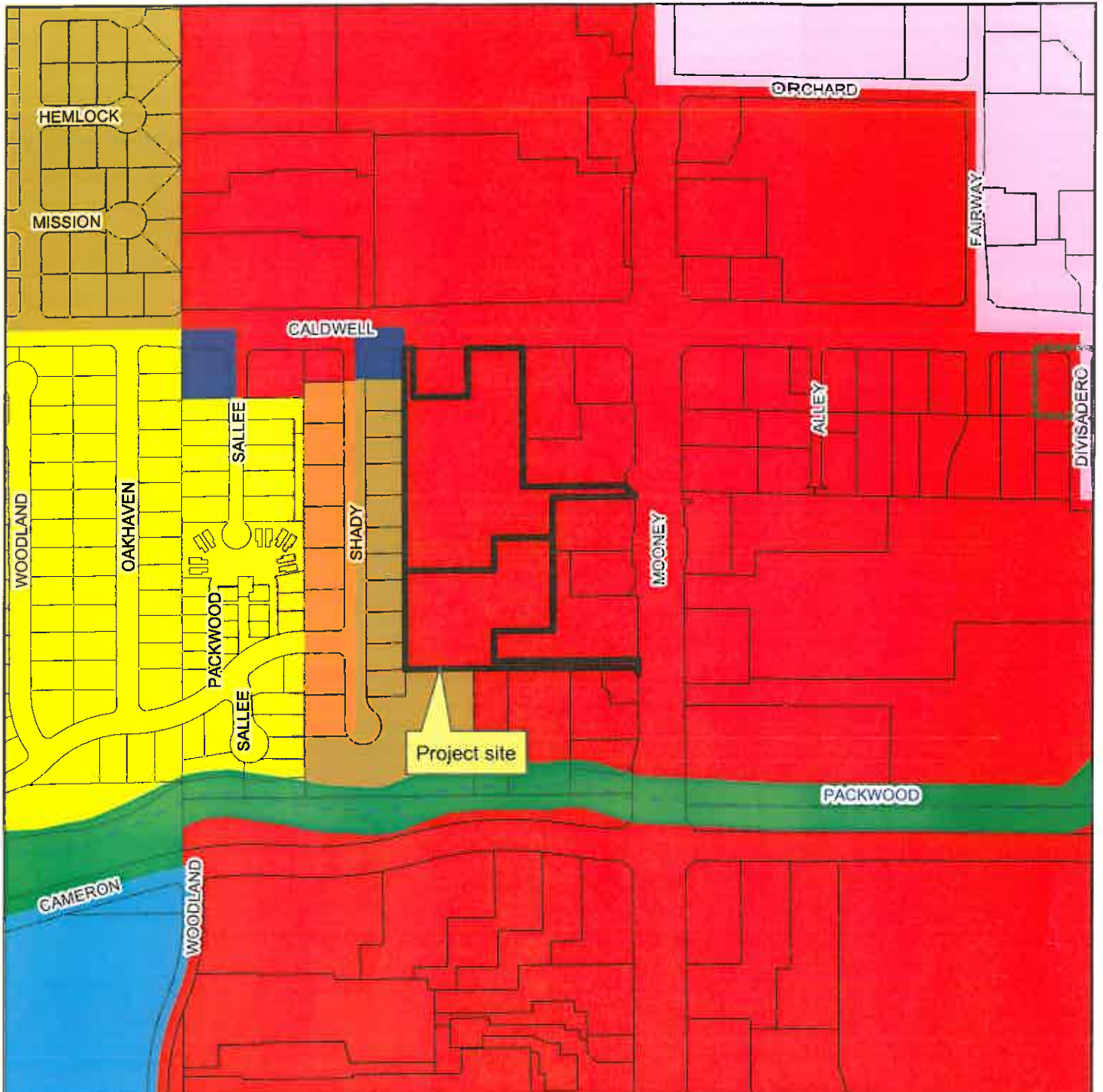
Other properties that may be in the same zone will not have the same problematic visibility issues that are specific to this location. Visibility is limited which makes the need for additional sign panels on the monument signs and building signage for Home Goods critical.

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The addition of Home Goods and DSW stores is very much a positive for the City of Visalia and enhances the entire City. There will be little or no impact for the variance in signage to other retail properties on Mooney Blvd. in this same zone district. There are no residential properties in the area that will be impacted by the granting of the requested variance.

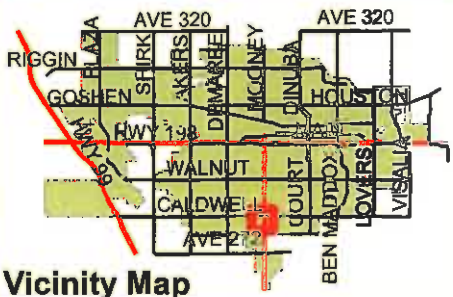
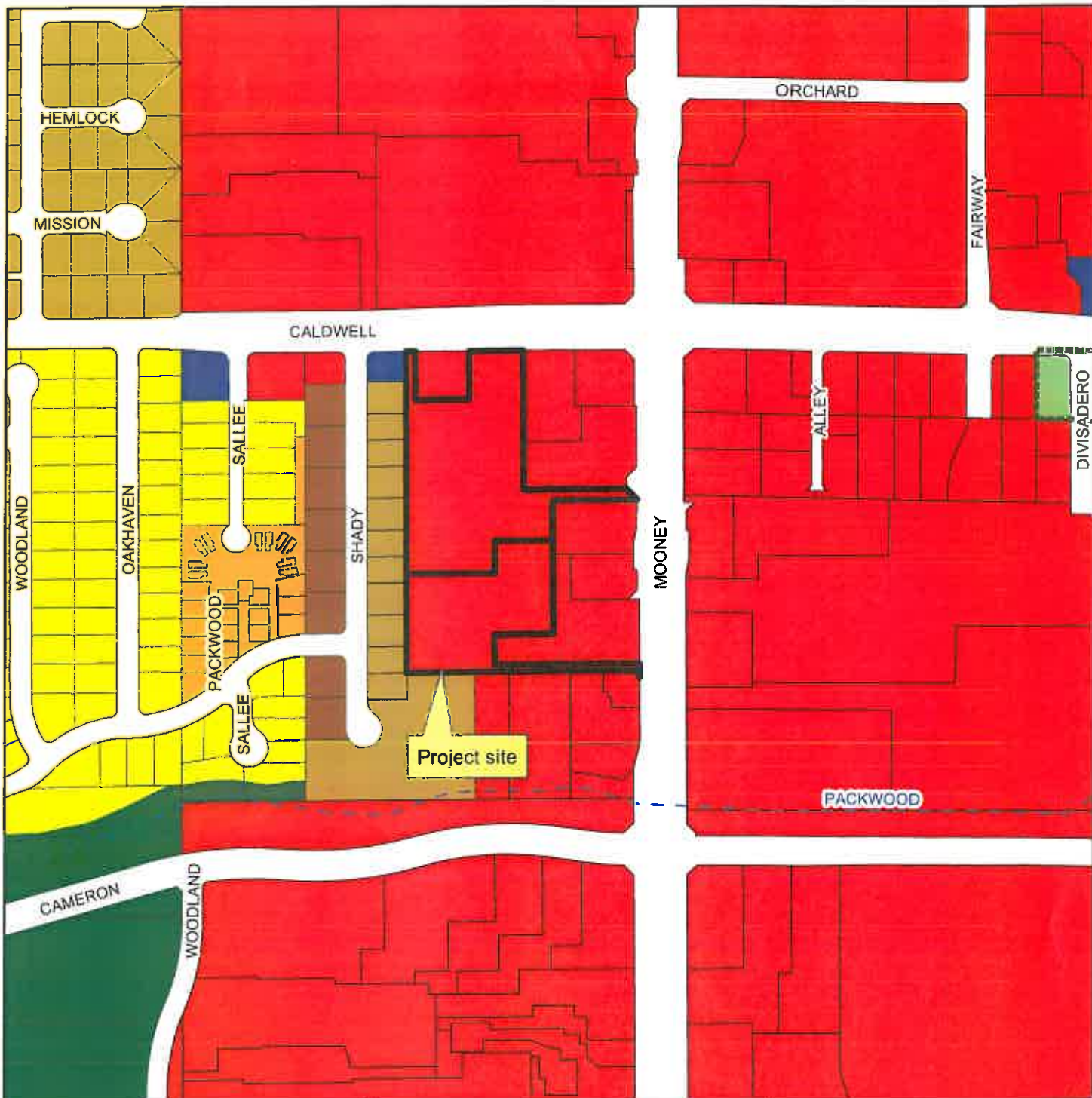
Variance No. 2015-04

The site is located at the southwest corner of Mooney Boulevard and Caldwell Avenue. (APN: 126-041-055, 063)



Variance No. 2015-04

The site is located at the southwest corner of Mooney Boulevard and Caldwell Avenue. (APN: 126-041-055, 063)



Vicinity Map

Zoning Map

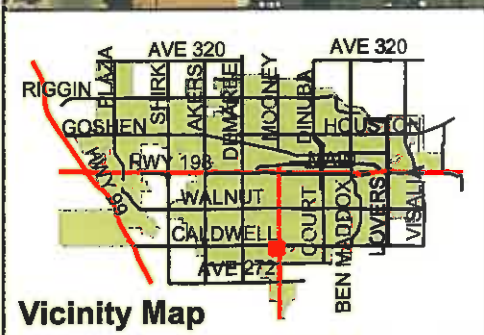
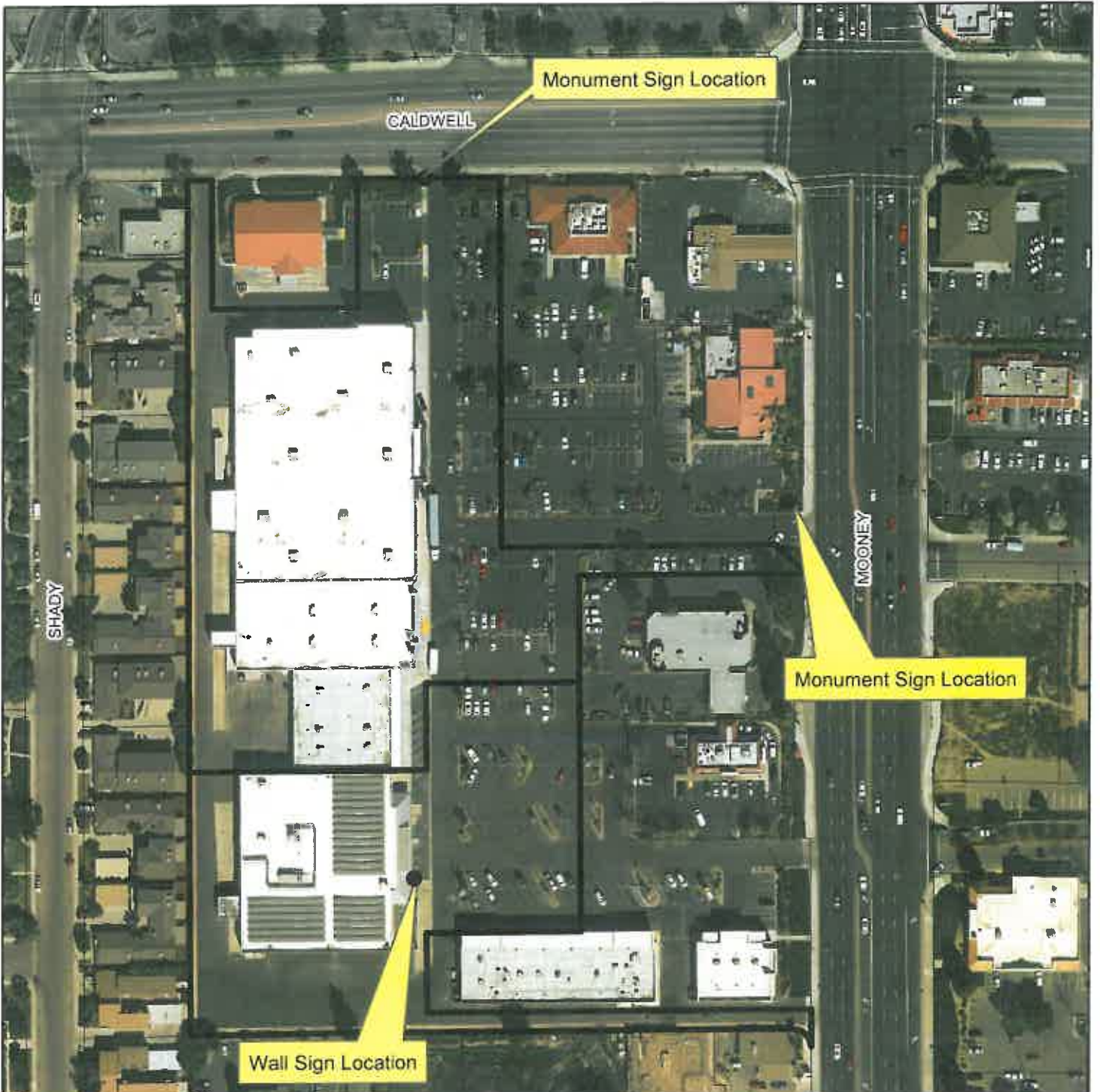


- REGIONAL RETAIL COMMERCIAL
- PROFESSIONAL / ADMIN. OFFICE
- QUASI-PUBLIC
- SINGLE-FAMILY RESIDENTIAL, R-1-4.5
- SINGLE-FAMILY RESIDENTIAL, R-1-6
- MULTI-FAMILY RESIDENTIAL, R-M-2
- MULTI-FAMILY RESIDENTIAL, R-M-3
- COUNTY AREAS



Variance No. 2015-04

The site is located at the southwest corner of Mooney Boulevard and Caldwell Avenue. (APN: 126-041-055, 063)



Vicinity Map

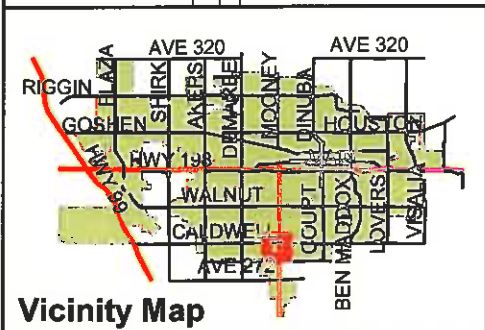
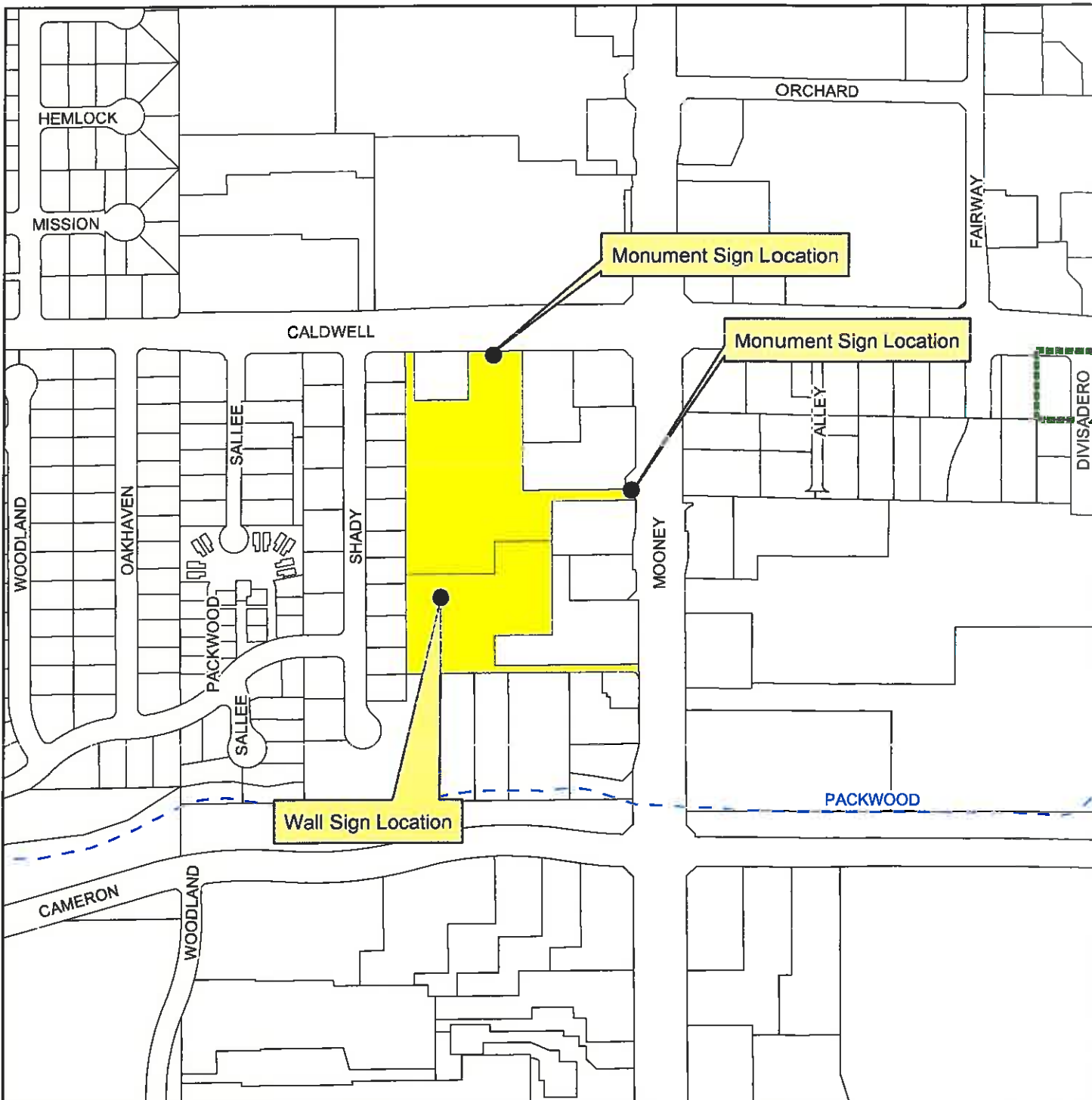
Aerial Photo

Photo Taken March 2014



Variance No. 2015-04

The site is located at the southwest corner of Mooney Boulevard and Caldwell Avenue. (APN: 126-041-055, 063)



Location Map

