

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

**MONDAY, AUGUST 13, 2018; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA**

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - Request to initiate a General Plan Air Quality Element Amendment (GPA), and Zoning Text Amendment (ZTA) to address revisions to the Indirect Source Review (ISR) Rule 9510 administered by the San Joaquin Valley Air Pollution Control District (SJVAPCD).
  - Time Extension for Conditional Use Permit No. 2007-17.
5. PUBLIC HEARING – Brandon Smith  
Tentative Parcel Map No. 2018-03: A request by Westgate Construction and Development, Inc. to subdivide a 17.49-acre parcel into two parcels to separate commercial and residential land uses on property containing Mixed Use Commercial (CMU) and Multi-Family Residential (R-M-2 and R-M-3) zoning designations. The project site is located on the northeast corner of Dinuba Boulevard (State Route 63) and Shannon Parkway (APN: 079-071-029). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2018-44.
6. PUBLIC HEARING – Brandon Smith  
Variance No. 2018-08: A request by San Joaquin Valley Homes to allow a variance to the minimum front and/or rear yard setbacks associated with three new single-family residences in the Pine River Ranch Estates Subdivision located within the R-1-5 (Single-Family Residential, 5,000 square foot minimum lot size) Zone. The sites are located at 2239 E. Delta Court, 2226 and 2227 E. Woodsville Court (APNs: 098-420-047, 050; 098-510-036). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-43.

7. PUBLIC HEARING – Andrew Chamberlain

Variance No. 2018-06: A request by United Signs to amend the sign program for the Country Club Plaza Shopping Center, to allow two monument signs for the Chevron gas station and convenience store in the Neighborhood Commercial (NC) zone. The site is located at 1330 N. Demaree Street (APN: 089-490-029). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-38.

8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- Update on the Mobile Food Truck Ordinance
- Update on the Micro-brewery/winery Ordinance
- Update on Assistant/Associate Planner Position

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

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

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

**APPEAL PROCEDURE**

**THE LAST DAY TO FILE AN APPEAL IS THURSDAY, AUGUST 23, 2018 BEFORE 5 PM**

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, AUGUST 27, 2018**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** August 13, 2018

**PROJECT PLANNER:** Andrew Chamberlain  
(559) 713-4003; [andrew.chamberlain@visalia.city](mailto:andrew.chamberlain@visalia.city)

**SUBJECT: Variance No. 2018-06:** A request by United Signs to amend the sign program for the Country Club Plaza Shopping Center, to allow two monument signs for the Chevron gas station and convenience store in the Neighborhood Commercial (NC) zone. The site is located at 1330 N. Demaree Street. (APN: 089-490-029)

## STAFF RECOMMENDATION

Staff recommends that Variance No. 2018-06 be approved, as modified by the staff recommendation, based upon the findings in Resolution No. 2018-27.

## RECOMMENDED MOTION

I move to approve Variance No. 2018-06, based on the findings and conditions in Resolution No. 2018-27.

## PROJECT DESCRIPTION

The applicant is requesting a variance to the sign program established by Variance No. 2007-05 for the Country Club Plaza Shopping Center. The applicant proposes two monument signs for the gas station convenience store located on the southeast corner of Demaree and Houston as shown in the site plan in Exhibit "A". The proposed signs in Exhibit "B" are 8-ft., 9-in. high with 35.4 sq. ft. of sign face per side. The total combined sign area and sign face is approximately 80 sq. ft. per side. The signs would be located approximately five-feet behind the sidewalk and contain fuel brand, price, and the store name "The Barn". The applicant's findings for the request are found in Exhibit "C".

The sign program for the Country Club Plaza Shopping Center limited the corner user to one single tenant monument sign with a maximum height of six-feet and sign area of 35 sq. ft. per face for a future gas station as depicted in Exhibit "E".

The applicant's request for their two signs as depicted in Exhibit "B" is based on their findings that the size of the proposed signs are required to provide the needed gas identification, pricing, and store name. The applicant also contends the second sign is needed to provide identification coverage on both street frontages (Demaree St. and Houston Ave.). The applicant's findings also identify that no other similarly zoned gas stations are subject to this type of sign standards, and that this site was not originally contemplated as a gas station.

## BACKGROUND INFORMATION

General Plan Land Use Designation	CN (Neighborhood Commercial)
Zoning	C-N (Neighborhood Commercial)
Surrounding Zoning and Land Use	North: R-1-5 (Single-family Residential): Luisi Ranch Subdivision South: C-N/Country Club Plaza Shopping Center: Subway, Osaka & Azul Japanese restaurants

East: C-N/Country Club Plaza Shopping Center:  
Walmart Neighborhood Grocery Store  
West: P-A: Vacant - planned for office development  
Categorical Exemption No. 2018-38

Environmental Review

Special Districts:

Site Plan Review

None

N/A

**RELATED PROJECTS**

On May 14, 2007, the Planning Commission approved Variance No. 2007-05 establishing a sign program for the Country Club Plaza Shopping Center. The Planning Commission also approved Conditional Use Permit No. 2007-10 for a neighborhood shopping center consisting of 154,500 square feet of retail space, including a pharmacy with a drive-thru, gasoline service station with a mini-market and drive-thru, future grocery store and ancillary businesses.

The use permit and variance combined to establish a shopping center with specific architectural features and corresponding monument signage to match the center.

**PROJECT EVALUATION**

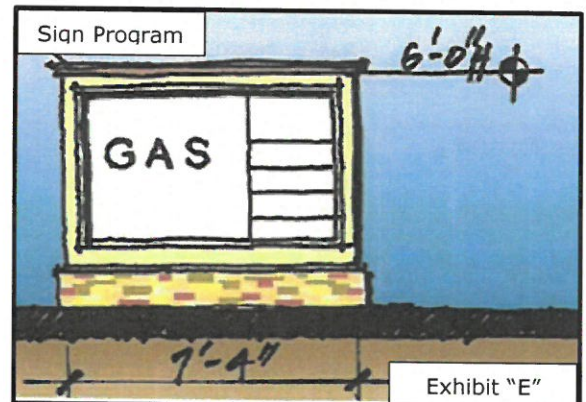
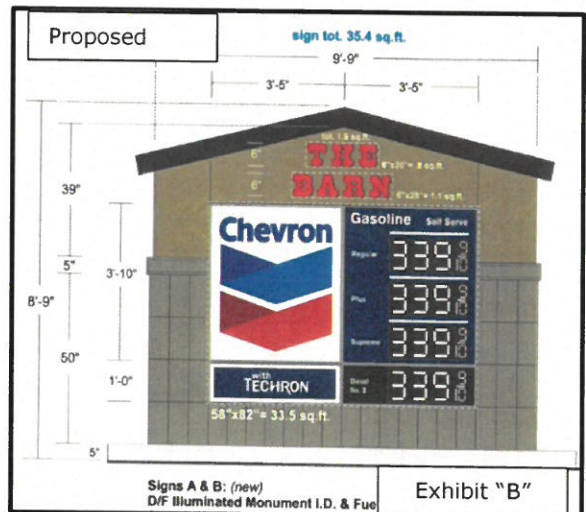
Staff recommends approval of the requested variance for two monument signs with the modification that the signs match the existing sign program single tenant monument sign shown in Exhibit "E". This is based upon the site being located in a neighborhood shopping center with residential houses located to the north.

**Sign Design**

The proposed gas station monument signs are 8-ft., 9-in. tall with a 35.4 sq. ft. sign face. The sign face includes the brands identification (Chevron), fuel pricing, and the store name (The Barn). The total sign area is approximately 80 sq. ft. per side. The "sign area" includes the sign face area with the total surface area of the monument sign.

The two proposed gas station monument signs are two sided signs with internal illumination. The proposed monument signs, at 8-ft., 9-in. tall are similar in height to the approved multiple tenant monument signs (approximately 10-ft. tall) approved for the entire shopping center as shown in the attached Exhibit "F". The existing multiple tenant monument signs are used to display the major and ancillary tenants located in the shopping center.

Staff recommends that the gas station signs be developed constant with the approved single tenant monument signs as depicted per the approved sign program for the shopping center, and in particular the future gas station monument sign as shown in Exhibit "E".



The shopping center's sign program was approved with a future gas station on the corner having a monument sign with a 35 sq. ft. sign area, and the other single tenant out-pad signs having 25 sq. ft. of sign area. Staff finds that the existing shopping center sign program, which included a single tenant monument sign for the gas station, is consistent with the applicant's request regarding the sign face (35.4 sq. ft.) for each of the proposed gas station monument signs. However, staff recommends the two proposed monument signs for the gas station be limited to a height of six-feet, and have a maximum sign area (which includes the sign face) of 44 sq. ft. The recommendation to reduce the proposed monument sign area and height is consistent with the approved Country Club Plaza Shopping Center's sign program.

### **Two Gas Station Monument Signs**

The applicant is also requesting that they be allowed to have an additional monument sign on the Houston Avenue street frontage as shown in Exhibit "A". The Country Club Plaza Shopping Center sign program site plan in Exhibit "D" identifies only one multiple tenant monument sign on the Houston Avenue frontage. (Please note, this multiple tenant monument sign has not been installed along Houston Ave). During the entitlement review process for the shopping center, the request to approve one multiple tenant monument sign along Houston Ave. was done to limit the number of signs along the Houston Avenue frontage. The approval of one monument sign along Houston Avenue would potentially reduce light impacts to the existing residences rather than allowing multiple monument signs.

Staff concludes that allowing an amendment to the shopping center's sign program to permit a second single tenant monument sign for the gas station is consistent with similar sign programs approved for gas station monument signs. The additional monument sign would provide brand identification and pricing on both major street frontages. However, staff recommends the Planning Commission adopt Conditions No. 3 and 4. These two conditions will reduce potential impacts from light and glare by prohibiting the use of exposed neon, high intensity LEDs', and similar sign lighting for the two proposed monument signs.



Staff's recommendation to support two monument signs subject to the approved single tenant monument sign design as depicted in Exhibit "E" is reflective of the nature of this site being located in close proximity to residential neighborhoods. The use of large monument signs, as proposed by the applicant (see Exhibit "B") for the gas station would not be in scale and size with the existing monument out-pad signage approved for the shopping center and surrounding residential area. Staff's recommendation to reduce the scale and height of the proposed monument signs, while still providing adequate sign area and sign face, is consistent with the existing monument sign program established for the Country Club Plaza Shopping Center.

## **Planning Commission Variance Findings**

The applicant has provided the five required variance findings in Exhibit "C". The applicant's findings and staff analysis is summarized below. In the "Findings" section in Resolution No. 2018-27, the findings include portions of the staff analysis sections 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;*

*Applicant Finding: Without having this size of sign we would not be able to advertise the cash-credit price of the fuel.*

*Analysis: The staff recommendation would provide 35 sq. ft. of sign face, which is only 0.4 sq. ft. less than the applicant's requested sign face of 35.4 sq. ft. The addition of a second monument sign as shown in Exhibit "A" would provide the applicant with monument signage on two major street frontages similar to other gas stations.*

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;*

*Applicant Finding: The Master Sign Program that was approved for this site was approved before knowing that this site was going to be a gas station and what type of pricing they would have.*

*Analysis: The sign program included a future gas station use/sign, and specifically identified this future gas station monument sign with a sign area of 35 sq. ft. rather than the 25 sq. ft. established for other out-pad buildings located in the 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;*

*Applicant Finding: Other gas stations are able to advertise cash/credit prices due to their signs being larger. The owner has other sites that are Chevron and would like to be able to advertise the same way so they can be competitive on the pricing.*

*Analysis: The staff recommended single tenant sign for the gas station would provide 35 sq. ft. of sign face allowing the display of multiple fuel pricing. The applicant's proposed monument sign does not show separate cash and credit fuel pricing. Other gas stations in the N-C zone have been developed with either one and/or two monument signs as established by the shopping centers sign program.*

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;*

*Applicant Finding: There are no other gas stations being built with these limitations within the same zoning district. We only want this type of sign so we can be consistent with the other stations Raj owns and be able to advertise per weights and measures.*

*Analysis: The gas station at the Key West Shopping Center at Askers and Goshen is limited to a 25 sq. ft. sign area per side. The staff recommendation provides for 35 sq. ft. of sign area and a total sign area of 44 sq. ft. per side, which exceeds and/or is similar to other gas station sites located in the community.*

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.

Applicant Finding: Granting these signs will not have any impact to the public health, safety, welfare or materially injurious to properties of improvements in the vicinity.

Analysis: The granting of a variance to allow two single tenant monument signs, as recommended by staff, is not considered detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Based on staff's analysis, and response to the variance findings, staff recommends the Planning Commission approve two monument signs for the gas station as shown in Exhibit "A". Staff recommendation also includes that the monument design match the approved single tenant gas station monument sign design as shown in Exhibit "E". The Exhibit "E" monument design limits the two gas station monument sign heights to a maximum of six-feet while establishing a maximum sign area of 44 sq. ft. which includes the 35 sq. ft. sign face per each side of the monument sign.

### **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. 2018-38).

## **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.

*Finding: Without having this size of sign we would not be able to advertise the cash-credit price of the fuel. The ability to have two monument signs with 35 sq. ft. of sign face per side meets the approved Country Club Plaza Shopping Center sign program standards and with the addition of a second monument on Houston Ave. will provide the applicant with signage on two major street frontages similar to other gas station sites.*

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.

*Finding: The Master Sign Program approved for the Country Club Plaza Shopping Center included a future gas station use/sign, and specifically identified this future gas station monument sign with a sign area of 35 sq. ft. rather than the 25 sq. ft. established for other out-pad buildings. The ability to have two monument signs with 35 sq. ft. of sign face and a total sign area of 44 sq. ft. per side meets the Country Club Plaza Shopping Center sign program standards and provides the applicant signage on two major street frontages similar to many gas stations.*

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.

*Finding: Other gas stations are able to advertise cash/credit prices due to their signs being larger. The owner has other sites that are Chevron and would like to be able to advertise the same way so they can be competitive on the pricing. The ability to have two monument signs with 35 sq. ft. of sign face and a total sign area of 44 sq. ft. per side meets the Country Club Plaza Shopping Center sign program standards and provides the applicant signage on two major street frontages similar to many gas stations.*

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.

*Finding: There are no other gas stations being built with these limitations within the same zoning district. We only want this type of sign so we can be consistent with the other stations Raj owns and be able to advertise per weights and measures. The ability to have two monument signs with 35 sq. ft. of sign face and a total sign area of 44 sq. ft. per side meets the Country Club Plaza Shopping Center sign program standards and provides the applicant signage on two major street frontages similar to many gas stations.*

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.

*Finding: Granting two monument signs consistent with the sign program, as conditioned herein, will not have any impact to the public health, safety, welfare or materially injurious to properties of 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. 2018-38).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the monument signs be located along Demaree St. and Houston Ave. as shown in Exhibit "A".
2. That the monument signs be developed consistent with the Country Club Plaza Shopping Center sign program "GAS" signs as shown in Exhibit "E". The two gas station monument signs shall be limited to a maximum height of six-feet and shall maintain a maximum sign area of 44 sq. ft., which includes the 35 sq. ft. of sign face per each side of the monument sign.
3. That the signs be internally illuminated, and that the Houston Avenue monument sign be developed and installed to reduce direct/indirect light and glare from falling upon the adjacent residential properties to the north.
4. That exposed neon, high intensity LEDs', and similar lighting shall be prohibited for the monument signs.
5. That all applicable federal, state and city laws, codes and ordinances be met.



## 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 220 N. Santa Fe Street, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

### Attachments:

- Summary of Related Plans & Policies
- Resolution No. 2018-27
- Exhibit "A" – Proposed Monument Sign Locations – Site Plan
- Exhibit "B" – Applicant's Proposed Monument Signs
- Exhibit "C" – Applicant's Variance Findings
- Exhibit "D" – Sign Program Site Plan of Monument Signs - Var. No. 2007-05
- Exhibit "E" – Single Tenant Monument Sign - Var. No. 2007-05
- Exhibit "F" – Multiple Tenant Monument Sign – Var. No. 2007-05
- General Plan Land Use Map
- Zoning Map
- Aerial Photo

## RELATED PLANS AND POLICIES

### ZONING ORDINANCE

#### **17.48.150 Variance and exceptions.**

##### **A. Purposes.**

1. **Variations.** The Planning Commission may grant variances for setbacks, locational and dimensional standards that apply to signs 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 a site or building.

2. **Exception.** 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 a sign and the structures upon which it is mounted.

**B. Application Procedures.** Application for a sign variance or sign exception shall be submitted to the City Planner on an approved form and include the following:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property, is the authorized agent of the owner(s), 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 the standards in this Chapter;
5. The application shall be accompanied by such sketches or drawings as may be necessary to clearly show applicant's proposal in comparison with the standards that otherwise would apply; and
6. The required fee or deposit.

The application shall be reviewed by the City Planner, who shall determine whether it is complete or, if not, what additional information is needed. Once the application is determined to be complete, the City Planner shall give notice to the applicant of the time when the application will be considered by the Planning Commission. The City Planning also may give notice of the time to any other interested party.

##### **C. Public Notice and Hearing.**

1. Notice of a public hearing on a sign variance or sign exception shall be given not less than ten days nor more than 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.

2. After the required notice has been provided, the Planning Commission shall hold a public hearing on an application for a variance.

**D. Staff Report.** The City Planner shall prepare a staff report on the application, including a recommendation, which shall be submitted to the Planning Commission.

**E. Public Hearing Procedure.** At a public hearing the Planning Commission shall review the application and the statements and drawings submitted by the applicant and the staff report and the evidence presented in that report with respect to the findings listed below, that are required to approve a variance or exception.

**F. Findings Required for a Variance.**

1. The Planning Commission may grant a variance to a regulation or standard prescribed by this Chapter, 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 determines:
  - 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 regulations;
  - 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; and
  - 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 reasonable conditions as the Commission may prescribe.
3. The Planning Commission must deny a variance application if the required findings can not be made.

**G. Findings Required for an Exception.** 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 or conditionally 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 and standards of this Chapter were strictly applied;
2. That the granting of an exception would not adversely affect the visibility of signs on adjacent properties; and
3. That the granting of an exception would not constitute a granting of a special privilege.

**H. Appeal to City Council.** The decision of the Planning Commission on a variance or exception application shall be subject to the appeal provisions of the zoning ordinance.

**I. Revocation.** A variance or exception granted subject to a condition or conditions shall be revoked by the Planning Commission if the applicant fails to comply with any the condition of approval.

**J. Time Limits for Filing a 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 sign shall be filed within one year of the date of denial of the variance or exception application or the date of revocation of the variance or exception.

RESOLUTION NO. 2018-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2018-06, A REQUEST BY UNITED SIGNS TO AMEND THE SIGN PROGRAM FOR THE COUNTRY CLUB PLAZA SHOPPING CENTER, TO ALLOW TWO MONUMENT SIGNS FOR THE CHEVRON GAS STATION AND CONVENIENCE STORE IN THE NEIGHBORHOOD COMMERCIAL (NC) ZONE. THE SITE IS LOCATED AT 1330 N. DEMAREE STREET. (APN: 089-490-029)

**WHEREAS**, Variance No. 2018-06, is a request by United Signs to amend the sign program for the Country Club Plaza Shopping Center, to allow two monument signs for the Chevron gas station and convenience store in the Neighborhood Commercial (NC) zone. The site is located at 1330 N. Demaree Street. (APN: 089-490-029); and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on August 13, 2018; and

**WHEREAS**, the Planning Commission of the City of Visalia finds Variance No. 2018-06, as conditioned by staff, to be in accordance with Section 17.42 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 findings 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.

*Finding: Without having this size of sign we would not be able to advertise the cash-credit price of the fuel. The ability to have two monument signs with 35 sq. ft. of sign face and a total sign area of 44 sq. ft. per side meets the Country Club Plaza Shopping Center sign program standards and provides the applicant signage on two major street frontages similar to many gas stations.*

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.

*Finding:* The Master Sign Program approved for the Country Club Plaza Shopping Center included a future gas station use/sign, and specifically identified this future gas station monument sign with a sign area of 35 sq. ft. rather than the 25 sq. ft. established for other out-pad buildings. The ability to have two monument signs with 35 sq. ft. of sign face and a total sign area of 44 sq. ft. per side meets the Country Club Plaza Shopping Center sign program standards and provides the applicant signage on two major street frontages similar to many gas stations.

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.

*Finding:* Other gas stations are able to advertise cash/credit prices due to their signs being larger. The owner has other sites that are Chevron and would like to be able to advertise the same way so they can be competitive on the pricing. The ability to have two monument signs with 35 sq. ft. of sign face and a total sign area of 44 sq. ft. per side meets the Country Club Plaza Shopping Center sign program standards and provides the applicant signage on two major street frontages similar to many gas stations.

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.

*Finding:* There are no other gas stations being built with these limitations within the same zoning district. We only want this type of sign so we can be consistent with the other stations Raj owns and be able to advertise per weights and measures. The ability to have two monument signs with 35 sq. ft. of sign face and a total sign area of 44 sq. ft. per side meets the Country Club Plaza Shopping Center sign program standards and provides the applicant signage on two major street frontages similar to many gas stations.

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.

*Finding:* Granting two monument signs consistent with the sign program, as conditioned herein, will not have any impact to the public health, safety, welfare or materially injurious to properties of improvements in the vicinity.

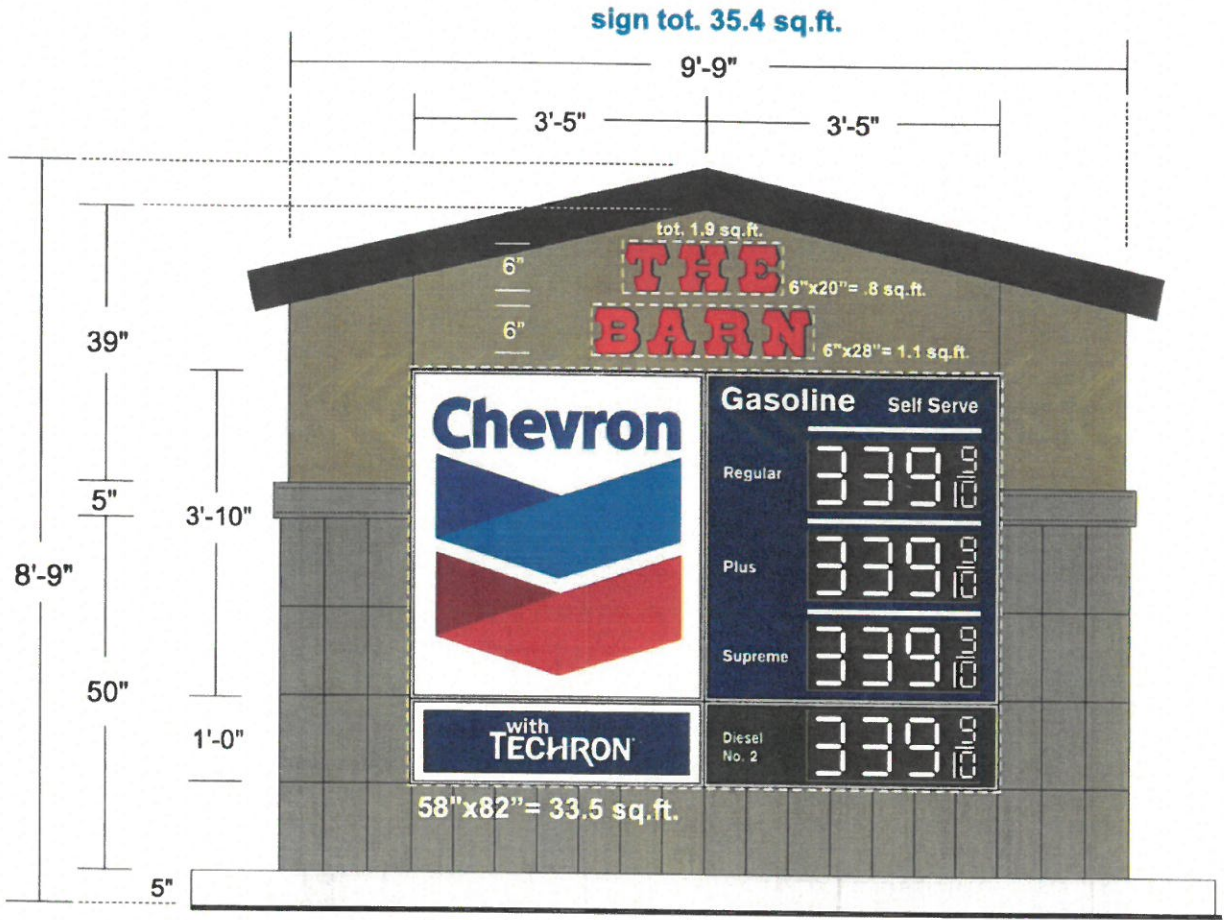
6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2018-38).

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves Variance No. 2018-06, 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:

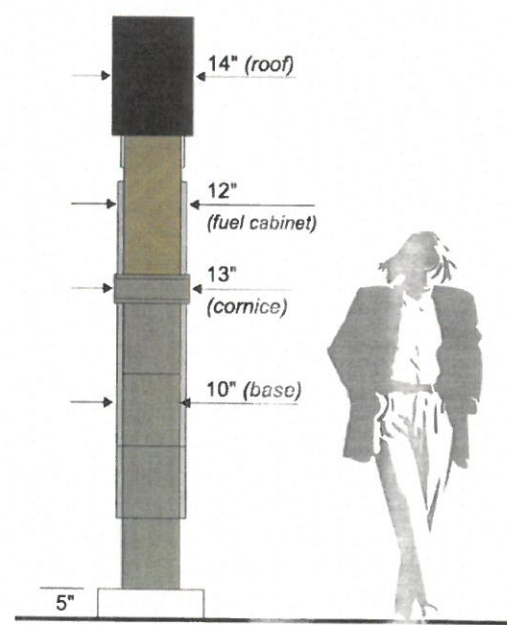
1. That the monument signs be located along Demaree St. and Houston Ave. as shown in Exhibit "A".
2. That the monument signs be developed consistent with the Country Club Plaza Shopping Center sign program "GAS" signs as shown in Exhibit "E". The two gas station monument signs shall be limited to a maximum height of six-feet and shall maintain a maximum sign area of 44 sq. ft., which includes the 35 sq. ft. of sign face per each side of the monument sign.
3. That the signs be internally illuminated, and that the Houston Avenue monument sign be developed and installed to reduce direct/indirect light and glare from falling upon the adjacent residential properties to the north.
4. That exposed neon, high intensity LEDs', and similar lighting shall be prohibited for the monument signs.
5. That all applicable federal, state and city laws, codes and ordinances be met.



**Exhibit "B"**



**Signs A & B: (new)**  
**D/F Illuminated Monument I.D. & Fuel Price Signs**



**Exhibit "B"**



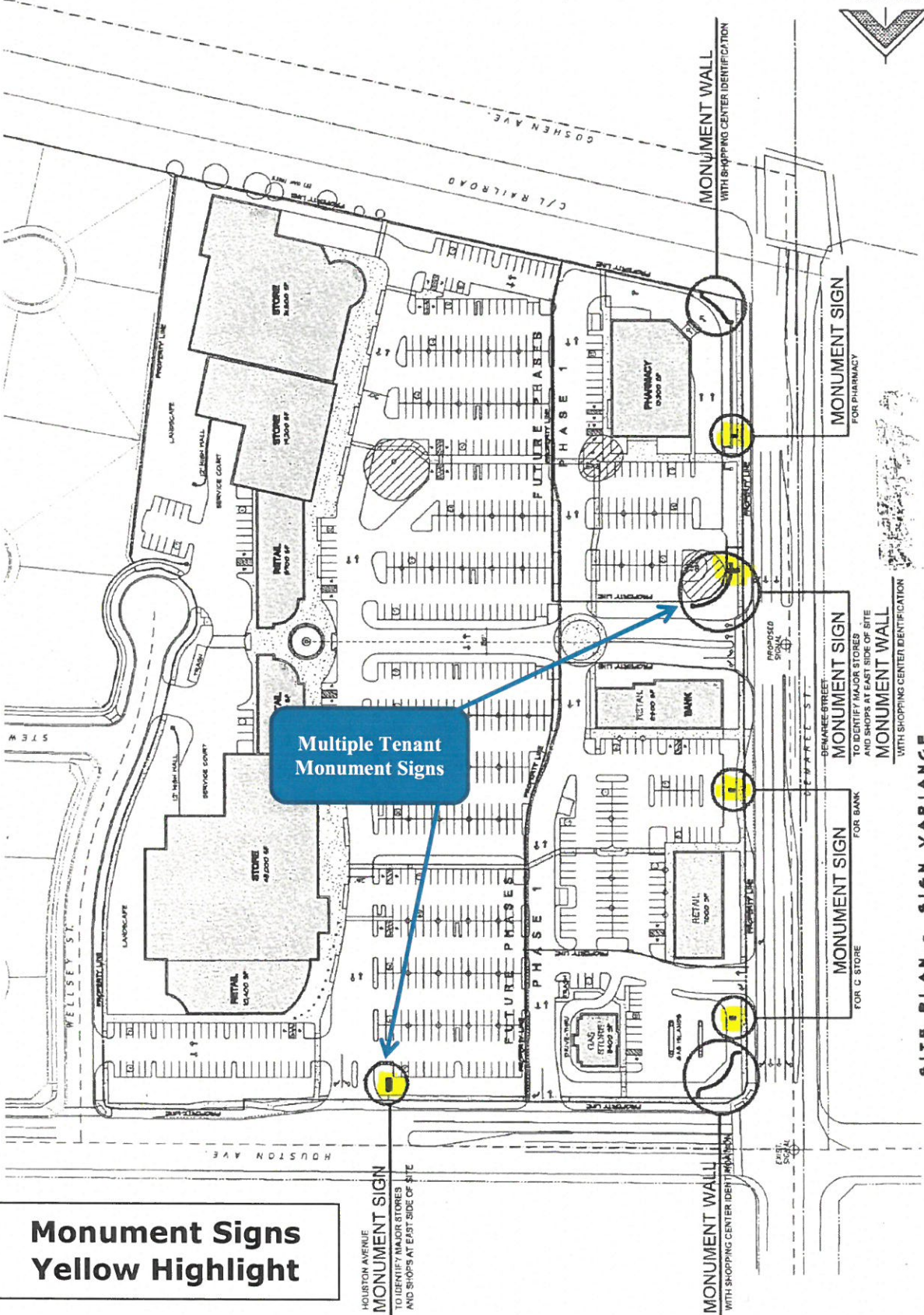
**Exhibit "C"**  
**Applicant Findings**

- a. Without having this size of sign we would not be able to advertise the cash-credit price of the fuel.
- b. The Master Sign Program that was approved for this site was approved before knowing that this site was going to be a gas station and what type of pricing they would have.
- c. Other gas stations are able to advertise cash/credit prices due to their signs being larger. The owner has other sites that are Chevron and would like to be able to advertise the same way so they can be competitive on the pricing.
- d. There are no other gas stations being built with these limitations within the same zoning district. We only want this type of sign so we can be consistent with the other stations Raj owns and be able to advertise per weights and measures.
- e. Granting these signs will not have any impact to the public health, safety, welfare or materially injurious to properties of improvements in the vicinity.

**Exhibit "C"**

# Exhibit "D"

## Approved Sign Program



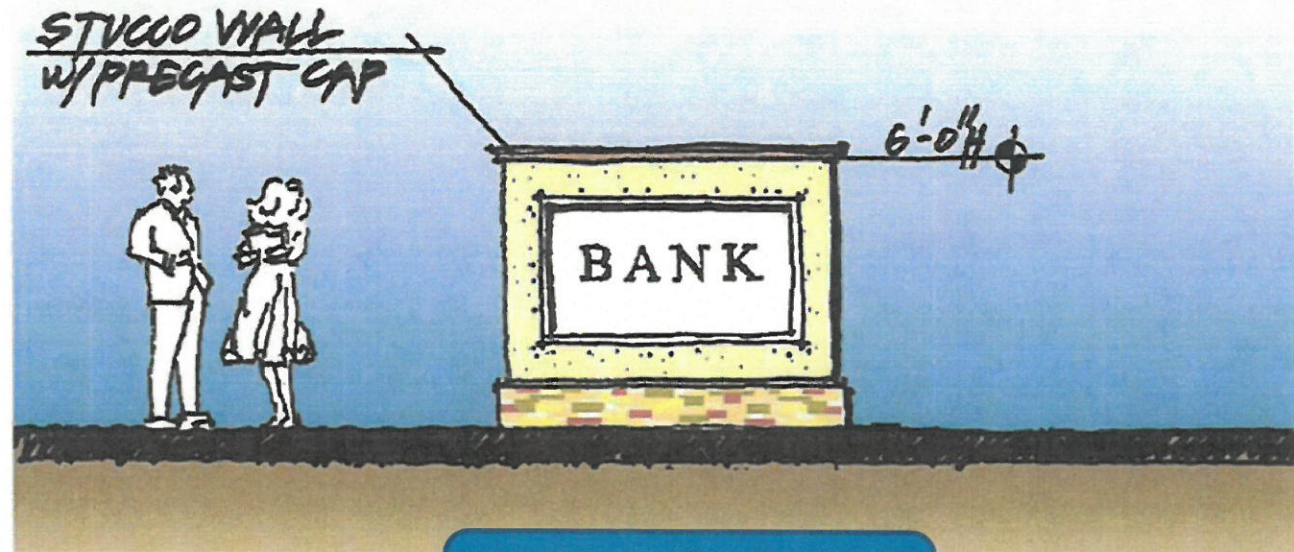
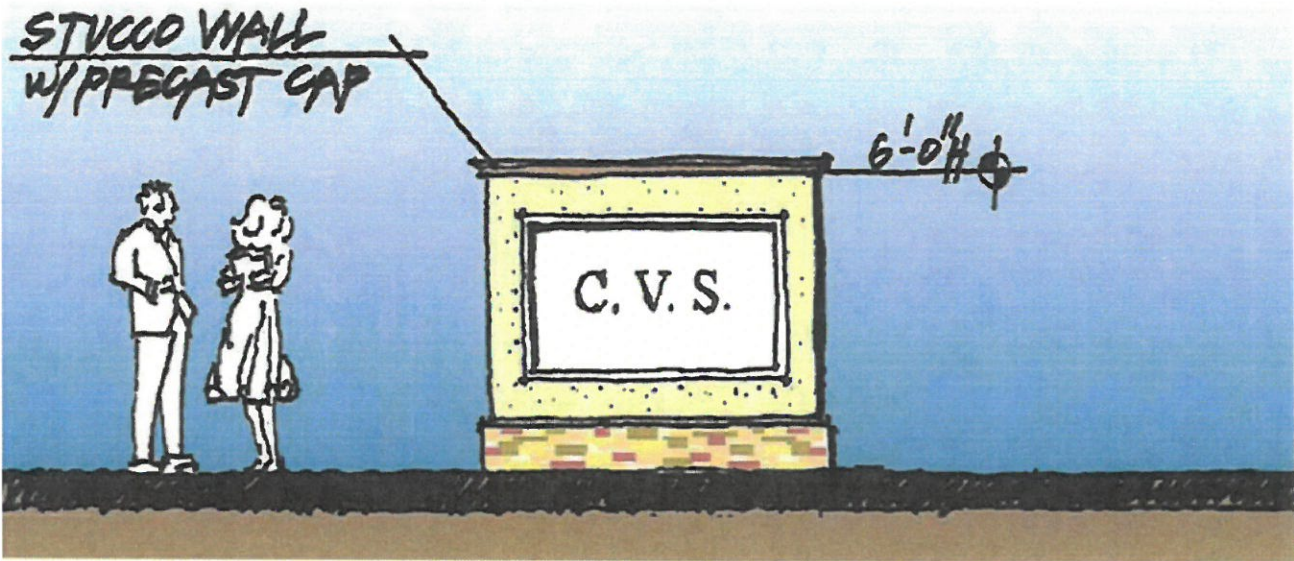
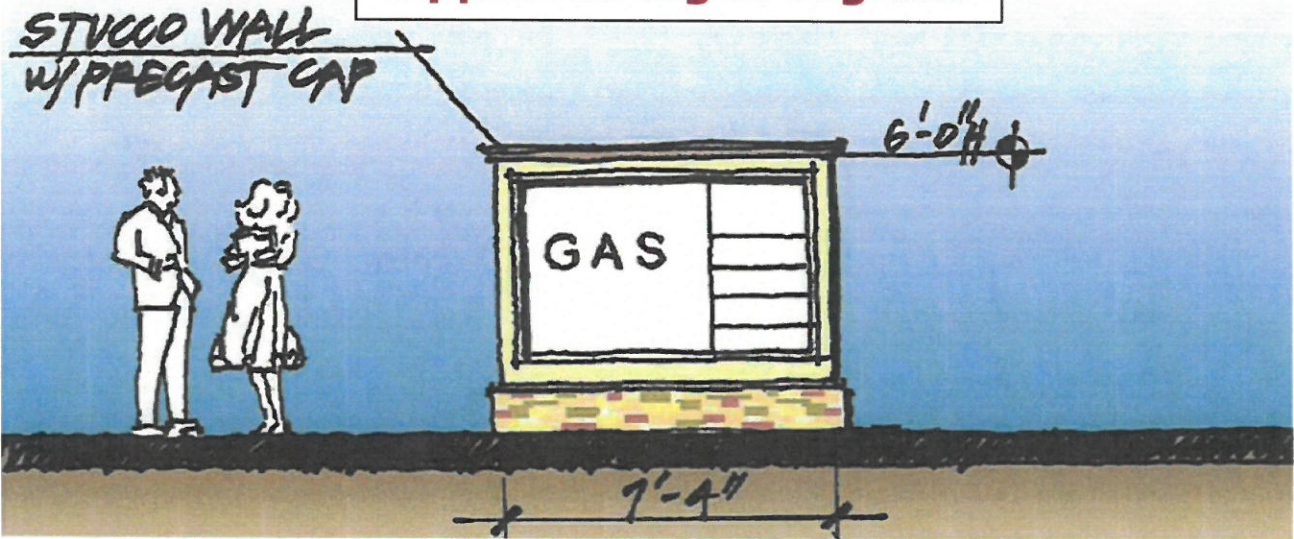
**Monument Signs  
Yellow Highlight**

**Multiple Tenant  
Monument Signs**

**Exhibit "D"**

**SITE PLAN - SIGN VARIANCE**  
SCALE 1" = 80'-0"

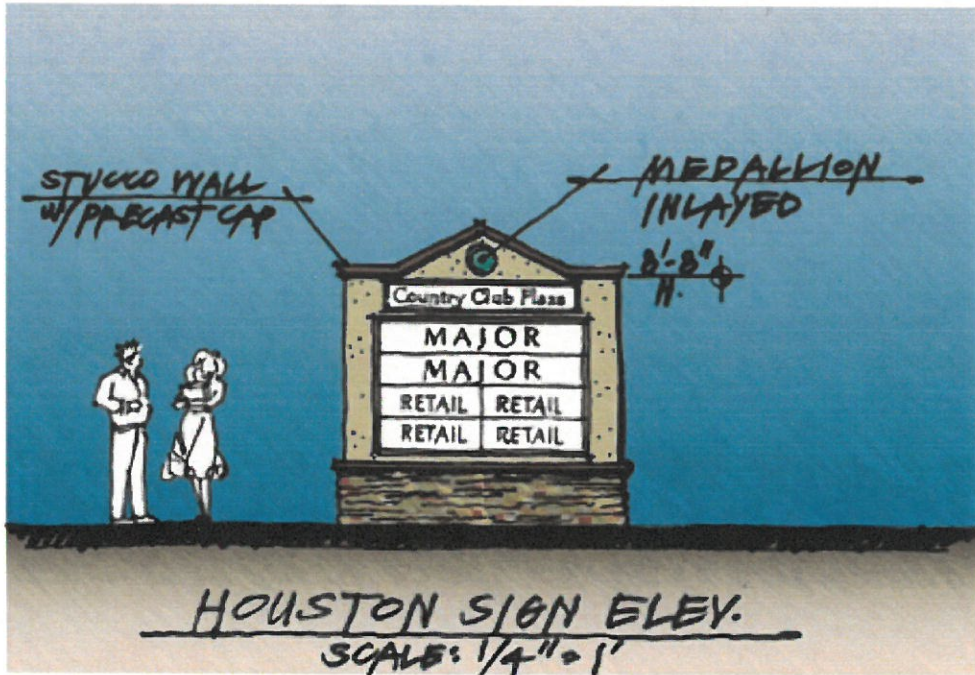
Exhibit "E"  
Approved Sign Program



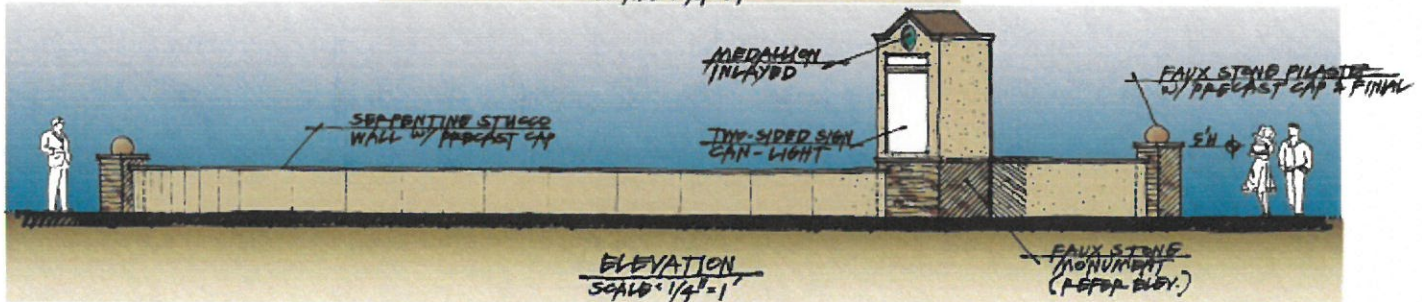
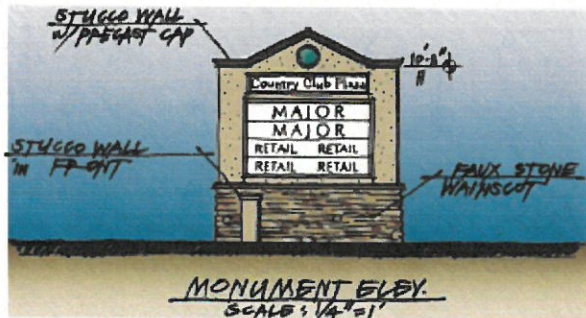
Single Tenant  
Monument Signs

Exhibit "E"

**Exhibit "F"**  
**Approved Sign Program**



**COUNTRY CLUB PLAZA**

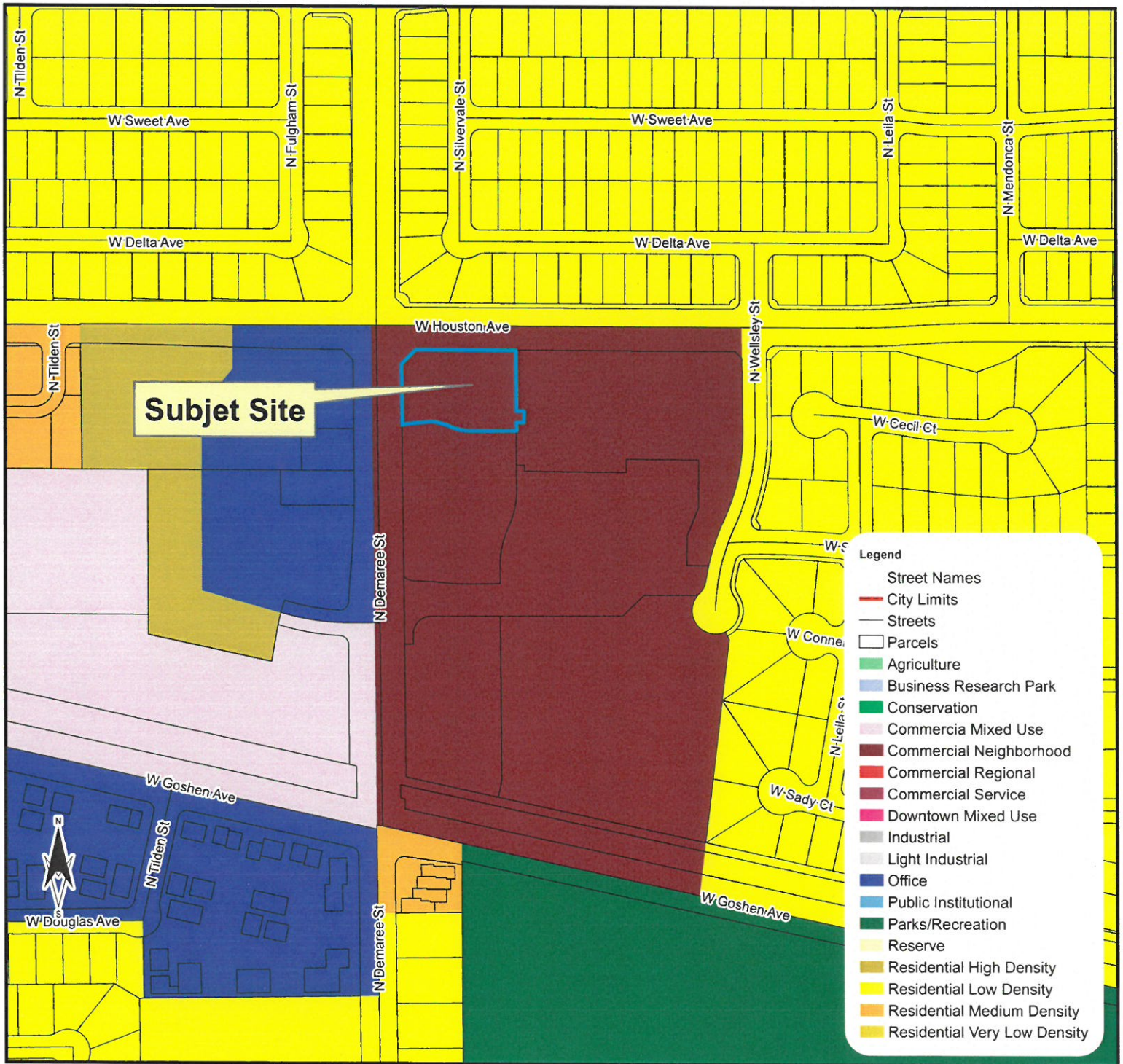


**MONUMENT SIGN**  
**COUNTRY CLUB PLAZA**

**Multiple Tenant  
 Monument Signs**

**Exhibit "F"**

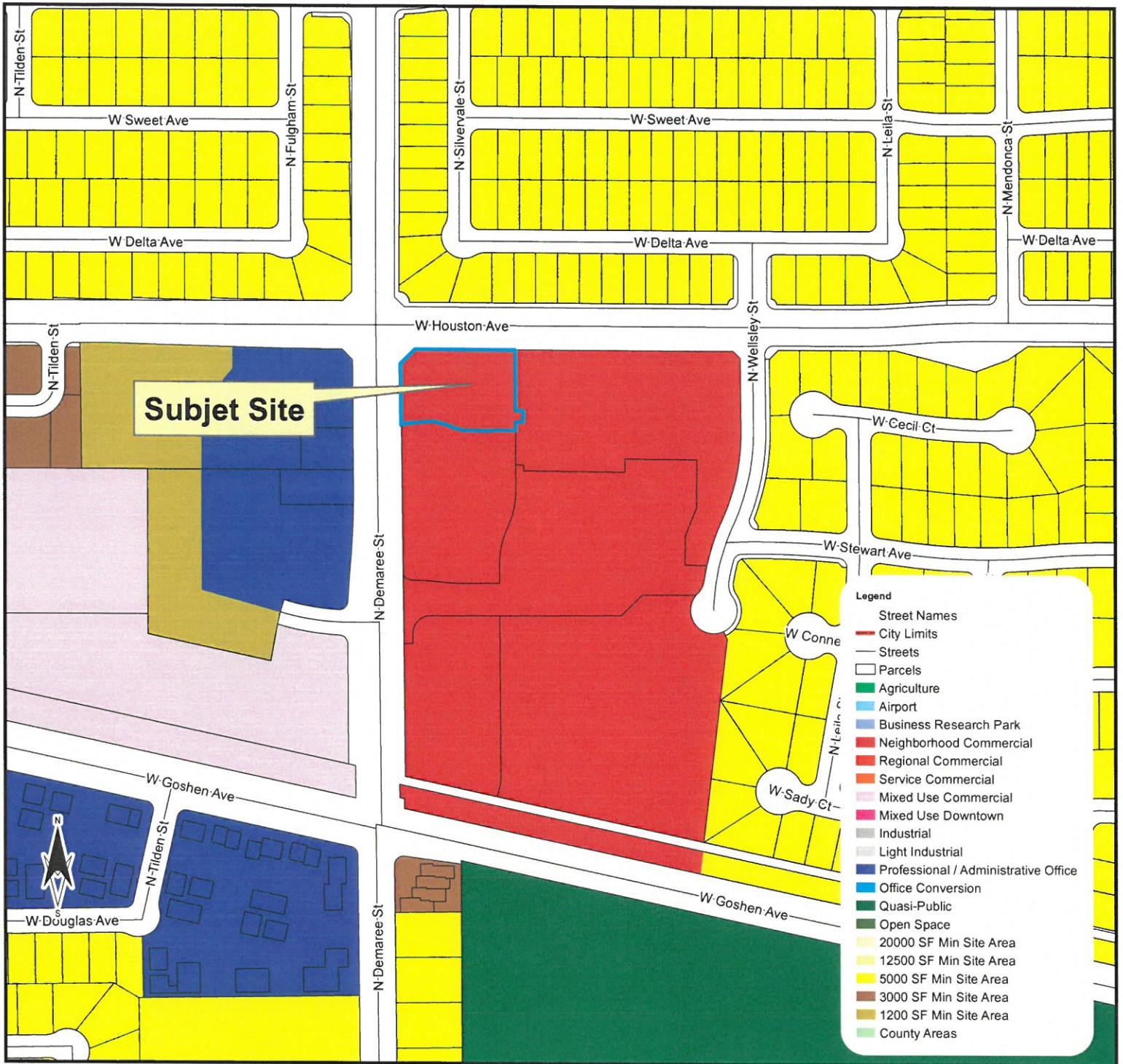
# City of Visalia



## Land Use Designations



# City of Visalia



## Zoning Designations

0 70 140 280 420 560 Feet

# City of Visalia



## Aerial Photo

