

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

COMMISSIONERS: Mary Beatie, Chris Tavarez, Chris Gomez, Adam Peck, Marvin Hansen

MONDAY, NOVEMBER 14, 2022

VISALIA COUNCIL CHAMBERS

LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA

MEETING TIME: 7:00 PM

1. CALL TO ORDER –
2. THE PLEDGE OF ALLEGIANCE –
3. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
4. CHANGES OR COMMENTS TO THE AGENDA –
5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - No items on the Consent Calendar
6. PUBLIC HEARING – (Continued from October 24, 2022) Josh Dan, Associate Planner
Conditional Use Permit No. 2022-20: A request by Robert Gaalswyk to construct a new 22,500 square foot building for use as a retail gun store and indoor shooting range facility within the Village at Willow Creek Specific Plan, located in the C-MU (Mixed Use Commercial) zone. The property is located on the southside of West Flagstaff Avenue between North Demaree Street and North Leila Street. (Address: not yet assigned) (APN: 078-210-023). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2022-47.

7. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2021-21: A request by Scott A. Mommer Consulting to establish a Fastrip convenience store and gasoline service station with a drive-thru lane in the C-MU (Mixed-Use Commercial) Zone. The project site is located at 2800 S. Mooney Boulevard, on the southeast corner of West Whitendale Avenue and South Mooney Boulevard (APN: 122-320-078). An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-09 (State Clearinghouse # 2022100244) be adopted.

8. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2022-17: A request by Merlie Em Bui to establish a medical spa providing aesthetic services, in the O-C (Office Conversion) Zone. The project site is located at 523 West Noble Avenue (APN: 096-142-017). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-37.

9. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2022-26: A request by Felimon Carrasco to convert a 1,368 square foot vacant office into a single-family residence located in the D-MU (Downtown Mixed Use) Zone. The project site is located at 216 East School Avenue (APN: 094-272-007). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-56.

10. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2022-27: A request by Moose Dog Brewing, LLC to operate a tap room within an existing brewery, located in the I (Industrial) Zone. The site is located at 9626 West Nicholas Avenue, Unit #102 (APN: 081-130-045). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-59.

11. PUBLIC HEARING – Paul Bernal, Community Development Director

Tentative Parcel Map No. 2022-06: A request by QK, Inc. to subdivide an existing 10,000 square foot parcel that conforms to an office building footprint into two commercial condominium spaces and a common area for condominium purposes in the O-PA (Office / Administrative Professional) Zone. The project site is located at 3924 and 3928 West Caldwell Avenue. (APN: 119-420-052). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k), Categorical Exemption No. 2022-57.

Conditional Use Permit No. 2022-28: A request by Kevin Saltzman to facilitate Tentative Parcel Map No. 2022-06 by creating two commercial condominium spaces and a common area with no public street access, and a parcel with less than the minimum five (5) acre size requirement in the O-PA (Office / Administrative Professional) Zone District. The project site is located at 3924 and 3928 West Caldwell Avenue. (APN: 119-420-052). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k), Categorical Exemption No. 2022-57.

12. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. The next Planning Commission meeting is December 12, 2022.

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 Hall Office, 315 E. Acequia Avenue, Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS MONDAY, NOVEMBER 28, 2022, 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 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON DECEMBER 12, 2022



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: November 14, 2022

PROJECT PLANNER: Cristobal Carrillo, Associate Planner
Phone: (559)713-4443
E-mail: cristobal.carrillo@visalia.city

SUBJECT: Conditional Use Permit No. 2022-27: A request by Moose Dog Brewing, LLC to operate an 850 square foot taproom within a 2,450 square foot existing brewery, located in the I (Industrial) Zone. The site is located at 9626 West Nicholas Avenue, Unit #102 (APN: 081-130-045).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2022-27, as conditioned, based on the findings and conditions in Resolution No. 2022-56. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2022-27, based on the findings and conditions in Resolution No. 2022-56.

PROJECT DESCRIPTION

Moose Dog Brewing is requesting approval of a conditional use permit to operate an 850 square foot taproom within an existing 2,450 square foot micro-brewery operating as a small beer manufacturer, located at 9626 West Nicholas Avenue (see Exhibit "A"). The site is not within the micro-brewery overlay district and is zoned I (Industrial). The allowance of a micro-brewery (including a nano-brewery and taproom) as defined in the Zoning Ordinance is a conditional use in the Industrial zone under the Zoning Matrix line E3. However, breweries producing 60,000 beer barrels or less per year is a permitted use in the Industrial Zone per line M15.

The project will require tenant improvements to legally permit the 850 square foot taproom within the existing 2,450 square foot micro-brewery area. As stated in the applicant's operational statement (see Exhibit "B"), the area dedicated to the brewery production, 1,600 square feet, was legally permitted. The production area will not be open to the public unless the brewing schedule coincides with the taproom hours of operation. The stated hours of the taproom operation according to the operational statement (see Exhibit "B") are six days a week, Monday through Friday 4:00 p.m. to 8:00 p.m., and Saturday from 12:00 p.m. to 8:00 p.m. The taproom is closed on Sundays, but the brewery is open Sunday from 12:00 p.m. to 5:00 p.m.

The floor plan (see Exhibit "C") and operation statement describe the production size of the brewery. The total annual production is not expected to exceed 5,000 beer barrels (BBLs) or 155,000 gallons per year. Per the City's Ordinance, a micro-brewery establishment may produce up to 15,000 BBLs per year. The beer will be filled on-site in kegs and/or bottles for retail sales and for on-site consumption in the taproom.

The taproom will utilize 850 square feet and will be open to the public. The space consists of a bar, tables, stools, an ADA table, a tap wall, televisions, seating for approximately 18 patrons, and restrooms. A pool table, dartboard, and cornhole boards are available. The taproom will serve beer produced on-site in 4 ounce flights and 16 ounce pints. Growlers (32 and 64 ounces) can be filled on-site for retail sales and off-site consumption. In addition, kegs and bottles can be filled for on-site retail sales and for local distribution.

There is no restaurant or food kitchen associated with the operation. Pre-packaged food items will be sold on-site, and food trucks will occasionally operate on Fridays, Saturdays, and special occasions. A copy of Moose Dog Brewery’s Food Vendor Plan is provided as Exhibit “E”. Live entertainment is not proposed as part of the business operation, nor is it permitted in the underlying zoning designation. However, the applicant has noted that “background entertainment” will be provided. Background Entertainment is defined as *“non-amplified live music or performance intended to complement the primary venue, and for which no alteration of the physical or operational aspect of the primary use is made”* (Section 17.63.030 of the Zoning Ordinance).

Moose Dog Brewery intends to operate their taproom as a family friendly venue. Per their operational statement, games, activities, non-alcoholic beverages and snack foods will be provided for all ages. A portion of the taproom will include oversized games including Jenga, tick-tac-toe, and other board and/or playing card games.

Moose Dog Brewery has provided a Security Plan as part of their Site Plan Review process. The security plan was reviewed and accepted by the Visalia Police Department. A copy of the Security Plan is attached to this staff report as Exhibit “D”.

The project site is located outside of the boundaries of the East Downtown Micro-Brewery Overlay District. However, the underlying Industrial zone still allows for micro-breweries (including nano-breweries, craft breweries, brewpubs, and taprooms) and micro-wineries (including tasting rooms and boutique wineries) – all with or without restaurants – as a conditionally-allowed use subject to definitions contained in Zoning Ordinance Chapter 17.63.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Industrial
Zoning:	I (Industrial)
Surrounding Land Use and Zoning	North: I (Industrial) / Industrial Warehouse
	South: County / Nicholas Ave. & Pacific Southwest Container warehouse
	East: I (Industrial) / Aguirre Printing & Embroidery
	West: I (Industrial) / Motion Industrial Equipment Supplier
Environmental Review:	Categorical Exemption No. 2022-59
Special Districts:	N/A
Site Plan:	2022-145

RELATED PLANS & POLICIES

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

SIMILAR PROJECTS

Over the years several conditional use permits have been approved for micro-brewery taproom operating with or without food service:

- Conditional Use Permit No. 2017-23 was approved by the Planning Commission on June 26, 2017, allowing live entertainment at Barrelhouse Brewing Company, 521 E Main Street. The site is currently in operation.
- Conditional Use Permit No. 2017-27 was approved by the Planning Commission on September 11, 2017. The CUP was a request by Vise Brewing Company, Inc. to allow a 3,650 square foot nano-brewery and taproom in the C-S (Service Commercial) zone. The project site was 210 S. Cain Street, however the use was never established.
- Conditional Use Permit No. 2019-44 was approved by the Planning Commission on April 27, 2020. The CUP was a request by Justin Cate of Simply Brewing Co. to operate a micro-brewery with taproom room and a removable stage for live entertainment performances in the D-MU (Downtown Mixed Use) zone. The site is located at 609 E Main St. (APN: 094-235-021). The site is currently undergoing tenant improvements.

PROJECT EVALUATION

Staff recommends approval of the requested conditional use permit, as conditioned, based on the project's consistency with the General Plan and Zoning Ordinance and based on project compatibility with adjacent land uses.

The proposed use is one which combines elements of manufacturing and production together with a limited drinking establishment within one space. Similar establishments include Barrelhouse Brewing Company, and Simply Brewing Company permitted in 2017 and 2020 as micro-brewery taprooms that only sell beer that is produced by their brewery.

Land Use Compatibility

The City's Zoning Ordinance was amended in 2016 to address micro-brewery land uses and to re-define zoning districts where the uses would be allowed, including the creation of an overlay district where the uses would be permitted outright. The purpose of these revisions included helping to promote entrepreneurship in the community, supporting a burgeoning business model, and allowing places of alcoholic consumption that could provide a positive image of the community.

The Visalia Zoning Matrix identifies micro-breweries as a conditional use in the Industrial zone as well as in other commercial zones. Through the Conditional Use Permit process, potential land use impacts can be addressed, thereby ensuring compatibility between the proposed use and existing surrounding uses. Adjacent land uses include a variety of industrial and warehouse uses. The hours of operation for most existing businesses in the industrial area curtail in the early evening (5:00 p.m.), with the exception of the Plaza Market Shell service station that operates into the late evening.

Staff recognizes that the proposed micro-brewery/taproom use is able to operate compatibly based on the recommended conditions of approval. The conditional use permit does not include conditions requiring food service to be a part of the land use, although there are a number of recommended conditions to ensure that the taproom operates in a safe and wholesome manner.

To address the proposed live music component, staff is recommending Condition No. 6 to ensure that the “background entertainment” component remain ancillary to the micro-brewery and taproom. This condition state that no disc jockeys (“DJs”) shall be permitted, and that there shall not be amplified live entertainment at any time.

Parking

The site provides nine parking stalls for the entire 4,900 square foot industrial warehouse building. Currently, the warehouse building is divided into two tenant spaces; Mainline Industries occupies 2,450 square feet while Moose Dog Brewery occupies the remaining 2,450 square feet. Mainline Industries and Moose Dog’s area dedicated to production of beer products are parked at the industrial warehouse ratio of one stall per 1,000 square feet of area, while the taproom is assigned parking at the restaurant ratio of one stall per 150 square feet of taproom area. Based on these parking requirements, 4 parking stalls are required for the areas assessed at the industrial warehouse parking ratio while 6 parking stalls are required for 850 square foot taproom. Therefore, a total parking requirement of 10 parking stalls is required if both businesses are operating at the same time.

However, a review of Mainline Industry’s hours of operation identifies this business being open Monday through Friday from 8:00 a.m. to 4:00 p.m., and closed Saturday and Sunday. Based on the divergent operating hours between Mainline Industry and the Moose Dog Brewery taproom, the nine parking stalls provided on-site meet the parking requirements for the Moose Dog Brewery taproom and brewing operations when Moose Dog Brewery is open (two stalls for the brewery area and six stalls for the taproom) and Mainline Industry is closed.

The applicant has also provided information related to a parking arrangement with Aguirre Printing & Embroidery located directly to the east of their site at 9610 West Nicholas Avenue (see Exhibit “F”). Per this exhibit, the applicant notes that four additional parking spaces can be used with the printing and embroidery business is closed. A review of the operating hours for Aguirre Printing & Embroidery identifies hours of operation Monday through Friday from 8:30 a.m. to 4:00 p.m., closed on Saturday and Sunday.

Staff is recommending Condition No. 4 requiring that the Moose Dog Brewery hours of operation be conditioned to operate based on the hours stated in the attached operational statement (see Exhibit “B”). Modification to the hours of operation or expansion of the taproom area will be subject to review by the Site Plan Review committee and subsequent Conditional Use Permit amendment process to ensure parking requirements can be complied with, or that a shared parking agreement be recorded against an adjoining property that encumbers that property’s parking towards the parking requirements of the Moose Dog Brewery.

Security Plan

The security plan, which has been reviewed and approved by Visalia Police Department, describes the types of security measures being undertaken and standards for managing security measures. The security plan will be in the possession of the Visalia Police Department along with contact information for responsible parties to address any issues. The recommendation includes Condition No. 13 requiring full compliance with the Security Plan as provided per Exhibit “D”.

Background Entertainment Condition

Recommended condition of approval No. 6 is modeled from a previous conditional use permit approval for background entertainment which is tailored to address the minimal live entertainment aspects of the business as addressed in the operational plan and security plan.

Conditional Use Permit Revocation Process

Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval will result in a Notice of Conditional Use Permit Suspension Order to Cease and Desist. The City of Visalia has the authority to automatically suspend a conditional use permit for failure to comply with the condition(s) of the permit. Upon suspension the Planning Commission shall hold a public hearing within 60 days, in accordance with the public hearing notice procedures. If the Commission is not satisfied that the regulation, general provisions, or applicant's ability to meet the conditions, they may revoke the permit or take action as may be necessary to ensure compliance with the regulation, general provision, or condition(s).

Alcoholic Beverage Control License

Recommended Condition No. 16 states that all necessary licenses from the ABC shall be obtained, kept current, and complied with.

Correspondence

Staff received correspondence in support of the proposed project. The correspondence, dated November 7, 2022 is attached as Exhibit "G".

Environmental Review

The requested action is considered a minor alteration in land use limitations as provided in the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Section 15301, and is therefore Categorically Exempt from a full environmental review (Categorical Exemption No. 2022-59).

RECOMMENDED FINDINGS

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed CUP is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The City's Zoning Ordinance was amended in 2016 to address micro-brewery land uses and to re-define zoning districts where the uses would be allowed, including the creation of an overlay district where the uses would be permitted outright. The purposes of these revisions help to promote entrepreneurship in the community, supporting a burgeoning business model, and allowing places of alcoholic consumption that could provide a positive image of the community.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2022-59).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2022-145, incorporated herein by reference.
2. That the site be developed and maintained in substantial conformance with the site plan in Exhibit "A", floor plan in Exhibit "C", food vendor plan in Exhibit "E", and parking arrangement in Exhibit "F".
3. That the applicant, operator and/or business comply with the operational statement in Exhibit "B", notwithstanding any required conditions below and/or imposed by State Department of Alcoholic Beverage Control. Any changes to their operational statement are subject to review by the City Planner and/or Site Plan Review Committee and may subsequently be required to be reviewed by the Planning Commission.
4. That the hours of operation for the taproom shall not extend beyond Monday through Friday 4:00 p.m. to 8:00 p.m., and Saturday from 12:00 p.m. to 8:00 p.m.
5. That the land use shall maintain operation primarily as a microbrewery or taproom as defined in Visalia Municipal Code Section 17.63.030. This operation allows for the service of brewed beverages with or without the service of food. All alcoholic beverages served or sold from the facility shall be produced on-site.
6. Background entertainment as defined in Section 17.63.030 of the Zoning Ordinance shall be permitted between the hours of operation for the Moose Dog Brewery taproom. Amplified live entertainment, including use of a disc jockey, is prohibited at any time.
7. There shall be no adult entertainment as defined in Visalia Municipal Code Chapter 17.62.
8. The operator shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises. No alcoholic beverages shall be consumed on any public areas adjacent to the licensed premises under the control of the licensee.
9. The operator shall be responsible for maintaining the premises and public areas immediately in front of and adjacent to the site free of litter and trash.
10. Underage patrons shall not sit at the bar or serving counter areas of the establishment.
11. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business, other than the primary business identification signage. This does not include advertising placed inside the business directed to the outside.
12. No video/arcade games shall be maintained upon the premises unless approved through the site plan review and any subsequent entitlement process.
13. That the owner/operator shall comply with the Security Plan in Exhibit "D". The applicant shall hold the security plan approved by the Visalia Police Department on the premise at all times. The owner/operator shall provide proof that employees who sell alcohol have completed the following, either:
 - a. Completed training from the State of California Department of Alcoholic Beverage Control-Fresno District Office-administered "Leadership and Education in Alcohol and Drugs" (LEAD) Program as confirmed by receipt of an ABC-issued certificate of completion; or

- b. Completed equivalent training acceptable to the ABC Fresno District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.
- 14. That the owner/operator shall maintain a video camera system that sufficiently meets the requirements of the Visalia Police Department.
- 15. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2022-26, per Visalia Municipal Code Section No. 17.38.040.
- 16. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses from the California Department of Alcoholic Beverage Control.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street. 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:

- Related Plans and Policies
- Resolution No. 2022-56
- Exhibit "A" – Site Plan
- Exhibit "B" – Operational Statement
- Exhibit "C" – Floor Plan
- Exhibit "D" – Security Plan
- Exhibit "E" – Food Vendor Plan
- Exhibit "F" – Parking Arrangement
- Exhibit "G" – Correspondence dated November 7, 2022
- Site Plan Review No. 2022-145 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

Related Plans & Policies

Chapter 17.04: Definitions

“Live Entertainment” means the performance by one (1) or more of any of the following performed live with amplified sound by one (1) or more persons, whether or not done for compensation and whether or not admission is charged: (i) musical act, including karaoke; (ii) theatrical act, including a play, revue, or stand-up comedy;(iii) dance;(iv) magic act;(v) disc jockey; or (vi) similar activity.

Chapter 17.38: Conditional Use Permits

17.38.010 Purposes and powers.

In certain zones conditional uses are permitted subject to the granting of a conditional use permit.

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

17.38.030 Lapse of conditional use permit.

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on

the site that was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section.

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.080 Public hearing--Notice.

A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.

B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use that is the subject of the hearing, and by publication in a newspaper of general circulation within the city.

17.38.090 Investigation and report.

The planning staff shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the planning commission. The report can recommend modifications to the application as a condition of approval.

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:

1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit.

17.38.120 Appeal to city council.

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of section 17.02.145.

17.38.130 Effective date of conditional use permit.

A conditional use permit shall become effective immediately when granted or affirmed by the council, or ten days following the granting of the conditional use permit by the planning commission if no appeal has been filed.

Chapter 17.63: MICRO-BREWERY/MICRO-WINERY OVERLAY DISTRICT

17.63.010 Purpose and Intent.

A. There is created a Micro-brewery/Micro-winery Overlay District, the boundaries of which are shown on the map entitled, "Micro-brewery/Micro-winery Overlay District", which is on file at city hall. Said map is adopted and made a part of this ordinance.

B. This chapter is enacted to preserve and promote the public health, safety, and welfare of the citizens of Visalia, and to facilitate businesses that specialize in the small-scale production and sale of crafted beverages. This chapter is also enacted to encourage the location of micro-brewery and micro-winery businesses in the East Downtown area. This is to:

1. Encourage, protect and enhance existing buildings, their productive re-use, and improvements in the East Downtown area.
2. Promote the vibrancy and sense of destination and place of the East Downtown area by establishing this area as the recognized center for craft brewing establishments.
3. Ensure that these establishments are compatible with each other and with existing and future uses within the East Downtown area.

17.63.020 Components of the Chapter.

This chapter shall include:

- A. The Ordinance text which specifies the micro-brewery/micro-winery overlay district and establishes specific standards pertaining to the district.
- B. A map designating the micro-brewery/micro-winery overlay district, which shall be depicted on the official zoning map of the city.

17.63.030 Definitions.

"Micro-brewery" An establishment that produces the range of brewed beer, ale, mead, hard cider and similar brewed beverages in quantities totaling 15,000 barrels or less per year (all beverage types combined) that are served on site and/or sold for off-site consumption. Service and sale of brewed beverages must be in conjunction with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF). Service of brewed beverages may be conducted with or without the service of food. Taproom, Nano-brewery, Craft brewery, and Brewpub are included in this definition.

“Micro-winery” An establishment that produces fermented fruit wine in quantities totaling 10,000 cases or less per year (all varieties and labels combined) that are served on site and/or sold for off-site consumption. Service and sale of wine must be in conjunction with the regulations of the Alcohol Beverage Control (ABC) and Bureau of Alcohol, Tobacco, and Firearms (ATF). Service of wine may be conducted with or without the service of food. Tasting room and Boutique winery are included in this definition.

“Background entertainment” Non-amplified live music or performance intended to complement the primary venue, and for which no alteration of the physical or operational aspect of the primary use is made.

17.63.040 Standard Operating Conditions.

A. Uses within the Overlay District

1. All uses shall be subject to the Zoning Matrix use allowances, except that micro-brewery/micro-winery locations that occur coincidentally within the micro-brewery/micro-winery overlay district and within the C-S (Service Commercial) or the D-MU (Mixed Use Downtown) Zone District shall be permitted by right.

2. Zoning regulations for micro-brewery/micro-winery locations shall be those of their underlying Zone District; except as follows:

- a) Alcoholic beverages sold on site shall be only that produced by the operator.
- b) Truck loading and unloading shall be limited to between the hours of 7:00am and 4:00pm daily.
- c) Venting of brewing process shall be directed away from sidewalks and residences.
- d) Outdoor storage shall be limited to an area of no more than 5% of the leasable floor area of the establishment. Outdoor storage shall be secured at all times and shall be fully screened from view.
- e) Parking required for a micro-brewery/micro-winery use shall be determined by the allocation of interior floor space of the establishment, and at the prescribed ratios as contained in Chapter 17.34 (Off-street parking and loading facilities). Portions of the floor area used for on-site consumption of beverages and/or food shall be parked at the prescribed restaurant ratio; brewing, bottling and warehousing of product produced or sold on site shall be parked at the prescribed industrial ratio; and, retail display of product for off-site sale shall be parked at the prescribed retail ratio.

NOTICE OF EXEMPTION

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

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

Conditional Use Permit No. 2022-27

PROJECT TITLE

9626 W. Nicholas Avenue, #102, Visalia, California 93291

PROJECT LOCATION

Visalia

PROJECT LOCATION - CITY

Tulare

COUNTY

A request by Moose Dog Brewing, LLC to operate an 850 square foot taproom within a 2,450 square foot existing brewery, located in the I (Industrial) Zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia, 315 E. Acequia Avenue, Visalia, CA 93291, cristobal.carrillo@visalia.city

NAME OF PUBLIC AGENCY APPROVING PROJECT

Moose Dog Brewing, LLC, Attn: Jeff Wimp, 4031 W. Woodside Ct., Visalia CA 93291

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Moose Dog Brewing, LLC, Attn: Jeff Wimp, 4031 W. Woodside Ct., Visalia CA 93291

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15073
- Emergency Project - Section 15071
- Categorical Exemption - Section 15301
- Statutory Exemptions- State code number:

Minor land use limitation for an existing structure

REASON FOR PROJECT EXEMPTION

Cristobal Carrillo, Associate Planner

CONTACT PERSON

(559) 713-4443

AREA CODE/PHONE

November 14, 2022

DATE

Brandon Smith

ENVIRONMENTAL COORDINATOR

RESOLUTION NO. 2022-56

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2022-27: A REQUEST BY MOOSE DOG BREWING, LLC TO OPERATE AN 850 SQUARE FOOT TAPROOM WITHIN A 2,450 SQUARE FOOT EXISTING BREWERY LOCATED IN THE I (INDUSTRIAL) ZONE. THE SITE IS LOCATED AT 9626 WEST NICHOLAS AVENUE, UNIT #102 (APN: 081-130-045)

WHEREAS, Conditional Use Permit No. 2022-27 is a request by Moose Dog Brewing, LLC to operate an 850 square foot taproom within a 2,450 square foot existing brewery located in the I (Industrial) Zone. The site is located at 9626 West Nicholas Avenue, Unit #102 (APN: 081-130-045); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on November 14, 2022; and

WHEREAS, the Planning Commission of the City of Visalia finds Conditional Use Permit No. 2022-27, as conditioned, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2022-59).

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

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed proposal is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The City's Zoning Ordinance was amended in 2016 to address micro-brewery land uses and to re-define zoning districts where the uses would be allowed, including the creation of an overlay district where the uses would be permitted outright. The purpose of these revisions is to help promote entrepreneurship in the community, supporting a burgeoning business model, and allowing places of alcoholic consumption that can provide a positive image of the community.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2022-59).

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

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2022-145, incorporated herein by reference.
2. That the site be developed and maintained in substantial conformance with the site plan in Exhibit "A", floor plan in Exhibit "C", food vendor plan in Exhibit "E", and parking arrangement in Exhibit "F".
3. That the applicant, operator and/or business comply with the operational statement in Exhibit "B", notwithstanding any required conditions below and/or imposed by State Department of Alcoholic Beverage Control. Any changes to their operational statement are subject to review by the City Planner and/or Site Plan Review Committee, and may subsequently be required to be reviewed by the Planning Commission.
4. That the hours of operation for the taproom shall not extend beyond Monday through Friday 4:00 p.m. to 8:00 p.m., and Saturday from 12:00 p.m. to 8:00 p.m.
5. That the land use shall maintain operation primarily as a microbrewery or taproom as defined in Visalia Municipal Code Section 17.63.030. This operation allows for the service of brewed beverages with or without the service of food. All alcoholic beverages served or sold from the facility shall be produced on-site.
6. Background entertainment as defined in Section 17.63.030 of the Zoning Ordinance shall be permitted between the hours of operation for the Moose Dog Brewery taproom. Amplified live entertainment, including use of a disc jockey, is prohibited at any time.
7. There shall be no adult entertainment as defined in Visalia Municipal Code Chapter 17.62.
8. The operator shall regularly maintain the area under their control in an effort to prevent loitering of persons about the premises. No alcoholic beverages shall be consumed on any public areas adjacent to the licensed premises under the control of the licensee.
9. The operator shall be responsible for maintaining the premises and public areas immediately in front of and adjacent to the site free of litter and trash.
10. Underage patrons shall not sit at the bar or serving counter areas of the establishment.
11. There shall be no exterior advertising of any kind promoting or indicating the availability of alcoholic beverages within the business, other than the primary business identification signage. This does not include advertising placed inside the business directed to the outside.
12. No video/arcade games shall be maintained upon the premises unless approved through the site plan review and any subsequent entitlement process.
13. That the owner/operator shall comply with the Security Plan in Exhibit "D". The applicant shall hold the security plan approved by the Visalia Police Department on the premise at all times. The owner/operator shall provide proof that employees who sell alcohol have completed the following, either:
 - a. Completed training from the State of California Department of Alcoholic Beverage Control-Fresno District Office-administered "Leadership and Education in Alcohol and Drugs" (LEAD) Program as confirmed by receipt of an ABC-issued certificate of completion; or

- b. Completed equivalent training acceptable to the ABC Fresno District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.
- 14. That the owner/operator shall maintain a video camera system that sufficiently meets the requirements of the Visalia Police Department.
- 15. Failure to comply with all conditions as set forth may result in the revocation of Conditional Use Permit No. 2022-26, per Visalia Municipal Code Section No. 17.38.040.
- 16. That all applicable federal, state and city laws, codes and ordinances be met, including all necessary licenses from the California Department of Alcoholic Beverage Control.

Exhibit "A"
Site Plan



Exhibit "B"

PROJECT DESCRIPTION

Moose Dog Brewing, LLC is requesting approval of a conditional use permit to operate a taproom in the I (Industrial) Zone, located at 9626 W. Nicholas Ave, #102 (see site plan, Exhibit "A"). Moose Dog Brewing is currently a licensed Small Beer Manufacturer at this location. The allowance of a Brewery defined in the Zoning Ordinance is a permitted use in the I zone under the Zoning Matrix line M15. The allowance of a Micro-Brewery defined in the Zoning Ordinance is a conditional use in the I zone under the Zoning Matrix line E3.

The project will involve no tenant improvements to a 2,450 square foot space as the taproom area and the production area are already separated. The existing production area utilizes 1,600 square feet and will not be open to the public unless the brewing schedule coincides with the taproom hours of operation. The stated hours of operation for the taproom according to the operational statement are five days a week from 4:00 p.m. to 8:00 p.m. Monday through Friday and Saturday noon to 8:00 pm. Production will continue to take place outside of the taproom area described in the operation statement as a brewhouse capable of producing 8 barrels of beer at a time, and five fermenter tanks with a total combined capacity of 15 barrels. The total annual production is not expected to exceed 5,000 beer barrels (BBLs) or 155,000 gallons per year. Per the City's Ordinance, a micro-brewery establishment may produce up to 15,000 BBLs per year. The beer is filled on-site in kegs, bottles, and cans for retail sales and for on-site consumption in the taproom.

The taproom will utilize 850 square feet and will be open to the public. The space consists of table and bar seating for approximately 18 patrons and restrooms. The stated hours of operation, according to the operational statement, are Monday through Friday from 4:00 p.m. to 8:00 p.m., and Saturday from 12:00 p.m. to 8:00 p.m. The brewery opens on Sunday from 12:00 p.m. to 5:00 p.m. for production only. The taproom will not be open on Sundays. There is no restaurant or food kitchen associated with the operation. Pre-packaged foods items will be sold on-site and food trucks will operate in the parking lot portion of the site open to the public. Live entertainment is not proposed as part of the business operation, nor is it permitted in the underlying zoning designation. However, we would like to host one piece or two piece artist groups for occasional performances.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Industrial
Zoning:	I (Industrial)
Surrounding Land Use and Zoning	North: I / Industrial/ warehouses; South: I / Industrial/ PSC/Gardner Trucking East: I / Industrial/ Aguirre Printing, veterinary service West: I / Industrial/ Motion Industries, warehouses
Environmental Review:	
Special Districts:	None
Site Plan:	SPR No. 2022-145

Moose Dog Brewing, LLC -

Taproom Operational Statement

Moose Dog Brewing is a Craft Brewery in the west industrial area of Visalia. Availability of affordable, available leasable space in the Brewery Overlay District has been an obstacle in finding a reasonable location within this District. We feel that our selected location at 9626 W. Nicholas Ave., will be a complementary addition to the existing nearby businesses as well as the nearby hotels and park area, and given the Taproom hours of operation, our business will not be a nuisance to other businesses, such as Aguirre Printing (8:30 am –4 pm), Mainline Industry (8 am-4 pm), and Motion Industries(8 am-4 pm), in the adjacent area since most are not in operation after 4:00 p.m..

Brewery production (active brewing) will occur on an as needed basis. Hours of operation of the production brewery will occur Monday through Sunday from 11 AM to 10 PM. This will not be a full-time, constant production schedule, but as needed, when needed based on product need and employee schedule availability. The brewery will not be open to the public, unless the brewing schedule coincides with the Taproom hours of operation.

Taproom hours of operation will be Monday- Friday from 4:00 PM - 8:00 PM, Saturday from 12:00 PM - 8:00 PM and Sunday (production only) from 12:00 PM - 5:00 PM. The taproom will feature beers produced in-house for on-site consumption served in 4 ounce flights and 16 ounce pints. Growlers (32 oz and 64 oz) as well as Crowlers (19.2 & 32 oz cans) will be filled on-site for retail sales and off-site consumption. Kegs and Bottles will be filled on-site for retail sales and off-site consumption as well as distribution to local accounts for re-sale. Deliveries are done during the regular work day and are dropped in front of the rollup door of the unit out of the traffic flow area.

We aim for our business to be a family friendly location, enjoyable for those of all ages. To accommodate our younger visitors, and those of-age who may not be enjoying a cold brew, we intend to provide pre-packaged snacks and water as well as non-alcoholic drinks for purchase and consumption on site.

Food trucks will be available in the northernmost stall of the parking area. Various Food Trucks/ Food Vendors will be scheduled for each day of Taproom operation. All Food Trucks/ Food Vendors will need to be licensed by and must comply with all Health Department regulations.

A portion of our Taproom will be setup with oversized games such as Jenga, Tick- Tac-Toe, and other backyard games such as Corn Hole, Washers, and Ladder Golf. Board Games will be available and decks of cards may be checked out for those wishing to engage in various card games.

There will be no on-site parking of company service or delivery vehicles as MDB does not utilize company vehicles for delivery purposes. Cardboard / Plastic will be disposed of in on-site City Dumpsters, or recycled at a nearby recycle yard. Spent grains (brewing process waste) will be donated to a local dairy for cattle consumption (Stipe Farms). The operations of the brewery will not produce any hazardous waste. There will be no single-pass cooling water discharged to the sewer system. Waste water to be recycled and reused for cleaning process prior to going into the municipal sewer system.

Description of Moose Dog Brewing

Moose Dog Brewing is a growing microbrewery wishing to add a taproom to its current location. The brewery occupies the back 2450 square feet of 9626 W. Nicholas Ave. The purpose of the business is to follow these core beliefs:

- *To create and distribute goods and services to meet the needs of people.
- *To provide employment that allows people to use their gifts and abilities creatively.
- *To act as stewards of creation's resources for the sake of all people and future generations.

By definition a small beer manufacturer is one that brews less than 60,000 barrels per year. Our current sales options are not enough to stay in business without adding a taproom.

Moose Dog Brewing is incorporated in the State of California as an LLC. The Internal Revenue Service has officially accepted Moose Dog Brewing's election as an LLC as of May 11, 2013. We are a Christ-centered business which uses biblical principles as our foundation. The corporation is fully licensed by the ABC and TTB. We strive to reflect Christ in our business practices Proverbs 3:32 – "For the crooked man is an abomination."

Taproom

The taproom will consist of a bar, tables, stools, an ADA table, a tap wall, and televisions. A pool table, dart-board, and cornhole boards are available. Bar stools will be utilized to provide seating for 18 patrons inside the taproom. An ADA compliant tables are available in the taproom for wheelchair access. The tables were originally used at Pita Kabob and were purchased from them when they updated their furniture.

Taps are installed in the wall for serving beer. All tap lines and taps are professional and food grade. Kegs are kept cold inside a refrigerated in the keg storage room on the room on the opposite side of the bar area. A drip tray will be installed below the taps with a drainage line for collection and disposal. Televisions are wall-mounted using commercial grade mounts in the main taproom as well as the two in the game area. One will be used for viewing programming while the other will be connected to a gaming system for guest use.

Taproom

850 SF Taproom

Hours:

Monday - Friday - 4:00 **PM** - 8:00 PM

Saturday: 12:00 PM - 8:00 PM

Sunday: Closed to public (Production Only)

Staff:

2 - 4 Servers

Seating:

850 SF @ 1:15 Load Factor = 18 Patrons (after factoring the furniture including the bar)

Restrooms

Men's - 1 Lavatory, 1 Urinal, 1 Sink

Women's - 1 Lavatory, 1 Sink

Production Brewery (Currently in Operation)

1,600 SF Brewery/Warehouse

Hours:

Monday- Saturday: 8 AM - 8 PM, as needed

Sunday: 12 PM-5 PM, as needed

Deliveries to be made 8 AM - 5 PM, Monday through Friday

Staff:

2 Brew Staff

Production Size:

4 BBL Gas Brewhouse (125 Gallon Capacity)

(2) 3 BBL Fermenter (100 Gallon Capacity)

(1) 2 BBL Fermenter (70 Gallon Capacity)

Annual production less than 1,000 BBLs per year

1 BBL = 31 Gallons

ABV of Beer

Up to 16% Alcohol by Volume

Beer is fermented in Stainless Steel and Polyethylene closed, pressure rated fermentation vessels.

Once fermented, beer will be transferred to kegs for carbonation.

Once carbonated, beer will be stored in kegs or transferred to bottles.

Beer will not be exposed to open heat sources, nor will the ABV be high enough to become flammable if exposed to flame.

Material Storage

Grain- 50 lb bags @ 1,000 lbs = 50bags To be stored on pallets in the warehouse away from the brewhouse

Kegs- Empty Kegs will be stored in the warehouse & Full Kegs will be stored in the cold room.

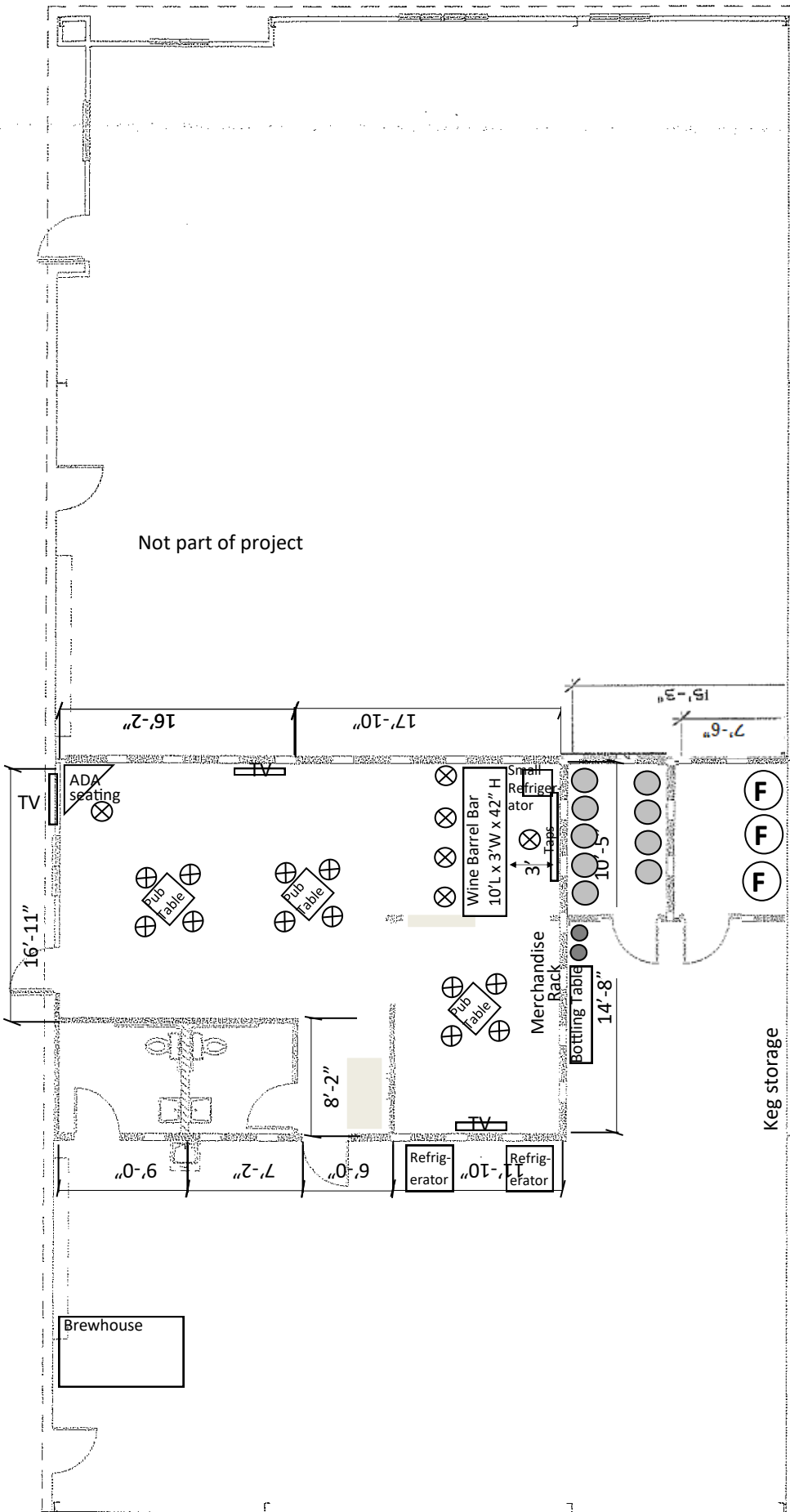
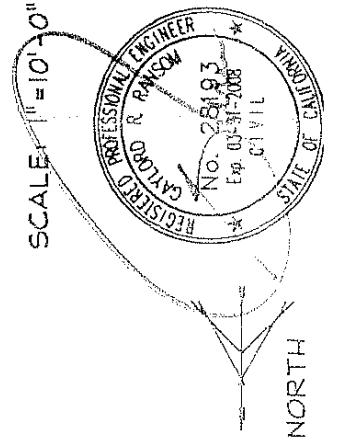
Trash

Cardboard / Plastic will be disposed of in on-site City dumpsters

Spent Grains to be donated to local dairies for cattle consumption

Waste Water to be recycled and reused for cleaning process prior to going into municipal sewer system

Exhibit "C"



NICHOLAS PLAZA INDUSTRIAL PARK

SHEET M200 - MECHANICAL PLAN
 PARCEL 30
 9626 W. NICHOLAS AVE., SUITE 102
 MPO5-0092/506-3302
 DEFERRED OFFICE SUBMITTAL

- ⊗ Stool
- CO2 Tank
- 15.5 gal Keg
- (F) Fermenter on Casters



PICKETT & SONS
 CONSTRUCTION, INC.
 LICENSE #: 283723
 /FEE: 726-2500

Exhibit "D"

Moose Dog Brewing, LLC Site Security Plan

The brewery building is alarmed on both exits, the window in the tasting room, and the door between the office area and the warehouse. The system is monitored by Security First Alarm King and also features motion sensors in the warehouse area and tasting room. The security system features an audible alarm as well. The cold room features a locking handle as well as a deadbolt for security during off hours. The gate on the parking lot is locked during off hours.

Purpose

Moose Dog Brewing, LLC is dedicated to the protection of its employees, visitors, information, facilities, and other assets from any security threat affecting our company in order to eliminate or reduce company losses. We place a high priority on developing, validating, and, if necessary, implementing our company's Site Security Plan. If after reading this plan, you find that improvements can be made, please contact Jeff Wimp, CEO, at 559-300-6521. We encourage all suggestions because we are committed to the success of this written plan.

Administrative Duties

Zack Brigman, our Site Security Plan Administrator, is responsible for establishing and implementing our written Site Security Plan. This person has full authority to make necessary decisions to ensure the success of this plan. Copies of this written plan may be obtained from:

Contact Person:	Telephone number:
Diana Wimp	559-799-8580

Target Areas

We consider the following areas to be either directly related to assets or threats with a high risk of loss, or to be likely access points for criminals or terrorists: Front Window, Tasting Room Door, and Warehouse Door.

We have considered these target areas when developing our prevention measures, security policies, and incident procedures.

Security Guards and Cameras

Understanding that the brewery industrial deals with alcohol and the potential of unruly behavior, Moose Dog Brewing, LLC plans to add security guards as we grow. We understand that our ability to monitor will be significantly altered as we begin attracting larger groups in the tasting room. Camera's have been installed to monitor the main tasting area as well as the bar, brewhouse, and parking lot. We estimate the need for one security guard in the future.

Prevention Measures

Based on our risk analysis and target areas, our company has a clear picture of its critical assets, significant threats, and primary targets. These have helped us determine the countermeasures to offset them.

Physical Security

Physical security is the process of permitting access to the facility, systems, or information by authorized persons while denying access to others. We have the following physical security measures in place:

Only partners (4) have access to security codes and can clear the alarm. The facility is alarmed and monitored 24/7. The door between the warehouse and tasting room area is secured with a lock and deadbolt.

Information Security

Information security is protecting sensitive information, preventing sabotage and disruption, and keeping critical business processes operational. We have the following information security measures in place:

All documentation is kept at another alarmed facility where it is locked in a secure closet. The only tech present at the facility is wifi provided through Infinity/Comcast with two separate routers: one for patrons and one for staff. Point of Sale tablets use the staff router only and are protected by a firewall. The cashbox is secured near the corner of the bar and money is dropped hourly in the safe in the warehouse which is only accessible by the partners (4).

Employee, Contractor, Customer, and Visitor Security

People-employees, contractors, customers, and visitors-are our largest assets. For this reason, we have implemented a number of security measures to protect people: 2 partners have been trained in NCI Non-violent Crisis Intervention and have been trained in crowd supervision. At least one will be on site during operations.

In-transit Security

It is important to protect assets such as people, product, property, cash, and information while they are being transported or transmitted from one location to another. Here are our in-transit security measures: Beer Product is secured inside the vehicle at all times and is completely locked during deliveries.

Contingency Plans and Procedures

Despite careful use of preventive measures and security policies, there is always some likelihood that events will occur which could put our assets at risk. For this reason, our company has the following contingency plans and procedures:

Our security alarm has a panic button which will alert emergency services and is in accessible locations for staff use. One member of the partnership is license to carry a firearm. The warehouse area is lockable from the inside which allows a safe place in the event of an emergency. And the rolling gate allows a lockable deterrent in the case of crowd issues.

Staff Training

Staff have completed RBS training for service of alcoholic beverages as well as CPR/First Aid training to assist customers in the event of an emergency. Staff are also provided with a handbook for responding to patron issues and assisting emergency personnel. The handbook is available behind the bar. Our Point of Sale system has a panic system that allows staff to contact emergency services in the event of an issue.

Incident Aftermath

A number of events can occur after an actual incident. We intend to handle these possibilities as follows:

Staff will be interviewed and actions will be reviewed to analyze next steps as well as better methods of response. The parking lot on the corner of Grove and Century is our rendezvous location in an emergency.

Roles and Responsibilities

To meet our security measures, policies, and procedures, the following people will have the roles and responsibilities listed below:

Individual, team, department, or agency:	Backup individual, team, department, or agency:	Role and responsibility:
Zack Brigman	Jeff Wimp	Site Security Plan Administrator
Jeff Wimp	Diana Wimp	Communications
Diana Wimp	Renee Brigman	Documentation/Training
Renee Brigman	Jeff Wimp	First Aide

Training

Many security measures have been presented, but without the dedication of employees, the effectiveness of our Site Security Plan will be greatly diminished and some measures may not work at all. It is our goal to raise employee dedication to and involvement in our plan by providing security awareness training.

Diana Wimp trains all employees monthly in the following: Sexual Harassment, Bloodborn Pathogens, Fire Safety, and Safety Equipment operation and maintenance.

We perform drills for the following security threats: Fire, Earthquake, Flood, Active Shooter, and armed robbery. We hold these drills at least 4 times per year for each situation. After a drill, the Plan Administrator evaluates the effectiveness of the plan and reviews any employee input concerning the drill.

After an actual incident, further training may be necessary.

Plan Evaluation

By having Zack Brigman thoroughly evaluate and, as necessary, revise our plan, we ensure our program's effectiveness and prevent or eliminate any problems. Plan evaluation involves the following: Response Time, Type of Response, Utilization of Protocols, and Affect.

Appendices

We have attached to this Site Security Plan Maps below.

Exhibit "E"

Food Vendor Plan-

We plan on having food vendor trucks Fridays and Saturdays as well as some special occasions, such as company events or Holidays, during the week. We will block off one parking spaces in the north end of the lot for the purpose vendor parking and for customer lines. We will utilize cones and people movers to block the area. We may also use the area where our trash cans are for a patio section during the Corona-virus pandemic as permitted.

Food Vendors will be on a rotation for Thursdays and Fridays from 4 pm to 7 pm. On Saturdays, we will have vendors from 12 pm to 8 pm. This may be adjusted due to schedules, demand, etc. Vendors include Big Papas Pizza, Off-Road Pizza, Santos Tacos, and The Bearded Lady.

Trash cans will be placed around the area so that guests have a place to dispose of food and waste. Restrooms are available inside the brewery.

Our location meets the city's requirements for Mobile Food Vending in that:

1. It is on private property with an active open business and will operate during Moose Dog's hours of operation.
2. The property has full public improvements.
3. The identified surface is paved and meets the landscaping requirements.
4. We have permission from the property owners who are on site often.
5. The area identified fits within the two-stall parking rules and does not impede traffic.
6. There are no schools within one thousand(1,000) feet of Moose Dog Brewing, nor are there any restaurants or residential areas within three hundred(300) feet.
7. The hours of operation fit within the Mobile Food Vending Hours.
8. Lighting is provided on the building and any other lighting necessary will not be directed towards the public right-of-way, adjacent properties, or the night sky.
9. Only Moose Dog Brewing will sell alcoholic beverages as part of our regular operations.

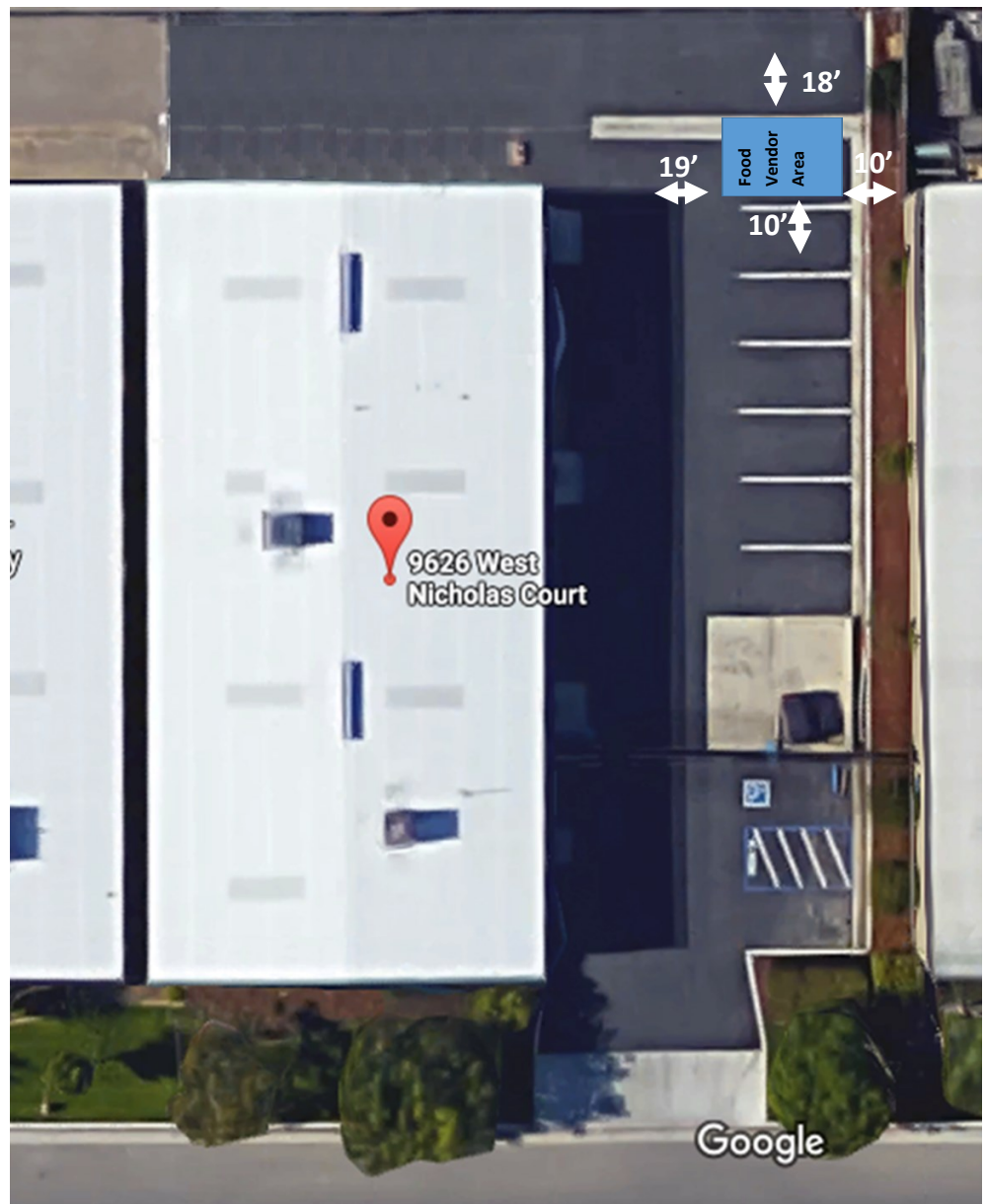


Exhibit "F"

Parking

The parking lot at 9626 W. Nicholas contains 8 regular parking stalls and one handicapped stall. There is an additional stall within the trash pad. Moose Dog has entered an agreement with Aguirre Printing and Embroidery to utilize their parking lot as an overflow parking area during Aguirre's non-business hours. Aguirre's lot contains 4 regular stalls and one handicapped stall. This will bring our total parking area up to 12 regular stalls and 2 handicapped stalls.

Restaurant Ratio 1:150 = 3.833 Spaces= 4 Spaces
 Warehouse Ratio 1:1,000 SF= 3.035 Spaces= 3 Spaces
 Total = 7 ParkingSpaces
 Shared Parking Provision - Chapter 17.34.050

Existing Parking

1 Space per 400 SF of entire 4,900 SF Building
 Existing= 10 Stalls
 Restaurant- 1:150
 Storage/ Warehouse - 1:1,000 SF

Address	Tenant	Use	Area	Parking Ratio	Parking Stalls
Suite #101	Mainline Industries	Warehouse	2450	1:1000	2.5
Suite #102	Moose Dog Brewing	Restaurant/ Warehouse	850/ 1600	1:150 / 1:1000	7.5
Total Required					10.*

Parking Space Lease Agreement

This Parking Space Lease Agreement ("The Lease") is made and entered into on MARCH Month 01 Day, 2021 ("The Effective Date") by and between Aguirre Printing and Embroidery ("Lessor") and Moose Dog Brewing LLC ("Lessee"), collectively known as the "Parties". The Parties hereby agree as follows.

I. Term

Lessor hereby leases to Lessee 4 parking spaces, indicated on Exhibit A, located at 9510 West Nicholas Street, Visalia, CA 93291. The premises shall be used solely for the temporary parking of motor vehicles by the Lessee. This Lease will commence on the date this Agreement is signed and will continue of an annual basis.

II. Rent

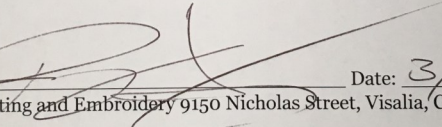
Lessee agrees to pay \$50.00 per parking space every year for the length of this agreement, due annually on the anniversary date of this Lease. Lessor shall make available the parking spaces to the Lessee *after* normal business hours, i.e., 5PM to 12AM Monday thru Friday, and 12PM to 12AM Saturday and Sunday. Upon no circumstance shall a vehicle be left on the premises overnight.

III. Liability

Lessor shall not be held responsible for loss of or damage to and vehicle or any contents of such vehicle.

IV. Termination

Either party may terminate this Lease by providing 10 days written notice to the other party. Any such notice shall be directed to the other Party's address as listed on this lease.

Agreed to by:  Date: 3/1/21
 Aguirre Printing and Embroidery 9150 Nicholas Street, Visalia, CA 93291

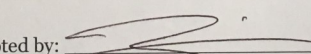
Accepted by:  Date: 3/1/21
 Moose Dog Brewing 9626 Nicholas Street, Visalia, CA 93291

Exhibit "G"

From: Susan Currier
Sent: Monday, November 7, 2022 10:50 AM
To: Cristobal Carrillo
Cc: Paul Bernal
Subject: FW: CUP #2022-27 - Moose Dog Brewing

FYI

From: Joe Pickett <jfp@pickettandsons.com>
Sent: Monday, November 7, 2022 10:46 AM
To: Susan Currier <Susan.Currier@visalia.city>
Subject: CUP #2022-27 - Moose Dog Brewing

Susan,

I am writing this email in **support** of the proposed tap room in the existing Moose Dog Brewing located at 9626 W Nicholas, Unit #102 subject to the conditions of approval as set forth by the City of Visalia. Tap rooms provide vitality in areas that normally see unsavory activity during non-traditional working hours.

If there are any questions, please let me know.

Sincerely,

JOSEPH F. PICKETT
MANAGING MEMBER



HOLDINGS, LLC
7310 N. REMINGTON AVE.
FRESNO, CA 93711
(559)-225-2500
JFP@PICKETTANDSONS.COM



October 4, 2022

Site Plan Review No. 2022-145-B:

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

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

This is your Site Plan Review Permit; your Site Plan Review became effective **September 7, 2022**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

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

Respectfully,

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

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE September 7, 2022
SITE PLAN NO. 2022-145 – B
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

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

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

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

Planning Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

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

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

Your plans must be reviewed by:

CITY COUNCIL REDEVELOPMENT

PLANNING COMMISSION PARK/RECREATION

CUP

HISTORIC PRESERVATION OTHER –

ADDITIONAL COMMENTS:

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

SITE PLAN REVIEW COMMENTS

Rafael Garcia, Planning Division, 559-713-4031

Date: September 7, 2022

SITE PLAN NO: 2022-145- B
PROJECT: Moose Dog Brewing
DESCRIPTION: TAPROOM FOR EXISTING SMALL BEER MANUFACTURER (I)
APPLICANT: BOB & PAM POLLOCK
PROP. OWNER: ROBERT & PAMELA POLLOCK (TRS) (2019 P)
LOCATION TITLE: 9626 W. NICHOLAS AVE
APN TITLE: 081-130-045
GENERAL PLAN: Industrial
ZONING: Industrial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit
- Shared Parking Agreement
- Building Permit
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: September 7, 2022

1. A Conditional Use Permit is required to operate a Taproom (E3 land use) in conjunction with the existing brewery (M15 land use) within the I (Industrial) Zone.
2. The submittal shall include a detailed site plan showing the entire property and all existing and proposed structures onsite, including food vendor/truck. The site plan shall include dimensions and setbacks as well (10 feet as measured from rear and side property line as required by Fire Department). The site plan submitted for this review did not include the required detail.
3. Mobile food vendors shall be setback a minimum 10 feet from any building and/or property line.
4. The parking demand for the brewery and taproom is a total of 7.27 stalls. The following conditions shall apply as part of the project:
 - The taproom/tasting room use must be staggered so as not to be operational when the tenant in Suite No. 101 is operational (may not be required if sufficient parking is provided via No. 6).
 - The food truck cannot be located on an area where required parking is provided. Also, the food truck must comply with required setbacks (may not be required if sufficient parking is provided via item No. 6).
5. If it is determined that sufficient parking is not available onsite to support the proposed use, the applicant shall modify the proposal in order to comply with parking. Provide updated site plan clearly showing the food truck and all property lines. Demonstrate that the food truck will not occupy any required parking on the site.
6. If shared parking is proposed with adjacent business the project must comply VMC Section 17.34.050:
 - A. The buildings and uses shall be within three hundred (300) feet of the nearest point by walking distance within a parking facility to said building or use;
 - B. The applicant shall show there is no conflict in the principal operating hours of the buildings or uses;

C. A shared parking agreement between the principal parties and the city shall be entered into that restrict the shared parking area to a parking use only. A document will be recorded encumbering both properties.

7. If shared parking is proposed as part of project provide details as part of operational statement.
8. Provide security plan information on whether onsite security guards will be employed onsite.
9. The site is outside of the Micro-Brewery/Micro-Winery Overlay District. However, standard operating conditions are provided below for possible incorporation into the proposal.
10. Meet all other codes and ordinances.

PROJECT SPECIFIC INFORMATION: August 31, 2022

1. A Conditional Use Permit is required to operate a Taproom (E3 land use) in conjunction with the existing brewery (M15 land use) within the I (Industrial) Zone.
2. The submittal shall include a detailed site plan showing the entire property and all existing and proposed structures onsite, including food vendor/truck. The site plan shall include dimensions and setbacks as well (10 feet as measured from rear and side property line as required by Fire Department). The site plan submitted for this review did not include the required detail.
3. Mobile food vendors shall be setback a minimum 10 feet from any building and/or property line.
4. The parking demand for the brewery and taproom is a total of 7.27 stalls. The following conditions shall apply as part of the project:
 - The taproom/tasting room use must be staggered so as not to be operational when the tenant in Suite No. 101 is operational.
 - The food truck cannot be located on an area where required parking is provided. Also, the food truck must comply with required setbacks.
5. If it is determined that sufficient parking is not available onsite to support the proposed use, the applicant shall modify the proposal in order to comply with parking. Provide updated site plan clearly showing the food truck and all property lines. Demonstrate that the food truck will not occupy any required parking on the site.
6. If shared parking is proposed with adjacent business the project must comply VMC Section 17.34.050:
 - A. The buildings and uses shall be within three hundred (300) feet of the nearest point by walking distance within a parking facility to said building or use;
 - B. The applicant shall show there is no conflict in the principal operating hours of the buildings or uses;
 - C. A shared parking agreement between the principal parties and the city shall be entered into that restrict the shared parking area to a parking use only.
7. If shared parking is proposed as part of project provide details as part of operational statement.
8. Provide security plan information on whether onsite security guards will be employed onsite.
9. The site is outside of the Micro-Brewery/Micro-Winery Overlay District. However, standard operating conditions are provided below for possible incorporation into the proposal.
10. Meet all other codes and ordinances.

Chapter 17.63 Micro-Brewery/Micro-Winery Overlay District
17.63.040 Standard Operating Conditions.

A. Uses within the Overlay District.

1. All uses shall be subject to the Zoning Matrix use allowances, except that micro-brewery/micro-winery locations that occur coincidentally within the micro-brewery/micro-winery overlay district or within the C-R (Regional Commercial) Zone District shall be permitted by right, provided that such establishments limit their patronage to persons 21 years of age or older.
2. Zoning regulations for micro-brewery/micro-winery locations shall be those of their underlying Zone District; except as follows:

- a) Alcoholic beverages sold on site shall be only that produced by the operator.
- b) Truck loading and unloading shall be limited to between the hours of 7:00 a.m. and 4:00 p.m. daily.
- c) Venting of brewing process shall be directed away from sidewalks and residences.
- d) Outdoor storage shall be limited to an area of no more than 5% of the leasable floor area of the establishment. Outdoor storage shall be secured at all times and shall be fully screened from view.
- e) Parking required for a micro-brewery/micro- winery use shall be determined by the allocation of interior floor space of the establishment, and at the prescribed ratios as contained in [Chapter 17.34](#) (Off-street parking and loading facilities). Portions of the floor area used for on-site consumption of beverages and/or food shall be parked at the prescribed restaurant ratio; brewing, bottling and warehousing of product produced or sold on site shall be parked at the prescribed industrial ratio; and, retail display of product for off-site sale shall be parked at the prescribed retail ratio.

3. Micro-brewery/micro-winery establishments proposing to allow underage patrons (under 21 years of age) shall require approval of a Conditional Use Permit, subject to the standard operating procedures contained in this Chapter, and as conditioned by the Planning Commission as follows:

- a) Underage patrons (under 21 years of age) shall not remain upon the establishment premises after 10:00 p.m. nightly.
- b) Minor patrons (under 18 years of age) shall be accompanied by a parent or legal guardian at all times.
- c) Underage patrons shall not sit at the bar or serving counter areas of the establishment.
- d) The establishment shall provide games, activities, non-alcoholic beverages and snack foods suitable to all ages patrons. Games and activities may include, but are not limited to table games, board games, shuffleboard, corn-hole, drawing paper and crayons, puzzles, video and arcade games.
- e) The floor area devoted to games and activities shall be a minimum of 20% of the public area of the establishment.

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  _____



**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Adrian Rubalcaba 713-4271
- Ather Razaq 713-4268
- Edelma Gonzalez 713-4364
- Jaklin Rowley 713-4369
- Luqman Ragabi 713-4362
- Lupe Garcia 713-4197

ITEM NO: 6 DATE: SEPTEMBER 7, 2022

SITE PLAN NO.: 22-145 RESUBMITTAL
 PROJECT TITLE: MOOSE DOG BREWING
 DESCRIPTION: TAPROOM FOR EXISTING SMALL BEER MANUFACTURER (I)
 APPLICANT: BOB POLLOCK
 PROP OWNER: POLLOCK ROBERT & PAMELA (TRS)(2019P)
 LOCATION: 9626 W NICHOLAS AVE
 APN: 081-130-045

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with _____ radius;
- Install curb; gutter
- Drive approach size: _____ Use radius return;
- Sidewalk: _____ width; _____ parkway width at _____
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required.
 Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ : _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- 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 = .20%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- Traffic indexes per city standards:

- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during construction in accordance with City requirements.
- A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

1. ***Refer to previous SPR18-165 conditions.***
2. ***Proposed taproom within brewing facility will incur impact fees based on square footage and seating capacity. Refer to page 3 for applicable fees, due at permit issuance.***
3. ***Building permit required. Standard Plan check and inspection fees will apply.***
4. ***20% project value would have to be used in Path of Travel upgrades.***
5. ***Provided operational statement states seating for 18 patrons but based on number of seats shown on floor plan, there appears to be a minimum of 26 seats.***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **22-145 RESUBMITTAL**

Date: **9/7/2022**

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

(Fee Schedule Date:**08/20/2022**)
(Project type for fee rates:**TAPROOM/ RETAIL**)

Existing uses may qualify for credits on Development Impact Fees. **LIGHT INDUSTRIAL & OFFICE (0.9 SF)**

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$17,518/1KSF X 0.85KSF=\$14,890 CREDIT: (\$7,829/1KSF X 0.9= \$7,046) TOTAL: \$7,844
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$6.9/SEAT X 26 = \$179 CREDIT: (\$117/1KSF X .9=\$105) TREATMENT PLANT FEE: \$16/SEAT X 26 = \$416 CREDIT: (\$278/1KSF X 0.9= \$250)
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<input type="checkbox"/> Parking In-Lieu	

Reimbursement:

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



Adrian Rubalcaba

City of Visalia
Building: Site Plan
Review Comments

SPR 22145
MOOSE DECK BREWING
9626 W NICHOLAS AVE.

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

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

Additional comments: _____

VAL GARCIA 9/8/22
Signature



Site Plan Comments

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

Date	September 6, 2022
Item #	6
Site Plan #	22145
APN:	081130045

- 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: 09/06/2022
 Item: 06
 Site Plan: SPR22145
 Name: Vincent Muto

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:
adequate lighting to deter criminal activity
- Traffic Concerns:

- Surveillance Issues:
high resolution security cameras
- Line of Sight Issues:

- Other Concerns:

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

September 7, 2022

ITEM NO: 6 Resubmit
SITE PLAN NO: [SPR22145](#)
PROJECT TITLE: Moose Dog Brewing
DESCRIPTION: Taproom for Existing Small Beer Manufacturer (I)
APPLICANT: Bob Pollock
OWNER: POLLOCK ROBERT & PAMELA(TRS)(2019 P
APN: 081130045
LOCATION: 9626 W NICHOLAS AVE

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

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards at time of development.
- Install Street Name Blades at Locations at time of development.
- Install Stop Signs at **local road intersection with collector/arterial** Locations.
- Construct parking per City Standards PK-1 through PK-4 at time of development.
- Construct drive approach per City Standards at time of development.
- Traffic Impact Analysis required (CUP)
 - Provide more traffic information such as . 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:

- Onstreet parking shall not be impacted by use of site. Parking shall be restricted to onsite.
- All deliveries shall be limited to onsite only. No deliveries permitted in street.

Leslie Blair

Leslie Blair

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

22145

September 7, 2022


- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
- City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

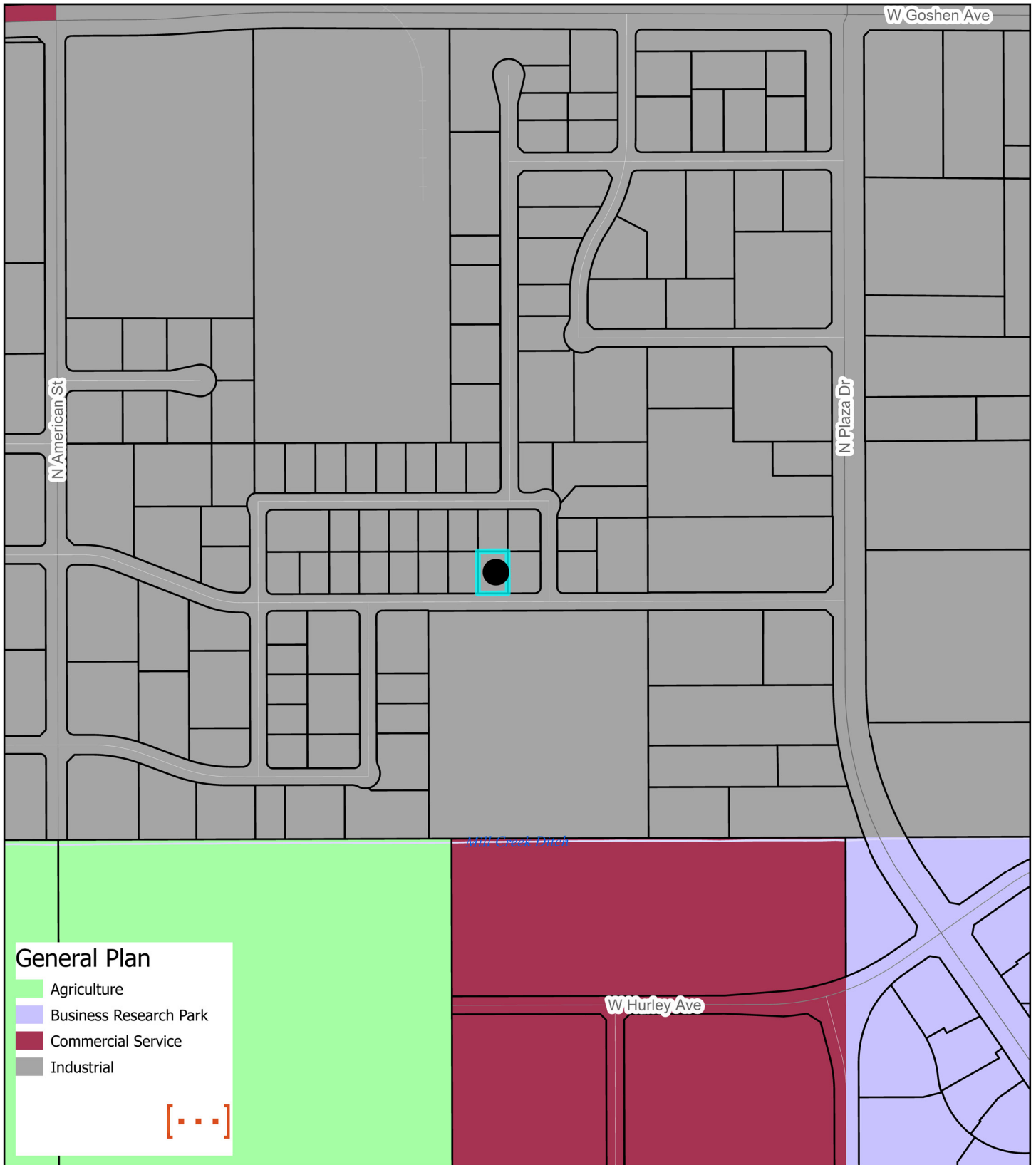
Comment

No changes planned to existing solid waste services. Solid waste services will include trash, recycle, and organic collections, per State of California's mandatory recycling laws (AB-341 & AB-1826). The customer is encouraged to contact Solid Waste at 559-713-4532 when ready to schedule a waste assessment.

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

Nathan Garza, Solid Waste, 559-713-4532

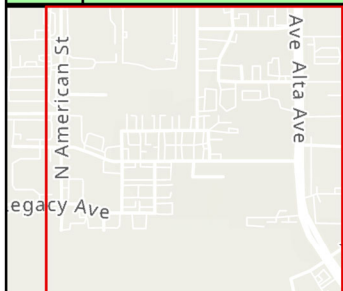




General Plan

- Agriculture
- Business Research Park
- Commercial Service
- Industrial

[. . .]

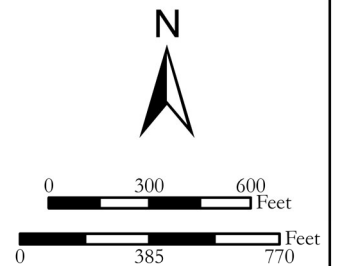


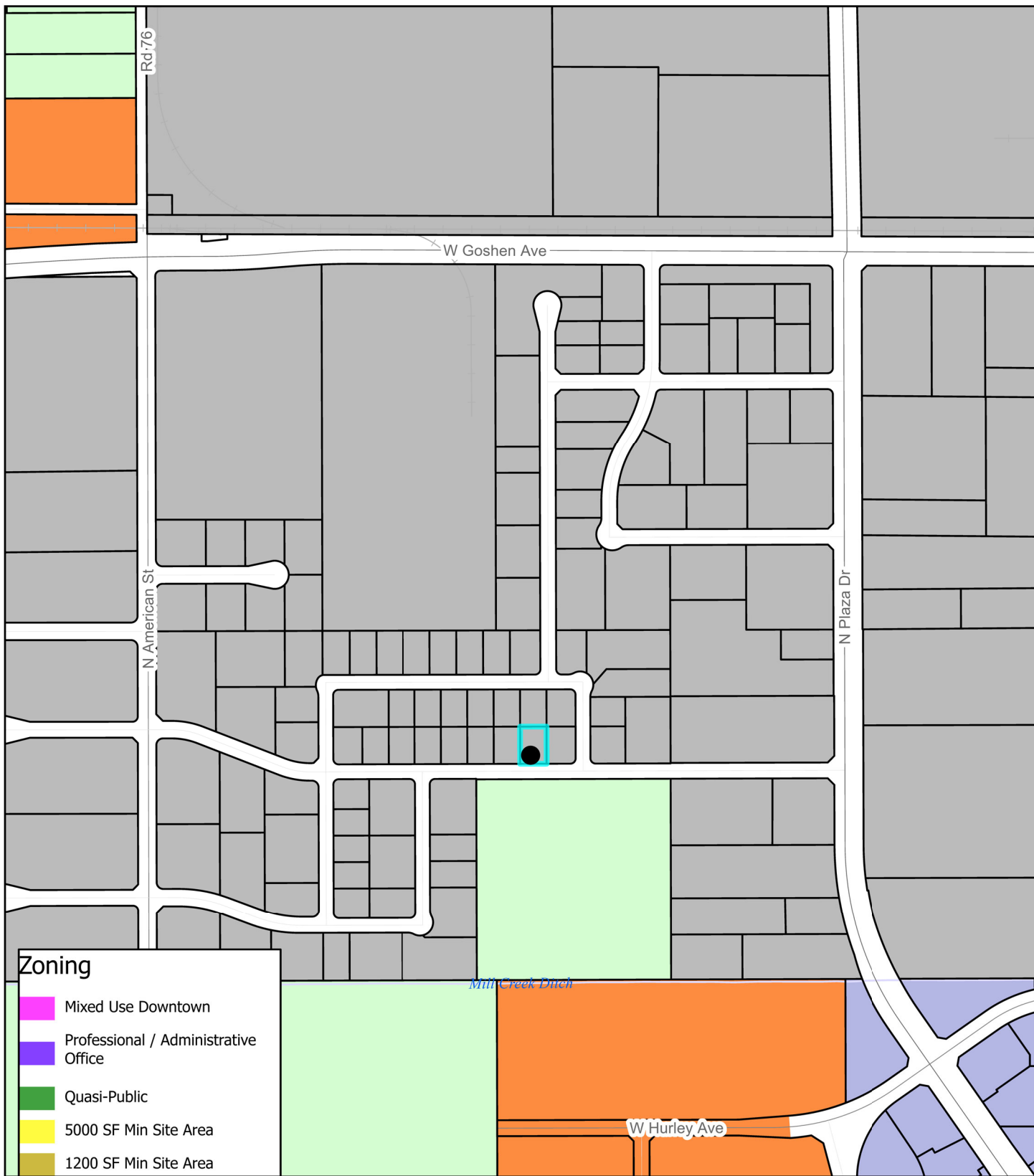
General Plan Land Use Map

Esri, NASA, NGA, USGS, FEMA, City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

2022

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere



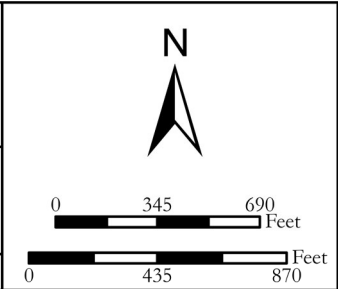


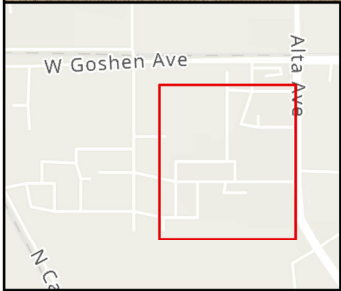
Zoning Map

Esri, NASA, NGA, USGS, FEMA, City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

2022

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere





Aerial Map

City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, Esri, NASA, NGA, USGS, FEMA

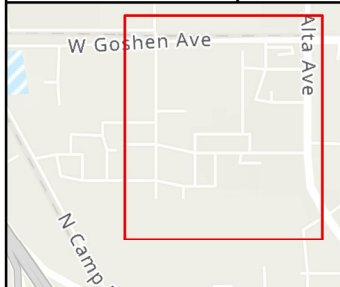
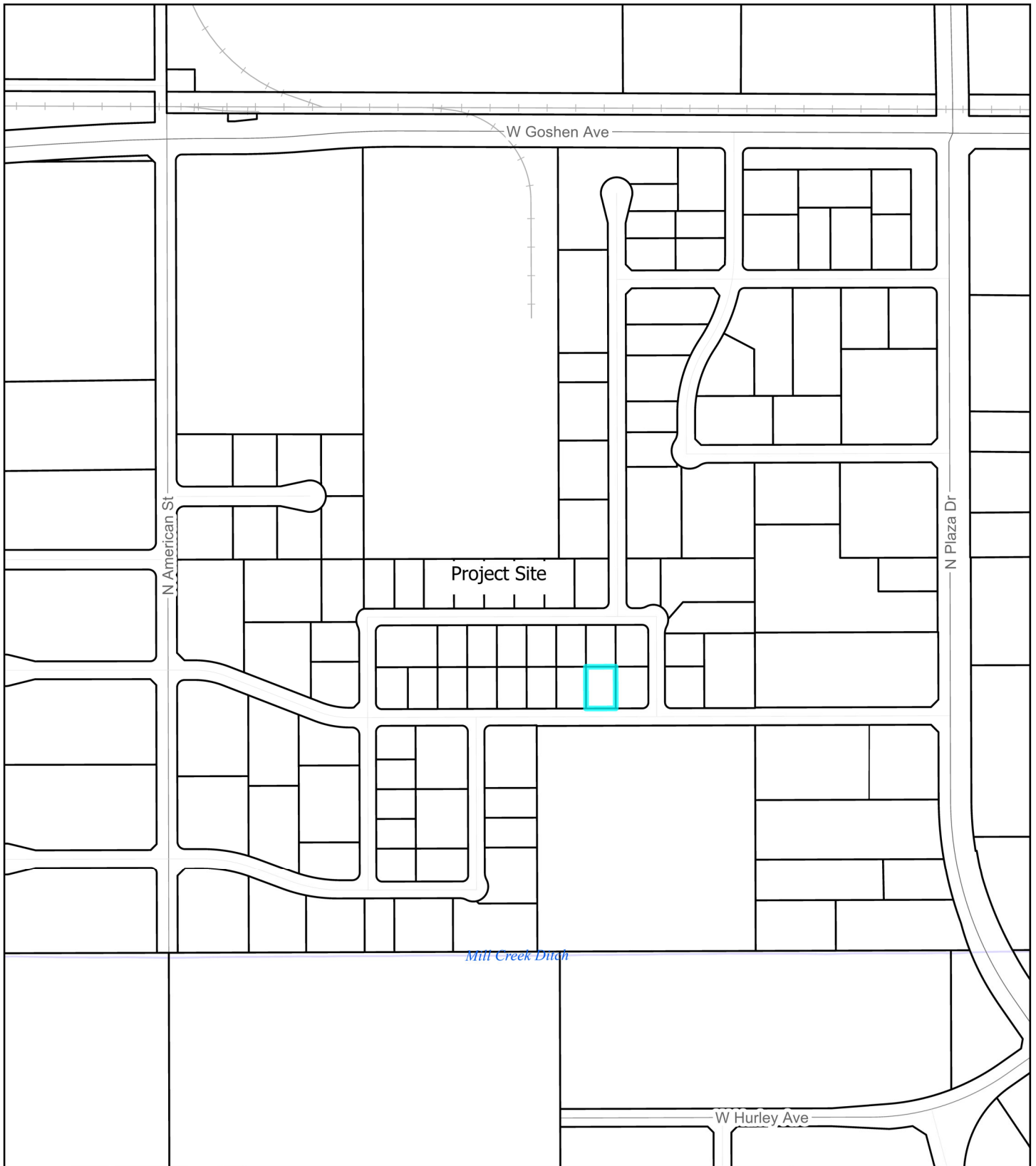
2022

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

N

0 195 390 Feet

0 245 490 Feet



Vicinity Map

City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, Esri, NASA, NGA, USGS, FEMA

2022

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

