

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

MONDAY, JUNE 26, 2023
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 – Josh Dan, Senior Planner

Conditional Use Permit No. 2023-20: A request by Andrew Goodwin Designs to construct a 1,597 square foot commercial building with a drive-thru lane for the Lady's Chicken and Rice quick serve restaurant. The site is zoned C-MU (Commercial Mixed Use) and is located on the southeast corner of the East Houston Avenue and North Santa Fe Street roundabout (APN: 094-130-049). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2023-31.

7. PUBLIC HEARING – Josh Dan, Senior Planner

Conditional Use Permit No. 2023-21: A request by Supreme Construction, Inc. to convert the former Main Street Theater into an indoor virtual golf club with seven virtual golf simulator rooms, lobby, seating area, and full-service bar and dining area. The site is zoned D-MU (Downtown Mixed Use) and is located at 307 East Main Street (APN: 094-296-001). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 153301, Categorical Exemption No. 2023-29.

8. PUBLIC HEARING – Brandon Smith, Principal Planner

- a. Annexation No. 2022-04: A request by D.R. Horton to annex one parcel totaling approximately 40.44 acres into the city limits of Visalia. Upon annexation, the area would be zoned R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations, consistent with the General Plan Land Use Designation of Residential Low Density and Parks/Recreation. The project site is located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue (APN: 081-030-080). 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 Mitigated Negative Declaration No. 2023-32 be adopted (State Clearinghouse No. 2023050712).
- b. Shepherds Ranch II Tentative Subdivision Map No. 5589: A request by D.R. Horton to subdivide a 40.44-acre parcel into 200 lots for single-family residential use and additional lots for landscaping, park, and trail purposes, to be located within the R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations. The Project would result in onsite infrastructure improvements including but not limited to new utilities, new public residential streets, and improvements to the frontage of Road 88. The project site is located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue (APN: 081-030-080). 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 Mitigated Negative Declaration No. 2023-32 be adopted (State Clearinghouse No. 2023050712).
- c. Tentative Parcel Map No. 2022-03: A request by D.R. Horton to subdivide 40.44 acres into three parcels for phasing and financing purposes to be located within the R-1-5 (Single-family Residential 5,000 square foot minimum lot area) and QP (Quasi-Public) zone designations. The project site is located on the east side of Road 88, approximately ¼ mile south of West Goshen Avenue (APN: 081-030-080). 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 Mitigated Negative Declaration No. 2023-32 be adopted (State Clearinghouse No. 2023050712).

9. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

- a. Annexation No. 2022-03: A request by Woodside Homes to annex one parcel totaling approximately 69.35 acres into the city limits of Visalia. Upon annexation the area would be zoned R-1-20 (Single-Family Residential, minimum 20,000 square foot lot size), which is consistent with the General Plan Land Use Designation of Residential Very Low Density. The project site is located at the northwest corner of South Roeben Street and West Whitendale Avenue (APN: 119-022-041). 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 Mitigated Negative Declaration No. 2022-18 be adopted (State Clearinghouse No. 2023050728).
- b. Barr & Wood Tentative Subdivision Map No. 5588: A request by Woodside Homes to subdivide a 69.35-acre parcel into 136 lots for single-family residential use and additional lots for private streets, landscaping and lighting district lots, and a pocket park, to be located within the R-1-20 (Single-Family Residential, minimum 20,000 square foot lot size) zone. The Project would result in onsite and offsite infrastructure improvements including but not limited to new and relocated utilities, new private and public residential streets, improvements of South Roeben Street and South Shirk Road, and the continuation and improvement of West Whitendale Avenue. The project site is located at the northwest corner of South Roeben Street and West Whitendale Avenue (APN: 119-022-041). 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 Mitigated Negative Declaration No. 2022-18 be adopted (State Clearinghouse No. 2023050728).
- c. Conditional Use Permit No. 2022-06: A request by Woodside Homes to allow a planned unit development on a 69.35-acre parcel consisting of 136 single-family residential lots, private streets, two gated entries, landscaping and lighting district lots, and a pocket park, to be located within the R-1-20 (Single-Family Residential, minimum 20,000 square foot lot size) zone. The project site is located at the northwest corner of South Roeben Street and West Whitendale Avenue (APN: 119-022-041). 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 Mitigated Negative Declaration No. 2022-18 be adopted (State Clearinghouse No. 2023050728).
- d. Tentative Parcel Map No. 2022-02: A request by Woodside Homes to subdivide 69.35 acres into three parcels for phasing and financing purposes, to be located within the R-1-20 (Single-Family Residential, minimum 20,000 square foot lot size) zone. The project site is located at the northwest corner of South Roeben Street and West Whitendale Avenue (APN: 119-022-041). 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 Mitigated Negative Declaration No. 2022-18 be adopted (State Clearinghouse No. 2023050728).

10. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. Upcoming July 10th Planning Commission meeting:
 - Swearing in of new Planning Commissioner
 - Election of Chair and Vice Chair

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

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

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

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, JULY 6, 2023, 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 MONDAY, JULY 10, 2023



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: June 26, 2023

PROJECT PLANNER: Josh Dan, Senior Planner
Phone No.: (559) 713-4003
E-mail: josh.dan@visalia.city

SUBJECT: Conditional Use Permit No. 2023-21: A request by Supreme Construction, Inc. to convert the former Main Street Theater into an indoor virtual golf club with seven virtual golf simulator rooms, lobby, seating area, and full-service bar and dining area. The site is zoned D-MU (Downtown Mixed Use) and is located at 307 East Main Street (APN: 094-296-001).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2023-21, as conditioned, based on the findings and conditions in Resolution No. 2023-26. 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. 2023-21 based on the findings and conditions in Resolution No. 2023-26.

PROJECT DESCRIPTION

The Conditional Use Permit is a request to convert, through remodel, the former Main Street Theater into an indoor virtual golf club which would include seven golf simulator rooms, a lobby, seating area, and a full-service bar and dining area (see Exhibit "B"). The total building area of the former Main Street Theater is 8,750 square feet. The project site is located at 307 East Main Street, east of the downtown Garden Street Plaza. Per the operational statement (see Exhibit "A"), the proposed use will allow patrons, singular or up to groups of five, to strike a golf ball in a controlled indoor environment via the simulator's technology.

Simulator rooms are not closed off and allow other patrons to view simulated golf games. Sessions can be rented out for individuals and groups of up to five in one hour intervals. Per the applicant's operational statement (Exhibit "A"), the simulators may also be booked online through their website, however walk-ins are permitted subject to availability. The operational statement further details that the business will have a total of 14 employees and only 6 per shift, and will be open Monday through Thursday from 9:00 a.m. to 10:00 p.m., Fridays from 9:00 a.m. to 11:00 p.m., Saturdays from 8:00 a.m. to 11:00 p.m., and Sundays from 12:00 p.m. to 8:00 p.m..

Elevations provided by the applicant are included in Exhibit "D". Changes are minimal as the applicant intends to retain the old movie theater's ticket booth and its overhead marquee and exterior brick work, and is proposing only minor alteration to the entry trim. The site is located within the Downtown Retail Overlay District (DROD) and all changes are consistent with the requirements of VMC Chapter 17.58 Downtown Retail Overlay District.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Downtown Mixed- Use
Zoning:	D-MU (Downtown Mixed-Use)
Surrounding Zoning and Land Use:	North: D-MU (Downtown Mixed-Use) – Main St. and COV public parking lot South: D-MU (Downtown Mixed-Use) – Alley and COV E. Acequia parking garage East: D-MU (Downtown Mixed-Use) – Los Culichis Restaurant West: D-MU (Downtown Mixed-Use) – Downtown Visalia Garden Street Plaza / Commercial Retail uses
Environmental Document	Categorical Exemption No. 2023-29
Site Plan:	Site Plan Review No. 2023-017

RELATED PLANS AND POLICIES

Please see attached summary of related plans and policies.

SIMILAR PROJECT

On November 9, 2020, the Planning Commission approved Conditional Use Permit No. 2020-27 by a 5-0 vote. The request was by CleVR Escape to allow an escape room and virtual reality arcade in the D-MU (Downtown Mixed-Use) zone, located at 205 West Main Street.

PROJECT EVALUATION

Staff supports the requested conditional use permit based on project consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

The Visalia Zoning Matrix identifies “other recreational facilities” as a conditional use in the D-MU zone and requires the submittal and approval of a CUP application. Through the CUP process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. Staff supports the re-use of this building for an indoor recreational facility.

The downtown area has seen continued growth in the number and variety of businesses over the past few years. The ongoing efforts to attract and enhance the downtown area with various businesses and uses are seen as a positive trend that is directly related to the goals and policies of the General Plan and Zoning Ordinance. Both General Plan Land Use policies and Zoning requirements are intended to promote a healthy retail, commercial, and entertainment environment by attracting businesses, which are open throughout the day and serve a broad range of clientele. The uses found in the downtown area are intended to permit the highest density and intensity of development in the city in order to keep downtown a vibrant, walkable environment.

The project is consistent with the Downtown Mixed-Use land use designation because it provides another entertainment venue to the downtown area which is consistent with Land Use Objectives LU-O-31 and LU-O-32, which state:

LU-O-31: Support the continued development and vitality of Downtown and the redevelopment and revitalization of East Downtown.

LU-O-32: Maintain Downtown as Visalia's medical, professional, government, cultural and entertainment center.

The proposed golf simulation use will operate with varying operational hours throughout the week, as noted above, which are generally consistent with the hours of operation of other commercial establishments in the area.

Staff concludes that the proposed golf simulation business will be compatible and complementary to the surrounding area and uses and can operate without negative impacts on the surrounding uses based upon the recommended conditions in this staff report.

Downtown Parking

The building is located within the Downtown Parking District and the Parcel Based Improvement District (PBID). The downtown parking district was formed to ensure that uses established within this district meet the parking requirements of the Visalia Municipal Code (VMC) or, that uses pay in-lieu fees for future downtown parking facilities. These fees would be used exclusively for the purpose of acquiring and developing off-street parking facilities to serve the central business district.

The requirements regarding parking in-lieu payment(s)/requirement(s) for the Downtown District Parking Zone have since been restructured for projects categorized as "Change in Use" projects. A change in use project applies to existing lease space where the former use (i.e., office) is being renovated to another use (i.e., retail). This project qualifies as a "Change in Use" project and therefore is not subject to the Parking In-lieu fee program.

Environmental Review

The requested action is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2023-29).

Projects determined to meet this classification consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances for commercial structures.

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The downtown area is a regional draw to residents of Visalia, tourist and to surrounding communities. The uses found in the downtown area are intended to permit the highest density and intensity of development in the city in order to keep downtown a vibrant, walkable environment. The project is consistent with the Downtown Mixed-Use land use designation because it provides another form of an entertainment venue to the downtown area which is consistent with Land Use Objectives LU-O-31 and LU-O-32.
 - 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, or materially injurious to properties or improvements in the vicinity. The proposed golf simulation's hours of operation are generally consistent with the hours of operation of other commercial establishments in the area. The downtown area is a regional draw to residents of Visalia, tourist and to surrounding communities. The uses found in the downtown area are intended to permit the highest density and intensity of development in the city in order to keep downtown a vibrant, walkable environment. The project is consistent with the Downtown Mixed-Use land use designation because it provides another form of an entertainment venue to the downtown area which is consistent with Land Use Objectives LU-O-31 and LU-O-32.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-29).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2023-017.
2. That the facility operates consistent with the Operational Statement in Exhibit "A". Any change in the hours of operation shall be reviewed by the City Planner prior to the change to determine consistency with this permit, and may require an amendment to this use permit.
3. That the site be developed in substantial compliance with the floor plan in Exhibit "C" and elevations in Exhibit "D". Substantial changes to the floor plan or elevations shall be reviewed by the Site Plan Review Committee to determine consistency with the approval.
4. That all other Federal, State, Regional, and City codes and ordinances be met.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street. 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. 2023-26
- Exhibit "A" – Operational Statement
- Exhibit "B" – Site Plan
- Exhibit "C" – Floor Plan
- Exhibit "D" – Exterior Alterations
- Site Plan Review No. 2023-017 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

Related Plans & Policies

Zoning Ordinance, Title 17 of Visalia Municipal Code

Excerpts from 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.

RESOLUTION NO. 2023-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2023-21, A REQUEST BY SUPREME CONSTRUCTION, INC. TO CONVERT THE FORMER MAIN STREET THEATER INTO AN INDOOR VIRTUAL GOLF CLUB WITH SEVEN VIRTUAL GOLF SIMULATOR ROOMS, LOBBY, SEATING AREA, AND FULL-SERVICE BAR AND DINING AREA. THE SITE IS ZONED D-MU (DOWNTOWN MIXED USE) AND IS LOCATED AT 307 EAST MAIN STREET (APN: 094-296-001)

WHEREAS, Conditional Use Permit No. 2023-21, is a request by Supreme Construction, Inc. to convert the former Main Street Theater into an indoor virtual golf club with seven virtual golf simulator rooms, lobby, seating area, and full-service bar and dining area. The site is zoned D-MU (Downtown Mixed Use) and is located at 307 East Main Street (APN: 094-296-001); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on June 26, 2023; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Section 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

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

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The downtown area is a regional draw to residents of Visalia, tourist and to surrounding communities. The uses found in the downtown area are intended to permit the highest density and intensity of development in the city in order to keep downtown a vibrant, walkable environment. The project is consistent with the Downtown Mixed-Use land use designation because it provides another form of an entertainment venue to the downtown area which is consistent with Land Use Objectives LU-O-31 and LU-O-32.

- 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, or materially injurious to properties or improvements in the vicinity. The proposed golf simulation's hours of operation are generally consistent with the hours of operation of other commercial establishments in the area. The downtown area is a regional draw to residents of Visalia, tourist and to surrounding communities. The uses found in the downtown area are intended to permit the highest density and intensity of development in the city in order to keep downtown a vibrant, walkable environment. The project is consistent with the Downtown Mixed-Use land use designation because it provides another form of an entertainment venue to the downtown area which is consistent with Land Use Objectives LU-O-31 and LU-O-32.
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. 2023-29).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here in above 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 project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2023-017.
2. That the facility operates consistent with the Operational Statement in Exhibit "A". Any change in the hours of operation shall be reviewed by the City Planner prior to the change to determine consistency with this permit, and may require an amendment to this use permit.
3. That the site be developed in substantial compliance with the floor plan in Exhibit "C" and elevations in Exhibit "D". Substantial changes to the floor plan or elevations shall be reviewed by the Site Plan Review Committee to determine consistency with the approval.
4. That all other Federal, State, Regional, and City codes and ordinances be met.

Operational Statement for Mulligans 1744, Inc

Location: 307 E. Main St., Visalia, CA 93291

- Nature of the operation/project
 - Indoor Golf Club – golf will be played virtually. Participants will hit a real ball into a screen that has a golf course or driving range projected on it. There is overhead technology that will track the movement of the ball to accurately simulate on the screen what would happen in real life on the course.
 - Upscale bar food – we are using minimal kitchen equipment that produces no combustion, no grease laden vapors, and is all electric.
 - Full-service bar – Type 47-liquor license.

- Are there any outdoor activities? Live entertainment inside or outside?
 - There are no outdoor activities in our current operational plan
 - There is no live entertainment inside or outside in our current operational plan

- What products will be produced or sold by the operation?
 - There will be no products produced outside of food and beverages which will be for onsite consumption only.
 - Products sold onsite
 - Food & Beverages
 - Sale of Mulligans brand golf related items (i.e., shirts, hats, ball markers, etc....)
 - Onsite Golf simulator rental
 - Golf club repair & regrips
 - Golf instruction

- How will patrons reserve and use the golf simulators?
 - There will be seven golf simulator bays
 - Patrons can either walk up and pay for simulator bay time (typically sold in hourly increments) or they can call ahead or reserve simulator bay time online through our website www.playatmulligans.com
 - A Simulator can comfortably hold between 1-5 patrons each. One at a time, a patron will stand at the golf tee and hit a real golf ball into a projected image on a screen. Through our technology, analytics is captured on ball flight, ball spin, ball path, club path, and a host of other metrics and accurately display on the screen what would happen in real life to the ball with up to 99% accuracy. After the patron hits, the next patron will stand on the tee to hit their shot and so on. Only one patron allowed at a time in the hitting area with the rest of the patrons out of the strike zone.



- Standard time if play is as follows
 - 1 Person – 45 minute round
 - 2 Persons – 60 minute round
 - 3-4 Persons – 120 minute round

- What is the existing use of the site?
 - Existing type: Sports/Entertainment
 - Existing Sub-Type: Theatre/Concert Hall

- List the hours and days of operation during a typical work week
 - Monday: 9am – 10pm
 - Tuesday: 9am - 10pm
 - Wednesday: 9am-10pm
 - Thursday: 9am-10pm
 - Friday: 9am-11pm
 - Saturday: 8am-11pm
 - Sunday: 12pm-8pm

- Anticipated number of clients/customers at one given time
 - Peak days/hours
 - Friday 5-11pm (40 customers/hr.)
 - Saturday 8am-11pm (35 customers/hr.)
 - Sunday 12pm-8pm (30 customers/hr.)
 - Non-Peak days/hours
 - Monday 9am-3pm (10 customers/hr.), 4pm-10pm (20 customers/hr.)
 - Tuesday 9am-3pm (10 customers/hr.), 4pm-10pm (20 customers/hr.)
 - Wednesday 9am-3pm (10 customers/hr.), 4pm-10pm (20 customers/hr.)
 - Thursday 9am-3pm (10 customers/hr.), 4pm-10pm (20 customers/hr.)
 - Friday 9am-5pm (20 customers/hr.)

- Number of employees and future employees
 - Overall Number of Employees: 14
 - Estimated Max Number of employees per shift: 6

- Will any of the employees live on site?
 - No

- Security Plan
 - Security Plan Goals
 - To create a safe and secure environment within and immediately outside of the establishment for all customers, guests, employees, and surrounding businesses.
 - To provide a high level of control, safety, and quality experience for customers and guests.
 - To mitigate any noise or inappropriate conduct directed at the immediate businesses by customers and guests upon entry or departure from the establishment.
 - To diffuse all situations as they occur, but also establish preventative measures to minimize the number of potential situations.
 - To maintain trained staff responsible and accountable for looking after the security and well-being of guests, customers, and staff.

- How we pursue these goals?
 - Retain the services of a security company to install CCTV for the front & rear entrances, bathrooms, alleyway, bar, and interior spaces.
 - Updated the lighting of the alleyway
 - Train our staff to identify patrons who are becoming intoxicated or loud, obnoxious, “looking for trouble”, and with basic non-confrontational methods, cut such people off from further drinking.
 - Our Bartenders & hosts will be our first line of defense by monitoring patrons to ensure consumption of alcohol is by adult patrons only and no patron is overserved. Additionally, our hosts will be trained to be attentive to potential conversations and actions that could lead to fights and be proactive in diffusing the situation.
 - Our management will be our second line of defense in monitoring the patrons to ensure civility. Management will support our bartenders and hosts in taking necessary further action in diffusing potential situations or in handling any patron who has become intoxicated to the extent of calling an uber if needed.
 - All employees will be required to obtain a certificate of completion from the Alcoholic Beverage Control Department "LEAD Program".
 - We will appropriately check the ID of patrons who purchase alcohol to ensure no drinks are sold to minors. All alcohol will be consumed on-site only.
 - We will work with the City of Visalia, Downtown Visalians, and the Visalia Police Department in developing a comprehensive security plan that is proactive in creating an atmosphere for all ages to enjoy.
- Number and type of service or delivery vehicles
 - Estimated between 1-2 deliveries per week from Sysco Food
 - Estimated between 1-2 deliveries per week from alcohol & drink vendors.
 - Mulligans will not be providing any delivery services
 - What equipment is used?
 - Primary Kitchen equipment detailed in question below
 - Overhead launch monitors to track golf ball and club swing characteristics
 - Projectors
 - Detailed kitchen operations, equipment, and menu.
 - Kitchen goal: upscale bar food
 - Sample Menu
 - Personal Pizzas
 - Soft pretzel sticks
 - Fried pickle chips
 - Fry Basket
 - Chips & Salsa
 - Brisket sandwiches
 - Hot wings
 - Loaded Hot Dogs
 - Spicy Chicken Sandwich
 - Key Equipment
 - Icombi Pro by Rational. This is an all-in-one electric cooking system that uses convection and steam to crisp fries, steam vegetables, or even grill steaks.

- There will be no combustion or gas kitchen equipment. As well, the icombi does not produce grease laden vapors which means per code we would not need a hood vent or suppression system. (Certification available upon request)
 - Walk In refrigerator & stand-up freezer
 - Operations
 - Our kitchen will be manned by between 1 to 2 cooks
 - Our goal is not to be a restaurant, but an Indoor Golf Club that offers food and beverages for our patrons to enjoy as they are playing golf.
 - The bar will consist of between 8-10 stools with two bartender stations.
 - We will be pursuing a California Liquor License Type 47 with around 6-8 beers on tap
 - There will be a 'dining' area that consists of 4 tables seating 4 patrons each.
 - Each simulator bay will consist of a counter with 4 stools for patrons to sit, enjoy a drink or food, as they wait to take their golf shot with their group.
- Will hazardous materials or waste be produced as part of the business? If yes, please explain.
 - There will be no hazardous material produced as a part of this business
 - Waste produced will be common to any bar or small restaurant such as food, cardboard boxes, bottles, etc....
- Please include any other information that will provide a clear understanding of your business and its operation.
 - Our primary purpose is an indoor golf club with secondary purposes of offering a food and beverages.
 - We will be conducting golf training classes, summer camps for students, league nights, and tournaments.
 - Our goal is to be a community resource for the youth and an indoor venue in Downtown Visalia for patrons to enjoy and build community as we aim to grow the game of golf.



**SUPREME
CONSTRUCTION**
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TULARE, CA 93274
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F: (559) 562-6287
LIC.#: 931367
WWW.SUPREMECC.COM

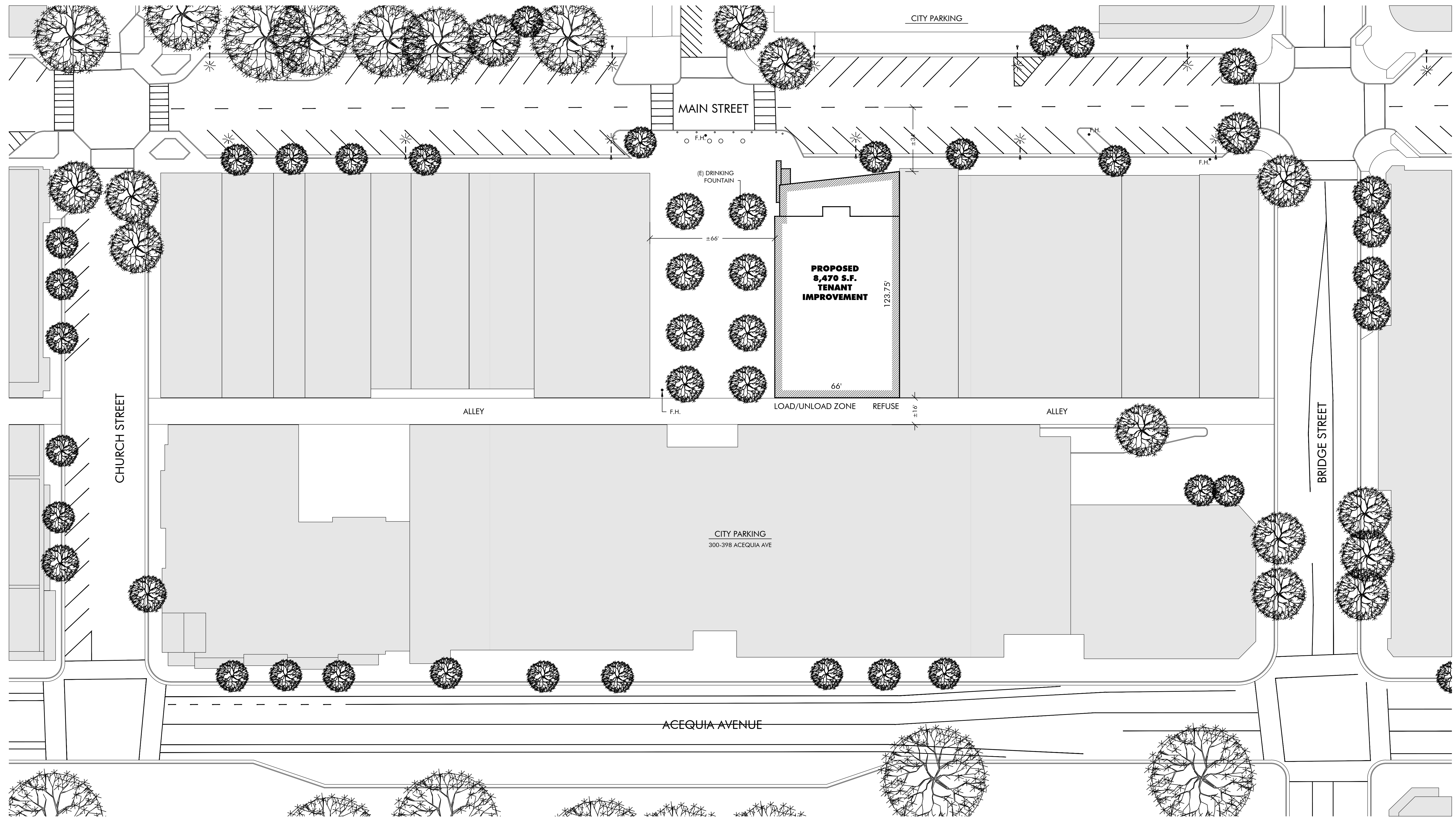
NOTES

REVISIONS:

1
2
3
4

CLIENT:
MULLIGANS
307 E. MAIN ST.
VISALIA, CA 93291

SITE:
307 E. MAIN ST.
VISALIA, CA 93291



SITE PLAN

SCALE: 1" = 25'-0"

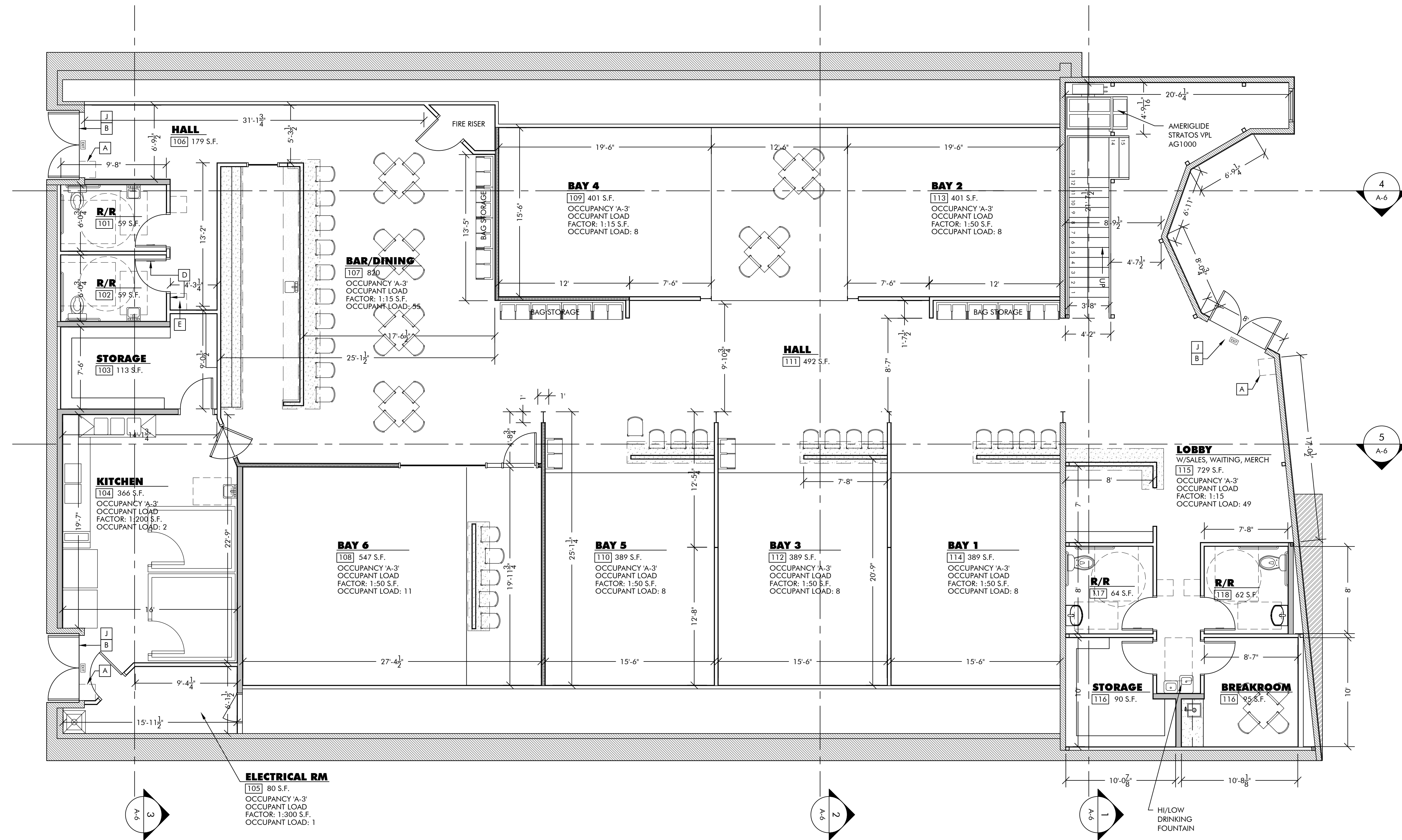
JOB NAME:

**MULLIGANS
TENANT IMPROVEMENTS**

TITLE:
SITE PLAN

DRAWN BY: ERIC WHITE
DATE: 5/3/23
PROJECT NO.: 23051

SHEET: **A1-1**



FLOOR PLAN - LEVEL 1
SCALE: 3/16" = 1'-0"

FLOOR PLAN KEY NOTES & LEGEND:

- | | | |
|--|--|--|
| A 18" SQ. CLR. FLR. SPACE CENTERED ON TACTILE FLOOR DESIGNATION WALL SIGNAGE. FOR TACTILE EXIT SIGNAGE, SEE DTL. - | H HARD SURFACED (QUARTZ) CNTR., FIN. HGT. @ +34" (MAX. A.F.F.) | P POSTED SIGN SHALL BE OF AN APPROVED LEGIBLE PERMANENT DESIGN IN A CONSPICUOUS PLACE, WALL MTD. NEAR THE MAIN EXIT WHICH READS "MAXIMUM OCCUPANCY NOT TO EXCEED xx PERSONS, 2023 C.B.C. 1004.9 |
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| BB 24" DP. BASE CAB. | CC 12" DP. STORG. SHELF UNIT, BY OWNER, FOR CLEANING SUPPLIES | DD LOCATION FOR WALL MTD. RECEPTACLES FOR MOPS AND BROOMS |
| EE 48" x 48" INTERIM STAIR LANDING | | |

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|---|---|
| EXIT ILLUMINATED EXIT SIGN W/BATTERY BACK UP (SEE ELEC. DWGS. BY OTHERS) | IND. 2X4 WALL W/R-16 INSULATION |
| FIRE EXTINGUISHER, MOD. NO. 2A-10B-C, TOP OF HANDLE @ +48" MAX. A.F.F., W/75" MAX. DISTANCE OF TRAVEL PROVIDE PRE-MFG. SIGNAGE ABV. W/WHITE BACKGROUND & RED LETTERS/GRAPHICS WHICH READS IN VERTICAL FORMAT; FIRE EXTINGUISHER W/ RED ARROW POINTING DOWNWARD | EXISTING WALL TO REMAIN |
| IND. 2X6 PLUMBING WALL | IND. 2X4 WALL W/NO INSULATION |
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| INDICATES SILL ANCHORAGE; REFER TO SHEET 'SN-3' FOR REQ'D A.B.S & SPACING, (TYP.) | 1" AIR LINE |
| | HOSE BIB |

PLAN SYMBOL KEY:

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| INDICATES WINDOW SYMBOL; REFER TO SHEET 'A-B.1' FOR REQUIRED WINDOW ELEVATIONS AND/OR WINDOW TYPES, (TYP.) |
| INDICATES DOOR SYMBOL; REFER TO SHEET 'A-8' FOR REQUIRED DOOR ELEVATIONS, DOOR TYPES & DOOR SCHEDULE NOTES, (TYP.) |
| INDICATES FLOOR PLAN KEY NOTES & LEGEND SYMBOL, (SEE THIS SHEET) |
| SYMBOL INDICATES TEMPERED (SAFETY GL.) DUAL PANE LOW-E GLAZING, REFER TO T-24 REPORT FOR REQUIRED U-VALUE, (TYP. THIS SHEET) |

NOTES

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REVISIONS:

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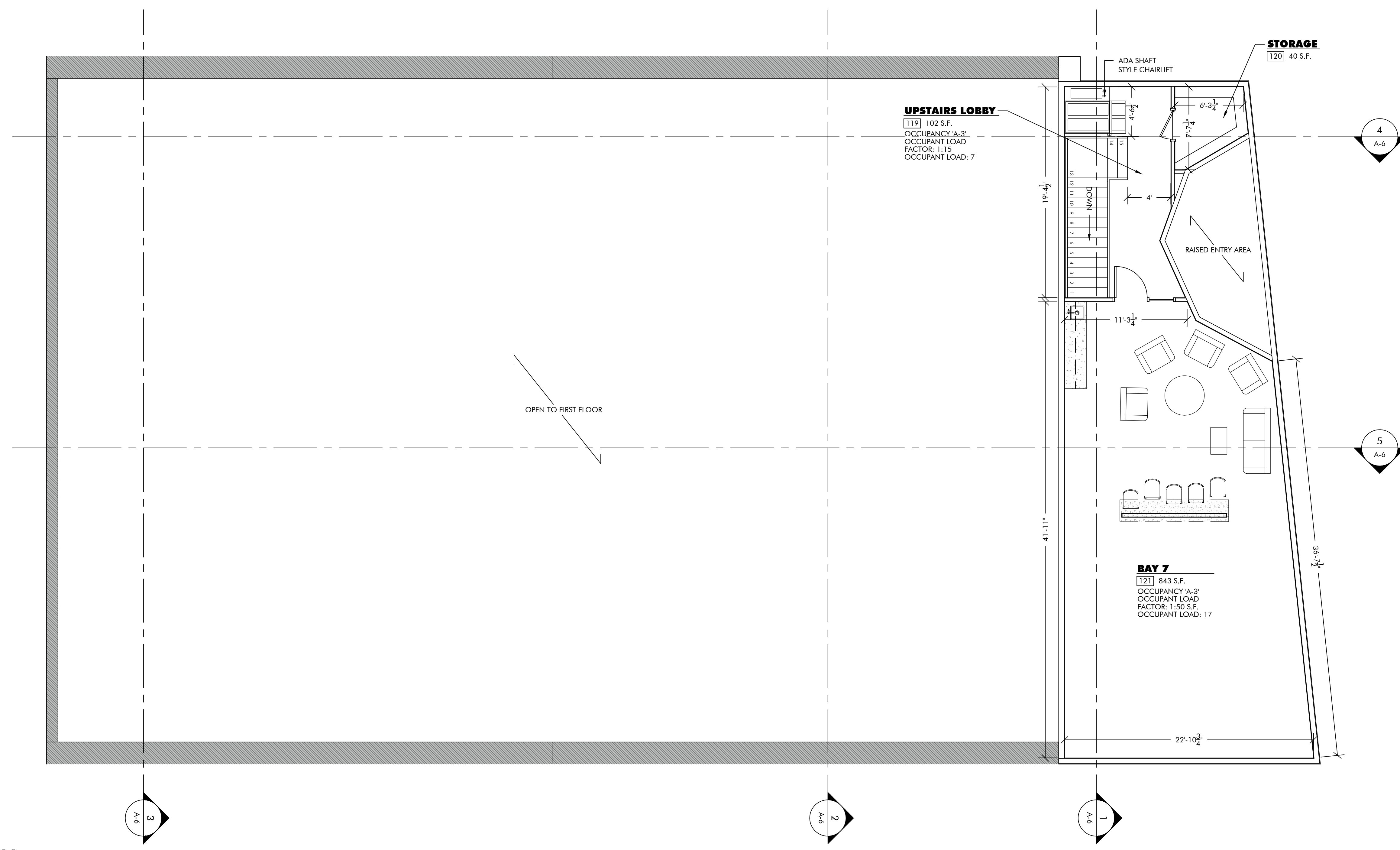
CLIENT: MULLIGANS
307 E. MAIN ST.
VISALIA, CA 93291

SR#: 307 E. MAIN ST.
VISALIA, CA 93291

JOB NAME:
MULLIGANS
TENANT IMPROVEMENTS

TITLE: FLOOR PLAN - LEVEL 1
DRAWN BY: ERIC WHITE
DATE: 5/3/23
PROJECT NO.: 23051

SHEET: **A-2**



FLOOR PLAN - LEVEL 2
SCALE: 3/16" = 1'-0"

NOTES

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REVISIONS:

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SR:
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PLAN SYMBOL KEY:

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JOB NAME:
TITLE: FLOOR PLAN - LEVEL 2
DRAWN BY: ERIC WHITE
DATE: 5/3/23
PROJECT NO.: 23051



**SUPREME
CONSTRUCTION**
1067 SOUTH Q PLACE
TULARE, CA 93274
O: (559) 234-2070
F: (559) 562-6287
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WWW.SUPREMECC.COM

NOTES

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REVISIONS:

1
2
3
4

CLIENT:
MULLIGANS
307 E. MAIN ST.
VISALIA, CA 93291

SITE:
307 E. MAIN ST.
VISALIA, CA 93291

JOB NAME:
**MULLIGANS
TENANT IMPROVEMENTS**

TITLE:
EXTERIOR ELEVATIONS

DRAWN BY: ERIC WHITE
DATE: 5/3/23
PROJECT NO.: 23051

SHEET: **A-3**

⑥ TOP OF PARAPET @
±25'-0" A.F.F.

⑥ TOP OF CONC.
±0'-0" F.F.

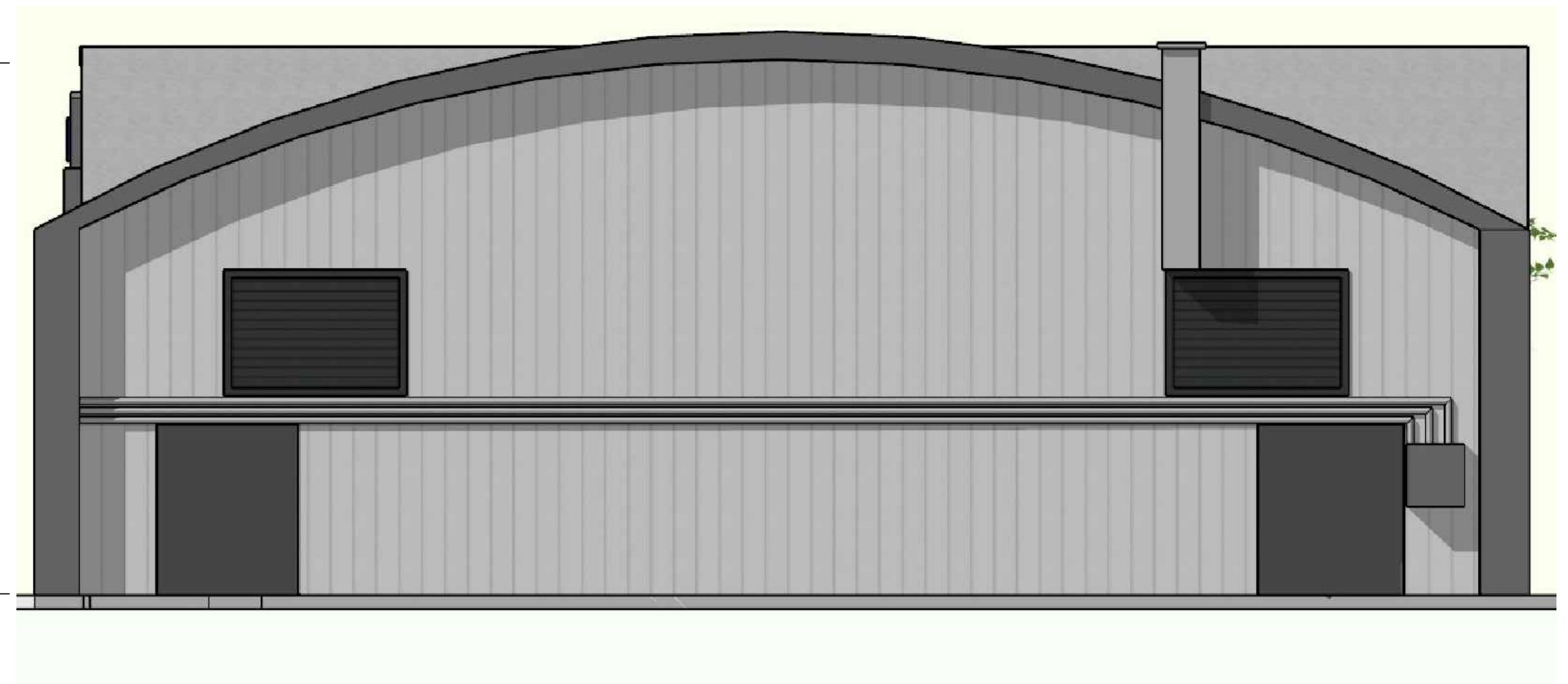


NORTH ELEVATION

SCALE: 3/16" = 1'-0"

⑥ TOP OF PARAPET @
±25'-0" A.F.F.

⑥ TOP OF CONC.
±0'-0" F.F.



SOUTH ELEVATION

SCALE: 3/16" = 1'-0"

⑥ TOP OF PARAPET @
±25'-0" A.F.F.

⑥ TOP OF CONC.
±0'-0" F.F.



WEST ELEVATION

SCALE: 3/16" = 1'-0"



February 21, 2023

Site Plan Review No. 2023-017

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 **February 8, 2023**. 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", is written over a blue circular scribble.

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE February 8, 2023
 SITE PLAN NO. 2023-017
 PARCEL MAP NO.
 SUBDIVISION
 LOT LINE ADJUSTMENT NO.

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

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

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

Planning

Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste

Parks and Recreation

Fire Dept.

REVISE AND PROCEED (see below)

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

Submit plans for a building permit between the hours of 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

Cristobal Carrillo, Planning Division (559) 713-4443

Date: February 8, 2023

SITE PLAN NO: 2023-017
PROJECT: Mulligans
DESCRIPTION: INDOOR GOLF SIMULATOR FACILITY WITH RESTAURANT AND BAR. (D-MU)
APPLICANT: SCOTT WRIGHT & SHANE MOSS
PROP. OWNER: LEGACY INVESTMENTS LLC
LOCATION: 307 E. MAIN STREET
APN: 094-296-001
GENERAL PLAN: Downtown Mixed Use
ZONING: D-MU – MIXED USE DOWNTOWN

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit
- Building Permit

PROJECT SPECIFIC INFORMATION: February 8, 2023

1. The proposal will require approval of a Conditional Use Permit. The following items will be required as part of the Conditional Use Permit:
 - Detailed site plan identifying all site dimensions and setbacks, structures and their uses, and onsite improvements onsite. The site plan shall also identify the location, length, material, and height of all existing and proposed walls/fencing.
 - Detailed floor plan identifying the use and dimensions of each structure onsite, including the amount of bar area relative to the total amount of area open to the public.
 - Detailed building elevations for all structures, to include building materials, location of lighting fixtures, and signage
 - Detailed landscaping plan.
 - Detailed operational statement, describing all proposed activities to be conducted, including whether live entertainment will be provided onsite.
2. Project site is located within the PBID so the change in use will not require additional parking.
3. The project site is located within the Downtown Retail Overlay District (DROD). All proposed changes to the building exterior and signage shall comply with the design guidelines of the DROD. This shall include the following:
 - All wall signage shall not exceed a total of 50 square feet in size.
 - No more than 10% of a building exterior shall be covered with wood materials.
 - Existing brick surfaces shall be preserved and maintained.
4. Building permits required.
5. Given the prominence of certain architectural features of the building (ex. marquee signage), it is recommended that the applicant apply to place the structure on the City of Visalia Local Register of Historic Structures. Placement on the Local Register would require approval by the City of Visalia Historic Preservation Advisory Committee (HPAC), Visalia Planning Commission, and Visalia City Council, and would subject the structure to design review by the HPAC for any exterior alterations proposed in the future.

Note:

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.

Sections of the Municipal Code to review:

17.19.070 Development standards in the D-MU zone

17.48.120 D.R.O.D. Sign Standards

17.58 Downtown Retail Overlay District

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



Signature _____



**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: 3 DATE: FEBRUARY 8, 2023

SITE PLAN NO.: 23-017
 PROJECT TITLE: MULLIGANS
 DESCRIPTION: INDOOR GOLF SIMULATOR WITH RESTAURANT AND BAR (D-MU)
 APPLICANT: SCOTT WRIGHT & SHANE MOSS
 PROP OWNER: LEGACY INVESTMENTS LLC
 LOCATION: 307 E MAIN ST
 APN: 094-296-001

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with _____ radius;
- Install curb; gutter
- Drive approach size: Use radius return;
- Sidewalk: _____ width; parkway width at _____
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required. **FOR ANY WORK NEEDED WITHIN PUBLIC RIGHT-OF-WAY**
 Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin 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. ***Proposed infill project will incur impact fees associated with the change in use of the building. Credits for the previous theater will be applied. see sheet 3 for further details of applicable fees.***
2. ***A building permit is required, standard plan check and inspection fees will apply.***
3. ***Per City records, it appears there are three existing sewer laterals to the building from the sewer main located in the alley.***
4. ***Project is located in AE Flood Zone. Substantial improvements will be in affect and will be assessed at permit review.***
5. ***20% of project valuation will need to be used in Path of Travel upgrades.***
6. ***All required backflow devices and fire apparatus cannot be installed in the public right-of-way. Project will need to accommodate these items within the building footprint. Further coordinate with City Engineer for any conflicts.***
7. ***Any alterations to the existing building entrance, will require full compliance of section 11B-404 of the CBC.***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **23-017**

Date: **02/08/2023**

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**)

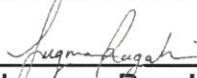
(Project type for fee rates:**RESTAURANT/BAR**)

Existing uses may qualify for credits on Development Impact Fees. **THEATER + 25%INFILL + 25%DOWNTOWN**

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input type="checkbox"/> Transportation Impact Fee	
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$73/SEAT x TBD
	CREDIT
	\$6.90/SEAT X TBD
	TREATMENT PLANT FEE
	\$349/SEAT XTBD
	CREDIT
	\$16.2/SEAT X TBD
<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.



Luqman Ragabi

City of Visalia
Building: Site Plan
Review Comments

SPR23017
 MULLIGANS
 307 E MAIN ST.

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. *20% OF PERMIT VALUE SHALL BE USED FOR 'PATH OF TRAVEL' ADA UPDATES.*
- 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 AE * Hazardous materials report. *MEET FEMA FLOOD REQUIREMENTS*
- 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: STORIES WITH AN OCCUPANT LOAD GREATER THAN 49 REQUIRES TWO MEANS OF EGRESS. PROVIDE VERTICAL ACCESSIBLE ACCESS TO ALL AREAS OF PRIMARY FUNCTION. PROVIDE TYPE I HOOD WITH FIRE SUPPRESSION AND INGROUND GREASE INTERCEPTOR SHALL BE REQUIRED FOR COMMERCIAL COOKING.

VAL GARCIA 02/01/23



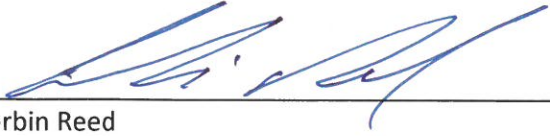
Site Plan Comments

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

Date	February 7, 2023
Item #	3
Site Plan #	23017
APN:	094296001

- 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 2022 California Fire Code (CFC), 2022 California Building Codes (CBC) and City of Visalia Municipal Codes.
- **Address numbers** must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2022 CFC 505.1
- All hardware on **exit doors, illuminated exit signs and emergency lighting** shall comply with the 2022 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- **Commercial dumpsters** with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. 2022 CFC 304.3.3
- A **Knox Box key lock system** is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. Go to knoxbox.com to order and please allow adequate time for shipping and installation. 2022 CFC 506.1
- An **automatic fire sprinkler system** will be required for this building. Also, a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. 2022 CFC §912 and VMC 8.20.010 subsection C103.4
- Locking **fire department connection (FDC) caps** are required. The caps shall be ordered using an approved Knox Authorization Order Form. Go to knoxbox.com to order and please allow adequate time for shipping and installation. 2022 CFC 912.4.1
- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease laden vapors shall be provided with a **Type 1 Hood**, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. 2022 CFC 904.12 & 609.2

- All exterior risers, drain/test valves and backflow devices shall be protected from unauthorized tampering by approved means. Protection method shall be indicated on building plans. 2022 CFC 903.3.8.4.1



Corbin Reed
Fire Marshal



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

Date: 2/7/23
 Item: 3
 Site Plan: ~~SPR23012~~ SPR23017
 Name: Agt. C. Sinatra

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:
Ample Interior/Exterior lighting to deter property crimes

- Traffic Concerns:

- Surveillance Issues:
Interior/Exterior surveillance camera system to deter and capture property crimes

- Line of Sight Issues:

- Other Concerns:
Enroll/Participate in the Trespass Enforcement Program

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

February 8, 2023

ITEM NO: 3 **Added to Agenda**
SITE PLAN NO: **SPR23017**
PROJECT TITLE: Mulligans
DESCRIPTION: Indoor Golf Simulator Facility with Restaurant and Bar. (D-MU)
APPLICANT: Scott Wright & Shane Moss
OWNER: LEGACY INVESTMENTS LLC
APN: 094296001
LOCATION: 307 E MAIN ST

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:

- On street green 20 minute will not be permitted. Loading for deliveries restricted to alley.

Leslie Blair

Leslie Blair

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

23017

February 8, 2023

- 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 This site will be assigned an enclosure along the alleyway of Downtown Block #10. Solid waste services to include trash, recycle and organic collections per the State of California 's mandatory commercial recycling laws (AB-341 & AB-1826).

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

Nathan Garza, Solid Waste, 559-713-4532





SITE PLAN REVIEW DATE: 02/08/23

WASTEWATER COLLECTIONS AND PRETREATMENT DIVISION (QUALITY ASSURANCE)
SITE PLAN REVIEW COMMENTS

SITE PLAN REVIEW NO: SPR 23017

PROJECT NAME: MULLIGANS

THE PROJECT IS SUBJECT TO THE FOLLOWING REQUIREMENTS FROM WASTEWATER
PRETREATMENT DIVISION (QUALITY ASSURANCE):

SUBMISSION OF WASTEWATER DISCHARGE PERMIT
APPLICATION/QUESTIONNAIRE/OTHER REGULATORY FORMS

- FOOD SERVICE QUESTIONNAIRE
FORM REQUIRED
FORM REQUIRED
FORM REQUIRED

INSTALLATION OF SAND AND GREASE INTERCEPTOR

INSTALLATION GREASE INTERCEPTOR

OTHER

SITE PLAN REVIEWED-NO COMMENTS

CONTACT THE WASTEWATER PRETREATMENT DIVISION (QUALITY ASSURANCE) AT
(559) 713-4529 OR JESSICA.SANDOVAL@VISALIA.CITY, IF YOU HAVE ANY QUESTIONS.

COMMENTS:

FORMS CAN BE FOUND @
https://www.visalia.city/depts/public_works/wastewater/commercial_industrial_pretreatment_prog
ram.asp

DATE REVIEWED: 02/07/23

Handwritten signature or initials.



CALIFORNIA WATER SERVICE

Visalia District 216 North Valley Oaks Drive
Visalia, CA 93292 *Tel:* (559) 624-1600

Site Plan Review Comments From:

California Water Service
Scott McNamara, Superintendent
216 N Valley Oaks Dr.
Visalia, CA 93292
559-624-1622 Office
559-735-3189 Fax
smcnamara@calwater.com

Date: 02/08/2023

Item # 3

Site Plan # 23-017

Project: Mulligans

Description:

Applicant:

Location: 307 E Main St

APN: 094-296-001

The following comments are applicable when checked:

- Re-submit
- No Comments at this time

Fire Hydrants
Comments-

Services
Comments- Existing services that feed this location. If additional services are needed to meet the customers demand, the customer/developer will need to pay for the up-size in service/additional service. Customer will also need to pay for the abandonment of any unused service.

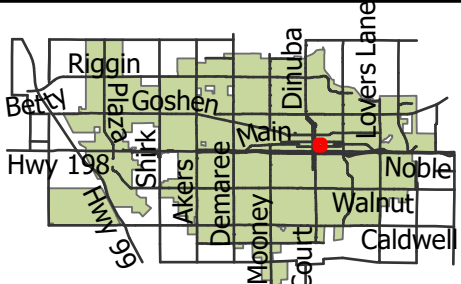
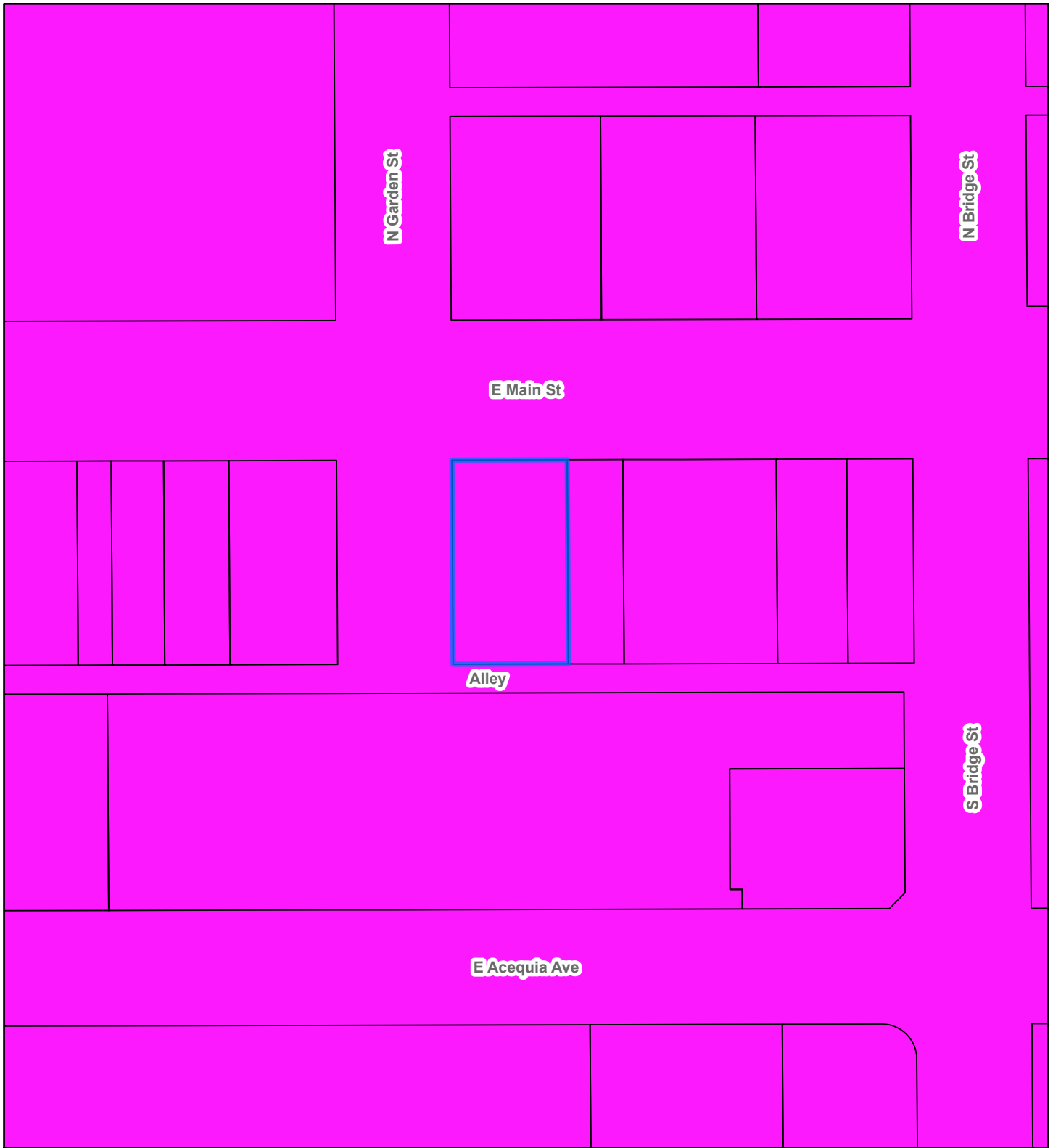
Mains
Comments-

Backflow Requirements
Comments- Will be required if any parcel is for multi-family, commercial, or has multiple services on one parcel. Please contact Cross Connection Control Specialist, Juan Cisneros at 559-624-1670 or visaliabackfow@calwater.com for a backflow install packet.

Additional Comments:

- Please contact New Business Superintendent Sedelia Sanchez at 559-624-1621 or ssanchez@calwater.com to start your project with Cal Water.





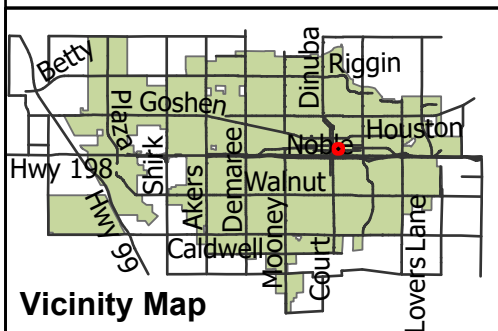
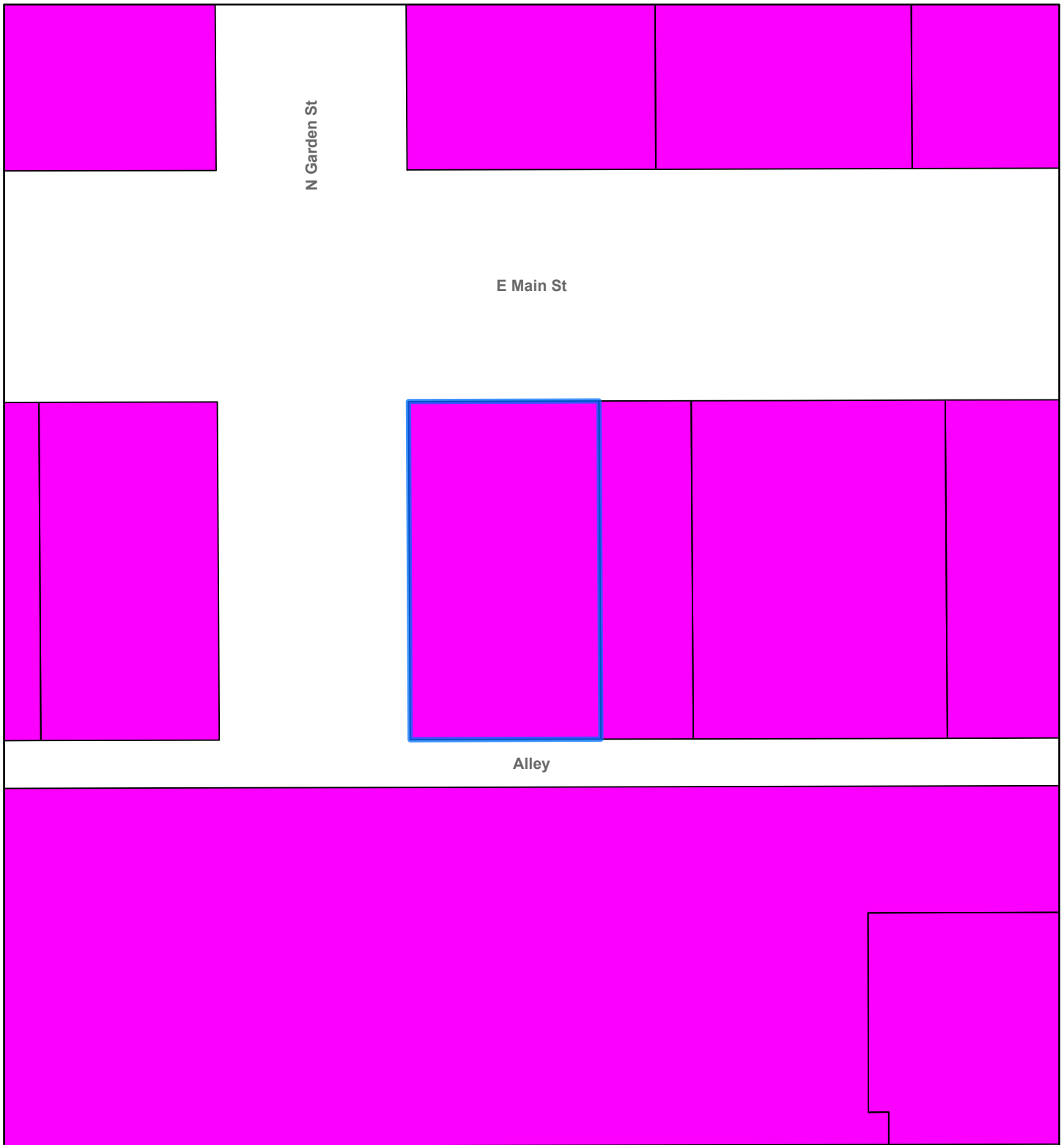
Vicinity Map

General Plan Land Use Map



Downtown Mixed Use



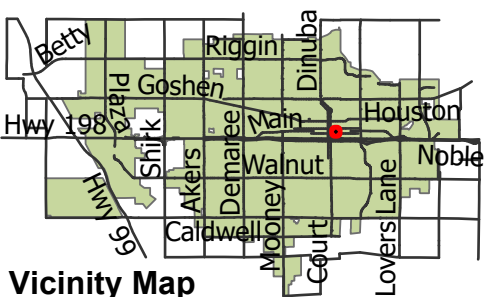


Vicinity Map

Zoning Map



D-MU Mixed Use Downtown

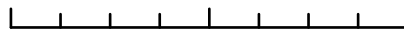


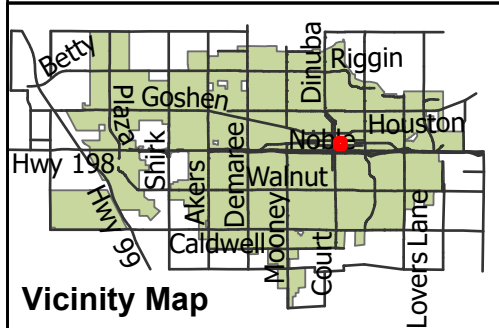
Vicinity Map

Aerial Photo



0 0.01 0.01 0.02 Miles

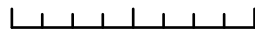








Vicinity Map

Location Map

0 0.01 0.02 Miles



-  WATERWAYS
-  RAILROADS
-  CITY LIMITS
-  PARCELS