

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Liz Wynn



VICE CHAIRPERSON:

Chris Gomez

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

MONDAY, APRIL 13, 2020 AT 6:00 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.
 - No Items on Consent Calendar
5. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2020-04: A request by American Incorporated to add two caretakers' residences to an existing industrial development within the I (Industrial) Zone. The site is located at 9945 W. Goshen Avenue (APN: 081-100-040). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2019-13.
6. PUBLIC HEARING – Cristobal Carrillo
 - Conditional Use Permit No. 2019-31: A request by Lars Anderson & Associates to establish a master planned commercial development consisting of approximately 138,188 sq. ft. of commercial uses, including the establishment of three retail buildings of varying sizes (56,800 sq. ft., 29,800 sq. ft., and 10,000 sq. ft.), a 10,000 sq. ft. credit union building, a 4,088 sq. ft. gas station/convenience store with a 3,060 sq. ft. canopy, a 7,500 sq. ft. sit-down restaurant, two 3,000 sq. ft. drive-thru restaurants, and a 5,000 sq. ft. automotive repair store, on parcels with less than the minimum five acre site area requirement, including a parcel with no public street frontage, affecting 17.43 acres of a 28.7 acre site in the C-R (Regional Commercial) Zone. The project site is located on the southwest corner of S. Mooney Blvd. and W. Visalia Parkway (APN: 126-960-001). A Mitigated Negative Declaration (MND No. 2019-62) has been prepared for the project.
 - Tentative Parcel Map No. 2019-13 A request by Lars Anderson & Associates, Inc. to subdivide a 28.7 acre site into an 11- lot commercial subdivision in the C-R (Regional Commercial) Zone. The site is located on the southwest corner of S. Mooney Blvd. and W. Visalia Parkway (APN: 126-960-001). A Mitigated Negative Declaration (MND No.

2019-62) has been prepared for the project.

7. PUBLIC HEARING – Cristobal Carrillo

- Zoning Text Amendment No. 2019-13: A request by CarMax to amend Zoning Ordinance Section 17.25.030 (Zoning Use Matrix Line A22) to establish “Car Sales – New & Used” as a conditional use in the C-R (Regional Commercial) District, Citywide. A Mitigated Negative Declaration (MND No. 2019-62) has been prepared for the project.
- Conditional Use Permit No. 2019-42: A request by CarMax to allow a used car sales and service center on a 5-acre parcel in the C-R (Regional Commercial) Zone District. The project site is located on the southwest corner of S. Mooney Blvd. and W. Visalia Parkway. (APN: 126-960-001) A Mitigated Negative Declaration (MND No. 2019-62) has been prepared for the project.

8. PUBLIC HEARING – Josh Dan

Tentative Parcel Map No. 2020-01: A request to subdivide a 1.93 acre parcel into four lots and a remainder, located in the R-1-5 (Single-Family Residential, Minimum 5,000 square foot lot size) Zone District. The project site is located on the east side of N. Edison St. at E. Marlago Ct. (APN: 091-060-006) Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2020-08.

9. PUBLIC HEARING – Paul Bernal

Appeal of the City Planner Determination for an Aldi Grocery Store pursuant to Site Plan Review No. 2019-167: Aldi is appealing the City Planner's determination that the proposed use does not meet the classification as a Specialty Food Store per Line R58 of the Zone Use Matrix (Municipal Code Section 17.25.030). The proposed Aldi grocery store is seeking to locate within a future Master Planned Development within the C-R (Regional Commercial) zone/land use district. The future Master Planned Development is located on the southeast corner of South Mooney Boulevard and West Visalia Parkway. (APN: 126-080-025)

10. REGULAR ITEM – Paul Bernal

Planning Division Fee Amendments: Consideration of revisions to the Planning Division fees as contained in City of Visalia Fee Resolution 2020-13

11. CITY PLANNER/ PLANNING COMMISSION DISCUSSION-

- Next Planning Commission Meeting April 27, 2020

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

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

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

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, APRIL 23, 2020 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 or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, APRIL 27, 2020



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 13, 2020

PROJECT PLANNER: Paul Bernal, City Planner
 Phone No. (559) 713-4025
 E-mail: paul.bernal@visalia.city

SUBJECT: Appeal of the City Planner Determination for an Aldi Grocery Store pursuant to Site Plan Review No. 2019-167: Aldi is appealing the City Planner's determination that the proposed use does not meet the classification as a Specialty Food Store per Line R58 of the Zone Use Matrix (Municipal Code Section 17.25.030). The proposed Aldi grocery store is seeking to locate within a future Master Planned Development within the C-R (Regional Commercial) zone. The future Master Planned Development is located on the southeast corner of South Mooney Boulevard and West Visalia Parkway (APN: 126-080-025).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission uphold the City Planner's determination that the Aldi Grocery Store does not meet the classification of a Specialty Food Store pursuant to Line R58 of the Zone Matrix, and deny the Appeal.

RECOMMENDED MOTION

I move to deny the Appeal and uphold the City Planner's determination that the Aldi Grocery Store does not meet the classification of a Specialty Food Store per Line R58, based on the findings in Resolution No. 2020-13.

PROJECT DESCRIPTION

On February 26, 2020, the Site Plan Review (SPR) Committee reviewed a Site Plan Review item (i.e., SPR No. 2019-167) for a request to develop the southeast corner of S. Mooney Blvd. and W. Visalia Parkway with a master planned commercial shopping center in the C-R (Regional Commercial) zone. As part of the SPR development plan, the applicant identified "Aldi" as a future tenant in a 21,000 sq. ft. building pad (see Exhibit "A"). In addition, an Aldi project narrative (see Exhibit "B") was provided by the applicant that described how Aldi should be classified as a "Specialty Food Store" rather than a "Grocery Store". The request to have a staff determination classifying Aldi as "Specialty Food Store" would permit this use to be a tenant within the future commercial shopping center.

Pursuant to Zone Use Matrix Line R58 in Zoning Ordinance Section 17.25.030, "Specialty Food Stores" are classified as a "Permitted" use in the C-R zone; whereas in Line R59 "Supermarkets/Grocery Stores" are not allowed in the C-R zone (see Matrix excerpt below).

		Commercial, Mixed Use, Office, and Industrial Zones Use Matrix										
		Commercial and Mixed Use Zones					Office Zones			Industrial Zones		Special Use Standards (See identified Chapter or Section)
	USE	C-N	C-R	C-S	C-MU	D-MU	O-PA	O-C	BRP	I-L	I	
R58	- specialty food stores (bakery, delicatessen, butcher shop, meat market, health food, gourmet/imported food, etc.)	P	P		P	P	C		C			17.32.050
R59	- supermarkets/grocery stores	P			P	P						17.32.050
R60	- wine tasting with sales	C	P	C	C	C			C	C	C	

Prior to making a determination, the City Planner reviewed the project narrative provided by Aldi, reviewed information found on Aldi's website, and conducted a site visit to the Aldi grocery store in Hanford, California. Based on the materials provided and a site visit to an existing store, the City Planner concluded that Aldi most resembles a grocery store which is not allowed in the C-R zone pursuant to Line R59 "Supermarkets/Grocery Stores". Staff informed the applicant at the SPR meeting of the City Planner determination which precludes Aldi from locating their store in the C-R zone.

The Appellant, Aaron Carpenter of 4Creeks, is appealing the City Planner's determination that Aldi is more closely associated to a grocery store and is subject to Line R59 "Supermarkets/Grocery Stores" which would prohibit this business from locating in the C-R zone. The applicant filed an appeal on March 5, 2020 (see Exhibit "C") requesting the Planning Commission consider classifying Aldi as a "Specialty Food Store", which would permit this business as a future tenant within the future master planned commercial shopping center in the C-R zone.

PROJECT EVALUATION

Staff's recommendation to uphold the City Planner's determination is based on the information contained in this report.

City Planner Use Determination

The "Specialty Food Store" category was added as a use to the Zone Matrix in 2004 to address food stores in the C-R (Regional Commercial) zone. At that time, specialty food stores were not an allowed use in the C-R zone. Conversely, grocery stores/supermarkets were and continue to be prohibited as a use in the C-R zone. Prohibiting grocery stores/supermarkets from the C-R zone was a result of limiting the proliferation of neighborhood or community commercial orientated uses in the C-R zone and a means of maintaining local or neighborhood-level traffic off of Mooney Boulevard. Rather than locating these types of uses in a zone district intended for "regional" uses, grocery stores/supermarkets were listed in commercial zones that allow for better integration of these commercial uses into residential neighborhoods.

The "Specialty Food Store" line item was adopted to address a use that is categorized as a "regional use/regional draw". The types of "Specialty Food Stores" envisioned when the City Council adopted this "new" use for the C-R zone that it would be the types of food stores that draw from a larger trade market area (i.e., Kings County, Tulare County and south Fresno County). The types of uses that are listed as examples of a "Specialty Food Store" are bakeries, delicatessen, butcher shop, health food and gourmet/imported food stores. Grocery store chains such as Trader Joe's and Whole Foods have been considered as the latter type of use based on their strategic selection of healthful and organic foods not found in grocery stores.

The inclusion of "Specialty Food Stores" in the C-R zone is consistent with the purpose and intent of the Regional Commercial zone, which is to provide areas for retail establishments that are designed to **serve a regional service trade area beyond Visalia's local economy.** According to the Zoning Ordinance's purpose and intent of the C-R zone, uses permitted in this zone are to be of a large-scale regional retail nature with supporting goods and services. Uses that are designed to provide service to residential areas, neighborhood and community level retail are not permitted, while office uses are to be limited. A grocery store/supermarket, which are typically categorized as a neighborhood or community commercial draw, are not regional draws and therefore should be precluded from locating in the C-R zone.

The City Planner's determination to classify Aldi as a "Grocery Store" is based on the information provided by the appellant, a site visit to an Aldi grocery store, and the fact that Aldi operates in two nearby communities (Hanford and Porterville) that would preclude the City Planner from classifying this tenant as a use that serves a regional service trade area beyond our local economy. Having this store in neighboring communities alters shopping patterns because shoppers in those communities now have the ability to shop within their community for these types of community goods. By comparison, a "Specialty Food Store" such as Trader Joe's or a Whole Foods, which would locate only one store in the market area, would draw customers from the larger regional market area.

The 2030 General Plan recognizes the need to provide for a variety of retail formats serving neighborhood, community, and regional markets. The General Plan established land use designations that distinguish between "regional commercial" and "commercial services". Policies in the General Plan guide the design and timing of retail development throughout the plan build-out period in order to promote economic vitality, protect the City's existing retail base, and ensure that retail development does not adversely impact neighborhoods.

This approach resulted in the northern portion of Mooney Boulevard, largely between Walnut Avenue and Highway 198, being re-designated from Regional Commercial to Commercial Mixed Use, which allows community serving retail in conjunction with other uses such as residential and office uses along the Mooney Blvd. corridor. Although the City Planner's determination identifies Aldi as a "grocery store", this determination would not preclude Aldi from locating on sites designated Commercial Mixed Use (C-MU) since this zone district permits grocery stores. A map of the Mooney Blvd. corridor, (see Exhibit "D") is attached to this report that identifies which properties are zoned C-R and C-MU.

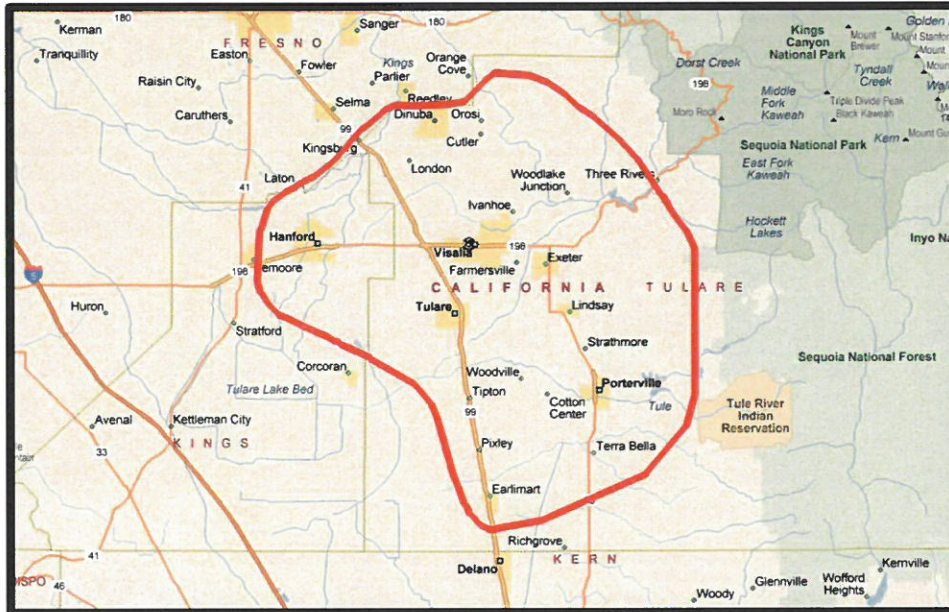
Smart & Final Extra Store and Grocery Outlet

During the Site Plan Review process, the applicant inquired about the process in which the Smart and Final Extra store was approved at the 3424 S. Mooney Blvd. location in the C-R zone. Staff informed the applicant that in 2016 the City Planner at the time, acting within his discretionary authority, reviewed the operational statement submitted by Smart and Final and made a determination that the proposed use met the intent of the Specialty Food Store Use based on the facts and circumstances. This was based on Smart and Final's operational statement that provided an overview of the store's operation including selling items in large "warehouse" bulk (similar to Costco), and the store carrying restaurant equipment and supplies for the food service industry.

In addition, staff researched the Grocery Store Outlet located at 2323 S. Mooney Blvd. to determine how this use was permitted at this location in approximately 2006. Staff was unable to find any documentation on how this store was established at this location. However, with the implementation of land use and zoning changes to portions of Mooney Blvd. in 2010, the adoption of the General Plan (2014) and subsequent Zoning Ordinance (2017), the site of the Grocery Store Outlet was rezoned to C-SO (2010) and then to C-MU (2017). Both of these zoning designations permitted grocery stores. A map of the Mooney Blvd. corridor, (see Exhibit "D") is attached to this report that identifies which properties are zoned C-R and C-MU.

Regional Commercial Market Area

The City commissioned a study of Visalia's Regional Commercial land use area by A. Plescia & Co. dated July 2012. The report, which was done as part of the General Plan update, provided an overview of the City's primary market area for regional commercial designated land. Based on a review of the retail supply inventory, field research, and interviews with real estate owners, leasing agents and brokers, the boundaries of the primary market area for regional-commercial uses that draw customers into Visalia comprised an area from approximately just south of Selma on the north, to just north of Delano on the south, west of Hanford to the west and east of Porterville (toward the Sierra Nevada Mountains) to the east (see map insert).



Although the market areas for specific developments and businesses vary depending on the type, size, and nature of the development or business operating in the development, Visalia continues to implement the goals of and policies of the General Plan that maintain Visalia's role as the regional retailing center for Tulare and Kings counties. As such, uses and tenants proposed for the Regional Commercial area shall substantially further the community's goal of providing high-level regional retail goods and services.

RECOMMENDED FINDINGS

1. That the City Planner's determination classifying Aldi as a "Grocery Store" use is consistent with established policies and City ordinances relating to Grocery Stores. The City Planner concludes this use does not meet the intent of a "Specialty Food Store" which is a Permitted use in the C-R zone. The purpose and intent of the Regional Commercial zone is to provide areas for retail establishments that are designed to serve a regional service trade area beyond our local economy. A grocery store/supermarket which can be defined as a neighborhood or community commercial draw should be precluded from locating in the Regional Commercial zone.
2. That the City Planner's determination classifying Aldi as a "Grocery Store", as contained in the Site Plan Review (SPR) Revise and Proceed determination of February 26, 2020, is consistent with established policies and City ordinances relating to Grocery Stores.
3. That the project is considered Ministerial Exempt under Section 15268 of the California Environmental Quality Act (CEQA).

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 or from the city clerk.

Attachments:

- Resolution No. 2020-13
- Exhibit "A" – Site Plan for Aldi Grocery Store
- Exhibit "B" – Aldi Operational Statement
- Exhibit "C" – Appeal Letter
- Exhibit "D" – Mooney Blvd. Corridor Zoning
- Site Plan Review Revise and Proceed Packet dated February 26, 2020
- General Plan Land Use Map
- Zoning Map
- Aerial Map

RESOLUTION NO. 2020-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA DENYING THE APPEAL OF THE CITY PLANNER DETERMINATION THAT THE PROPOSED USE DOES NOT MEET THE CLASSIFICATION AS A SPECIALTY FOOD STORE PER LINE R58 OF THE ZONE USE MATRIX (MUNICIPAL CODE SECTION 17.25.030). THE PROPOSED ALDI GROCERY STORE IS SEEKING TO LOCATE WITHIN A FUTURE MASTER PLANNED DEVELOPMENT WITHIN THE C-R (REGIONAL COMMERCIAL) ZONE. THE FUTURE MASTER PLANNED DEVELOPMENT IS LOCATED ON THE SOUTHEAST CORNER OF SOUTH MOONEY BOULEVARD AND WEST VISALIA PARKWAY (APN: 126-080-025).

WHEREAS, On February 26, 2020, the Site Plan Review (SPR) Committee issued a Revise and Proceed for SPR No. 2019-167, subject to the comments contained in the Site Plan Review No. 2019-167, including the City Planners determination that the proposed use does not meet the classification as a Specialty Food Store per Line R58 of the Zone Use Matrix (Municipal Code Section 17.25.030). The proposed Aldi grocery store is seeking to locate within a future Master Planned Development within the C-R (Regional Commercial) zone. The future Master Planned Development is located on the southeast corner of South Mooney Boulevard and West Visalia Parkway (APN: 126-080-025); and

WHEREAS, On March 5, 2020, Aaron Carpenter with 4Creeks, appellant, appealed the City Planner's Site Plan Review Committee's findings and determination for Aldi that the proposed use does not meet the classification as a Specialty Food Store per Line R58 of the Zone Use Matrix (Municipal Code Section 17.25.030), and appealed the Revise and Proceed of Site Plan Review No. 2019-167 based on the City Planner's determination; and

WHEREAS, The Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on April 13, 2020; and

WHEREAS, The Planning Commission of the City of Visalia finds the City Planners determination that the proposed Aldi grocery store does not meet the classification as a Specialty Food Store per Line R58 of the Zone Use Matrix (Municipal Code Section 17.25.030) based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds the project to be Ministerially 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 15268.

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 City Planner's determination classifying Aldi as a "Grocery Store" use is consistent with established policies and City ordinances relating to Grocery Stores. The City Planner concludes this use does not meet the intent of a "Specialty Food Store" which is a Permitted use in the C-R zone. The purpose and intent of the Regional Commercial zone is to provide areas for retail establishments that are designed to serve a regional service trade area beyond our local economy. A grocery store/supermarket which can be defined as a neighborhood or community commercial draw should be precluded from locating in the Regional Commercial zone.
2. That the City Planner's determination classifying Aldi as a "Grocery Store", as contained in the Site Plan Review (SPR) Revise and Proceed determination of February 26, 2020, is consistent with established policies and City ordinances relating to Grocery Stores.
3. That the project is considered Ministerial Exempt under Section 15268 of the California Environmental Quality Act (CEQA).

BE IT FURTHER RESOLVED that the Planning Commission denies the appeal and upholds the Site Plan Review Committee's finding that classifying Aldi as a "Grocery Store" use is consistent with established policies and City ordinances relating to Grocery Stores as determined by the City Planner on the real property here described, and denies the appeal of the Site Plan Review Committee's comments as contained in the Revise and Proceed determination on February 26, 2020, for Site Plan Review No. 2019-167.

**VISALIA PARKWAY &
MOONEY BLVD
SHEET 1 OF 4**

A PORTION OF LOT 2 OF SHANNON MARCH CENTRAL SUBDIVISION, RECORDED IN VOL. 40 OF MAPS, AT PAGE 93, IS LOCATED IN THE S1/4 OF SECTION 13, TOWNSHIP 18 SOUTH, 4 WEST, RANGE 14, COUNTY OF TULARE, STATE OF CALIFORNIA.

SITE DATA:

APN: 126-080-056
126-080-025

SINGLE FAMILY RESIDENTIAL
126 UNITS

TIER 1

LDR: 14.6 AC. ±
MDR: 4.1 AC. ±
CR: 13.5 AC. ±

TIER 2/3

LDR: 7.6 AC. ±
MDR: 21.4 AC. ±
HDR: 8.2 AC. ±
PARK: 7.3 AC. ±

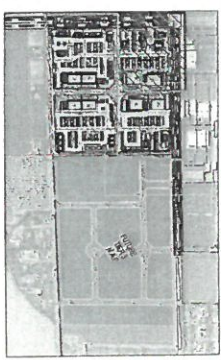
TOTALS

LDR: 22.2 AC. ±
MDR: 25.5 AC. ±
HDR: 8.2 AC. ±
CR: 13.5 AC. ±
PARK: 7.3 AC. ±

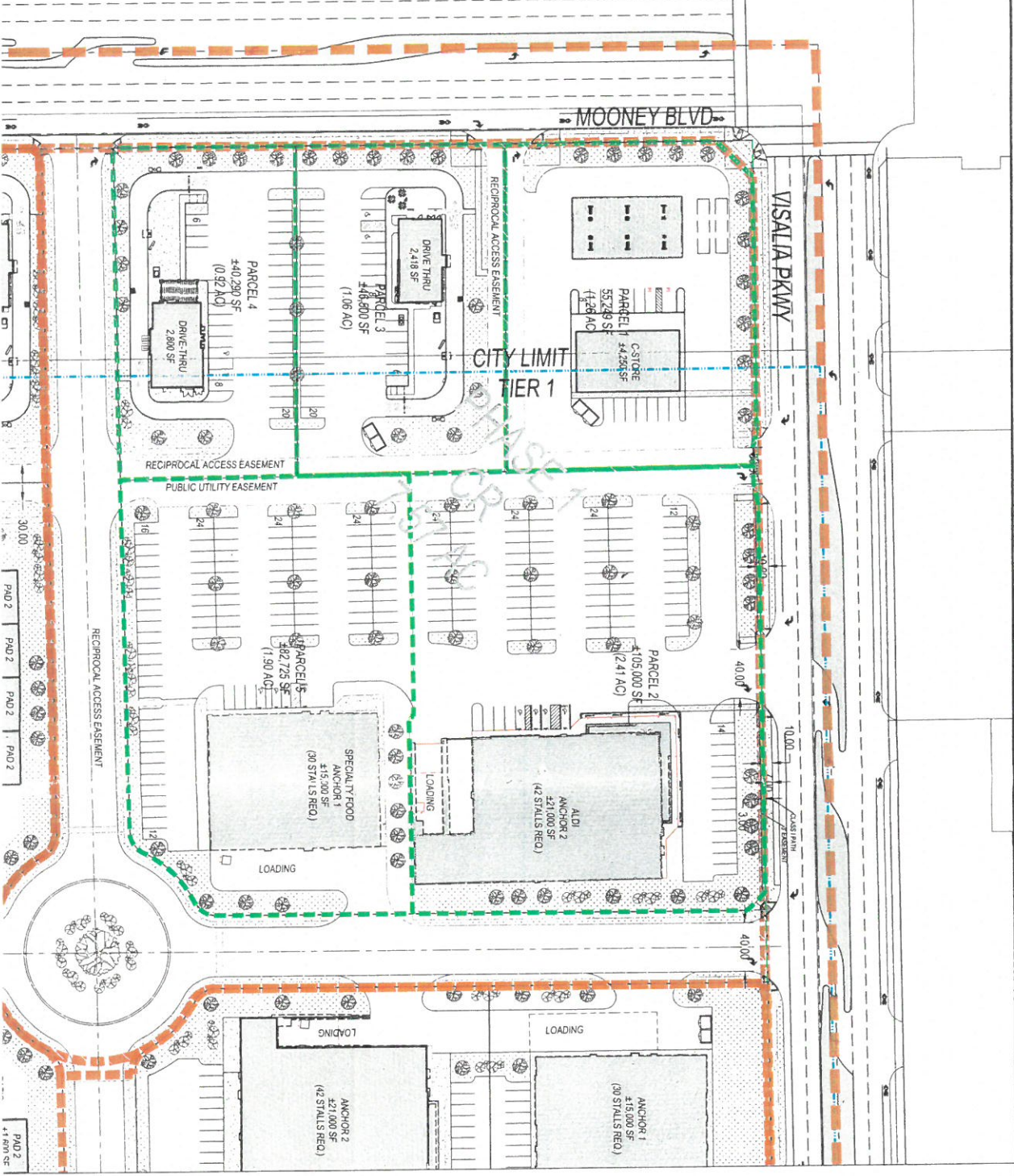
GROSS TOTAL ACREAGE:

97.5 AC. ±

MOONEY BLVD: 119 FT. R.O.W.
VISALIA PARKWAY: 84 FT. R.O.W.



VICINITY MAP





MORENO VALLEY DIVISION

February 20, 2020

Re: Proposed ALDI
Southeast Corner Mooney Blvd & Visalia Parkway
Visalia, CA

ALDI is in discussions to purchase land and develop a ground-up ALDI location as part of a larger overall development at the southeast corner of Mooney Boulevard and Visalia Parkway. The overall development submission will include the necessary details for approval, with this supplemental letter providing information specifically related to ALDI's use within the existing commercial regional zone.

ALDI has opened 74 stores in California after first entering the market in spring 2016, including several stores near Visalia: Clovis, Hanford, and Porterville. The Visalia location we are proposing represents a key opportunity for ALDI to capture a large swath of population in the Valley, including the entire Visalia metropolitan area and surrounding communities including Tulare, Farmersville, and Exeter. Our proprietary forecasting model anticipates an overall trade area of 255,966 people, which reflects our success as a regional draw with people flocking to our existing locations from upwards of 20 minutes away. We anticipate opening only one store in the Visalia market, and have strategically selected this site to draw from the aforementioned communities. ALDI's ability to draw from such a wide-ranging trade area reflects our uniqueness within the retail food market, as explained below.

ALDI's proposed use as a "specialty food store" is permitted by right within the Commercial Regional zoning of the Visalia General Plan. ALDI should be classified as a "specialty food store" for the following reasons:

1. ALDI has a distinctive model, allowing us to better serve the region with our unique food offerings at prices 40-50% less than supermarkets or grocery stores.
2. Ninety percent of our products are exclusive brands, and can only be found at ALDI. These include our *Simply Nature* brand, emphasizing organic and "better for you" healthy foods; *LiveGFree* brand, catering to those with gluten allergies or health concerns; *Specially Selected* brand, providing gourmet selections; and our *Emporium* imported cheeses and *Moser Roth* imported European chocolates.
3. ALDI's easily navigable 5-aisle layout reflects our approach to simplifying the shopping experience, and represents another advantage over supermarkets and grocery stores who are more than double the size of ALDI and carry upwards of 20x more product than ALDI's 1800 items, across dozens of aisles.
4. ALDI offers a weekly rotating assortment of non-food taxable items such as lawn and garden items, kitchenware, appliances, furniture, clothing, and holiday décor. Specialty food items are also featured on a rotating basis, with emphasis on healthy and gourmet options and imported product featuring specific cuisines such as exclusively branded Italian (*Priano*) and German (*Deutsche Küche*) foods.

The proposed ALDI will be a unique food retailer within this stretch of Mooney Boulevard that includes other food stores such as Walmart, Smart & Final, and Grocery Outlet, driving traffic from the wider region and allowing a large number of customers to experience what makes ALDI special. We hope this information satisfies your review, but please contact me with any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Matthew Baca', is written over a light blue horizontal line.

Matthew Baca
Director of Real Estate



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

RECEIVED
MAR 05 2020
COMMUNITY DEVELOPMENT
CITY OF VISALIA

RE: Appeal of Site Plan Review Committee Determination for SPR20-012

Dear Commissioners,

We are submitting an appeal to a determination that was made by the City of Visalia Site Plan Review Committee and the City Planner for a project located at the SE corner of Visalia Parkway and Mooney Boulevard. The project is subject to an annexation of roughly 32 acres of Tier 1 Regional Commercial property, however there is no proposed land use amendment to the General Plan.

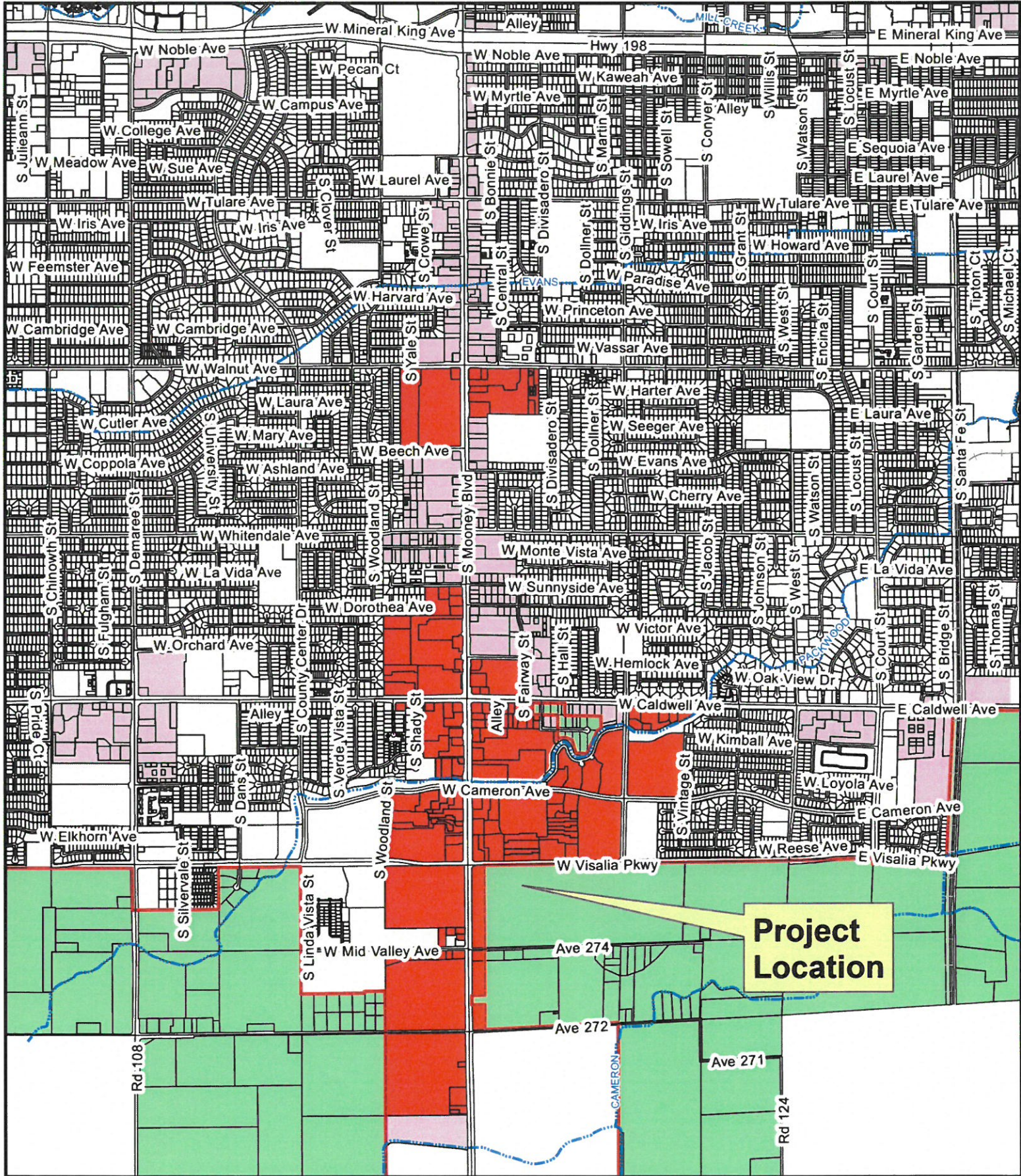
A proposed tenant for the Master Site Plan is Aldi, which the Site Plan Review Committee and City Planner have determined does not meet the requirements of a "Specialty Food" store which is allowed by-right in the Regional Commercial zone. **We are requesting the Planning Commission to consider classifying the Aldi Food Store as a Specialty Food Store to be developed in conjunction with the pending Master Plan Conditional Use Permit and annexation request.**

We thank you for your consideration and look forward to a constructive conversation on how we can get our project to move forward.

Sincerely,

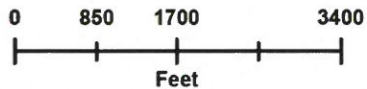
A handwritten signature in black ink, appearing to read "ACnt", written over a faint circular stamp.

Aaron Carpenter
Associate Planner



Mooney Blvd. Corridor Zoning

Exhibit D



Zoning

- Regional Commercial
- Mixed Use Commercial
- County Areas





March 6, 2020

Aaron Carpenter
4Creeks, Inc.
324 S. Santa Fe St.
Visalia, CA 93291

Site Plan Review No. 2019-167:

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city.

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

This is your Site Plan Review Permit; your Site Plan Review became effective **February 26, 2020**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion.

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

Respectfully,

A handwritten signature in black ink, appearing to read "Paul Bernal", is written over a large, light-colored oval shape.

Paul Bernal
City Planner
315 E. Acequia Ave.
Visalia, CA 93291

Attachment(s):

- Site Plan Review Comments



#1

MEETING DATE: February 26, 2020
SITE PLAN NO. 19-167 Resubmittal #2
PARCEL MAP NO.
SUBDIVISION:
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

- RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.
- During site plan design/policy concerns were identified, schedule a meeting with
- Planning Engineering prior to resubmittal plans for Site Plan Review.
- Solid Waste Parks and Recreation Fire Dept.

- REVISE AND PROCEED** (see below)
- A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.
- Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.
- Your plans must be reviewed by:
- CITY COUNCIL REDEVELOPMENT
- PLANNING COMMISSION PARK/RECREATION
- CUP, ANNEX, COZ, GPA, TPM
- HISTORIC PRESERVATION OTHER: _____

- ADDITIONAL COMMENTS** : Refer to latest Site Plan Review No. 20-012

If you have any questions or comments, please call (559) 713-4444.

Site Plan Review Committee



RECYCLED PAPER

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

Adrian Rubalcaba 713-4271
 713-

ITEM NO: 1 DATE: FEBRUARY 26, 2020

SITE PLAN NO.: 19-167 2nd RESUBMITTAL (REFER TO 20-012)
PROJECT TITLE: MOONEY BLVD/ VISALIA PKWY - MASTER CUP
DESCRIPTION: PROPOSING FOR THE APPLICATION OF AN
ANNEXATION, MASTER CUP, TENTATIVE
PARCEL MAP, & REZONE/GENERAL PLAN
AMENDMENT

APPLICANT: AARON CARPENTER
PROP OWNER: VISCA INVESTMENT CO
LOCATION: 4308 S MOONEY BLVD
APN: 126-080-025

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with **35'** radius; **VISALIA PKWY & MIDVALLEY AT MOONEY. REFER TO CITY STDS**
- Install curb; gutter **ALL PROJECT STREET FRONTAGES**
- Drive approach size: **MAX 41'** Use radius return; **REFER TO CITY COMMERCIAL STDS**
- Sidewalk: **10'** width; **5'** parkway width at **VISALIA PKWY, SEE ADDITIONAL COMMENTS.**
- 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. **BY MAP**
- Deed required prior to issuing building permit;
- City Encroachment Permit Required. FOR ALL WORK WITHIN CITY 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; **ALL WORK ON MOONEY BLVD.**
- 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. **COMMERCIAL PROJECT TO MAINTAIN ALL ONSITE AND PUBLIC PARKWAY LANDSCAPING. A LANDSCAPE AND LIGHTING DISTRICT WILL BE FORMED FOR CITY TO MAINTAIN PUBLIC STREET PAVEMENT AND STREET LIGHTING.**
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: : maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = 0.20%, V-gutter = 0.25%)

- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications. **VISALIA PKWY (110' ARTERIAL), MOONEY BLVD (SEE CALTRANS DESIGN), MIDVALLEY (70' COLLECTOR), AND 60' LOCAL STREET.**
- Traffic indexes per city standards: **REFER TO CITY ARTERIAL, COLLECTOR, & LOCAL STREET STDS**
- Install street striping as required by the City Engineer. **TBD**
- 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 Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during construction in accordance with City requirements.
- A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities. **REQUIRED WITH PUBLIC STREET CONSTRUCTION**
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding. **ANY UTILITIES LOCATED IN FUTURE RIGHT-OF-WAY**
- 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:

REFER TO THE LATEST SITE PLAN REVIEW COMMENTS UNDER SPR NO. 20-012, IN ADDITION TO:

1. Proposed master planned development will be required to widen Visalia Pkwy & Mooney Blvd to their ultimate width which will include modification to existing signal. Refer to City arterial standards and Caltrans. Visalia Pkwy is identified as a funded arterial street in City's Circulation Element and portions of improvements are reimbursable by the City in the form of Transportation Impact Fee credits. Further coordination with City Engineer is required.

2. Per City Active Transportation Plan, a class 1 bike trail is designated along the south side of Visalia Pkwy. Master plan shall incorporate this trail design into the proposed mixed use layout - to be constructed with each phase. Revise accordingly. Class 1 trail design can be found on City website under Active Transportation Plan. Typically, widening of the required 7' sidewalk to 10' will be necessary.

3. A master plan for storm water and sewer to serve entire development will be required with phase one improvements. Per City storm sewer master plans at this time, the project can tie-into and extend from existing trunk lines in Visalia Pkwy.

4. *Proposed drive approach locations and median breaks on Visalia Pkwy do not comply with City min. distance standards and will need to be consolidated. It appears a maximum of three access drives may be acceptable per City requirements. Consideration of main access points of existing development to the north and proposed median break locations will need to be addressed. Refer to Traffic Safety Dept. for further comments regarding access and median breaks. Revisions to comply with City standards will significantly change the site layout.*
5. *Maintain min. 200' setback distances from the intersections of Visalia Pkwy & Mooney Blvd. and Midvalley & Mooney for proposed drive approaches. Align proposed main entrance/exit with on Mooney with the development to the west.*
6. *Midvalley (Ave. 274), a 70' collector street, is not identified as a currently funded street in the City's Transportation Impact Fee program - costs to improve would be sole responsibility of the developer(s). The 70' collector design is no longer a City standard therefore a modified 84' City standard shall be implemented (further coordinate with City Engineer).*
7. *Midvalley shall be widened to its ultimate right-of-way along project street frontage. Extension of existing sewer stub at Mooney will be required across project frontage. Additional improvements, right-of-way, and transitional work will be required due to the centerline offset at Mooney intersection. Signal modifications may be required. Coordinate with City Engineer and Caltrans.*
8. *New development will incur impact fees associated with the acreage of improvements and building construction. Refer to page 4 for applicable fees.*
9. *The north/south local street as shown divided by tier boundaries will be required to be fully improved. As proposed, the right-of-way width does not comply with City local street standards and will not be acceptable at the 86' width. City circulation element does not identify a collector status street in this area therefore the proposed Hall St. will need to comply with City 60' local street standards.*
10. *All commercial developments shall have refuse enclosures located and positioned for a direct-service by a City Solid Waste vehicle. Refer to further requirements by the Solid Waste Dept.*
11. *Street lights shall be installed per City street lighting standards. Refer to City local, collector, and arterial standards. An electrical plan shall be incorporated into the offsite improvement plans.*
12. *Refer to project entitlement requirements by the Planning Dept. Revise site plan accordingly prior to CUP submittal.*
13. *Master CUP to incorporate Caltrans requirements on Mooney.*
14. *Site plan does not include and clearly show dimension of roadways, cross sections, and setback requirements. Provide this information with master CUP layout - to be further reviewed/confirmed by City Engineer.*
15. *City Transit Dept. will require a bus stop turnout on south side of Visalia Pkwy, immediately following the intersection at Mooney. Refer to further comments by the Transit Dept and City bus stop standards.*
16. *Master site layout and proposed development will need to include the frontage of Visalia Pkwy along the Costco site - up to Stonebrook. Project will be required to install improvements accordingly to address traffic safety and circulation.*

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **19-167 2nd RESUBMITTAL (REFER TO 20-012)**

Date: **2/26/2020**

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: **8/3/2019**)

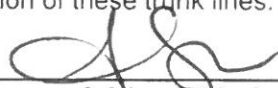
(Project type for fee rates: **COMM. RETAIL**)

Existing uses may qualify for credits on Development Impact Fees.

FEE ITEM	FEE RATE
<input checked="" type="checkbox"/> Groundwater Overdraft Mitigation Fee	\$1,320/AC
<input checked="" type="checkbox"/> Transportation Impact Fee	SHOPPING \$14,878/1KSF FUELING STATION - REFER TO FEE SCHEDULE
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	COMMERCIAL - VARIES PER USE TREATMENT PLANT FEE: VARIES PER USE
<input checked="" type="checkbox"/> Sewer Front Foot Fee	\$44/LF X 4690 (MOONEY & VISALIA PKWY) = \$206,360
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	\$7,468/AC
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$5,483/AC
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	\$8,849/AC
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire	\$1,936/AC
<input checked="" type="checkbox"/> Public Facility Impact Fee	VARIES PER USE
<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

SITE PLAN REVIEW COMMENTS

Cristobal Carrillo, Planning Division, 559-713-4443

Date: February 26, 2020

SITE PLAN NO: 2019-167 - C
PROJECT TITLE: Mooney Blvd/Visalia Parkway – Master CUP
DESCRIPTION: Proposing For the Application of an Annexation, Master CUP, TSM, Rezone/GPA
APPLICANT: Aaron Carpenter (4Creeks, Inc.)
PROP. OWNER: VISCA INVESTMENT CO
LOCATION TITLE: SW Corner of Visalia Parkway & S. Mooney Blvd.
APN TITLE: 126-080-025, 056
GENERAL PLAN: Regional Commercial, Residential Medium Density, Residential High Density, Parks/Recreation, Residential Low Density
EXISTING ZONING: C-R (Regional Commercial), AE-20 (Tulare County Jurisdiction)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit (For CUP portion plan details)

Reference SPR No. 20-012
and SPR No. 20-013.

Project Requirements

- Annexation
- Master Conditional Use Permit
- Tentative Parcel Map
- Rezone and General Plan Amendment
- Project IS subject to Valley Air District Rule 9510
- Project is subject to Tribal notification prior to entitlement applications being deemed complete, pursuant to State Law precedent.
- Project required to undergo State Clearinghouse process for the environmental document as Caltrans is a Responsible Agency for the project (State highway)
- Additional information as needed.

PROJECT SPECIFIC INFORMATION: February 26, 2020

1. January 29, 2020 comments made previously on SPR No. 20-012 and SPR No. 20-013 shall be incorporated into this review.
2. The Aldi business proposed for Anchor 2 cannot be classified as a "Specialty Store" as determined by the City Planner. The "Specialty Store" classification is meant to support establishments that draw customers from outside the local economic base, such as Costco, Trader Joes, and Whole Foods. Aldi is considered more in line with a grocery store use, which is not permitted in the C-R Zone. Consult with the City Planner for more information.

PROJECTSPECIFIC INFORMATION: January 22, 2020

1. Provide an Operational Statement clearly describing the requested actions; including, limits of Annexation request.
2. Master CUP will be required, but will entitle the full commercial site.
3. Provide a new SPR number to this portion of the application, and a SPR application for the TPM portion of the project.

PROJECT SPECIFIC INFORMATION: September 18, 2019

3. Staff cannot support the re-zoning of limited Regional Commercial lands in favor of single family residential zoning.
4. Staff cannot support Annexation of land for the above-noted purpose.
5. If the proponent elects to proceed despite the staff recommendation, it is highly encouraged that plans for the full development of the RC component be submitted in plan detail (minimum 24"x36" sheet (1:20 scale). To fully demonstrate project's ability to develop pursuant to the intent and requirements of the RC zone district.
6. Conduct annexation of property located within Tulare County jurisdiction.
7. Obtain a Conditional Use Permit.
8. File for a Tentative Subdivision Map.
9. File for a Rezone and General Plan amendment.

Staff initial finding is that the proposed site plan IS NOT 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.

Chapter 17.16

17.18.070 Development standards in the C-R zone.

The following development standards shall apply to property located in the C-R zone:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 1. Front: twenty (20) feet;
 2. Rear: zero (0) feet;
 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 4. Side: zero (0) feet;
 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 1. Front: twenty (20) feet;
 2. Rear: five (5) feet;
 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 4. Side: five (5) feet (except where a building is located on side property line);
 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 6. Street side on corner lot: ten (10) feet.

Parking:

1. Provide parking spaces based Zoning Ordinance Section 17.34.020
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot.
3. Provide handicapped space(s).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking.
5. A planter is required every other row. (5-9 feet in width containing trees on twenty (20) foot centers.

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

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide second-story screening for all windows that may intrude into adjacent residential properties. Details and cross-sections will be required to be reviewed and approved prior to issuance of building permits (Zoning Ordinance Section 17.30.130.F).
3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
4. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
5. Outdoor retail sales prohibited.
6. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
7. All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights (Zoning Ordinance Section 17.30.130.F).
8. If there is an anticipated grade difference of more than 12-inches between this site and the adjacent sites, a cross section of the difference and the walls must be provided as a part of the Subdivision and/or CUP application package.
9. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

Landscaping:

1. The City has adopted the State Water Efficient Landscape Ordinance. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. **NOTE: Prior to a final for the**

project, a signed **Certificate of Compliance** for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.

2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.015-2).
3. In the P(R-M) multi-family residential zone, all multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained. (Zoning Ordinance Section 17.16.180)
4. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
5. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
6. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).
7. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
8. Provide a detailed landscape and irrigation plan for review prior to issuance of building permits. Please review Zoning Ordinance section 17.30.130-C for current landscaping and irrigation requirements.
9. Provide a conceptual landscape plan for resubmittal or planning commission review.
10. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).
11. Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

Drive-thru Performance Standards (Section 17.32.162)

- A. Purpose and Intent: It is the purpose of this section to specify performance standards applicable to uses that seek to incorporate a drive-thru lane in associate with specified use. This section does not apply to carwashes and lube and oil changing stations.
- B. Performance Standards:
 1. Separation from residences: The drive-thru lane shall be no less than 250 feet from the nearest residence or residentially zoned property.
 2. Stacking: The drive-thru lane shall contain no less than ten vehicle stacking, measured from the pickup window to the designated entrance to the drive-thru lane. There shall be no less

than three vehicle spaces distance from the order menu/speaker (or like device) to the designated entrance to the order window.

3. Circulation: No portion of the drive-thru lane shall obstruct any drive aisles or required on-site parking. The drive thru shall not take ingress or egress from a local residential road.
4. Noise: no component or aspect of the drive-thru lane or its operation shall generate noise levels in excess of 60db between the hours of 7:00 p.m. and 6:00 a.m. daily.
5. Screening: The entire drive-thru lane shall be screened from adjacent street and residential view to a height of three feet. Screening devices shall be a combination of berming, hedge and landscape materials, and solid walls as approved by the City Planner.
6. Menu boards and signage: Shall be oriented or screened to avoid direct visibility from adjacent public

San Joaquin Valley Air Pollution Control District (SJVAPCD)

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

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

Signature _____



City of Visalia
Building: Site Plan
Review Comments

4111101
MASTER CUP
126080025

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

- A building permit will be required. *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.61 per square foot. Residential \$3.79 per square foot.
- Park Development fee \$_____, per unit collected with building permits.
- Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: NO ADDITIONAL COMMENTS

VAL GARCIA 2/26/20
Signature



Site Plan Comments

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

Date	February 24, 2020
Item #	1
Site Plan #	19167 Resub
APN:	126080025

- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- This item is a **resubmittal**. Please see comments from previous submittals.

Corbin Reed
Fire Marshal



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

Date : 2-25-20
 Item: 1
 Site Plan: RE SUB
 Name: AGENT MCEWEE

SITE PLAN REVIEW COMMENTS

No Comment at this time

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

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

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

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

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

Access Controlled / Restricted etc.:

Lighting Concerns:

Traffic Concerns:

Surveillance Issues:

Line of Sight Issues:

Other Concerns:

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

February 26, 2020

ITEM NO: 1 Resubmit
SITE PLAN NO: SPR19167
PROJECT TITLE: Mooney Blvd/Visalia Parkway - Master CUP
DESCRIPTION: Proposing for the Application of an Annexation, Master CUP, Tentative Subdivision Map and Rezone/General Plan Amendment.
APPLICANT: Aaron Carpenter
OWNER: VISCA INVESTMENT CO
NO COUNTY DATA
APN: 126080025
LOCATION: SW Corner of Visalia Parkway & S Mooney Blvd

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 *intersections*.
- Install Stop Signs at *driveway exit locations*.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required (CUP)
- Provide more traffic information such as _____ . Depending on development size, characteristics, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)
- Trip Generation - Provide documentation as to concurrence with General Plan.
- Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
- Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

Additional Comments:

- Per COV Design and Improvement Standard, C-32, Drive Approach Locations, Minimum distance from adjacent intersection is 200-ft and minimum distance between driveways is 500-ft. Also, reference is made to COV Design and Improvement Standard, P-12, Typical Median Break Locations, for median break locations. Note – Proposed plan does not meet COV design standards. Therefore, the multiple driveways


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along Visalia Pkwy need to be eliminated. Any nonconformance from City standard is required to be addressed in TIA and approval for deviation is dependant on findings of study.

- Median break driveway $\frac{3}{4}$ access points on Visalia Pkwy to be vetted out in TIA as they are too close to intersection at Mooney and too close to each other. Several need to be eliminated. See COV Design and Improvement Standard, P-12, Typical Median Break Locations. Proposed $\frac{3}{4}$ access points on southside of Visalia Pkwy should take into consideration major drive aisles on northside of Visalia Pkwy such as main drive aisle in front of Lowes/Tuesday Morning and drive aisle for Costco/Lazy Boy. In other words, $\frac{3}{4}$ median breaks may only be considered at these two locations. For example: Keep N-S driveway that aligns with internal roundabout. Align this driveway with Tusday Morning/Lowes shopping center on north side of Visalia Pkwy. Another appropriate location to consider would be to align Hall St with Costco/Lazy Boy main drive on north side of Visalia Pkwy.
- Median break driveway $\frac{3}{4}$ access point location on Mooney Blvd to be vetted out in TIA. If a $\frac{3}{4}$ median access is permitted on Mooney Blvd (require Caltrans approval), access drive to align with proposed development at SW corner of Mooney and Visalia Parkway (westside of Mooney Blvd). See COV Design and Improvement Standard, P-12, Typical Median Break Locations. Also reference is made to COV Design and Improvement Standard, C-32, Drive Approach Locations, Minimum distance from adjacent intersection is 200-ft and minimum distance between driveways is 500-ft.

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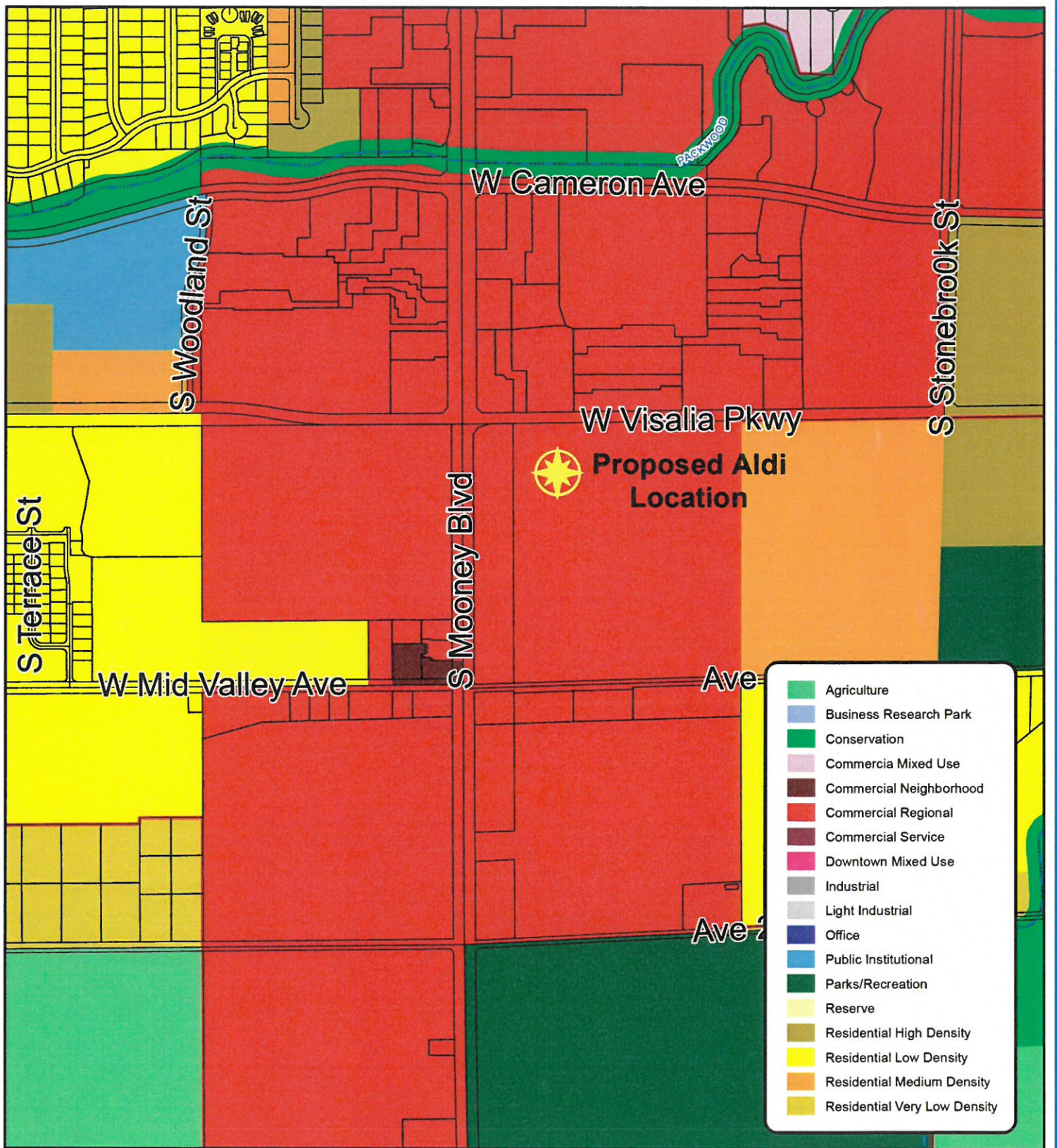
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COMMERCIAL BIN SERVICE

- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

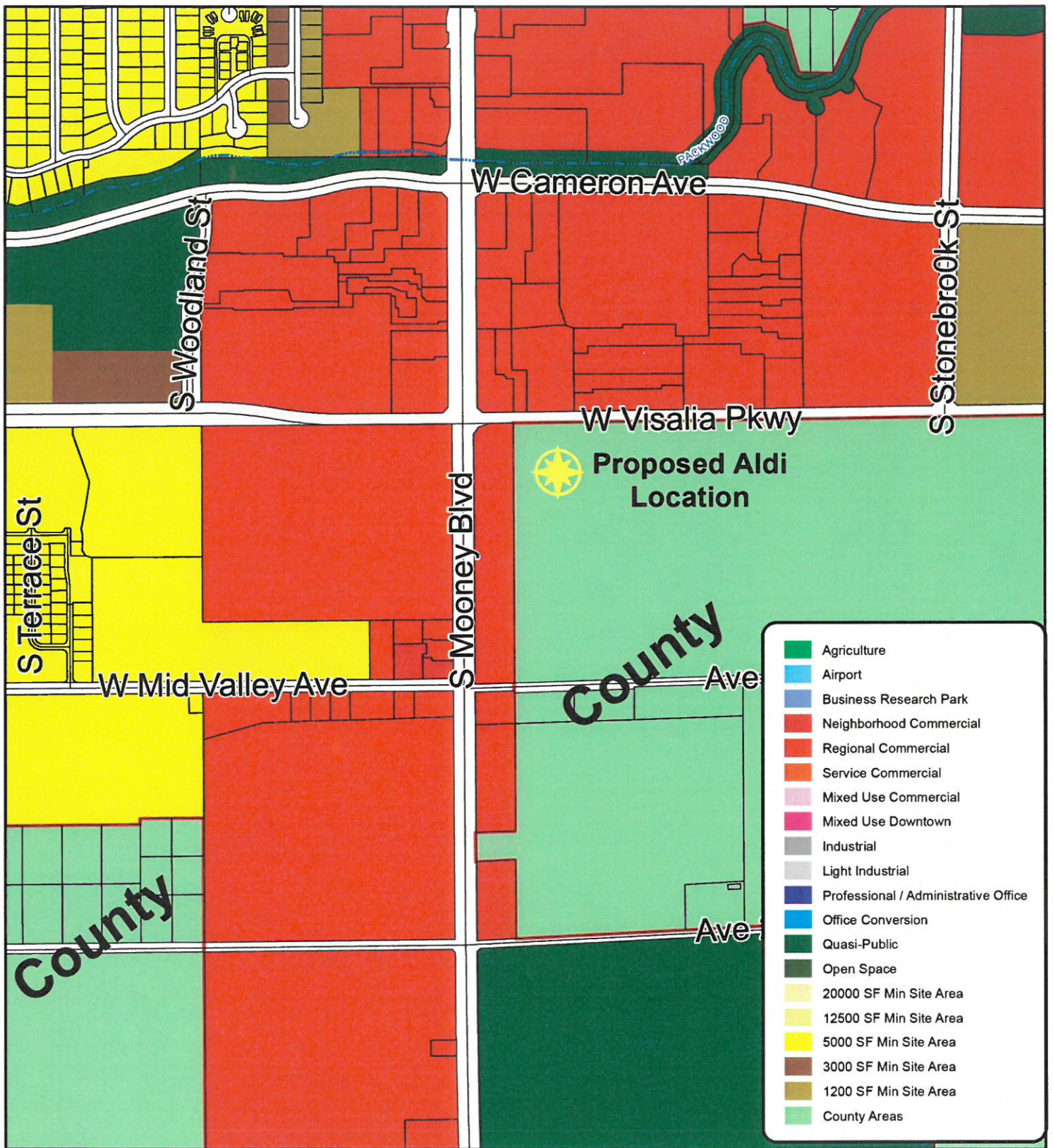
City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

Comment Same as previous comments indicated on SPR 20012,13 not enough enclosure and need direct stab service. Type of refuse service not indicated on Anchor Buildings. Phase 1, 2 and 3 now show less enclosures. Phase 4 is a great example of how Phase 1, 2 and 3 should look like. Phase 4 has the proper amount of enclosures all in great locations for stab service. Enclosure in Phase 3 near patio has landscape Island impeding direct stab service. Type of refuse service not indicated for most of Anchor buildings. Will have to re-evaluate after all concerns have been addressed.



General Plan Land Use Map



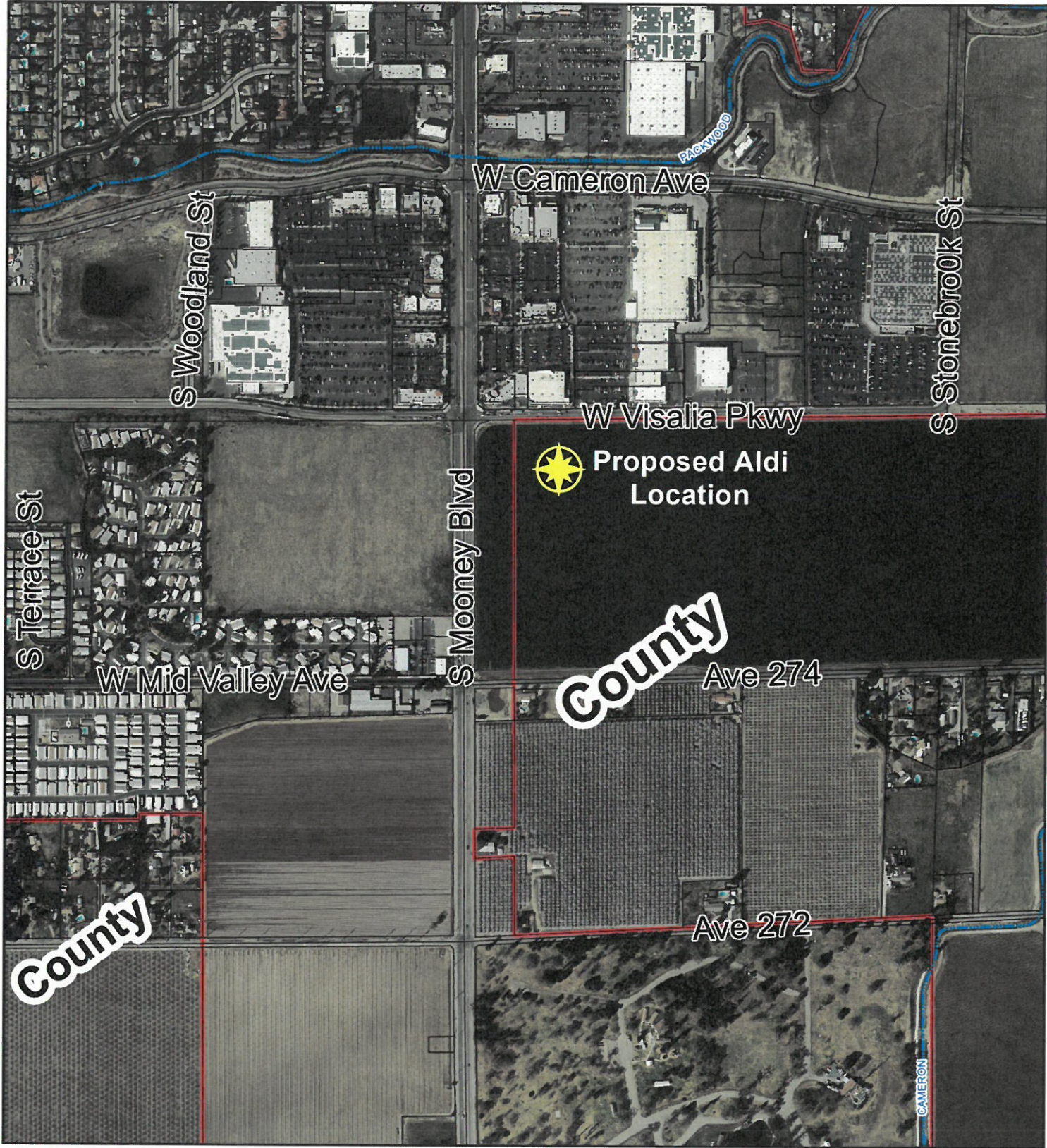


	Agriculture
	Airport
	Business Research Park
	Neighborhood Commercial
	Regional Commercial
	Service Commercial
	Mixed Use Commercial
	Mixed Use Downtown
	Industrial
	Light Industrial
	Professional / Administrative Office
	Office Conversion
	Quasi-Public
	Open Space
	20000 SF Min Site Area
	12500 SF Min Site Area
	5000 SF Min Site Area
	3000 SF Min Site Area
	1200 SF Min Site Area
	County Areas



Zoning Map





Proposed Aldi Location

County

County



Aerial Map

