

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Mary Beatie

COMMISSIONERS: Marvin Hansen, Chris Tavarez, Bill Davis, Mary Beatie, Adam Peck

MONDAY, FEBRUARY 26, 2024
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.
 - a. Revised Resolution No. 2023-62 for Conditional Use Permit No. 2023-36.
6. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2023-31: A request by Sien Taing / TAE Architecture & Planning to establish a 4,565 square foot two-unit commercial building, with a 3,268 square foot retail specialty market and a 1,297 square foot coffee/pastry shop with a drive-thru lane located within the C-N (Neighborhood Commercial) Zone. The project site is located at the northeast corner of North Dinuba Boulevard and West Sweet Avenue (APN: 091-161-009, 047, 052). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorically Exemption No. 2023-50.

7. PUBLIC HEARING – Josh Dan, Senior Planner

- a. **Conditional Use Permit No. 2023-37:** A request by JC LIU Capital to construct a new two-story 21,276 square foot medical clinic in the O-PA (Professional Administrative / Office) zone. The project site is located on the northside of West Sunnyside Avenue west of South Mooney Boulevard (APNs: 121-100-079, 121-100-080, 121-100-081,121-100-085, 121-100-086, and 121-090-072). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2023-58.
- b. **Tentative Parcel Map No. 2024-04:** A request by Neil Zerlang Land Surveyor to reconfigure 6.26 acres of partially improved land into two parcels to facilitate new construction in the O-PA (Professional Administrative / Office) and C-MU (Commercial Mixed-Use) Zones. The project site is located on the northside of West Sunnyside Avenue west of South Mooney Boulevard (APNs: 121-100-079, 121-100-080, 121-100-081,121-100-085, 121-100-086, 121-090-072, and 121,090-073). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2023-58.

8. PUBLIC HEARING – Josh Dan, Senior Planner

Conditional Use Permit No. 2024-01: A request by Rashad Mosleh to establish a Smoke Shop in a 1,000 square foot tenant space located at 1112 North Ben Maddox Way in the C-MU (Commercial Mixed-Use) Zone (APN: 098-280-007). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2024-01.

9. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. March 6, 2024 LAFCO Hearing – Belissa Annexation
- b. Short-term Rental Work Session Item Update
- c. Planning Commission Updates

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, MARCH 7, 2024, BEFORE 5:00 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, MARCH 11, 2024

City of Visalia



To: Planning Commission

From: Josh Dan, Senior Planner (559-713-4003)

Date: February 26, 2024

Re: Revision to Resolution No. 2023-62 for Conditional Use Permit No. 2023-36 and Exhibit A – Site Plan

Conditional Use Permit No. 2023-36: A request by Rob Toro of Cal Gold Development to amend the approved uses and layout of the Orchard Walk Specific Plan site plan, proposing two parcels with undisclosed retail multi-tenant uses, and two additional parcels consisting of a drive-thru Starbucks Coffee Co. and a drive-thru Panera Bread Restaurant. The site is zoned C-MU (Commercial Mixed-Use Zone).

Tentative Parcel Map No. 2023-09: A request by Rob Toro of Cal Gold Development to divide a 7.36-acre parcel within the Orchard Walk Specific Plan into four parcels. The site is zoned C-MU (Commercial Mixed-Use).

Location: The project site is located at the northeast corner of West Riggan Avenue and North Conyer Street. (Addresses not assigned) (APN: 078-120-055).

Recommendation

Staff recommends that the Planning Commission accept the revised resolution and revised site plan Exhibit "A" for Public Hearing Item No. 9 from the February 12, 2024, Planning Commission Agenda based on the Planning Commission's motion approving the item with revised conditions.

Summary:

At the February 12, 2024, Planning Commission meeting, the Planning Commission revised conditions for Resolution No. 2023-62. Revisions to the project conditions included the following:

1. Amend Exhibit "A" – Site Plan: Remove the conceptual buildings depicted north and west of the two proposed building pads for Panera Bread and Starbucks (i.e., future Parcels H and I of Tentative Parcel Map No. 2023-09).
2. Revise Condition of Approval No. 5 requiring that the amended cross-access and shared parking agreements be recorded prior to Certificate of Occupancy. The condition is revised as follows:

COA No. 5. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services for parcels without public street access shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance *Certificate of Occupancy being issued* for of any building permits on the master planned site.

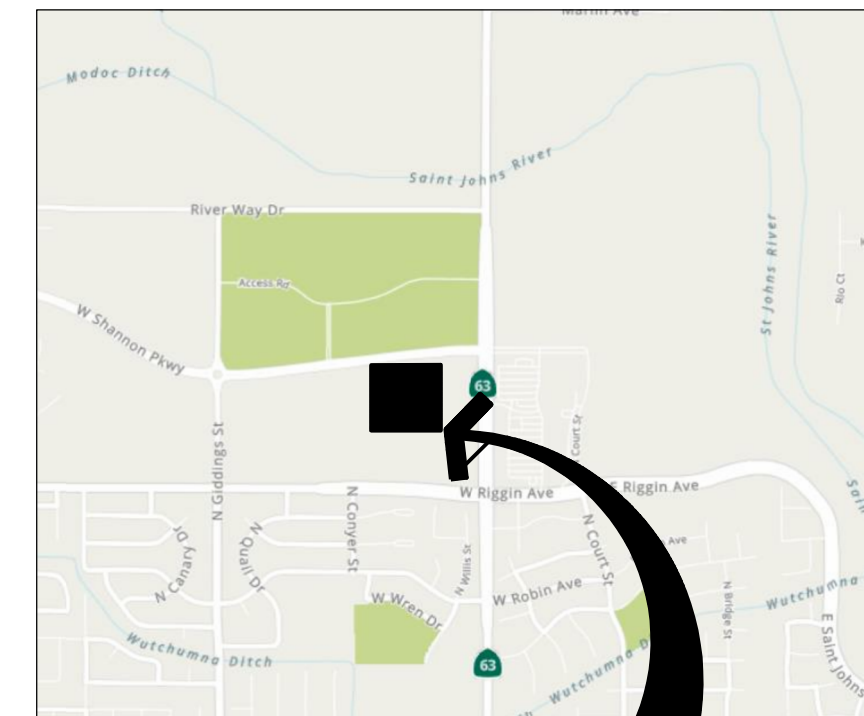
3. Add a new condition requiring the proposed development comply with the Mitigation Monitoring Program adopted for the Orchard Walk Specific Plan. Condition No. 8 is added and states:

COA No. 8. That development across the Orchard Walk Specific Plan Area comply with the Mitigation Monitoring Program adopted with Mitigated Negative Declaration No. 2007-34 for the Orchard Walk Specific Plan.

The revised Resolution No. 2023-62 along with the revised Exhibit "A" - Site Plan are attached.

ATTACHMENTS

- Revised Resolution No. 2023-62
- Revised Exhibit "A" – Site Plan



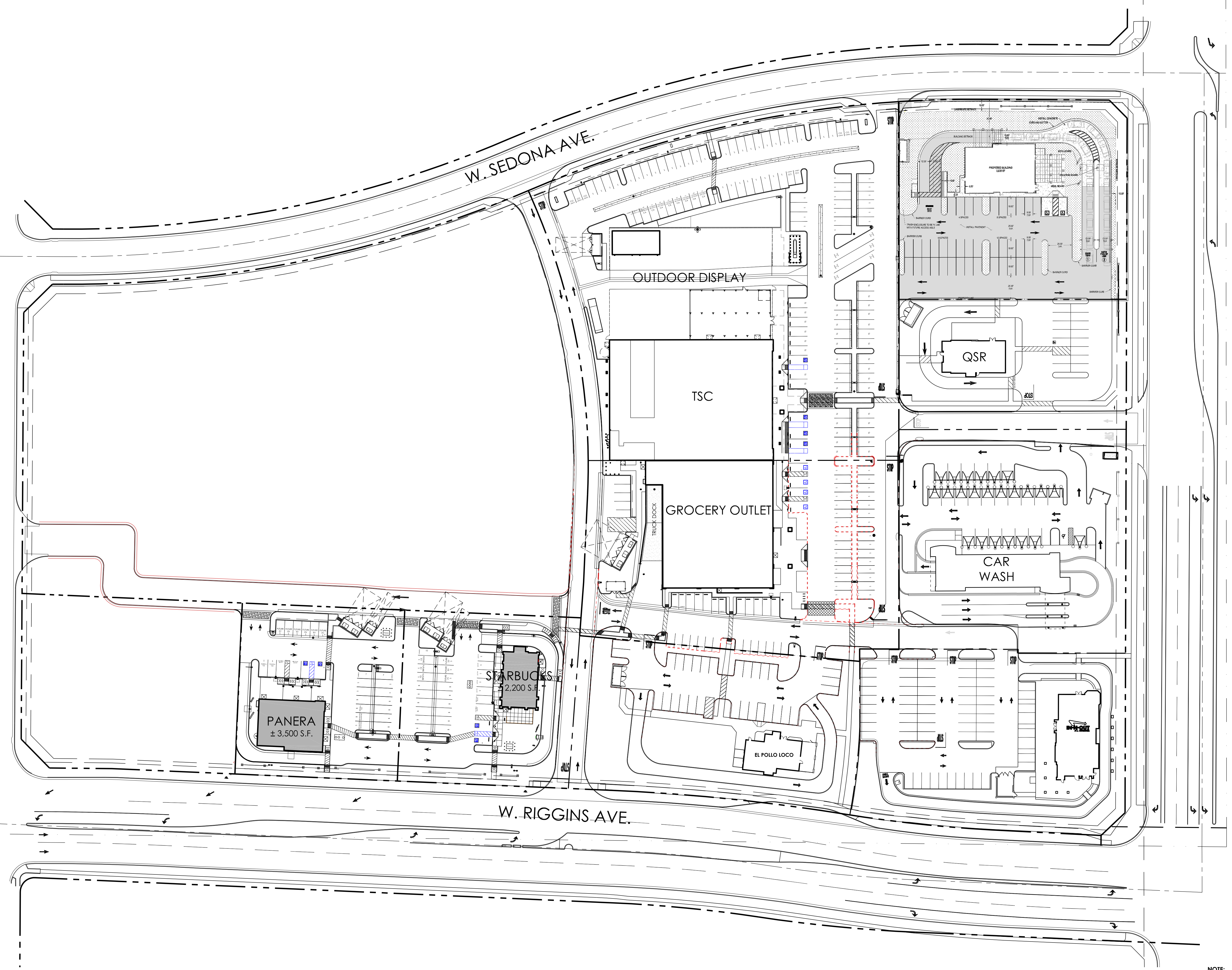
VICINITY MAP

PROJECT LOCATION
ORCHARD WALK WEST
VISALIA, CA

PROJECT TEAM

DEVELOPER:
CALIFORNIA GOLD DEVELOPMENT
CORPORATION
133 OLD WARDS FERRY ROAD
SONOMA, CA 95370
(209) 533-3333
CONTACT: SCOT PATTERSON

ARCHITECT:
API
4335-B NORTH STAR WAY
MODESTO, CA 95356
(209) 577-4661
CONTACT: JOSEPH L. SMITH



REVISED 23-06-20 JS
SITE PLAN
SCALE: 1" = 50'-0"

NOTE:
THIS CONCEPTUAL SITE PLAN WAS DEVELOPED WITH SITE BOUNDARY
INFORMATION PROVIDED BY THE OWNER. API IS NOT RESPONSIBLE
FOR THE ACCURACY OF THIS INFORMATION.
THE TRUCK TURNING MOVEMENTS SHOWN ARE ILLUSTRATIVE ONLY.
THE CIVIL ENGINEER OF RECORD WILL PROVIDE AN ACCURATE TRUCK
PATH / MOVEMENTS PER TSC REQUIREMENTS.

**RETAIL
DEVELOPMENT**

ORCHARD WALK WEST
VISALIA, CA.



ARCHITECTURE PLUS INC.
4335-B NORTH STAR WAY
MODESTO, CA 95356

ph. 209.577.4661
fx. 209.577.0213

www.apiarc.com

RESOLUTION NO. 2023-62

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2023-36, A REQUEST BY ROB TORO OF CAL GOLD DEVELOPMENT TO AMEND THE APPROVED USES AND LAYOUT OF THE ORCHARD WALK SPECIFIC PLAN SITE PLAN, PROPOSING TWO PARCELS WITH UNDISCLOSED RETAIL MULTI-TENANT USES, AND TWO ADDITIONAL PARCELS CONSISTING OF A DRIVE-THRU STARBUCKS COFFEE CO. AND A DRIVE-THRU PANERA BREAD RESTAURANT. THE SITE IS ZONED C-MU (COMMERCIAL MIXED-USE ZONE). THE PROJECT SITE IS LOCATED AT THE NORTHEAST CORNER OF WEST RIGGIN AVENUE AND NORTH CONYER STREET (ADDRESSES NOT ASSIGNED) (APN: 078-120-055).

WHEREAS, Conditional Use Permit No. 2023-36, is a request by Rob Toro of Cal Gold Development to amend the approved uses and layout of the Orchard Walk Specific Plan site plan, proposing two parcels with undisclosed retail multi-tenant uses, and two additional parcels consisting of a drive-thru Starbucks Coffee Co. and a drive-thru Panera Bread Restaurant. The site is zoned C-MU (Commercial Mixed-Use Zone). The project site is located at the northeast corner of West Riggins Avenue and North Conyer Street (Addresses not assigned) (APN: 078-120-055); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 12, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2023-36, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared for the entire Orchard Walk Specific Plan Project which disclosed that the mitigation incorporated into the project no significant environmental impacts would result from this project, and

WHEREAS, an addendum to the Initial Study was prepared based on the original document's adequate analysis with regard to the revised project description. In accordance with CEQA Guidelines Section 15164(a), none of the conditions described in CEQA Guidelines Section 15162 which would require the preparation of a Subsequent EIR, Negative Declaration, or Supplemental EIR have been met.

NOW, THEREFORE, BE IT RESOLVED, that Mitigated Negative Declaration Document No. 2007-34, with the addendum, was prepared in accordance with the California Environmental Quality Act and City of Visalia Environmental Guidelines, including consistency with CEQA Guidelines Section 15162, and that the environmental setting in which the project will be built has not changed since the Mitigated Negative Declaration for the original project was adopted, so Mitigated negative Declaration No. 2007-34 is incorporated in the project approval.

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 within the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan, Zoning Ordinance and Orchard Walk Specific Plan.
 - a. That the proposed location of the Conditional Use Permit is compatible with adjacent land uses.
 - b. That the proposed Conditional Use Permit is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. 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. The site is bordered by similar commercial uses.
4. An Addendum to approved Initial Study / Mitigated Negative Declaration No. 2007-34 has been prepared for this project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162.

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 project be developed consistent with the comments and conditions of the Site Plan Review No. 2023-117.
2. That all end-users seeking to develop the pad sites be required to apply first to Site Plan Review and detail compliance with the CUP, TPM, Specific Plan, and all other development standards.
3. That the drive-thru lanes shall provide a minimum of 10-queuing length.
4. That deviation from the Site Plan by either use or parcel configuration may constitute substantial change and require the applicant to return to the Planning Commission for an amendment to the approval.
5. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services for parcels without public street access shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the Certificate of Occupancy being issued for any building permits on the master planned site.
6. All signage shall comply with the Orchard Walk Specific Plan.
7. That all development within the Specific Plan shall be required to comply will all site design amenities as required by the Orchard Walk Specific Plan.

8. That development across the Orchard Walk Specific Plan Area complies with the Mitigation Monitoring Program of the previously accepted Initial Study Mitigated Negative Declaration No. 2007-34.
9. That all other federal, state and city codes, ordinances and laws be met.

Commissioner Beatie offered the motion to this resolution. Commissioner Hansen seconded the motion, and it carried by the following vote:

AYES: Commissioners Davis, Hansen, Beatie, Peck
NOES:
ABSTAINED:
ABSENT: Tavaréz

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Paul Bernal, Community Development Director

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2023-62, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on February 12, 2024.

Paul Bernal, Community Development Director

Adam Peck, Chairperson



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 25, 2024

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

SUBJECT: Conditional Use Permit No. 2023-31: A request by Sien Taing / TAE Architecture & Planning to establish a 4,565 square foot two-unit commercial building, with a 3,268 square foot retail specialty market and a 1,297 square foot coffee/pastry shop with a drive-thru lane located within the C-N (Neighborhood Commercial) Zone. The project site is located at the northeast corner of North Dinuba Boulevard and West Sweet Avenue (APN: 091-161-009, 047, 052).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2023-31 based upon the findings and conditions in Resolution No. 2023-58. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2023-31 based on the findings and conditions in Resolution No. 2023-58.

PROJECT DESCRIPTION

Conditional Use Permit No. 2023-31 is a request for approval of a drive-thru lane associated with a new 4,565 square foot two-unit commercial shell building. Drive-thru lanes meeting all performance standards as listed in the Visalia Municipal Code (VMC) are permitted outright, whereas drive-thru lanes not meeting all standards require a Conditional Use Permit (CUP). The drive-thru proposed does not meet performance standards as it is located within 250 feet from a residence/residentially zoned areas to the east and west.

As shown in the site plan in Exhibit "A" the proposed shell building will contain a 3,268 square foot specialty produce market (First Step Market) and a 1,297 square foot coffee and pastry shop (Ace Coffee & Pastry) with a 12-vehicle drive-thru lane. The proposal also includes installation of a 21-stall parking field south of the proposed structure, a trash enclosure, landscaping, and a seven-foot-tall block wall along the east property line. The shell building will be developed over three parcels that will be merged per a lot line adjustment prior to occupancy of the commercial shell building.

The floor plan in Exhibit "B" depicts the interior layout of the building, detailing display areas and employee facilities for the market, and service and pick up areas for the coffee shop. Of note, the coffee shop will be a walk-up facility with no indoor dining area for patrons. Elevations for the proposal are provided in Exhibit "C", depicting the inclusion of large windows with cloth awnings, knotwood aluminum cladding, brick veneer, and cement plaster wall finishes. Landscaping plans provided in Exhibit "D" depict the installation of trees and screening shrubbery along the Dinuba and Sweet frontages, with additional plantings in the parking lot. A photometric plan is also provided in Exhibit "E" denoting the placement of wall lights and parking lot lighting, which will be designed to reduce brightness at property boundaries to 0.5-foot candles or less.

Five existing driveways to the project site will be removed and replaced with a single access drive off West Sweet Avenue, leading directly to the drive-thru lane and parking field. A traffic action plan is provided in Exhibit “G”, analyzing potential queuing impacts from the proposed drive-thru lane. This is discussed further in the Access and Circulation section of the staff report.

Per the Operational Statement in Exhibit “F”, the two proposed businesses will operate as follows:

USE	HOURS OF OPERATION	EMPLOYEES	VENDOR DELIVERIES
First Step Market	8:00 a.m. - 9:00 p.m., Monday - Saturday 9:00 a.m. - 7:00 p.m., Sunday	2 to 3	Tuesdays & Thursdays, approximately 9:00am.
Ace Coffee & Pastry	5:00 a.m. - 5:00 p.m., Monday - Friday 5:00 a.m. - 5:00 p.m., Saturday 6:00 a.m. - 4:00 p.m., Sunday	2 to 3	Mondays, approximately 9:00am.

BACKGROUND INFORMATION

General Plan Land Use Designation: Commercial Neighborhood
 Zoning: C-N (Neighborhood Commercial)
 Surrounding Land Uses and Zoning: North: C-N / Family Dollar retail store, single family residences, Bethlehem Center
 South: C-MU (Mixed Use Commercial), R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) / West Sweet Avenue, Jack’s Gas convenience store/Valero gas station, mixed commercial uses
 East: C-N, R-1-5 / Vacant and occupied single family residences
 West: C-MU, R-1-5 / North Dinuba Boulevard/State Highway 63, Mixed commercial and single-family residential uses

Environmental Review: Categorical Exemption No. 2023-50
 Site Plan: 2023-059

RELATED PROJECTS

None.

PROJECT EVALUATION

Land Use Compatibility

Fast food restaurants with drive-thru facilities are permitted by right within the C-N Zone, subject to compliance with drive-thru performance standards established in VMC Section 17.32.162. However, as stated previously, a CUP is necessary as the proposed drive-thru does not meet the 250-foot separation requirement from residential uses or zonings, which are located between 50 to 85 feet east and west of the project site.

Analysis of the project has determined that impacts from the proposed use will be limited and addresses through design elements and conditions of approval. The site plan depicts sufficient onsite parking to support the proposed uses. Noise producing order board speaker boxes are

oriented away from residential uses, towards the seven-foot-tall block wall and side wall of the adjacent Family Dollar store. A Noise Study submitted with the proposal notes that noise production onsite will not rise to a level of significance (this is discussed further in the Acoustical Analysis section of this report). Regardless, Condition of Approval No. 3 is included, requiring the installation of a seven-foot-tall block wall along the eastern property boundary, where residential uses and zonings are more closely located.

Additional improvements depicted in the exhibits, such as landscape screening and lighting design, coupled with hours of operation that do not go past 9:00pm, will adequately reduce visual, noise, and lighting impacts to nearby sensitive receptors. Conditions of approval are also recommended to increase compatibility with nearby uses. To ensure Community Noise Standards are complied with, staff recommends Condition of Approval No. 7, which requires operation of the use and drive-thru in compliance with VMC noise standards. Condition No. 6 is also recommended, requiring the applicant to screen the drive-thru lane from view of the public right of way. Failure to comply with these VMC standards and conditions may result in ceasing and/or limitation of the hours of operation for the drive-thru lane and menu ordering board.

Please note that a site inspection conducted by staff January 23, 2024, confirmed that the closest residences to the project site, located 50 feet to the east, have either been demolished (412 West Sweet Avenue), or are currently vacant (404 West Sweet Avenue). Per the project applicant, who has recently acquired both 404 and 412 West Sweet Avenue, the remaining residence at 412 West Sweet Avenue is planned for continued residential use. Residential uses to the west are separated from the project site by North Dinuba Boulevard, a designated four lane divided Minor Arterial street and State Highway. Impacts from the project are not expected to supersede existing conditions produced by Dinuba Boulevard.

Drive-Thru Performance Standards

Per the VMC, drive-thru lanes require a CUP unless they can meet the six performances standards specified in VMC Section 17.32.162. In general, the performance standards pertain to the following:

1. Separation from residences;
2. Vehicle queue stacking;
3. Circulation;
4. Noise;
5. Screening;
6. Menu boards and signage.

The project does not comply with standard number one, as the site is located within 250 feet of residential areas to the east and west.

The project complies with the remaining drive-thru standards of the VMC. Per Exhibit "D" screening in the form of trees and shrubs will be placed along the drive-thru lane, limiting visual impacts to the surrounding area. This is also required via Condition of Approval No. 6. Impacts to nearby residences will be lessened through placement of order board speaker boxes away from neighboring sensitive uses and installation of a block wall along the east property line (Condition of Approval No. 3). Extra vehicle stacking capacity has also been provided by the applicant in the drive-thru lane to reduce the potential for queuing to occur in right-of-way areas. Lastly, a traffic action plan provided by the applicant confirms that trips generated by the use, combined with short wait times, will result in queuing far less than typical drive-thru fast-food restaurants. If the CUP is approved, the project will meet drive-thru performance standards.

Access and Circulation

Adequate access to the project site will be provided via a new commercial driveway installed along West Sweet Avenue. To address possible impacts to on and offsite circulation, a traffic action plan was prepared by GHD for the project and is included as Exhibit "G". The plan uses

information from the ITE Manual of Transportation Engineering Studies and observations of drive-thru activity from four donut shops in Visalia to determine the effectiveness of the proposal to address vehicle queuing. The study determined that the project is estimated to generate approximately 58 incoming vehicle and 56 outgoing vehicle trips during the AM peak hour period (7:00 a.m. and 9:00 a.m.). Based upon this information, the study notes that if service wait times exceed 2.5 minutes, then the vehicle queue will exceed the available storage of 341 feet provided by the proposed drive-thru. However, this assumes that the ITE trip generation rate of approximately one vehicle per minute would enter the drive-thru queue for the entire hour. Based upon a field review of four local drive-thru donut shops in Visalia, the study states that this demand (one vehicle per minute) was not observed. Instead, short wait times of less than 2 minutes were observed during field reviews by GHD staff. Further, the study reasons that wait times for donut shops tend to be far less than typical drive-thru fast-food restaurants because the food is not made to order and options are limited to what is available. As a result, the study concludes that queuing impacts from the donut shop will be less than significant to overall circulation. Also of note, the proposed drive-thru lane provides queuing for 12 vehicles, two more than City drive-thru performance standards require.

Acoustical Analysis

An Acoustical Analysis was prepared by WJV Acoustics on February 1, 2024, to determine if noise levels associated with the project would comply with the City's applicable noise level standards. The report provides information on existing ambient noise levels produced by traffic and nearby uses, and breaks down impacts from project related noise, such as drive-thru operations and parking lot activities.

Noise Standards

For ambient noise levels resulting from traffic activity and nearby uses, the report states that existing ambient (without project) noise levels were in the range of approximately 59 to 62 dB Leq, with maximum noise levels in the range of 66 to 78 dB. The noise levels described exceed the City's exterior noise level standards for stationary noise sources in all statistical categories during each of the noise measurement periods. Per VMC Sec. 8.36.040.B (Exterior noise standards—Fixed noise sources), such existing ambient noise levels warrant an adjustment (increase) in the noise level standards described in the Noise Element of the Visalia General Plan and Visalia Municipal Code. As such the noise levels observed shall be applied as the noise standards, for which the proposed project may not exceed.

Findings

For generation of noise from project related sources, the report states that noise levels associated with the retail development would generally be limited to parking lot activities and the drive-thru food service operations. Upon measurement, it was determined that noise levels associated with the proposed retail development project would not be expected to exceed any City of Visalia noise level standards, when adjusted for existing ambient noise levels. Existing (without project) ambient noise levels in the vicinity of the project site are considered to be relatively high, due to the project site's proximity to North Dinuba Boulevard (State Route 63) and 24-hour commercial activities to the south (Jack's Convenience Store/Valero gas station). As such, project-related noise levels would not be expected to exceed existing ambient noise levels at any sensitive receptor location near the project site. Based upon this analysis and existing ambient noise levels, noise mitigation measures are not required for project compliance with applicable City of Visalia noise standards.

Conditions of Approval

Despite the above, the presence of sensitive receptors within proximity of the project site (i.e. the vacant residence at 404 West Sweet Avenue) raises concerns about the potential for impacts, once the residence is reoccupied. To address this, staff recommends the addition of Condition of Approval Nos. 3 and 7, requiring the installation of a seven-foot-tall block wall along the eastern property line, and requiring compliance with the Noise Ordinance. Lastly, staff recommends the Planning Commission adopt Condition No. 4, requiring the applicant's proposed hours of operation be adopted as stated in the operational statement. Should the applicant or future tenant wish to operate the use at a later hour, then an amendment to the Conditional Use Permit is required.

Parking

Based on the uses proposed and their respective required parking ratios (1 stall per 150 square feet for the coffee shop, 1 stall per 300 square feet for the market), staff has determined that the two-unit commercial building will require 20 parking stalls. As shown on the site plan, a total of 21 parking spaces are provided for the proposed building, slightly exceeding the standard. As such, the proposal will have sufficient parking available to conduct operations.

Environmental Review

The project is considered Categorical Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2023-50). The proposal is an infill project on a parcel surrounded by urbanized development. The project is consistent with applicable land use designations, contains no habitat of note, will have access to required utilities and public services, and will not result in significant effects to the environment or surrounding areas.

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 finding of the 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 project site has adequate ingress and egress and parking for the proposed uses and is located in a highly urbanized primarily commercial area with other similar uses.
 - 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. Adequate infrastructure, including a seven-foot-tall block wall, and project design elements such as landscape screening, onsite lighting, and speaker box location, ensure that impacts to neighboring sensitive uses are sufficiently mitigated. Conditions of Approval are also included to limit impacts, requiring compliance with the Noise Ordinance and codifying limited hours of operation.
3. That the project is considered Categorical Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2023-50). The project is an infill project on a parcel surrounded by urbanized development. The project is consistent with applicable land use designations, contains no

habitat of note, and will not result in significant effects to the environment or surrounding areas.

RECOMMENDED CONDITIONS OF APPROVAL

1. That the use be operated in substantial compliance with the comments from the approved Site Plan Review No. 2023-059.
2. That the use be developed in substantial compliance with the site plan in Exhibit "A", floor plan in Exhibit "B", building elevations in Exhibit "C", landscape plans in Exhibit "D", photometric plan in Exhibit "E", operational statement in Exhibit "F", and traffic action plan in Exhibit "G".
3. That a seven-foot-tall block wall shall be placed along the eastern property line, as depicted in Exhibit "A".
4. That the use shall be operated during the days and hours stated in compliance with the operational statement in Exhibit "G". Any change in operating hours shall require approval of an amendment to Conditional Use Permit No. 2023-31.
5. That a lot line adjustment shall be completed and recorded with the Tulare County Recorder prior to occupancy of the structure.
6. That the entire drive-thru lane shall be screened from adjacent street and residential view to a height of three feet, in the form of a combination of berming, hedge and landscape materials, and solid walls.
7. That the use shall operate in compliance with all community noise standards as identified in Visalia Municipal Code Chapter 8.36 (Noise).
8. 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. 2023-58
- Exhibit “A” – Site Plan
- Exhibit “B” – Floor Plan
- Exhibit “C” – Building Elevations
- Exhibit “D” – Landscape Plans
- Exhibit “E” – Photometric Plan
- Exhibit “F” – Operational Statement
- Exhibit “G” – Traffic Action Plan, September 21, 2022 – GHD
- Acoustical Analysis, February 1, 2024 – WJV Acoustics
- Categorical Exemption No. 2023-50
- Site Plan Review Item No. 2023-059 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

RELATED PLANS AND POLICIES

ZONING ORDINANCE, TITLE 17 OF VISALIA MUNICIPAL CODE

Commercial Zones

Chapter 17.18

17.18.060 Development standards in the C-N zone.

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

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 1. Front: fifteen (15) feet;
 2. Rear: zero (0) feet;
 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 4. Side: zero (0) feet;
 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 1. Front: fifteen (15) feet;
 2. Rear: five (5) feet (except where a building is located on side property line);
 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 4. Side: five (5) feet (except where a building is located on side property line);
 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 6. Street side on corner lot: ten (10) feet. (Ord. 2017-01 (part), 2017)

Special Provisions

(Section 17.32.162)

17.32.162 Drive-thru lanes performance standards.

A. Purpose and Intent. It is the purpose of this section to specify performance standards applicable to uses that seek to incorporate a drive-thru lane in association with a specified use. This section does not apply to carwashes and lube and oil changing stations.

B. Performance standards:

1. Separation from residences. The drive-thru lane shall be no less than two hundred fifty (250) feet from the nearest residence or residentially zoned property.
2. Stacking. The drive-thru lane shall contain no less than ten (10) vehicle stacking, measured from pickup window to the designated entrance to the drive-thru lane. There shall be no less than three vehicle spaces distance from the order menu/speaker (or like device) to the designated entrance to the order window.
3. Circulation. No portion of the drive-thru lane shall obstruct any drive aisles or required on-site parking. The drive-thru shall not take ingress or egress from a local residential road.
4. Noise. No component or aspect of the drive-thru lane or its operation shall generate noise levels in excess of 60 dB between the hours of 7:00 p.m. and 6:00 a.m. daily.

5. Screening. The entire drive-thru lane shall be screened from adjacent street and residential view to a height of three feet. Screening devices shall be a combination of berming, hedge and landscape materials, and solid walls as approved by the City Planner.
6. Menu boards and signage. Shall be oriented or screened to avoid direct visibility from adjacent public streets. (Ord. 2017-01 (part), 2017: Ord. 2014-07 § 3, 2014)

Conditional Use Permits (Section 17.38)

17.38.010 Purposes and powers.

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.020 Application procedures.

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
 1. Name and address of the applicant;
 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
 3. Address and legal description of the property;
 4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
 5. The purposes of the conditional use permit and the general description of the use proposed;
 6. Additional information as required by the historic preservation advisory committee.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application. (Prior code § 7526)

17.38.030 Lapse of conditional use permit.

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

17.38.040 Revocation.

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

be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Prior code § 7528)

17.38.050 New application.

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

17.38.060 Conditional use permit to run with the land.

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

17.38.065 Abandonment of conditional use permit.

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

17.38.070 Temporary uses or structures.

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
 - 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
 - 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
 - 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
 - 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
 - 5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
 - 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
 - 7. Signing for temporary uses shall be subject to the approval of the city planner.
 - 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street

parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.

- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

17.38.080 Public hearing--Notice.

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.090 Investigation and report.

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

17.38.100 Public hearing--Procedure.

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Prior code § 7535)

17.38.110 Action by planning commission.

- A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:
 - 1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
 - 2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit. (Prior code § 7536)\

17.38.120 Appeal to city council.

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

17.38.130 Effective date of conditional use permit.

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

RESOLUTION NO. 2023-58

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2023-31, A REQUEST BY SIEN TAING / TAE ARCHITECTURE & PLANNING TO ESTABLISH A 4,565 SQUARE FOOT TWO-UNIT COMMERCIAL BUILDING, WITH A 3,268 SQUARE FOOT RETAIL SPECIALTY MARKET AND A 1,297 SQUARE FOOT COFFEE/PASTRY SHOP WITH A DRIVE-THRU LANE, LOCATED WITHIN THE C-N (NEIGHBORHOOD COMMERCIAL) ZONE. THE PROJECT SITE IS LOCATED AT THE NORTHEAST CORNER OF NORTH DINUBA BOULEVARD AND WEST SWEET AVENUE (APN: 091-161-009, 047, 052)

WHEREAS, Conditional Use Permit No. 2023-31 is a request by Sien Taing / TAE Architecture & Planning to establish a 4,565 square foot two-unit commercial building, with a 3,268 square foot retail specialty market and a 1,297 square foot coffee/pastry shop with a drive-thru lane, located within the C-N (Neighborhood Commercial) Zone. The project site is located at the northeast corner of North Dinuba Boulevard and West Sweet Avenue (APN: 091-161-009, 047, 052); and

WHEREAS, after published notice, a public hearing was held before the Planning Commission on February 26, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit 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 Planning Commission finds the project to be Categorical 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 15332.

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 finding of the 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 project site has adequate ingress and egress

and parking for the proposed uses and is located in a highly urbanized primarily commercial area with other similar uses.

- 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. Adequate infrastructure, including a seven-foot-tall block wall, and project design elements such as landscape screening, onsite lighting, and speaker box location, ensure that impacts to neighboring sensitive uses are sufficiently mitigated. Conditions of Approval are also included to limit impacts, requiring compliance with the Noise Ordinance and codifying limited hours of operation.
3. That the project is considered Categorical Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2023-50). The project is an infill project on a parcel surrounded by urbanized development. The project is consistent with applicable land use designations, contains no habitat of note, and will not result in significant effects to the environment or surrounding areas.

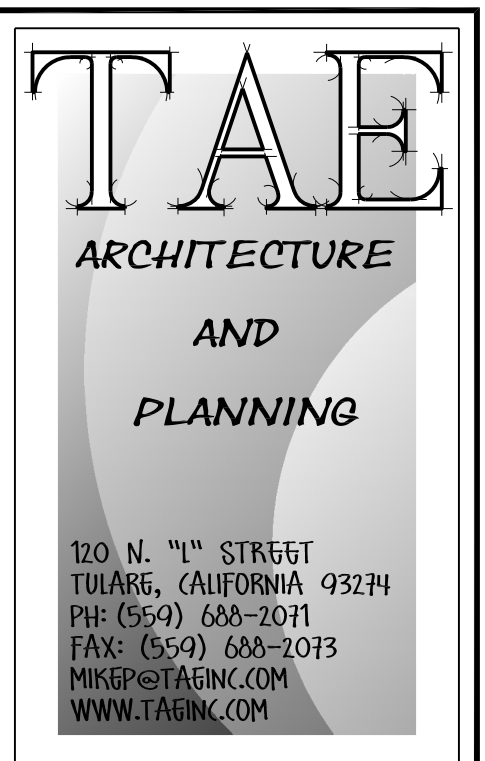
BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the use be operated in substantial compliance with the comments from the approved Site Plan Review No. 2023-059.
2. That the use be developed in substantial compliance with the site plan in Exhibit "A", floor plan in Exhibit "B", building elevations in Exhibit "C", landscape plans in Exhibit "D", photometric plan in Exhibit "E", operational statement in Exhibit "F", and traffic action plan in Exhibit "G".
3. That a seven-foot-tall block wall shall be placed along the eastern property line, as depicted in Exhibit "A".
4. That the use shall be operated during the days and hours stated in compliance with the operational statement in Exhibit "G". Any change in operating hours shall require approval of an amendment to Conditional Use Permit No. 2023-31.
5. That a lot line adjustment shall be completed and recorded with the Tulare County Recorder prior to occupancy of the structure.
6. That the entire drive-thru lane shall be screened from adjacent street and residential view to a height of three feet, in the form of a combination of berming, hedge and landscape materials, and solid walls.
7. That the use shall operate in compliance with all community noise standards as identified in Visalia Municipal Code Chapter 8.36 (Noise).
8. That all other Federal, State, Regional, and City codes and ordinances be met.

EXHIBIT A

MONITORING SYSTEMS:
 SECURITY LIGHTING & CAMERA SYSTEMS WILL BE UTILIZED TO MONITOR SECURITY & DRIVE THRU QUEUING CAMERAS TO BE WALL MOUNTED ON NEW STRUCTURE. LOCATIONS TO BE DETERMINED BY OTHERS.

SITE INFORMATION
 OWNER: SIEN Y. TAING
 ADDRESS: 353 BUENA VISTA AVE. VISALIA, CA 93291
 PHONE: (559) 936-3465
 PROJECT ADDRESS: 1526 N. DINUBA BLVD. VISALIA, CA
 APN: 091-161-092, 041 & 009
 TOTAL LOT AREA: 2675933 SF. 0.6 ACRES
 PARKING:
 BUILDING A: 1297/50 ± 9 REQ'D.
 BUILDING B: 3268/300 ± 11 REQ'D.
 TOTAL: 20 STALLS REQUIRED
 21 PARKING STALLS PROVIDED
 COMPACT = 6 STALLS
 STANDARD = 14 STALLS
 ACCESSIBLE = 1 STALLS
 4 ELECTRIC VEHICLE CAPABLE SPACES PROVIDED
 DEVELOPED AREA:
 BUILDING A: 1297 SF.
 BUILDING B: 3268 SF.
 4565 SF. TOTAL
 COVERAGE:
 4,181 SF. / 26,259,933 SF. = .16 OR 16%
 LANDSCAPE REQUIRED: 10% OF PARKING LOT AREA
 PARKING LOT AREA = 9520 SF. x .10 = 952 SF.
 LANDSCAPE PROVIDED:
 1546 SF. OF LANDSCAPE AREA



AFFILIATIONS:
 LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN

ARCHITECT:
MICHAEL PORTER
 LEAD ARCHITECT
 STATE OF CALIFORNIA LIC. NUM. - C-20927

CONSULTANT:
 PROJECT:

A NEW RETAIL FACILITY FOR:
MR. SIEN Y. TAING
 VISALIA, CALIFORNIA

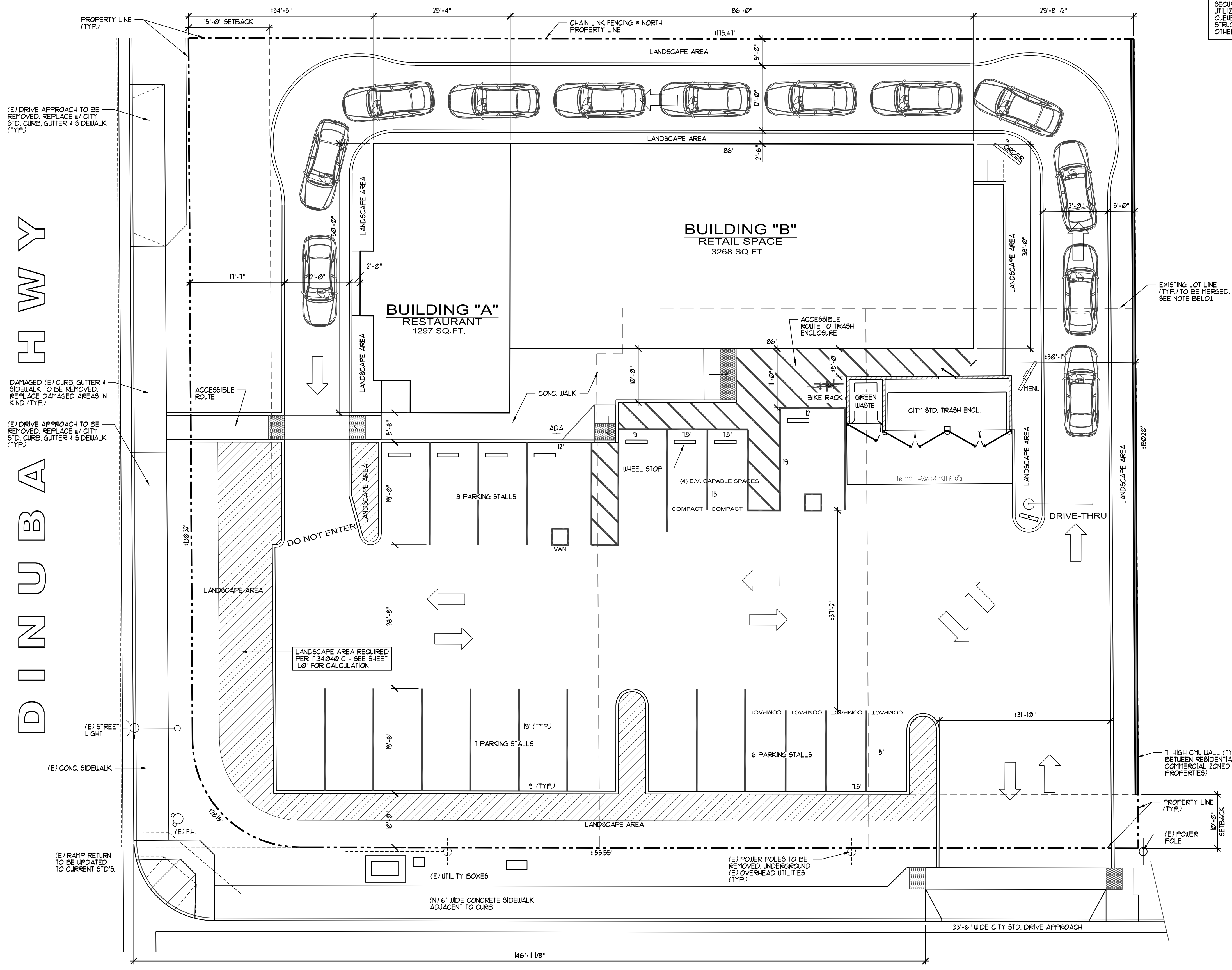
DATE	REVISION

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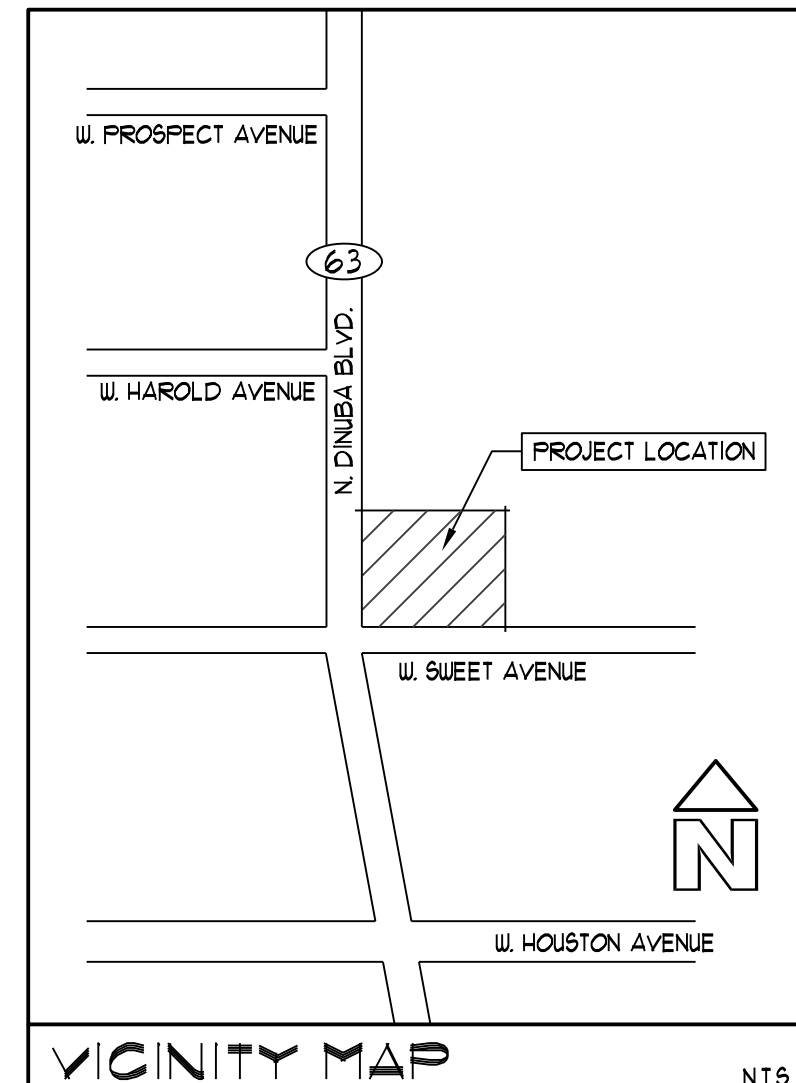
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 SHEET NO. **A1**
 TOTAL SHEETS: 2

SITE PLAN REVIEW
 SITE PLAN REVIEW NO: 2023-059
 EFFECTIVE DATE: APRIL 19, 2023

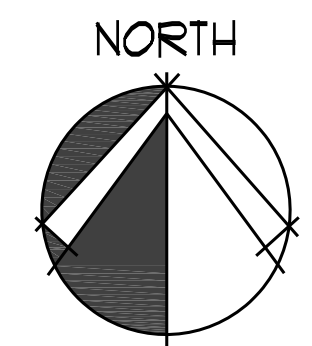
NOTE:
 LAYOUT OF PROPERTY SHOWN IS BASED ON RECORD DATA AND NOT THE RESULT OF A PROPERTY SURVEY. PRIOR TO CONSTRUCTION OF THE FOUNDATION THE CONTRACTOR SHALL LOCATE ALL PROPERTY CORNERS AND REPORT ANY VARIATIONS FROM PLANS.



BUILDING INFORMATION
 ZONING: NEIGHBORHOOD COMMERCIAL
 OCCUPANCY: B M
 CONSTR. TYPE: V-B
 ALLOWABLE AREA: 9,000 SF. 9,000 SF.
 BUILDING AREA: 1297 SF. 3268 SF.



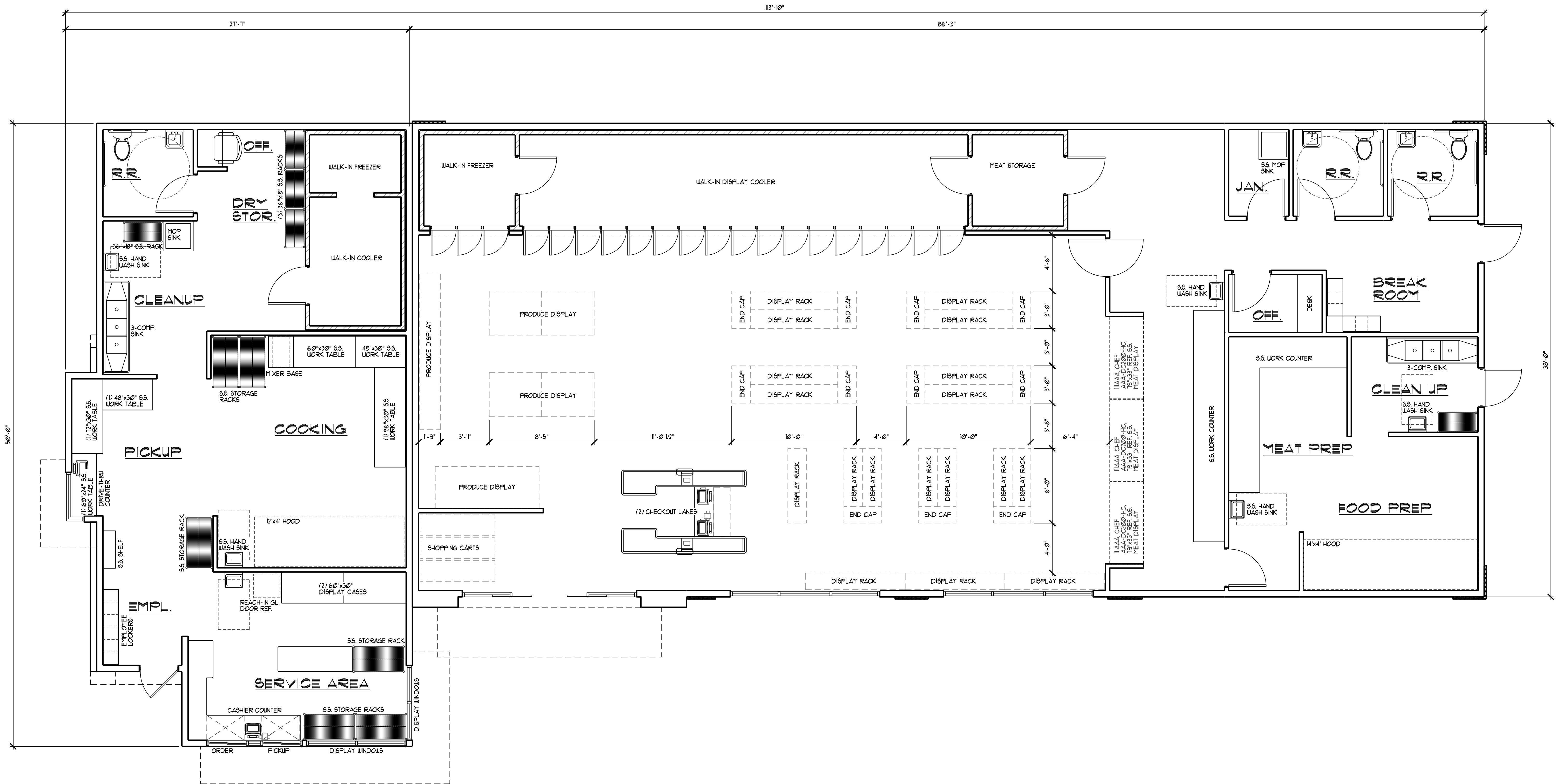
UTILITY PROVIDERS:
 WATER: CALIFORNIA WATER SERVICE (559) 674-6020
 SOLID WASTE, SEWER & STORM: CITY OF VISALIA (559) 713-4499
 ELECTRIC: SOUTHERN CALIFORNIA EDISON (800) 655-4555
 GAS: SOUTHERN CALIFORNIA GAS CO. (800) 421-7200
 TELEPHONE: VERIFY W/ OWNER



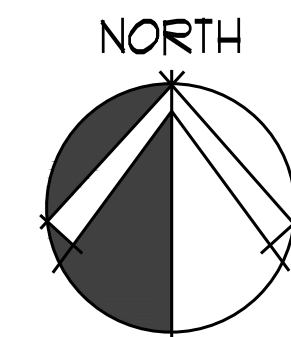
SWEET AVENUE

SITE PLAN
 SCALE: 1" = 10.00'

DINUBA HWY



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



TAE
ARCHITECTURE
AND
PLANNING

120 N. "L" STREET
TULARE, CALIFORNIA 93274
PH: (559) 688-2071
FAX: (559) 688-2073
MIKEP@TAEINC.COM
WWW.TAEINC.COM

AFFILIATIONS:
• LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN

ARCHITECT:
MICHAEL PORTER
LEED AP
STATE OF CALIFORNIA LIC. NUM. - C-12927

CONSULTANT:
PROJECT:

A NEW RETAIL FACILITY FOR:

MR. SIEN Y. TANG

VISALIA, CALIFORNIA

DATE REVISION

DATE	REVISION

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SHEET DESCRIPTION:
FLOOR PLAN

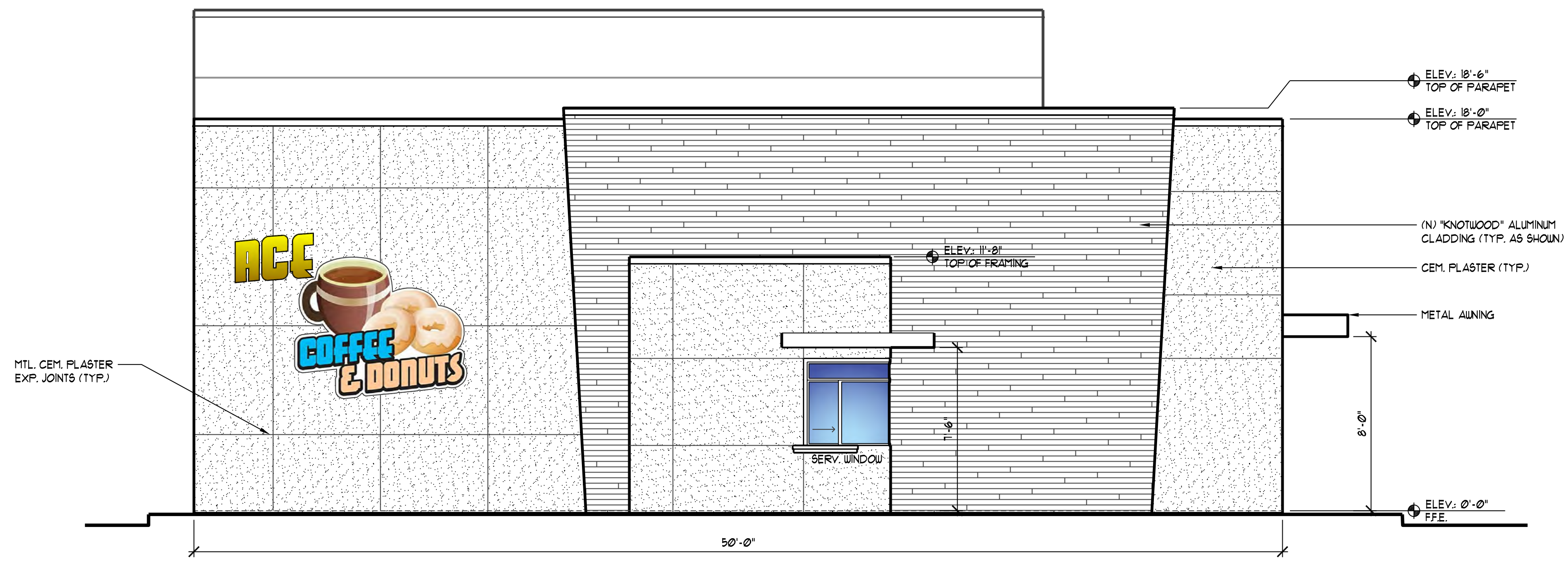
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CHECKED: SHEET NUMBER: **A2**
SCALE: 1/4" = 1'-0"
DATE: 11/22/2023 OF SHEETS

PROJECT NUMBER: A.102.22



SWEET AVE. ELEVATION

SIGNAGE ALLOWANCE
 2 SF. OF SIGNAGE ALLOWED PER LINEAL FT. OF BUILDING FRONTAGE. MAX. 150 SF. PER BUSINESS. 300 SF. MAX. ALLOWED.
 LINEAL STREET FRONTAGE BAKERY = 178 FEET
 178 x 2 = 356 SF.
 LINEAL STREET FRONTAGE GROCERY = 86 FEET
 86 x 2 = 172 SF.
 150 SF. ALLOWED FOR EACH BUSINESS, MAX.



DINUBA HWY. ELEVATION

EXTERIOR ELEVATIONS

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

TAE
 ARCHITECTURE
 AND
 PLANNING
 120 N. "I" STREET
 TULARE, CALIFORNIA 93274
 PH: (559) 688-2011
 FAX: (559) 688-2013
 MIKEP@TAGINC.COM
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AFFILIATIONS:
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ARCHITECT:
 MICHAEL PORTER
 LICENSE #11
 STATE OF CALIFORNIA LIC. NUM. - C-282927

CONSULTANT:
 PROJECT:

A NEW RETAIL FACILITY FOR:
MR. SIEN Y. TAING
 VISALIA, CALIFORNIA

DATE	REVISION
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SHEET DESCRIPTION:
 EXTERIOR ELEVATION

DRAWN: MIKE PORTER	SHEET NUMBER: A3.1
SCALE: 1/4" = 1'-0"	DATE: 12/18/2023
PROJECT NUMBER: A.102.22	OF SHEETS

AFFILIATIONS:
• LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN

ARCHITECT:
MICHAEL PORTER
LEED AP
STATE OF CALIFORNIA LIC. NUM. - C-28921

CONSULTANT:

PROJECT:

A NEW RETAIL FACILITY FOR:

MR. SIEN Y. TAING

VISALIA, CALIFORNIA

DATE	REVISION

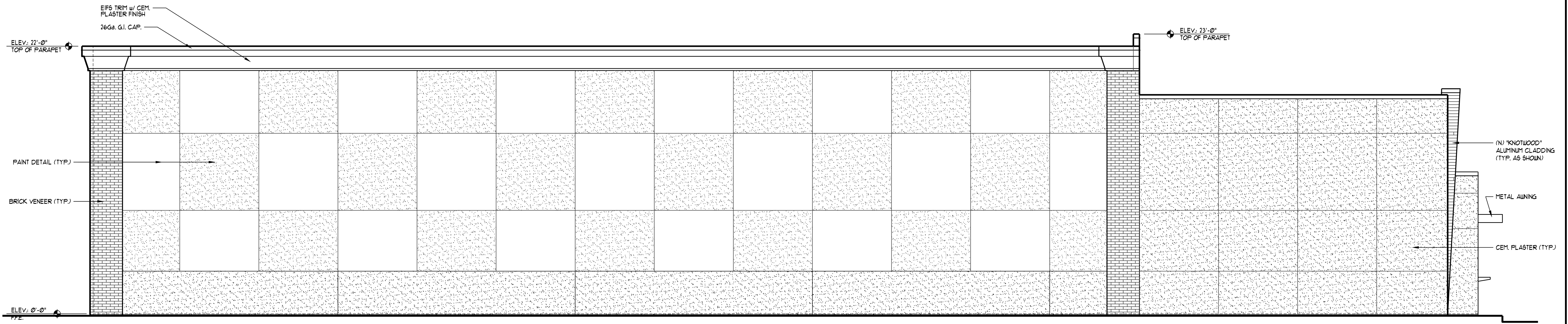
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SHEET DESCRIPTION:
EXTERIOR ELEVATION

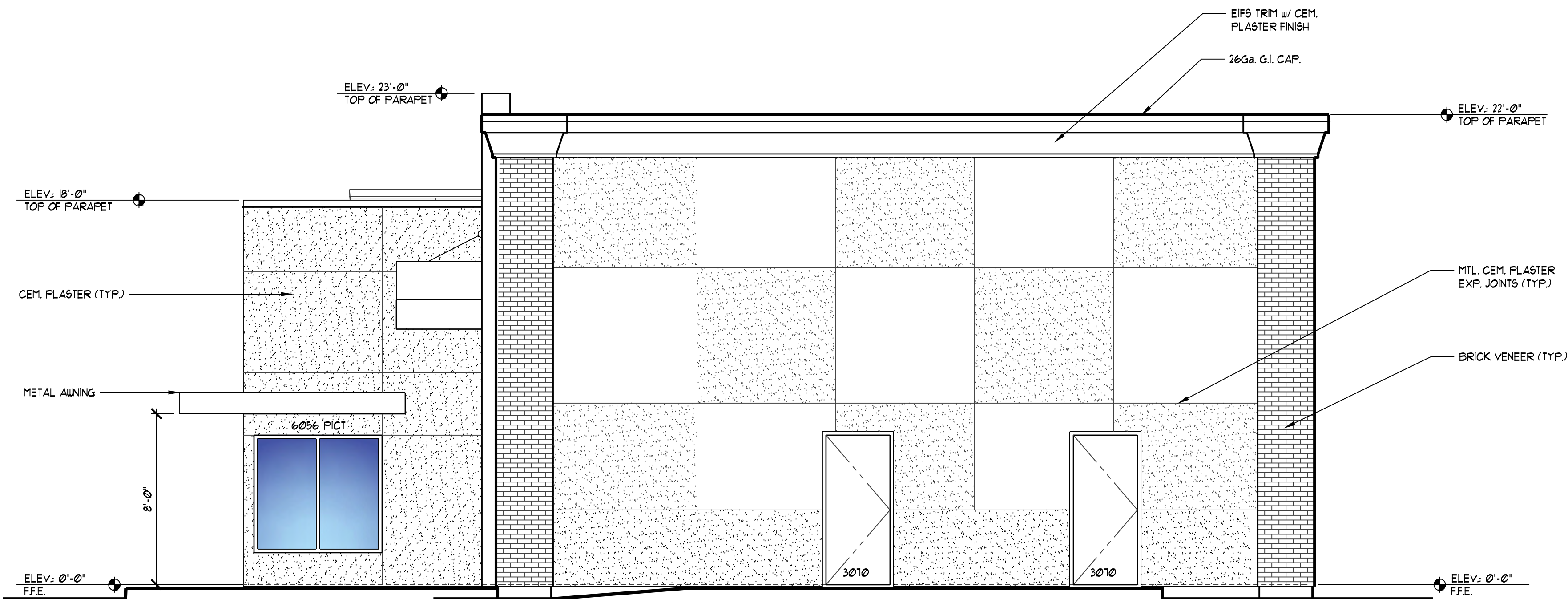
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SHEET NUMBER: **A3.2**
OF SHEETS

PROJECT NUMBER: A.102.22



NORTH ELEVATION

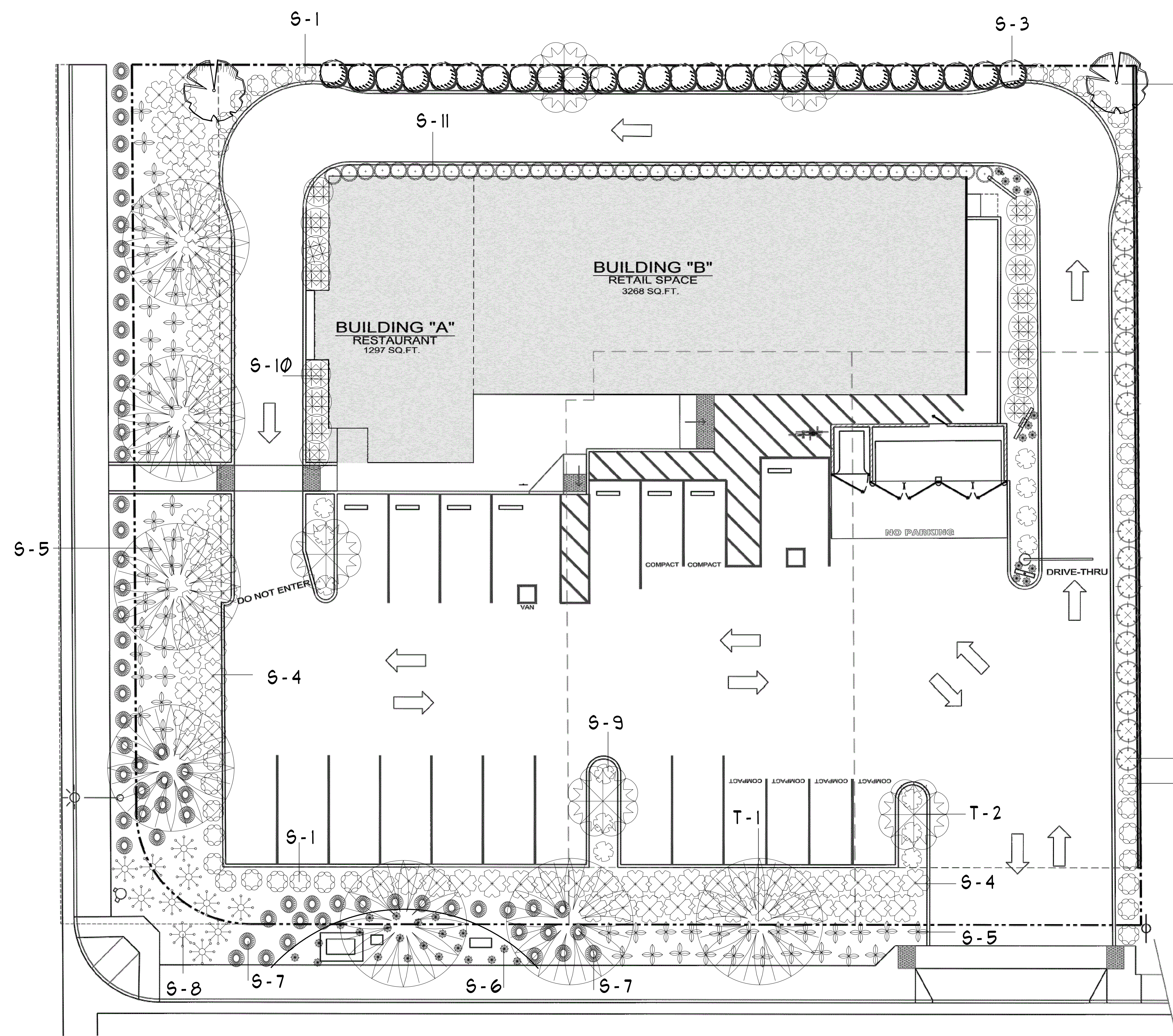


EAST ELEVATION

EXTERIOR ELEVATIONS

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

D I N U B A H W Y



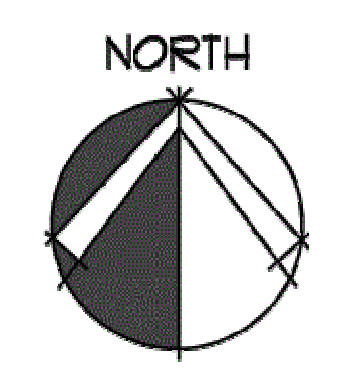
S W E E T A V E N U E

TREE LEGEND

SYM	NAME	QTY	SIZE
T-1	CHINESE PISTACHE	7	24" BOX
T-2	ACER RUBRUM MAPLE	5	15 GAL
T-3	COTINUS COGGYGRIA	2	24" BOX

SHRUB LEGEND

S-1	LIGUSTRUM TEXANUM	35	5 GAL
S-2	ELAEOCARPUS	18	15 GAL
S-3	CAROLINA CHERRY BRITE & TIGHT	26	5 GAL
S-4	OLEA EUROPAEA LITTLE OLLIE	78	5 GAL
S-5	VARIGATED DIANELLA	62	1 GAL
S-6	LANTANA PURPLE TRAILING	35	1 GAL
S-7	RUSSELLIA FIRE CRACKER	61	1 GAL
S-8	SPIRAEA LIMEMOUND	11	5 GAL
S-9	CALLISTEMON LITTLE JOHN	13	5 GAL
S-10	ROSA ICE BURG	16	5 GAL
S-11	BUXUS JAPONICA GREEN BEAUTY	39	1 GAL



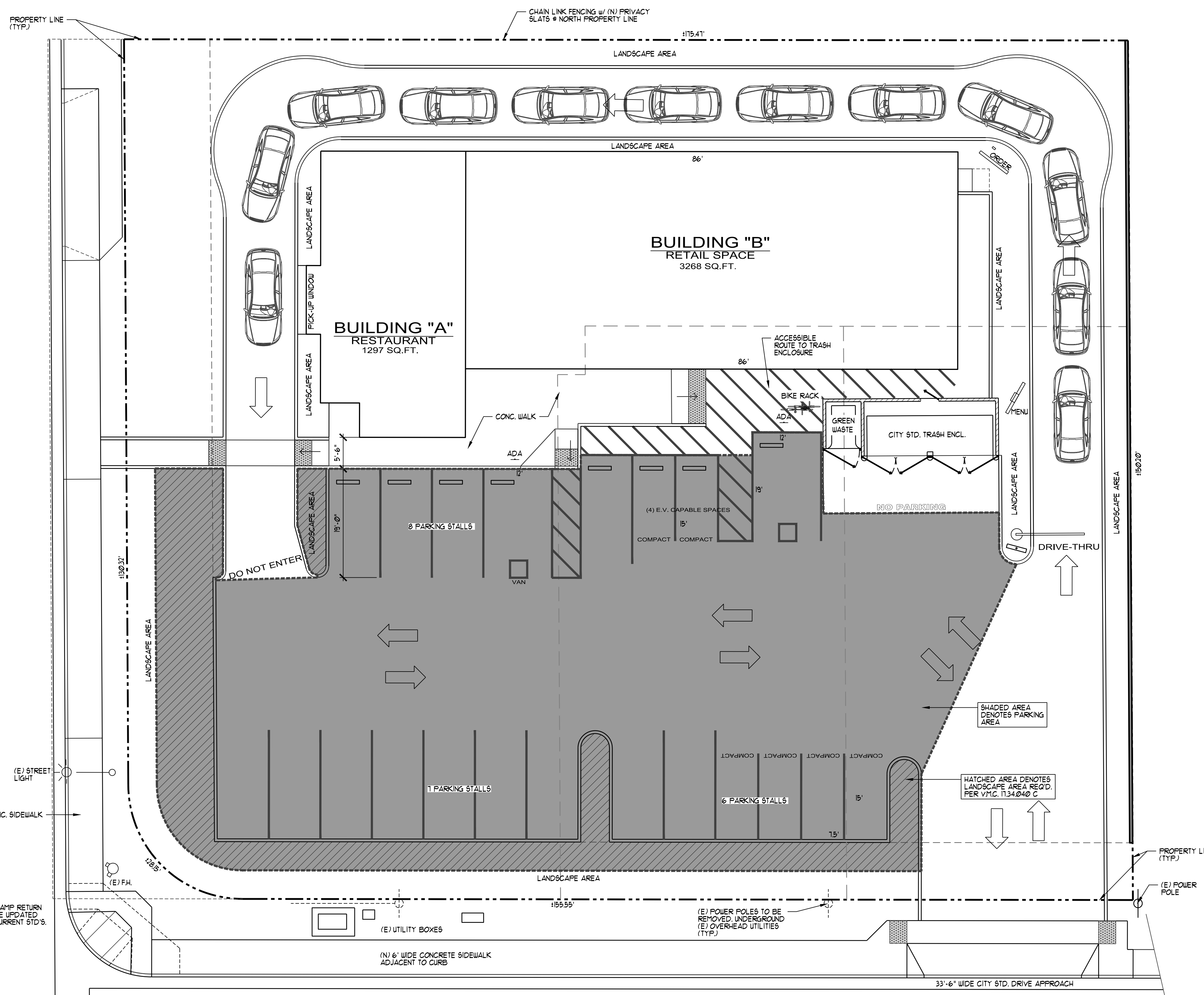
Landscape Design by: Ronald A. Radish
Rainscape

Landscape Plan: L-1
Sien Y. Taing

Scale:
1" = 20'

Revision #:
Date: 11/20/2023

D I N U B A H W Y



SITE INFORMATION

OWNER: SIEN Y. TAING

ADDRESS: 353 BUENA VISTA AVE. VISALIA, CA 93291

PHONE: (559) 936-3465

PROJECT ADDRESS: 1526 N. DINUBA BLVD. VISALIA, CA

APN: 091-161-052, 041 + 009

TOTAL LOT AREA: 2629933 SF, 0.6 ACRES

PARKING:
BUILDING A: 1297 SQ. + 9 REQ'D.
BUILDING B: 3268 SQ. + 11 REQ'D.
TOTAL: 20 STALLS REQUIRED
21 PARKING STALLS PROVIDED

COMPACT = 6 STALLS
STANDARD = 14 STALLS
ACCESSIBLE = 1 STALLS

4 ELECTRIC VEHICLE CAPABLE SPACES PROVIDED

DEVELOPED AREA:
BUILDING A: 1297 SF.
BUILDING B: 3268 SF.
4565 SF. TOTAL

COVERAGE:
4,781 SF. / 26,299,933 SF. = .18 OR 18%

LANDSCAPE REQUIRED: 10% OF PARKING LOT AREA PER SECTION 134.040 OF THE CITY OF VISALIA MUNICIPAL CODE.

PARKING LOT AREA: 9520 SF. x 10 = 952 SF.

LANDSCAPE PROVIDED: 1546 SF. OF LANDSCAPE AREA

TAE ARCHITECTURE AND PLANNING

120 N. "I" STREET
TUHARE, CALIFORNIA 93274
PH: (559) 688-2071
FAX: (559) 688-2073
MIKEP@TAEINC.COM
WWW.TAEINC.COM

AFFILIATION:
LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN

ARCHITECT:
MICHAEL PORTER
LEAD #
STATE OF CALIFORNIA LIC. NUM. - C-24923

BUILDING INFORMATION

ZONING: NEIGHBORHOOD COMMERCIAL

OCCUPANCY: B M

CONSTR. TYPE: V-B

ALLOWABLE AREA: 9,000 SF. 9,000 SF.

NON-SPRINKLERED

BUILDING AREA: 1297 SF. 3268 SF.

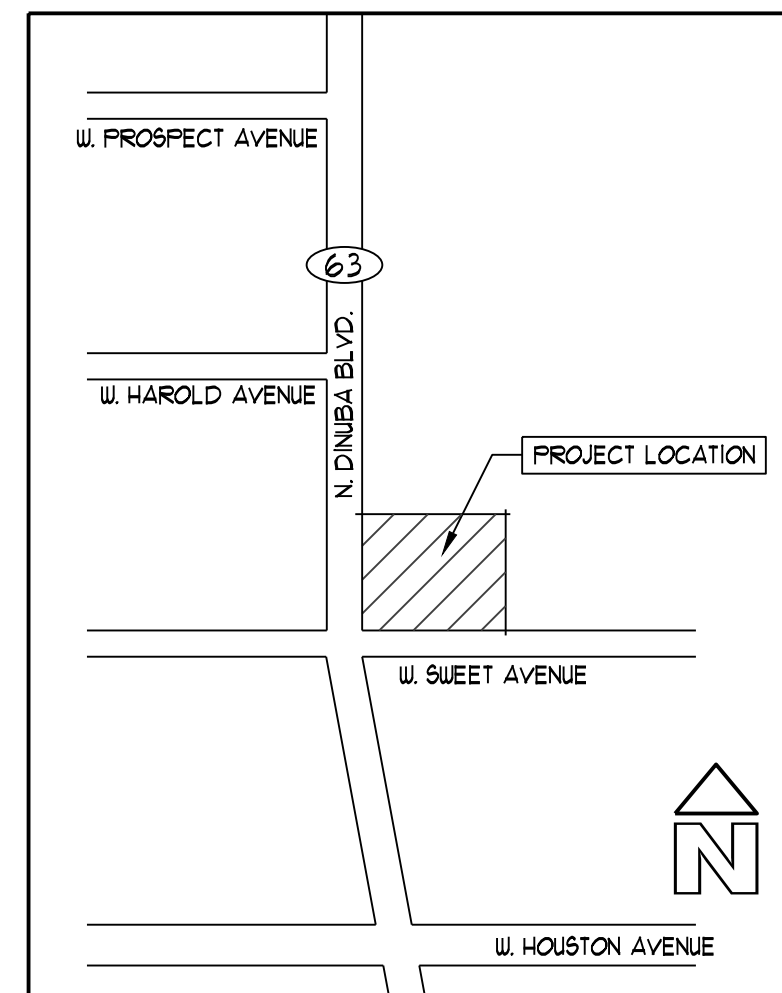
CONSULTANT:

PROJECT:

A NEW RETAIL FACILITY FOR:

MR. SIEN Y. TAING

VISALIA, CALIFORNIA



NOTE:

ITEMS NOTED IN PREVIOUS SITE PLAN REVIEW (2021-155-C, ENGINEERING, ADDITIONAL COMMENT #6) REGARDING CITY GIS COORDINATION & PROPOSED SITE PLAN WILL BE ADDRESSED FOLLOWING THE TOPOGRAPHIC SURVEY OF SAID PROPERTY.

EXISTING UTILITY POLES LOCATED ALONG SWEET AVENUE TO BE REMOVED & UTILITIES TO BE RUN UNDERGROUND AT TIME OF CONSTRUCTION.

DATE	REVISION

SITE PLAN REVIEW

SITE PLAN REVIEW NO: 2023-059

EFFECTIVE DATE: APRIL 19, 2023

SHEET DESCRIPTION:
SITE PLAN

DRAWN: MIKE PORTER

CHECKED:

SCALE: 1" = 10.00'

DATE: 12/10/2023

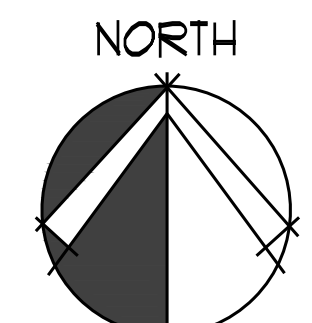
SHEET NUMBER: 10

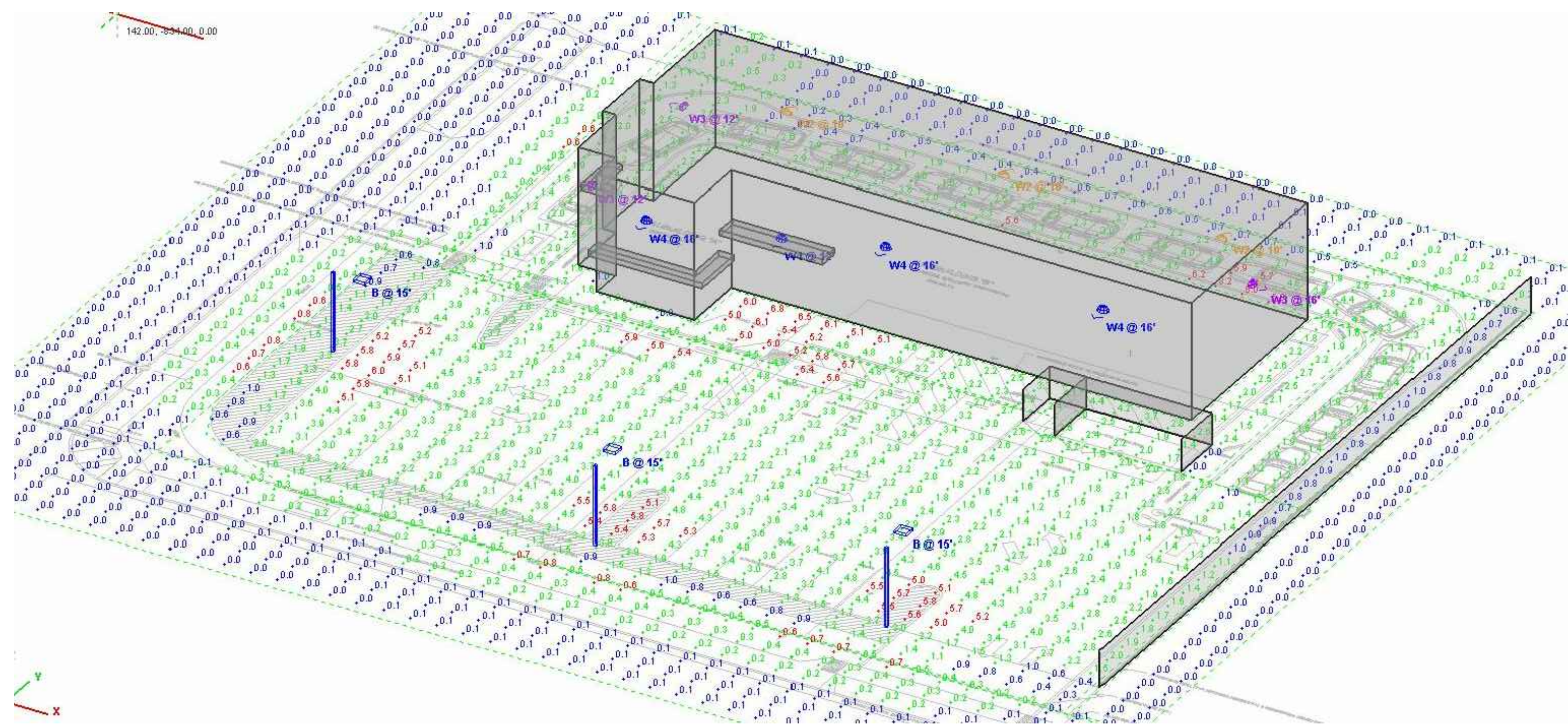
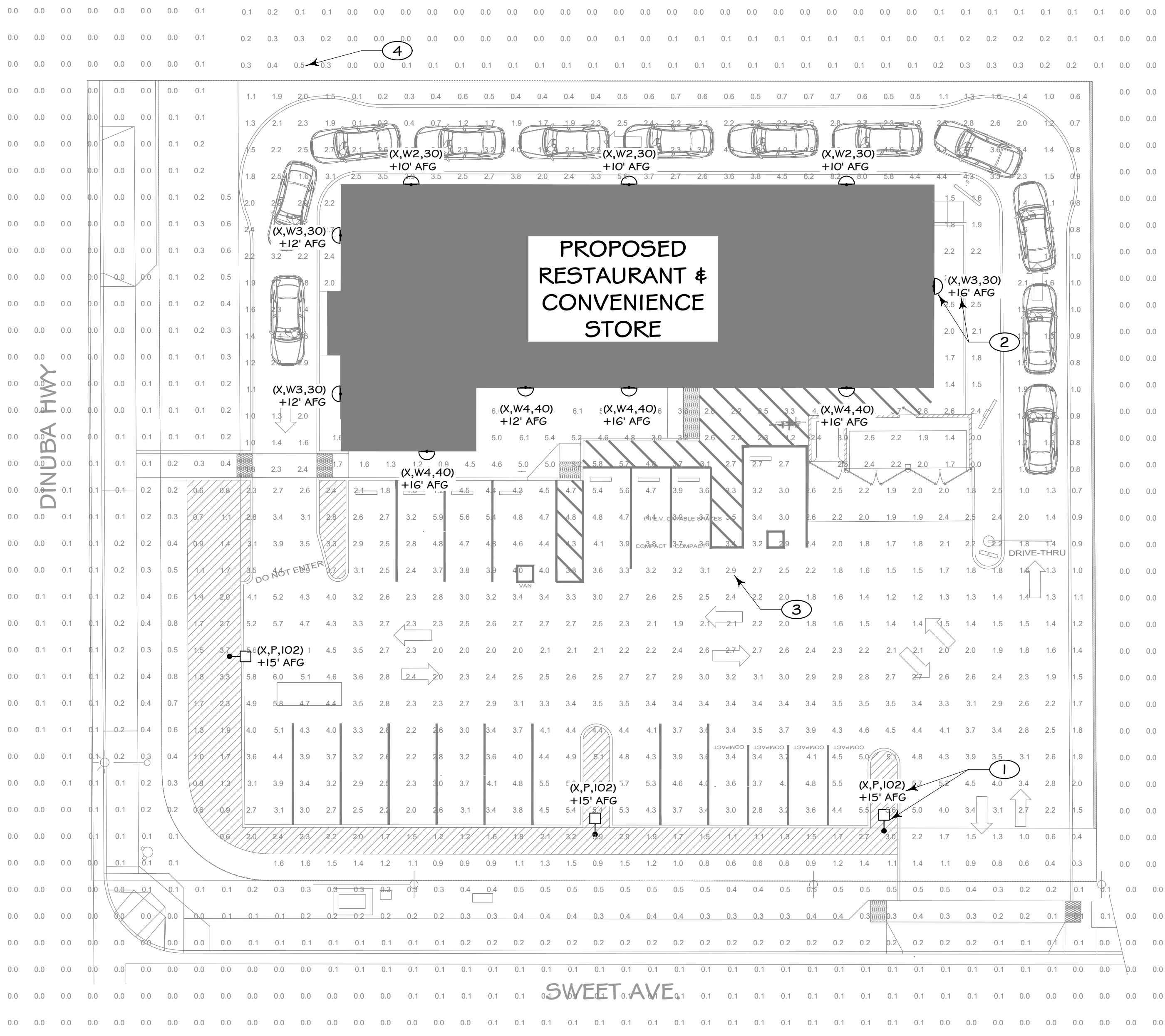
PROJECT NUMBER: A.102.22

S W E E T A V E N U E

PARKING LOT LANDSCAPE AREA

SCALE: 1" = 100.00'





PHOTOMETRIC CALCULATION - ISO VIEW

(THIS ILLUSTRATION MAY NOT BE HELPFUL WHEN PLOTTED IN GRAYSCALE, WITHOUT COLOR)

NO SCALE

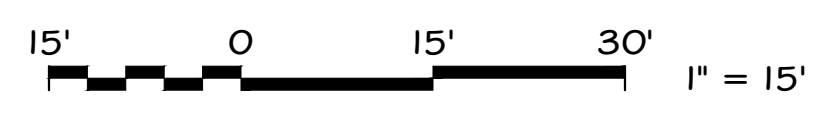
FOR EXTERIOR LTG:
 BLUE = LESS THAN 1.0 FC, LOW LIGHT LEVELS
 GREEN = BETWEEN 1.0 FC AND 5.0 FC, APPROPRIATE LIGHT LEVELS
 RED = GREATER THAN 5.0 FC, HIGH LIGHT LEVELS

FIXTURE SCHEDULE

ALL FIXTURES IN SCHEDULE SHALL BE "OR EQUAL", UON.
 ALL EMERGENCY BATTERY PACKAGES SHALL PROVIDE FULL ILLUMINATION FOR ONE LAMP FOR 90 MINUTES MINIMUM, PER NEC 700.12(F).

FIXTURE VIEW	TYPE	WATTS	LAMP	VOLTS	MTG	DESCRIPTION	MFR	CATALOG NUMBERS	NOTES
	P	102	LED 7,700 LM 4000K	UNV	12" POLE ON 3" PIER, 15" TOTL MTG HGT	AREA LED, SINGLE-HEAD, POLE MTD, TYPE FORWARD-THROW MEDIUM DISTRIBUTION, ONBOARD MOTION SENSOR, HOUSE SIDE SHIELD, WET LOCATION (IP65)	LITHONIA LIGHTING	D-SERIES, SIZE 1 DSXI LED P3 40K 80CRI TFTM MVOLT DDBXD PIRH H5 EGS-F	
	W2	30	LED 3,200 LM 4000K	UNV	WALL PACK	LED WALLPACK, TYPE 2 DISTRIBUTION W/ PHOTOCELL, MOTION SENSOR, 0-10V DIMMING, WET LOCATION (IP65)	LITHONIA LIGHTING	MRW LED P2 5R2 40K MVOLT PE DMG PIR DDBXD	
	W3	30	LED 3,200 LM 4000K	UNV	WALL PACK	LED WALLPACK, TYPE 3 DISTRIBUTION W/ PHOTOCELL, MOTION SENSOR, 0-10V DIMMING, WET LOCATION (IP65)	LITHONIA LIGHTING	MRW LED P2 5R3 40K MVOLT PE DMG PIR DDBXD	
	W4	40	LED 4,800 LM 4000K	UNV	WALL PACK	LED WALLPACK, TYPE 4 DISTRIBUTION W/ PHOTOCELL, MOTION SENSOR, 0-10V DIMMING, WET LOCATION (IP65)	LITHONIA LIGHTING	MRW LED P3 5R4 40K MVOLT PE DMG PIR DDBXD	

SITE LIGHTING PLAN



SITE LIGHTING PLAN NOTES:

- PROVIDE SINGLE-HEAD POLE LIGHT FIXTURE, PER FIXTURE SCHEDULE, THIS SHEET. CALLOUT DENOTES LTG FIXTURE (CKT #, TYPE, WATTAGE), TYP OF 3.
- PROVIDE WALL PACK LIGHT FIXTURE, PER FIXTURE SCHEDULE, THIS SHEET. CALLOUT DENOTES LTG FIXTURE (CKT #, TYPE, WATTAGE), TYP.
- THE VALUES SHOWN REPRESENT THE EXTERIOR PHOTOMETRIC CALCULATIONS AT THE PARKING LOT AREAS, SHOWN IN FOOT-CANDLES (FC). THE IES RECOMMENDED LIGHT LEVEL FOR THE PARKING LOT IS 1.0 FC. THIS DESIGN PROVIDES AN AVERAGE OF 2.9 FC.
- THE VALUES SHOWN REPRESENT THE EXTERIOR PHOTOMETRIC CALCULATIONS AT THE LIGHTING TRESPASS AREAS, SHOWN IN FOOT-CANDLES (FC). THE IES RECOMMENDED LIGHT LEVEL FOR THIS AREA IS .5 FC MAX. THIS DESIGN PROVIDES A MAX OF .4 FC.

UTILITY COMPANY CONTACTS

VERIFY AND COMPLY WITH ALL UTILITY COMPANY REQUIREMENTS BEFORE BIDDING JOB AND OBTAIN ENGINEERED DOCUMENTS BEFORE CONSTRUCTION:

UTILITY SERVICE	UTILITY COMPANY	CONTACT PERSON	CONTACT PHONE
POWER	SOUTHERN CAL EDISON	SCE PLANNING DEPT	800-990-7788
TELEPHONE	AT&T	ENGINEERING / CONSTRUCTION DEPT	855-727-0042
CATV / INTERNET	COMCAST	COMCAST BUSINESS	800-391-3000

IMPORTANT TIME SENSITIVE

ONCE THIS PROJECT IS APPROVED, BEGIN THE APPLICATION PROCESS WITH EACH UTILITY SERVICE IMMEDIATELY TO AVOID SUBSTANTIAL DELAYS IN UTILITY COMPANY PROCESSING AND ENGINEERING TIME. THE APPLICATION PROCESS MUST BE INITIATED BY THE PERSON WITH FINANCIAL RESPONSIBILITY, USUALLY THIS IS THE OWNER OR OWNER'S REPRESENTATIVE. AFTER THE APPLICATION PROCESS HAS BEEN STARTED, THE UTILITY COMPANY WILL ASSIGN A PLANNING REPRESENTATIVE.

GENERAL UTILITY NOTES:

- COORDINATE ALL UNDERGROUND SERVICE CONDUIT QUANTITIES, ALL ROUTING AND TRENCHING REQUIREMENTS, ALL WIRING AND CABLING REQUIREMENTS WITH RESPECTIVE UTILITY COMPANY PLANNING REPRESENTATIVE PRIOR TO BID.
- VERIFY WHETHER THE UTILITY COMPANY WILL PROVIDE THE EQUIPMENT AND/OR THE LABOR. ITEMS FOR WHICH THE UTILITY COMPANY WILL NOT PROVIDE, IT IS THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR TO PROVIDE.

Consultant:
MJB Engineering
 Electrical Engineering Consulting
 Marc Burkhard, PE
 6316 Avenue 400
 Dindaba, California 93618
 Office: (559) 281-1675
 Fax: (559) 591-0266
 Email: mjb@mjb-engineering.com
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 120 N. "L" STREET
 TULARE, CALIFORNIA 93274
 PH: (559) 688-2011
 FAX: (559) 688-2013
 INFO@TAINC.COM
 WWW.TAINC.COM

- AFFILIATIONS:**
- INTERNATIONAL CODE COUNCIL
 - LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN

ARCHITECT:
 KEITH H. REYNOLDS
 STATE OF CALIFORNIA LIC. NUM. - C-24255

CONSULTANT:
 MICHAEL PORTER
 LEAD #1
 STATE OF CALIFORNIA LIC. NUM. - C-20921

REGISTERED PROFESSIONAL ENGINEER
 MARC J. BURKHARD
 NO. E18782
 EXP. 06-30-2025
 ELECTRICAL
 STATE OF CALIFORNIA
 DATE SIGNED: 12/14/2023

PROJECT:
 A NEW RETAIL FACILITY FOR:
MR. SIEN Y. TAING
 VISALIA, CALIFORNIA

DATE	REVISION
11-14-23	PLAN REVIEW #1

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SHEET DESCRIPTION:

SITE LIGHTING PLAN

DRAWN:	SHEET NUMBER:
MJB	E2.1
CHECKED: MJB/MP	AS NOTED
DATE: 12/14/2023	OF XX SHEETS
PROJECT NUMBER: A.102.22	

Operational Statement**First Step Market**

Hours:

8:00am - 9:00pm Mon - Sat

9:00am - 7:00pm Sun

First Step Market is a specialty produce market. We plan to sell staple foods and other cooking ingredients. Our focus will be on fresh produce, dairy products, grains, fresh meat/poultry, seasoning and to-go prepared food. No alcohol or tobacco.

The type of equipment used for this operation are produce stands/fridge, walk-in coolers with display swing doors, meat/poultry display case, grill top and cooktop combo, cook hood, mop sink, commercial sink, display rack and checkout registers.

We expect 75 customers a day. Peak hours from 4pm - 7pm. All customers will be walk-in with no delivery service.

Based on the customer count, we will have 2-3 employees throughout the day.

Vendor deliveries will be twice a week. Tuesday & Thursday at approx. 9am.

Ace Coffee & Pastry

Hours:

5:00am - 5:00pm Mon - Fri

5:00am - 5:00pm Sat

6:00am - 4:00pm Sun

Ace will serve hot & cold coffee in different blends. Ace will also serve fresh baked croissants in different varieties—including muffins and danish.

Equipment needed are ovens, cook hood, coffee brewers, blenders, prep-counter, mop sink, commercial sink, glass display cases and checkout counter. There will also be an amplified menu board.

Expected customer count is 100 a day. Peak hours from 6:00am - 11:00am. If there is an overage with the drive thru, we will have someone go outside near the menu board to speed up the ordering process. If there is a large order during the overage, we will have the customer park & hand deliver their order when completed.

Based on the customer count, we will have 2-3 employees throughout the day.

Vendor deliveries will be once a week, Mondays at approx. 9am.

The previous use of the site was 2 residential homes and 1 1,500 sq ft candle store. The property is currently vacant.

Technical Memorandum

September 21, 2022

To	Keith Reynolds, TAE	File Name	12590465-GHD-MEM-V002.DOCX
Copy to		Email	Gary.Mills@ghd.com
From	Gary Mills, Joe Ramirez	Project No.	12590465
Project Name	Traffic Action Plan – N. Visalia Donut Shop		
Subject	Queueing Analysis		

1. Introduction

GHD has been obtained by TAE Architecture and Planning, Inc., to provide professional transportation planning and traffic engineering services for a proposed retail project in northern Visalia in Tulare County, California. Specifically, the project proposes a 1,330 square foot donut shop with a drive-thru and a 3,484 square foot retail pad and is located at the northeast corner of Sweet Avenue and Dinuba Boulevard (State Route 63). Currently, this lot is vacant.

1.1 Purpose of this Memorandum

The purpose of this memorandum is to analyze queueing that will result from this project, specifically related to the drive-thru donut shop. Prior to this memorandum, GHD prepared a technical memorandum related to project trip generation, which was used to determine incoming trips into the drive-thru lane. In summary, the proposed project is estimated to generate approximately 58 incoming vehicles and 56 outgoing vehicles during the AM peak hour period between 7:00 a.m. and 9:00 a.m.



1.2 Queueing Methodology

According to the *ITE Manual of Transportation Engineering Studies*, the macroscopic approach to measuring queues is to count the arrival and departure volumes for facility aggregated to five-minute intervals. The count should start before any queues are present and it should not end until the queues have all cleared. The difference between the cumulative five-minute arrivals and the five-minute departures is the number of vehicles in queue. The arrival data must be counted just upstream of the end of the longest expected queue.

The *2000 Highway Capacity Manual* (HCM) defines a Queue as: "A line of vehicles, bicycles, or persons waiting to be served by the system in which the flow rate from the front of the queue determines the average speed within the queue. Slowly moving vehicles or people joining the rear of the queue are usually considered part of the queue. The internal queue dynamics can involve starts and stops. A faster-moving line of vehicles is often referred to as a moving queue or a platoon."

For purposes of this analysis, GHD used ITE trip generation numbers to estimate incoming and outgoing trips, as discussed above. To estimate the average queue length, GHD developed a spreadsheet

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simulation model for a single server queueing system (commonly referred to as M/M/1 queueing system). The spreadsheet inputs take into consideration the arrival rate (number of vehicles per hour) and average service time. The actual simulation model includes time (minutes 1 through 59), arrivals that observe Poisson distribution, service time that follows an exponential distribution, and number in the queue (whether the customer exited, the number in the queue at the previous minute, and if there is an arrival at this time). The simulation calculates the server time considering the following scenarios: 1) if the server is busy, 2) time remaining with customer, and 3) if customer exits. Finally, the outputs include arrivals, server utilization rate and average number in the queue.

1.3 Similar Sites in Visalia

GHD identified four (4) donut [doughnut] shops in Visalia that had drive-thru service, including:

- Dunkin’ Donuts
- Scotty’s Donuts (Walnut Avenue)
- Doughboy Donuts
- Scotty’s Donuts (Houston Avenue)

Figures 1-4 identify photographs of the drive-thru locations that were taken on Friday, August 8, 2022. The weather this day was clear and Visalia Unified School District (VUSD) was in session (2nd day of school). Friday was chosen to capture workers who grab a box of donuts for the office or worksite. 7:00 a.m. to 8:00 a.m. was selected to capture any trips prior to the traditional 8:00 a.m. start time and fall within the adjacent street AM Peak Period (7:00 a.m. to 9:00 a.m.).

Based upon field visits, no queueing impacts were observed. In fact, a small sample of vehicles in drive-thru indicate that wait times range between 45 and 90 seconds. This is a result of pre-made donuts and coffee that are ready to go. Cash versus debit/credit card transactions generally do not result in additional delay, according to industry publications.

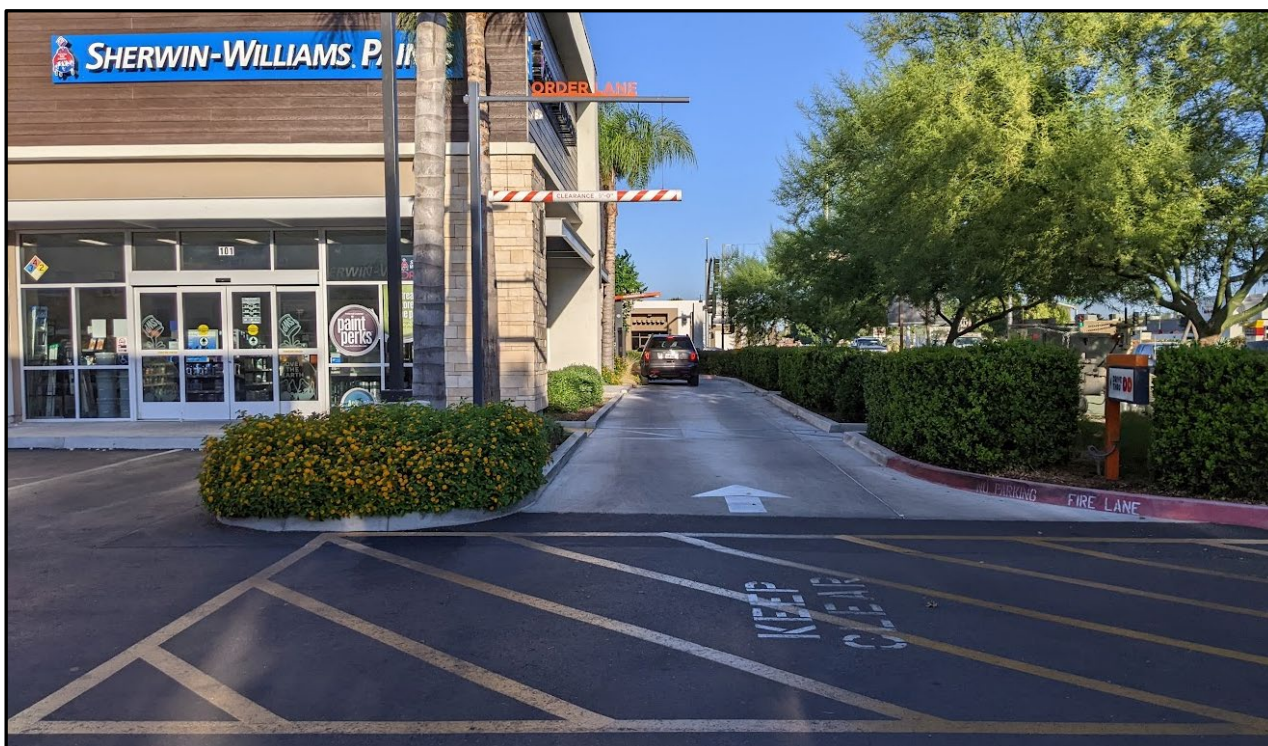


Figure 1 Dunkin’ Donuts (Walnut/Mooney; Friday, August 8, 2022; 7:18 AM)



Figure 2 *Scotty's Donuts (Walnut/Court; Friday, August 8, 2022; 7:23 AM)*



Figure 3 *Doughboy Donuts (Houston/Park; Friday, August 8, 2022; 7:32 AM)*

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Figure 4 Scotty's Donuts (Houston/Hall; Friday, August 8, 2022; 7:39 AM)

1.4 Queueing Analysis

Table 1 shows the queue length by service time. This was developed by using the spreadsheet simulation model as discussed in Section 1.2 (shown on following page). Note, the average vehicle length used was calculated in *SimTraffic*, which calculates the distance between vehicles to be 19.5 ft., whereas the average vehicle length is approximately 15 ft.

Table 1 - Queue Length by Service Time

Service Time	1 Minute	1.5 Minutes	2 Minutes	2.5 Minutes	3.0 Minutes	3.5 Minutes	4 Minutes	4.5 Minutes
Average Queue Length	8.52	14.03	16.79	19.84	22.77	24.26	25.93	27.03
Vehicle Queue (Feet)	166	274	327	387	444	473	506	527
Available Storage (Feet)	341	341	341	341	341	341	341	341

Based upon the site plan, there is approximately 341 ft of storage capacity. Using the *SimTraffic* average vehicle length of 19.5 ft, which is considered greater than the average car length of 15 ft., the storage capacity could accommodate 17 vehicles. As shown in Table 1, service times of 1 minute, 1.5 minutes and 2 minutes can accommodate the 341 ft of storage capacity per site plan. Waiting service time greater than 2.5 minutes would exceed storage capacity based upon assumptions used in this analysis.

1.5 Conclusions

Based upon the spreadsheet simulation model developed by GHD, if service wait times exceed 2.5 minutes, then the vehicle queue will exceed the available storage of 341 feet. This assumes that the ITE trip generation rate of approximately 1 vehicle per minute would enter the queue for the entire hour. Based upon field review of four (4) drive-thru local donut shops in Visalia, this demand [1 vehicle per minute] was not observed. Further, wait times for donut shops tend to be far less than typical drive-thru fast-food restaurants because the food is not made to order, i.e., donuts are already prepared, and your options are what is available. Short wait times at the local donut shops of less than 2 minutes were observed during the field review. As a result, **queueing impacts** at this donut shop will be **less than significant**.

Spreadsheet Simulation Model

Input Variables (Green)

Arrival Rate	50	per hour
Average Service Time	1	minutes
Service Rate	60	per hour

From Trip Gen.
Ind. Avg. or Survey

Simulation Results (Output)

Arrivals	50	per hour
Server Utilization	100.00%	
Average Number in the Queue	7.66	

Day	Time (Minutes)	Random #	Arrival	Number in Queue	Server			Iterations - 1 minute	Avg. Queue Length	Iterations - 3 minutes	Avg. Queue Length
					Busy	Time Left	Exit				
1	0:00	0.960509068	0	0	0	0	0	5.80		22.85	
1	0:01	0.292297339	1	0	1	3	0	6.10		21.85	
1	0:02	0.921110385	1	1	1	2	0	6.60		18.72	
1	0:03	0.102853132	1	2	1	1	1	8.74		17.98	
1	0:04	0.476046627	1	2	1	1	1	5.59		19.25	
1	0:05	0.9084218	1	2	1	1	1	12.56		22.11	
1	0:06	0.784203181	1	2	1	1	1	9.16		22.28	
1	0:07	0.175588866	1	2	1	1	1	4.92		23.66	
1	0:08	0.894411893	1	2	1	3	0	6.89		20.46	
1	0:09	0.462399487	1	3	1	2	0	9.13		19.00	
1	0:10	0.647562813	1	4	1	1	1	6.70		19.51	
1	0:11	0.938375722	1	4	1	1	1	85.19		227.67	
1	0:12	0.251877454	1	4	1	1	1	8.52		22.77	
1	0:13	0.825978026	1	4	1	1	1				
1	0:14	0.282382972	1	4	1	1	1				
1	0:15	0.678731587	1	4	1	1	1				
1	0:16	0.166500661	1	4	1	1	1				
1	0:17	0.764558305	1	4	1	1	1				
1	0:18	0.544010675	1	4	1	3	0				
1	0:19	0.66681259	1	5	1	2	0				
1	0:20	0.614818097	1	6	1	1	1				
1	0:21	0.536658442	1	6	1	1	1				
1	0:22	0.705664322	1	6	1	1	1				
1	0:23	0.426006518	1	6	1	1	1				
1	0:24	0.646380601	1	6	1	1	1				
1	0:25	0.95496865	1	6	1	1	1				
1	0:26	0.496219938	1	6	1	1	1				
1	0:27	0.489735674	1	6	1	1	1				
1	0:28	0.435201738	1	6	1	1	1				
1	0:29	0.66679431	1	6	1	1	1				
1	0:30	0.231514411	1	6	1	1	1				
1	0:31	0.896477858	1	6	1	2	0				
1	0:32	0.362618408	1	7	1	1	1				
1	0:33	0.786828809	1	7	1	1	1				
1	0:34	0.613006294	1	7	1	1	1				
1	0:35	0.360650976	1	7	1	2	0				
1	0:36	0.447005094	1	8	1	1	1				
1	0:37	0.44619488	1	8	1	1	1				
1	0:38	0.814476423	1	8	1	2	0				
1	0:39	0.21915491	1	9	1	1	1				
1	0:40	0.503172874	1	9	1	1	1				
1	0:41	0.330393081	1	9	1	1	1				
1	0:42	0.342962862	1	9	1	2	0				
1	0:43	0.220895431	1	10	1	1	1				
1	0:44	0.607280994	1	10	1	1	1				
1	0:45	0.214101728	1	10	1	7	0				
1	0:46	0.727085707	1	11	1	6	0				
1	0:47	0.36697239	1	12	1	5	0				
1	0:48	0.852828392	1	13	1	4	0				
1	0:49	0.362730215	1	14	1	3	0				
1	0:50	0.969720633	0	14	1	2	0				
1	0:51	0.587186498	1	15	1	1	1				
1	0:52	0.948014256	1	15	1	1	1				
1	0:53	0.117582358	1	15	1	1	1				
1	0:54	0.553208362	1	15	1	1	1				
1	0:55	0.552335162	1	15	1	1	1				
1	0:56	0.908150500	1	15	1	2	0				
1	0:57	0.181096895	1	16	1	1	1				
1	0:58	0.810216353	1	16	1	2	0				
1	0:59	0.920294346	1	17	1	1	1				
1	1:00	0.519804163	1	17	1	1	1				

This Technical Memorandum is provided as an interim output under our agreement with TAE, Inc. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

ACOUSTICAL ANALYSIS

**SIEN Y TAING RETAIL DEVELOPMENT
1526 NORTH DINUBA BOULEVARD
VISALIA, CALIFORNIA**

WJVA Project No. 23-34

PREPARED FOR

**TAE ARCHITECTURE & PLANNING
1240 NORTH L STREET
TULARE, CALIFORNIA 93274**

PREPARED BY

**WJV ACOUSTICS, INC.
VISALIA, CALIFORNIA**



wjk acoustics

FEBRUARY 1, 2024

INTRODUCTION

The project is a proposed retail development, to consist of a specialty produce market (First Step Market) as well as a coffee and pastry restaurant (Ace Coffee & Pastry). The project site is located at 1526 N. Dinuba Boulevard (SR 63), in Visalia, California.

- **First Step Market:** First Step Market is a specialty produce market. The Market plans to sell staple foods and other cooking ingredients. The focus will be on fresh produce, dairy products, grains, fresh meat/poultry, seasoning and to-go prepared food. No alcohol or tobacco will be sold. The Market would be open between 8:00 a.m. to 9:00 p.m., Monday through Saturday and between 9:00 a.m. to 7:00 p.m. on Sundays.
- **Ace Coffee & Pastry:** Ace will serve hot and cold coffee in different blends. Ace will also serve fresh baked croissants in different varieties, including muffins and Danish pastries. Ace would include drive-thru operations. Ace will be open between 5:00 a.m. to 5:00 p.m., Monday through Saturday and between 6:00 a.m. to 4:00 p.m. on Sundays.

This report is based upon the project site plan prepared by TAE Architecture & Planning, Inc. dated July 21, 2023, noise measurements obtained by WJV Acoustics, Inc. (WJVA) at the project site, reference noise measurements conducted by WJVA and project-related information provided to WJVA by the project applicant concerning the proposed project activities and hours of operation. Revisions to the site plan or other project-related information available to WJVA at the time the analysis was prepared may require a reevaluation of the findings and/or recommendations of the report. The Project Site Plan is provided as Figure 1.

Appendix A provides definitions of the acoustical terminology used in this report. Unless otherwise stated, all sound levels reported in this analysis are A-weighted sound pressure levels in decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A-weighted sound levels, as they correlate well with public reaction to noise. Appendix B provides typical A-weighted sound levels for common noise sources.

CRITERIA FOR ACCEPTABLE NOISE EXPOSURE

The City of Visalia Noise Element of the General Plan (noise element) establishes noise level criteria in terms of the Day-Night Average Level (L_{dn}) metric, for transportation noise sources. The L_{dn} is the time-weighted energy average noise level for a 24-hour day, with a 10 dB penalty added to noise levels occurring during the nighttime hours (10:00 p.m.-7:00 a.m.). The L_{dn} represents cumulative exposure to noise over an extended period of time and is therefore calculated based upon *annual average* conditions.

The exterior noise level standard of the noise element is 65 dB L_{dn} for outdoor activity areas of residential uses. Outdoor activity areas generally include backyards of single-family residences and individual patios or decks and common outdoor activity areas of multi-family developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

The noise element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB L_{dn} . The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep.

Additionally, the noise element establishes hourly acoustical performance standards for non-transportation (stationary) noise sources. The standards are set in terms of the L_{eq} (hourly equivalent) and L_{max} (maximum) noise levels. The standards, provided in Table I, are made more restrictive during the nighttime hours of 10:00 p.m. to 7:00 a.m.

TABLE I			
NON-TRANSPORTATION NOISE LEVEL STANDARDS, dBA			
CITY OF VISALIA			
Daytime (7 a.m.-10 p.m.)		Nighttime (10 p.m.-7 a.m.)	
L_{eq}	L_{max}	L_{eq}	L_{max}
50	70	45	65

Source: City of Visalia Noise Element of General Plan

Section 8.36 of the City’s Municipal Code (noise ordinance) applies to noise sources that are not pre-empted from local control by existing state or federal regulations. Commercial activities are not pre-empted noise sources and are therefore subject to the provisions of the noise ordinance.

The noise ordinance addresses the statistical distribution of noise over time and allows for progressively shorter periods of exposure to levels of increasing loudness. Table II summarizes the exterior noise level standards of the ordinance. Note that the ordinance is to be applied during any one-hour time period of the day, and that the standards are 5 dB more restrictive between the hours of 7:00 p.m. and 6:00 a.m.

TABLE II
EXTERIOR NOISE LEVEL STANDARDS, dBA
CITY OF VISALIA NOISE ORDINANCE

Category	Cumulative # Min/Hr. (L _n)	Daytime (6am-7pm)	Nighttime (7pm-6am)
1	30 (L ₅₀)	50	45
2	15 (L ₂₅)	55	50
3	5 (L _{8.3})	60	55
4	1 (L _{1.7})	65	60
5	0 (L _{max})	70	65

Note: L_n is an abbreviation for the percentage of time that a certain noise level is exceeded during a specified time period (in this case, one hour). For example, an L₅₀ value of 50 dBA may not be exceeded during the hours of 6 am-7pm.

Source: City of Visalia Municipal Code

The City’s noise ordinance also establishes interior residential noise level standards that would apply to the project. The interior noise level standards are established in allowable exceedance limits over differing amounts of time, within residential land uses. Similar to the applicable exterior standards, the interior standards become 5 dB more restrictive during nighttime hours. The applicable interior noise level standards are provided in Table III.

TABLE III
INTERIOR NOISE LEVEL STANDARDS, dBA
CITY OF VISALIA NOISE ORDINANCE

Category	Cumulative # Min/Hr.	Daytime (6am-7pm)	Nighttime (7pm-6am)
1	5	45	35
2	1	50	40
3	0	55	45

Source: City of Visalia Municipal Code

The City’s noise ordinance also states *“In the event the measured ambient noise level without the alleged offensive source in operation exceeds an applicable noise level standard in any category above, the applicable standard or standards shall be adjusted so as to equal the ambient noise level”*.

PROJECT SITE NOISE EXPOSURE

The project site is currently an undeveloped lot located at 1526 N. Dinuba Boulevard. The project site is bordered to the north by retail land uses (Family Dollar Store), to the east by currently unoccupied neighborhood commercial zoned parcels (404 & 412 W. Sweet Avenue), to the south by retail land uses across Sweet Street (Valero gas station and mini-mart), and to the west by N. Dinuba Boulevard (with residential and office land uses along the west side of the roadway). It should be noted, although 404 W. Sweet Avenue is commercially zoned, there is an existing single-family residence on the property, which has been analyzed as a noise-sensitive land use for this analysis.

The closest sensitive receptors (residential land uses) to the project site are located approximately 100 feet to the west (along N. Dinuba Boulevard) and approximately 50 feet to the east (404 W. Sweet Avenue). The former single-family residence located at 412 W. Sweet Avenue has been demolished, and is not analyzed as a noise-sensitive land use.

A project site inspection and ambient noise monitoring were conducted on September 12 & 13, 2023, to evaluate the acoustical characteristics of the site and quantify existing ambient noise levels within the project area. The existing ambient noise environment is dominated by traffic noise associated with vehicles traveling on Dinuba Boulevard, and to a lesser extent, Sweet Street. Additional sources of noise observed during the site inspection included noise from the Valero gas station and convenience store south of the project site and the Family Dollar store, north of the project site (amplified music, car stereos, vehicle movements, voices, etc.).

Ambient noise monitoring equipment consisted of a Larson-Davis Laboratories Model LDL 820 sound level analyzer equipped with a Bruel & Kjaer (B&K) Type 4176 ½" microphone. The monitor was calibrated with a B&K Type 4230 acoustical calibrator to ensure the accuracy of the measurements. The equipment complies with applicable specifications of the American National Standards Institute (ANSI) for Type 1 (precision) sound level meters.

WJVA collected 15-minute ambient noise level measurements near the existing residential land uses adjacent to the project site to the east. It should be noted, the residences located east of the site are currently uninhabited and condemned. The future intent of these parcels is not known at the time this analysis was prepared. The location of the short-term ambient noise measurement site (ST-1) was selected as it represents existing ambient noise levels at the residentially zoned property line adjacent to the project site.

Three (3) individual noise measurements were collected at the ambient noise measurement site to document existing (without project) ambient noise levels during early morning, midday, and late evening conditions. The findings of the noise measurements are provided in Table IV. The project vicinity and ambient noise monitoring site location are provided as Figure 2. Figure 3 provides a photograph of the short-term ambient noise measurement site ST-1.

TABLE IV
SUMMARY OF SHORT-TERM AMBIENT NOISE MEASUREMENT DATA
1526 N. DINUBA BOULEVARD, VISALIA
SEPTEMBER 12 & 13, 2023

Site	Time	A-Weighted Decibels, dBA					
		L _{eq}	L ₅₀	L ₂₅	L ₈	L ₂	L _{max}
ST-1	5:15 a.m.	60.6	58.2	60.7	63.6	69.1	73.2
ST-1	1:30 p.m.	58.6	57.7	59.5	61.8	64.4	65.5
ST-1	8:45 p.m.	61.6	58.6	61.9	65.4	71.0	78.1

Source: WJV Acoustics, Inc.

From Table IV it can be determined that existing ambient (without project) noise levels at monitoring site ST-1 were in the range of approximately 59 to 62 dB L_{eq} with maximum noise levels in the range of 66 to 78 dB. The noise levels described in Table IV exceed the City’s exterior noise level standards for stationary noise sources in all statistical categories during each of the noise measurement periods. Such existing ambient noise levels warrant an adjustment (increase) in the noise level standards described above. The noise levels described in Table IV shall be applied as the noise standards, for which the proposed project may not exceed (consistent with VMC Sec. 8.36.040.B.)

PROJECT RELATED NOISE LEVELS

The project is a proposed retail development, to consist of a specialty produce market (First Step Market) as well as a coffee and pastry restaurant (Ace Coffee & Pastry). The project site is located at 1526 N. Dinuba Boulevard (SR 63), in Visalia, California. First Step Market would generally be open between the hours of 8:00 a.m. to 9:00 p.m. and Ace Coffee & Pastry would generally be open between the hours of 5:00 a.m. to 5:00 p.m.

Noise levels associated with the retail development would generally be limited to parking lot activities and the drive-thru food service operations. It is assumed that the drive-thru would incorporate an amplified menu board for customers to place their orders.

Drive-Thru Operations:

The proposed project would include drive-thru operations as part of the Ace Coffee & Pastry restaurant. According to the project site plan, drive-thru customers would access the drive-thru via the eastern portion of the project site via Sweet Street, and would proceed along the project site’s eastern property line. Customers would place their order at the menu board located at the northeast corner of the project site, before proceeding along the northern property line, turning southward, and collecting their orders at the northwest corner of the project site.

In order to assess potential project-related noise levels associated with drive-thru operations, WJVA utilized reference noise levels measured at a Wendy’s drive-thru restaurant located on at 2545 S. Mooney Boulevard in Visalia. Measurements were conducted during the early afternoon

of July 11, 2011 between 12:45 p.m. and 1:45 p.m. using the previously-described noise monitoring equipment.

The microphone used by customers to order food and the loudspeaker used by employees to confirm orders are both integrated into a menu board that is located a few feet from the drive-thru lane at the approximate height of a typical car window. Vehicles would enter the drive-thru lane from the west and then turn to the north along the east side of the restaurant.

Reference noise measurements were obtained at a distance of approximately 40 feet from the menu board containing the microphone/loudspeaker system at an angle of about 45° toward the rear of the vehicle being served. This provided a worst-case exposure to sound from the loudspeaker system since the vehicle was not located directly between the loudspeaker and measurement location. Cars were lined up in the access lane during the noise measurement period indicating that the drive-thru lane was operating at or near a peak level of activity.

Each ordering cycle was observed to take approximately 60 seconds including vehicle movements. A typical ordering cycle included 5-10 seconds of loudspeaker use with typical maximum noise levels in the range of 60-62 dBA at the 40 foot-reference location. Vehicles moving through the drive-thru lane produced noise levels in the range of 55-60 dBA at the same distance. Vehicles parked at the ordering position (between the menu board and measurement site) were observed to provide significant acoustic shielding during the ordering sequence. The effects of such shielding are reflected by the noise measurement data. Noise levels were measured to approximately 60 dB L_{eq}/L_{50} at the measurement site, and included noise from all sources, including the loudspeaker, vehicle idling and movements and HVAC equipment.

As described above, the proposed hours of operation for the drive-thru would generally be between 5:00 a.m. and 5:00 p.m. This means that the nighttime standards of the City's Noise Ordinance (Municipal Code) and the City's General Plan are applicable to the project.

As noted above, a typical drive-through ordering cycle was observed to last about 60 seconds during peak levels of activity. This translates into about 60 cycles per hour. Assuming that loudspeaker use would average 5-10 seconds per cycle, also noted above, loudspeaker use would total 5-10 minutes per hour (or 8.3-16.7% of the time) during peak levels of activity. This corresponds to the $L_{8.3}$ and L_{25} statistical categories of the city's noise ordinance.

The closest potentially noise-sensitive receptors to the project are residential land uses located to the west (west side of N. Dinuba Blvd) and to the east (404 W. Sweet Avenue). The closest residential property line would be located about 50 feet from the project site. Potential project-related noise exposure at that location was calculated based upon the above-described reference noise measurement data and the normal rate of sound attenuation over distance for a "point" noise source (6 dB/doubling of distance).

Table IV summarizes project-related noise levels at the closest residential property lines (approximately 50 feet), and compares the levels to applicable noise ordinance standards. It

should be noted, the applicable noise standards provided in Table III have been adjusted based upon existing measured ambient noise levels at site ST-1, per City of Visalia noise ordinance (VMC Sec. 8.36.040.B.).

TABLE IV WORST-CASE NOISE EXPOSURE COMPARED TO NOISE ORDINANCE STANDARDS SIEN Y TAING RETAIL DEVELOPMENT, VISALIA							
Category	Cumulative Min/Hr. (L_n)	Daytime (6:00 a.m.-7:00 p.m.)			Nighttime (7:00 p.m.-6:00 a.m.)		
		Noise Standard ¹	Project Noise	Compliance	Noise Standard ¹	Project Noise	Compliance
1	30 (L_{50})	58	58	Yes	58	58	Yes
2	15 (L_{25})	60	59	Yes	61	59	Yes
3	5 ($L_{8.3}$)	62	59	Yes	64	59	Yes
4	1 ($L_{1.7}$)	64	60	Yes	69	60	Yes
5	0 (L_{max})	66	60	Yes	73	60	Yes

¹Standards adjusted based upon measured existing ambient noise levels
Source: WJV Acoustics, Inc.

In addition to the noise standards provided in the noise ordinance, the General Plan noise standards (provided above as Table I) are also applicable to the project. Similar to the noise ordinance standards, the existing ambient noise levels measured at the project site already exceed the City of Visalia General Plan daytime and nighttime noise standards, and thus the existing ambient noise levels become the noise standards applicable to the project. These daytime and nighttime standards (measured ambient noise levels) are provided below:

- Daytime (7:00 a.m. to 10:00 p.m.): 59 dB L_{eq} , 66 dB L_{max}
- Nighttime (10:00 p.m. to 7:00 a.m.): 61 dB L_{eq} , 73 dB L_{max}

As described above, noise levels associated with drive-thru operations were calculated to be approximately 58 dB L_{eq} and 60 dB L_{max} , at the closest residential property line to the menu-board and drive-thru lane.

Based upon this analysis and existing ambient noise levels, noise levels associated with the project are not expected to exceed applicable City of Visalia noise standards, and noise mitigation measures are not required for project compliance with applicable City of Visalia noise standards.

Parking Lot Activities:

Noise due to traffic in parking lots is typically limited by low speeds and is not usually considered to be significant. Human activity in parking lots that can produce noise includes voices, stereo systems and the opening and closing of car doors and trunk lids. Such activities can occur at any time. The noise levels associated with these activities cannot be precisely defined due to variables

such as the number of parking movements, time of day and other factors. It is typical for a passing car in a parking lot to produce a maximum noise level of 60-65 dBA at a distance of 50 feet, which is comparable to the level of a raised voice.

For this project, parking would be generally be located along the southern portion of the project site. The closest proposed parking areas would be located approximately 100 feet from the closest residentially zoned parcels to the east and approximately 100 feet from the residence located at 404 W. Sweet Avenue. At this distance, maximum (L_{max}) parking lot vehicle movements would be expected to be approximately 52 to 57 dB L_{max} . Such levels do not exceed applicable noise level standards or existing ambient noise levels.

CONCLUSIONS AND RECOMMENDATIONS

Noise levels associated with the proposed retail development project would not be expected to exceed any City of Visalia noise level standards, when adjusted for existing ambient noise levels (VMC Sec. 8.36.040.B.). Existing (without project) ambient noise levels in the vicinity of the project site are considered to be relatively high, due to the project site's proximity to N. Dinuba Boulevard (State Route 63) and 24-hour commercial activities (Valero gas station) adjacent to the project site. As such, project-related noise levels would not be expected to exceed existing ambient noise levels at any sensitive receptor location near the project site.

The conclusions and recommendations of this acoustical analysis are based upon the best information known to WJV Acoustics Inc. (WJVA) at the time the analysis was prepared concerning the proposed site plan, project equipment and proposed hours of operation. Any significant changes in these factors will require a reevaluation of the findings of this report. Additionally, any significant future changes in noise regulations or other factors beyond WJVA's control may result in long-term noise results different from those described by this analysis.

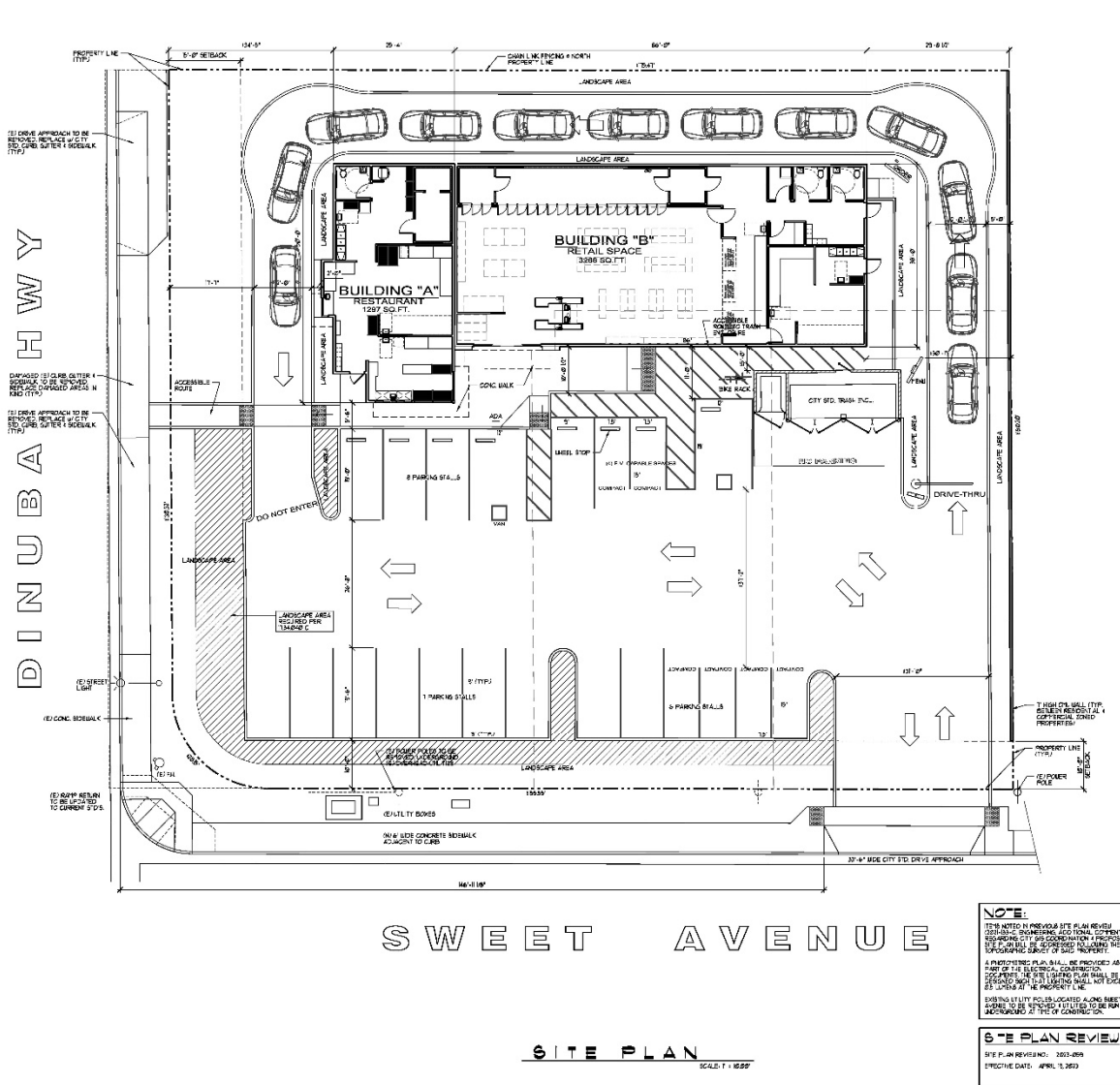
Respectfully submitted,



Walter J. Van Groningen
President

WJV:wjv

FIGURE 1: PROJECT SITE PLAN



SITE INFORMATION	
OWNER:	SEN Y. TANG
ADDRESS:	335 MAIN AVE AVE VISALIA CA 93291
PHONE:	559-739-7493
PROJECT ADDRESS:	830 N. DINUBA BLVD VISALIA CA
APPLICANT:	230 W. 2ND, 0411-0009
TOTAL LOT AREA:	163933 SQ. FT. 3.8 ACRES
LANDSCAPE:	BUILDING A (RESTAURANT) 9 REEDS BUILDING B (RETAIL) 1 REEDS TOTAL: 28 STALLS REQUIRED 28 PARKING STALLS PROVIDED
CONCRETE:	CONCRETE 4 IN. SLAB SURFACING 1 1/2 IN. SLAB ACCESSIBLE 1 STALL
ELECTRIC VEHICLE CAPABLE SPACES PROVIDED:	0
BUILDING A DEVELOPED AREA:	1297 SQ. FT.
BUILDING B DEVELOPED AREA:	3299 SQ. FT.
TOTAL DEVELOPED AREA:	4596 SQ. FT. TOTAL
CONCRETE:	4.38 SQ. YD. 262550 LB. 1.8 OR BA LANDSCAPE REQUIRED: 83 SQ. YD. PARKING LOT AREA LANDSCAPE PROVIDED: 1346 SQ. YD. LANDSCAPE AREA

TAE
INCORPORATED
ARCHITECTURE
AND PLANNING

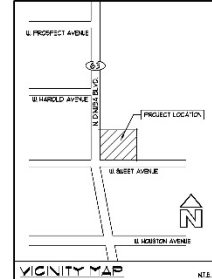
100 N. 7TH STREET
VISALIA, CALIFORNIA 93291
TEL: 559-739-7493
FAX: 559-739-7494
WWW.TAEARCHITECT.COM

AFFILIATIONS:
• REGISTERED ARCHITECT
• MEMBER AIA VISALIA
• MEMBER AIA VISALIA

ARCHITECT:
SEN Y. TANG
DATE: 04/08/2019

PROJECT NUMBER:
DATE: 04/08/2019

BUILDING INFORMATION	
ZONING:	NE SHERRWOOD COMMERCIAL
OCCUPANCY:	B 1
GRIDLINE:	1-5
ALLOWABLE AREA:	5000 SQ. FT. 1200 SQ. FT.
BUILDING AREA:	NON-SUBMITTERED 1297 SQ. FT. 3299 SQ. FT.



CONSULTANT:
PROJECT:
MR. SIEN Y. TANG
VISALIA, CALIFORNIA

UTILITY PROVIDERS:	
WATER:	LOCAL TOWN WATER SERVICE 1591 2ND AVE
SEWER:	CITY OF VISALIA 1591 2ND AVE
ELECTRIC:	SOLENARIAN CALIFORNIA Edison 1591 2ND AVE
Gas:	SOLENARIAN CALIFORNIA Gas Co. 1591 2ND AVE
TELEPHONE:	VERIFY w/ OWNER

DATE	REVISION

SHEET DESCRIPTION:
SITE PLAN

DATE: 04/08/2019
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1" = 30'-0"

NOTE:
THIS SITE PLAN IS PROVIDED AS AN ADVISORY SERVICE ONLY. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED TO THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SITE PLAN. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED TO THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SITE PLAN.

SITE PLAN REVIEW
DATE: 04/08/2019
SPECIFIC DATE: APRIL 8, 2019

FIGURE 2: PROJECT SITE VICINITY AND NOISE MONITORING SITE LOCATION



FIGURE 3: AMBIENT NOISE MONITORING SITE ST-1



APPENDIX A

ACOUSTICAL TERMINOLOGY

AMBIENT NOISE LEVEL:	The composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.
CNEL:	Community Noise Equivalent Level. The average equivalent sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and ten decibels to sound levels in the night before 7:00 a.m. and after 10:00 p.m.
DECIBEL, dB:	A unit for describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).
DNL/L_{dn}:	Day/Night Average Sound Level. The average equivalent sound level during a 24-hour day, obtained after addition of ten decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m.
L_{eq}:	Equivalent Sound Level. The sound level containing the same total energy as a time varying signal over a given sample period. L _{eq} is typically computed over 1, 8 and 24-hour sample periods.
NOTE:	The CNEL and DNL represent daily levels of noise exposure averaged on an annual basis, while L _{eq} represents the average noise exposure for a shorter time period, typically one hour.
L_{max}:	The maximum noise level recorded during a noise event.
L_n:	The sound level exceeded "n" percent of the time during a sample interval (L ₉₀ , L ₅₀ , L ₁₀ , etc.). For example, L ₁₀ equals the level exceeded 10 percent of the time.

A-2

ACOUSTICAL TERMINOLOGY

NOISE EXPOSURE

CONTOURS:

Lines drawn about a noise source indicating constant levels of noise exposure. CNEL and DNL contours are frequently utilized to describe community exposure to noise.

NOISE LEVEL

REDUCTION (NLR):

The noise reduction between indoor and outdoor environments or between two rooms that is the numerical difference, in decibels, of the average sound pressure levels in those areas or rooms. A measurement of noise level reduction combines the effect of the transmission loss performance of the structure plus the effect of acoustic absorption present in the receiving room.

SEL or SENEL:

Sound Exposure Level or Single Event Noise Exposure Level. The level of noise accumulated during a single noise event, such as an aircraft overflight, with reference to a duration of one second. More specifically, it is the time-integrated A-weighted squared sound pressure for a stated time interval or event, based on a reference pressure of 20 micropascals and a reference duration of one second.

SOUND LEVEL:

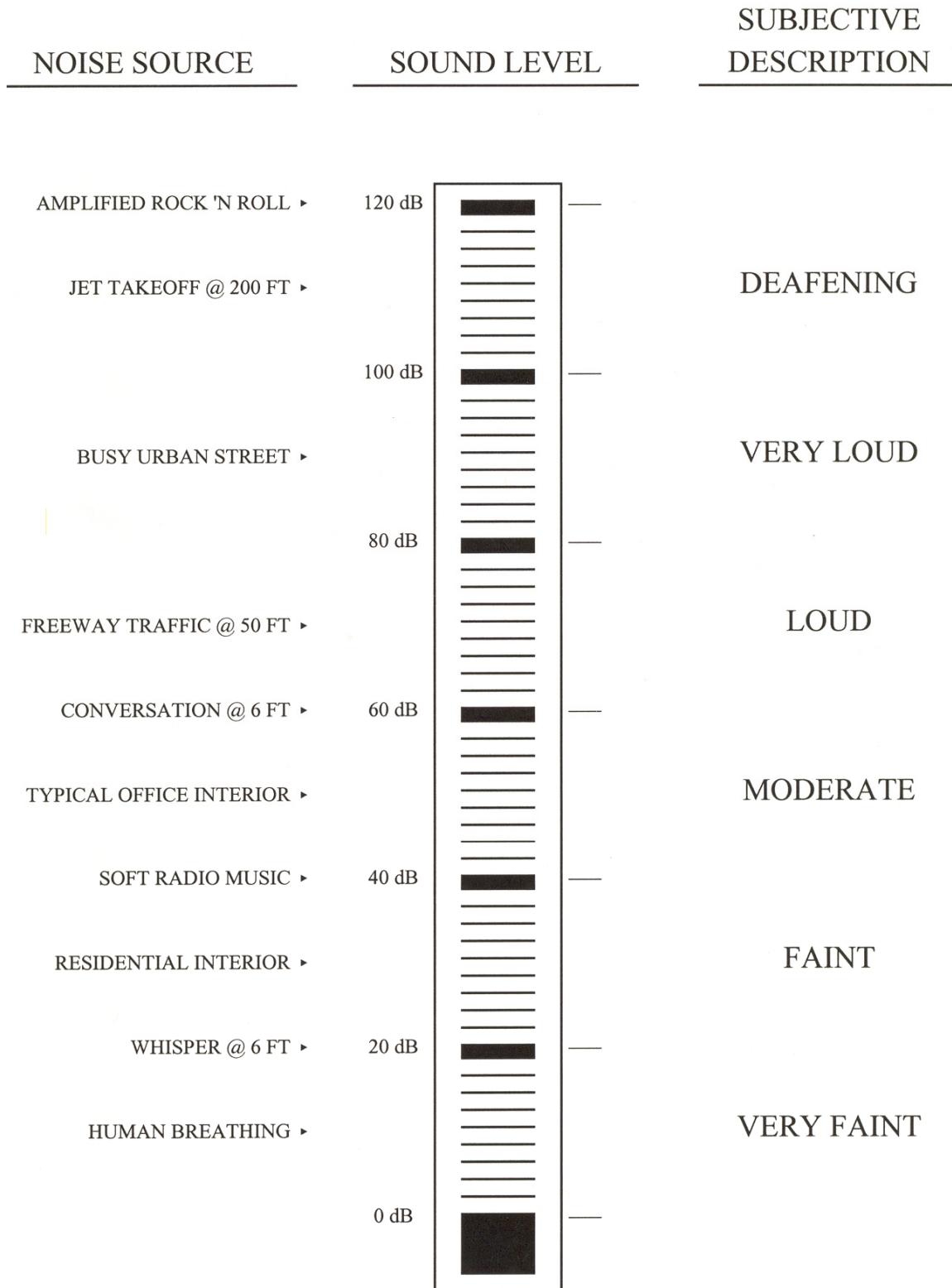
The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

SOUND TRANSMISSION

CLASS (STC):

The single-number rating of sound transmission loss for a construction element (window, door, etc.) over a frequency range where speech intelligibility largely occurs.

APPENDIX B
EXAMPLES OF SOUND LEVELS



NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291
(559) 713-4359

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

Conditional Use Permit No. 2023-31

PROJECT TITLE

The project site is located at the northeast corner of North Dinuba Boulevard and West Sweet Avenue (APN: 091-161-009, 047, 052).

PROJECT LOCATION

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

Conditional Use Permit No. 2023-31 is a request by Sien Taing / TAE Architecture & Planning to establish a 4,565 square foot two-unit commercial building, with a 3,268 square foot retail specialty market and a 1,297 square foot coffee/pastry shop with a drive-thru lane, located within the C-N (Neighborhood Commercial) Zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia, 315 E. Acequia Avenue, Visalia CA 93291, (559) 713-4443, Email: crisobal.carrillo@visalia.city

NAME OF PUBLIC/LEAD AGENCY APPROVING PROJECT

Sien Y. Taing, 3531 West Buena Vista, Visalia CA 93291, 559-936-3465, E-mail: mikep@taeinc.com

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

TAE Architecture & Planning, Attn: Michael P. Porter, 120 North L Street, Tulare CA 93274, 559-688-2073, E-mail: mikep@taeinc.com

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15073
- Emergency Project - Section 15071
- Categorical Exemption - State type and Section number: **Section 15332**
- Statutory Exemptions- State code number:

This project involves the construction of a new two-unit commercial building with a drive-thru lane meeting the conditions described in Section 15332.

REASON FOR PROJECT EXEMPTION

Cristobal Carrillo, Associate Planner	(559) 713-4443
CONTACT PERSON	AREA CODE/PHONE

	ENVIRONMENTAL COORDINATOR
DATE	Brandon Smith, Principal Planner, AICP



May 4, 2023

Site Plan Review No. 2023-059:

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 **April 19, 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, which appears to read "Paul Bernal". The signature is stylized and cursive.

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE April 19, 2023
 SITE PLAN NO. 2023-059
 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:

- | | |
|---|---|
| <input type="checkbox"/> CITY COUNCIL | <input type="checkbox"/> REDEVELOPMENT |
| <input checked="" type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input checked="" type="checkbox"/> CUP | |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input checked="" type="checkbox"/> OTHER – |

ADDITIONAL COMMNTS:

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) 713-4003

Date: April 19, 2023

SITE PLAN NO: 2023-059
PROJECT TITLE: Market, Coffee & Pastry Drive-Thru
DESCRIPTION: Proposal is to Construct two New Retail Buildings
APPLICANT: Michael Porter
PROP. OWNER: Taing Sien
LOCATION TITLE: 1526, 1538 N. Dinuba Blvd., 420, 426 W. Sweet Avenue
APN TITLE: 091-161-009, 047, 052
GENERAL PLAN: Commercial Neighborhood
ZONING: C-N – Neighborhood Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

**Reference Site Plan Review
No. 2021-155 (Comments
included with this letter).**

Project Requirements

- Conditional Use Permit
- Lot Merger
- Queuing Analysis/Traffic Action Plan
- Photometric Plan
- Noise Study
- Building Permit

PROJECT SPECIFIC INFORMATION: April 19, 2023 (SPR No. 2023-059)

1. VMC Use Table 17.25.030, Line D9 lists drive-thru lanes not meeting all standards in Section 17.32.162. The proposed drive-thru does not meet the listed performance standards of the section because it is located within 250-ft of residence or residentially zoned property. As such, a Conditional Use Permit (CUP) is required.
2. The CUP submittal shall include the following:
 - a. A Site Plan,
 - b. Floor Plans,
 - c. Building Elevations,
 - d. Landscaping Plans. Landscape plans shall show that a minimum 10% of the parking lot is landscaped.
 - e. An Operational Statement
 - f. A Queuing Analysis/Traffic Action Plan.
 - g. A Photometric Plan shall be submitted.
 - h. A Noise Study shall be submitted.
3. The applicant will be required to submit a Lot Merger application and provide proof of recording prior to finalization of a Building Permit.
4. Comply with all requirements of Caltrans.
5. Comply with the requirements of the Engineering Division and Traffic Engineering Division.
6. Comply with the requirements of the Solid Waste Division regarding location of the trash enclosure.

Below are the comments for Site Plan Review No. 2021-155.

PROJECT SPECIFIC INFORMATION: February 1, 2023

1. There is no support for the location or orientation of the trash enclosure.
2. VMC Use Table 17.25.030, Line D9 lists drive-thru lanes not meeting all standards in Section 17.32.162. The proposed drive-thru does not meet the listed performance standards of the section because it is located within 250-ft of residence or residentially zoned property, requiring a Conditional Use Permit (CUP).
3. The applicant will be required to submit a Lot Merger application and provide proof of recording prior to building issuance.
4. Parking shall be provided in conformance with VMC 17.34.020(F)(10)&(12):
 - a. Restaurants, cafes, soda fountains and similar establishments: one parking space for each one hundred fifty (150) square feet of building area.
 - b. General retail stores, except as otherwise specified: one parking space for each three hundred (300) square feet of building area.
5. The Queuing Analysis/Traffic Action Plan is still required. The study shall include:
 - a. Data and analysis showing how quickly vehicles would be serviced,
 - b. How queue overages would be addressed,
 - c. Address current drive-thru usage trends, including service rate information, and,
 - d. Provide the difference in trip generation between the former and proposed uses.
6. The Conditional Use Permit (CUP) submittal shall include detailed exhibits of the following:
 - a. A Site Plan,
 - b. Floor Plans,
 - c. Building Elevations,
 - d. Landscaping Plans
 - i. Showing min. 6% of the **parking lot** is landscaped and that screening is in place for the drive-thru and menu boards.
 - e. Operational Statement
 - f. Photometric Plan (lighting shall not exceed 0.5 lumens at property line)
 - g. Noise Study detailing compliance with the Chapter 8.36 Noise of the VMC.
7. Comply with all requirements of Caltrans. Note that a "Revise & Proceed" approval will not be granted until comments from Caltrans have been received.
8. Meet all other codes and ordinances of the Visalia Municipal Code.

PROJECT SPECIFIC INFORMATION: April 13, 2022

1. A Conditional Use Permit shall be required due to proximity of the drive-thru to residentially zoned areas.
2. A Lot Merger Shall be required.
3. The 22 parking stalls shown on the site plan are sufficient to support the proposed uses.
4. The Queuing Analysis/Traffic Action Plan is still required. The study previously submitted addressed conditions in communities that are not comparable to the City of Visalia. Neither the study or the memo included any data or analysis showing how quickly vehicles would be serviced, and how queue overages would be addressed. Any future analysis submitted must be site specific, address current drive-thru usage trends, include service rate information, and provide the difference in trip generation between the former commercial/residential uses and the proposed uses.
5. A Site Plan, Operational Statement, Building Elevations, Floor Plans, and Landscaping Plans shall be submitted with the Conditional Use Permit submittal.
6. Plans shall verify that a minimum 6% of the **parking lot** is landscaped and that screening is in place for the drive-thru and menu boards.
7. A Photometric Plan shall be submitted with the Conditional Use Permit application, verifying that lighting shall not exceed 0.5 lumens at property line, in particular along the eastern property line next to residential uses.

8. Plans shall confirm that the entire Dinuba Blvd. frontage complies with the 15 ft. landscape setback, and that the entire Sweet Street frontage complies with the 10 ft. landscape setback. The drive thru bulbs are encroaching into the required setback areas.
9. Provide traffic generation information to the satisfaction of the City Traffic Engineer.
10. Comply with all requirements of Caltrans. Note that a "Revise & Proceed" approval will not be granted until comments from Caltrans have been received.
11. Meet all other codes and ordinances of the Visalia Municipal Code.

PROJECT SPECIFIC INFORMATION: January 19, 2022

1. A Conditional Use Permit shall be required due to proximity of the drive-thru to residentially zoned areas.
2. A Lot Merger Shall be required.
3. The 20 parking stalls shown on the site plan are sufficient to support the proposed uses.
4. The Queuing Analysis/Traffic Action Plan submitted is not sufficient. The study submitted addressed conditions in communities that are not comparable to the City of Visalia. Neither the study or the memo included any data or analysis showing how quickly vehicles would be serviced, and how queue overages would be addressed. Any future analysis submitted must be site specific, address current drive-thru usage trends, include service rate information, and provide the difference in trip generation between the former commercial/residential uses and the proposed uses.
5. A Site Plan, Operational Statement, Building Elevations, Floor Plans, and Landscaping Plans shall be submitted with the Conditional Use Permit submittal.
6. Plans shall verify that a minimum 6% of the parking lot is landscaped and that screening is in place for the drive-thru and menu boards.
7. The applicant shall demonstrate that the design of the proposal can support safe entry into the drive-thru lane for vehicles entering from Dinuba Blvd. It is unclear whether vehicles traveling east along the northern drive aisle will be able to safely make the right turn into the drive-thru queue.
8. A Photometric Plan shall be submitted with the Conditional Use Permit application, verifying that lighting shall not exceed 0.5 lumens at property line, in particular along the eastern property line next to residential uses.
9. Plans shall confirm that the entire Dinuba Blvd. frontage complies with the 15 ft. landscape setback, and that the entire Sweet Street frontage complies with the 10 ft. landscape setback. The bulb at the northwest corner of the drive-thru lane appears to encroach into the required setback areas.
10. Provide traffic generation information to the satisfaction of the City Traffic Engineer.
11. Comply with all requirements of Caltrans. Note that a "Revise & Proceed" approval will not be granted until comments from Caltrans have been received.
12. Note that the Solid Waste Division requests relocating the trash enclosure so that it lays against the northern property boundary, and is not angled.
13. Meet all other codes and ordinances of the Visalia Municipal Code.

PROJECT SPECIFIC INFORMATION: September 1, 2021

1. A Conditional Use Permit shall be required.
2. A Lot Merger Shall be required.
3. Additional parking stalls shall be required. Note that the parking demand for a restaurant use is one stall per 150 sq. ft. of building area.
4. No more than 10 consecutive parking stalls shall be placed without a tree well.
5. A Queuing Analysis/Traffic Action Plan shall be provided with the revised Site Plan Review submittal.

6. A Site Plan, Building Elevations, Floor Plans, and Landscaping Plans shall be submitted with the Conditional Use Permit submittal. Landscape plans shall verify that a minimum 10% of the parking lot is landscaped.
7. A Photometric Plan shall be submitted with the Conditional Use Permit application, verifying that lighting shall not exceed 0.5 lumens at property line, in particular along the eastern property line next to residential uses.
8. Landscape screening for the drive-thru shall be provided along the western and southern property boundaries and shall be shown on the landscape plan.
9. Provide traffic generation information to the satisfaction of the City Traffic Engineer.
10. Comply with all requirements of Caltrans.
11. Meet all other codes and ordinances of the Visalia Municipal Code.

Notes:

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required to conduct the proposed use.
2. Prior to completion of a final building inspection for a project, a signed MWELo Certificate of Compliance shall be submitted indicating that all landscaping has been installed to MWELo standards.

Applicable sections of the Visalia Municipal Code, Title 17 (Zoning):

8.36 Noise

17.18 Commercial Zones

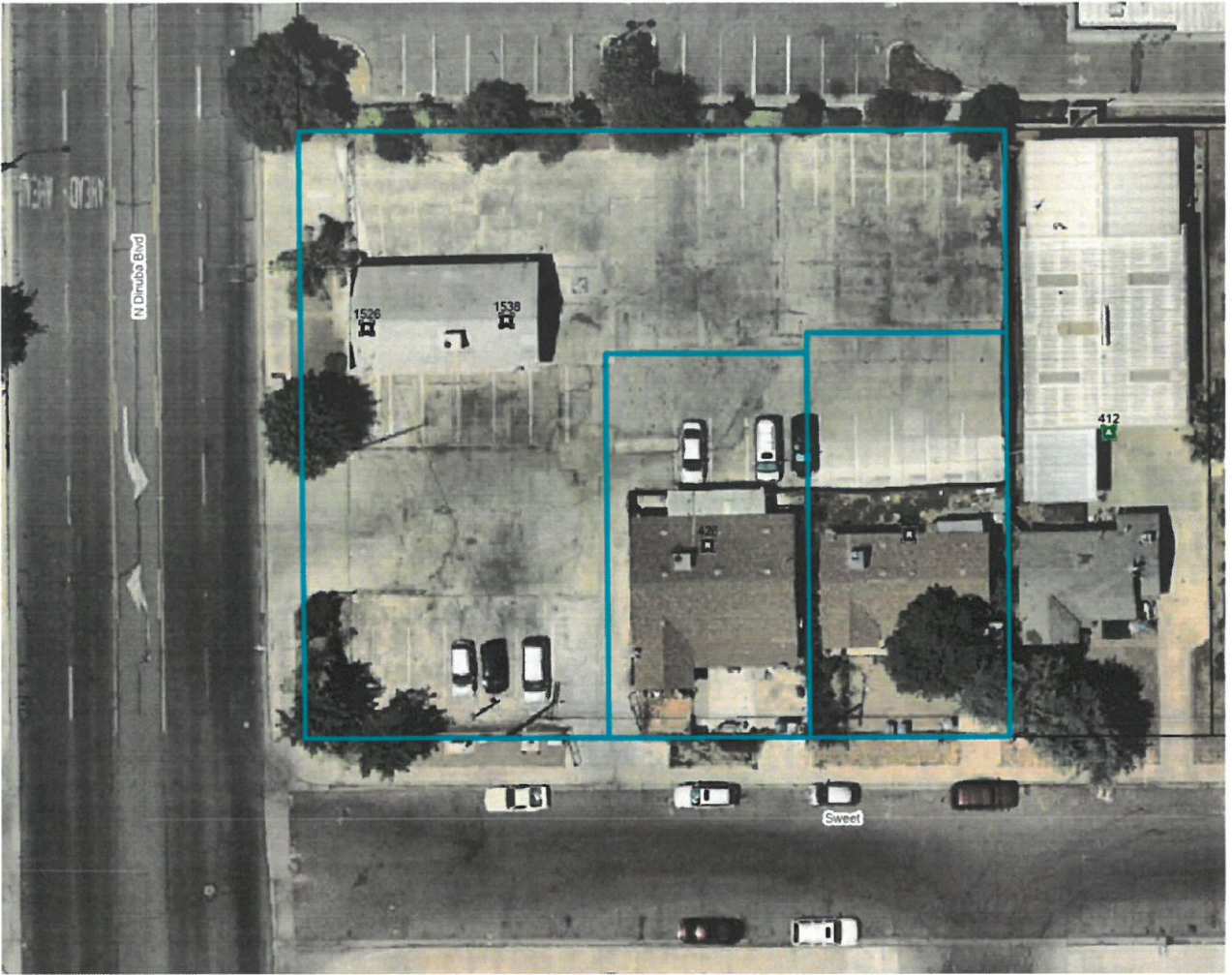
17.32.162 Drive-thru lanes performance standards

17.34 Off-street parking and loading facilities

17.36 Fences Walls and Hedges

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
 Edelma Gonzalez 713-4364

ITEM NO: 3 DATE: APRIL 19TH, 2023

SITE PLAN NO.: 23-059
PROJECT TITLE: MARKET, COFFEE & PASTRY DRIVE-THRU
DESCRIPTION: PROPOSAL TO CONSTRUCT TWO NEW RETAIL BUILDINGS (C-N). (SEE PREVIOUS SPR 21-155)
APPLICANT: MICHAEL PORTER
PROP OWNER: TAING SIEN
LOCATION: NE CORNER OF N. DINUBA AND E. SWEET ST
APN: 091161009, 091161047, 091161052

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with **existing** radius; **Sweet/Dinuba corner. Demo and replace to current stds**
- Install curb; gutter **as required onsite**
- Drive approach size: **30' - 36' wide** Use radius return; **Refer to City commercial stds**
- Sidewalk: **6' min.** width; parkway width at **Sweet Ave., adjacent to curb**
- 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. **See Comments**
- Deed required prior to issuing building permit;
- City Encroachment Permit Required. For all work necessary in the 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; **Dinuba Blvd**
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- 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. **Refer to City Std. D-20 for commercial sidewalk drain**
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = 0.20%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- 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. **Existing overhead required to be undergrounded**
 - Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding. **Required with new site development**
 - 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. ***The proposed fast food and retail building will incur impact fees. Credit to be assessed for demo of the existing retail building and two SFD's.***
2. ***Site plan is now showing accessible routes from the public right-of-way to onsite buildings as previously requested.***
3. ***Caltrans comments for Dinuba improvements are addressed/incorporated into site plan layout. Drive approaches on Dinuba Blvd are shown to be removed. Per Caltrans recommendations, access is restricted to Sweet Ave. only.***
4. ***Storm water drainage cannot be focused/directed to sheet flow over and across pedestrian sidewalks. Refer to City Std. D-20 for commercial sidewalk drain or connect to SD line in road.***
5. ***Connect to City sewer, the laterals are existing per City record. Tie into existing infrastructure.***
6. ***Dimensions for existing right-of-way on both Dinuba and Sweet are not shown. There appears to be approx. 9-foot right-of-way on Dinuba (to be confirmed by Caltrans) and approx. 12-foot on Sweet Ave. In addition, property line does not match City GIS Data. Note was added to site plan that this comment would be addressed following the topographic survey for all parcels within this development. Applicant to confirm right-of-way dimensions and adjust site plan accordingly. This may or may not impact onsite layout.***
7. ***The drive approach on Sweet is proposed as "new". As requested, new approach is now shifted to the East to align with existing drive approach to the south.***
8. ***Parcel lines to be adjusted or merged with Lot Line Adjustment. LLA required prior to site development.***
9. ***Provide parkway landscaping along street frontages per City standards.***
10. ***Install new back flow prevention devices on private property and outside public right-of-way.***
11. ***Comply with City parking lot stds. Provide 5' backing space.***
12. ***Maintain min. 4-foot distance from property line to drive approach on Sweet Ave.***
13. ***Coordinate with Caltrans for any improvements necessary on Dinuba Blvd.***

- 14. New site development will trigger removal and replacement of the existing sidewalk on Sweet Ave. to comply with current commercial and accessibility standards. Site plan is now proposing to install 6-foot wide sidewalk adjacent to curb as previously requested.**
- 15. Any public sidewalk that may encroach onto private property will require additional grant of easement to the City (or State) - to be determined by City Engineer.**
- 16. Per previous SPR conditions, new site development will require undergrounding of the existing overhead utility lines/poles per typical development requirements. New site plan layout does not indicate level of improvements required, for utility pole located adjacent to proposed new drive approach. Project shall coordinate with utility companies to underground all existing overhead utilities. Revise site plan accordingly.**
- 17. Previous location of trash enclosure requiring solid waste vehicle backing up into City's right-of-way was modified and appears to be acceptable. Coordinate with Solid Waste Dept. for trash enclosure location.**
- 18. Site plan shows bike rack is obstructing accessible route to trash enclosure. Modify accessible route or relocate location of bike rack.**
- 19. Site plan does not appear to comply with CBC 11B-250. Path adjacent to vehicular area will need to be raise 4". Revise site plan accordingly. Additional comments will be provided during civil plan check.**
- 20. Comply with CBC 11B-812 for electrical vehicle charging stations.**
- 21. Building permits are required, standard plan check and inspection fees will apply.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **23-059**

Date: **04/19/2023**

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 / RETAIL**)

Existing uses may qualify for credits on Development Impact Fees. **1KSF RETAIL + 2 SFD + INFILL**

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$17,518/1KSF X 3.565KSF(4565SF - 1000SF) X 0.75(INFILL) => \$46,838.75 - (\$7,097X2) = \$32,644.75
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	WALK-UP @ \$1,620/EACH X 2 TREATMENT PLANT FEE: WALK-UP @ \$7,111/EACH X 2 CREDITS: (\$952/SFD X 2) + (\$945/SFD X 2) + (\$30/1KSF X 1) + (\$66/1KSF X 1) = (\$3,416.40) TOTAL SEWER FEES: \$17,462 - \$3,890(CR) = \$13,572
<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 checked="" type="checkbox"/> Public Facility Impact Fee	\$667/1KSF X 3.565- (\$691/SFD X 2) = \$995.86
<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.

Edelma Gonzalez

Edelma Gonzalez

City of Visalia
Building: Site Plan
Review Comments

SPR 23059
 MARKET, COFFEE &
 PASTRY DRIVE THRU
 091161009

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

- A building permit will be required. *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. **COMMERCIAL: \$0.75 PER S.F.**
- 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: **PROVIDE RESTROOM IN EACH TENANTS.**

PROVIDE RAISED CIRCULATION PATH THAT IS CONTIGUOUS TO VEHICULAR TRAFFIC. RESTAURANT: PROVIDE TYPE I HOOD WITH FIRE SUPPRESSION, GREASE INTERCEPTOR AT EXTERIOR. BUILDING SHALL BE EQUIPPED WITH (PV) SOLAR SYSTEM WITH BATTERY STORAGE. LANDSCAPING TO MEET THE MWVELO REQUIREMENTS.

VAL GARCIA 4/19/23



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

Date: 04/18/23
 Item: 3
 Site Plan: SPR23059
 Name: Agt. R. Avalos

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 lighting to deter property crimes

 Traffic Concerns:

 Surveillance Issues:
Internal/External surveillance cameras to help deter property crimes

 Line of Sight Issues:
Low perimeter shrubs to help deter transients from setting up camps or loitering.

 Other Concerns:
Enroll/Participate in the Transient Enforcement Program.

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

April 19, 2023

ITEM NO: 3 **Added to Agenda**
SITE PLAN NO: **SPR23059**
PROJECT TITLE: Market, Coffee & Pastry Drive-Thru
DESCRIPTION: Proposal is to Construct two New Retail Buildings. (C-N)
APPLICANT: Michael Porter
OWNER: TAING SIEN
APN: 091161009
091161047
091161052

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:

- Dinuba Blvd is SR63 and falls under Caltrans jurisdiction. Contact Caltrans for requirements.
- Project is projected to generate 98 peak hour trips. Traffic impact statement has already been submitted along with queuing analysis.

Leslie Blair

Leslie Blair



SITE PLAN REVIEW DATE: 04/19/23

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

SITE PLAN REVIEW NO: SPR 23059

PROJECT NAME: Market Coffee Pastry Drive Thru

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

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

- FORM REQUIRED Food Service Estab. Questionnaire
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 attached

DATE REVIEWED: 04/17/2023

Handwritten signature



FOOD SERVICE ESTABLISHMENT WASTEWATER SURVEY

- This survey must be filled out completely. **Please write N/A (not applicable) if the requested information does not apply.**
- The survey must be signed by an official company representative, who is authorized to sign such documents.
- If assistance in completing this questionnaire is needed, please contact:

Jessica Sandoval
 Pretreatment Program Coordinator
 Email: Jessica.Sandoval@visalia.city
 Phone: (559) 713-4529

- Please return survey via email to Jessica.sandoval@visalia.city, and hand deliver or mail original to:

City of Visalia, WCP
 Attention: Jessica Sandoval
 7579 Ave 288
 Visalia, CA 93277

Contact Information:

- A. Applicant Name: _____
- B. Doing Business As: _____
- C. City of Visalia Business License Number: _____
- D. Owner Name(s): _____
- E. Business Address: _____
- F. Business Phone Number: _____
- G. Mailing Address: _____
- H. Alternate Phone Number: _____
- I. Email Address: _____
- J. Website: _____
- K. Designated Representative and Signatory at the facility that has been authorized and can sign for all correspondence and reports. All correspondence from the City will be sent to this person.

Name/Title: _____

Address: _____

Phone Number: _____

L. Facility Contact During Inspections

Name/Title: _____

Phone number: _____ Email: _____

Facility Information:

M. Please check all descriptions that apply to your facility.

Type of Food Service Establishment	Location
<input type="checkbox"/> Fast Food Restaurant	<input type="checkbox"/> Stand-Alone Restaurant
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Strip Mall
<input type="checkbox"/> Doughnut Shop	<input type="checkbox"/> Mall/Food Court
<input type="checkbox"/> Coffee Shop	<input type="checkbox"/> School
<input type="checkbox"/> Supermarket/Grocery Store	<input type="checkbox"/> Religious Institution
<input type="checkbox"/> Convenience Store/Mini Mart	<input type="checkbox"/> Amusement Park
<input type="checkbox"/> Ice Cream/Smoothie Shop	<input type="checkbox"/> Hospital
<input type="checkbox"/> Deli/Sandwich shop	<input type="checkbox"/> Nursing home
<input type="checkbox"/> Meat Processor	<input type="checkbox"/> Hotel
<input type="checkbox"/> Bakery	<input type="checkbox"/> Supermarket
<input type="checkbox"/> Cafeteria	<input type="checkbox"/> Office Building
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

N. Please check all the equipment currently in your facility

Food Processing Equipment		Kitchen Equipment	
	QTY		QTY
<input type="checkbox"/> Deep Fryer		<input type="checkbox"/> Dishwasher	
<input type="checkbox"/> Char broiler		<input type="checkbox"/> Pre-rinse sink	
<input type="checkbox"/> Griddle		<input type="checkbox"/> Mop	
<input type="checkbox"/> Grill		<input type="checkbox"/> Floor drains	
<input type="checkbox"/> Oven		<input type="checkbox"/> Garbage disposal	
<input type="checkbox"/> Rotisserie		<input type="checkbox"/> Other _____	
<input type="checkbox"/> Stove			
<input type="checkbox"/> Other			

O. Number of employees/shift: _____ Number of shifts/day: _____

P. Outdoor seating capacity: _____ Indoor seating capacity: _____

Q. Please provide the following information for hours of operation.

Day	Hours of Operation	24 Hours	Approximate Number of Meals Served Daily
Monday		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Tuesday		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Wednesday		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Thursday		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Friday		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Saturday		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Sunday		<input type="checkbox"/> Yes <input type="checkbox"/> No	

R. Grease Removal Device Information

<input type="checkbox"/> Indoor Trap	<input type="checkbox"/> Outdoor Interceptor	<input type="checkbox"/> No grease removal device
--------------------------------------	--	---

S. What is the capacity of the grease interceptor/grease trap? _____

T. How frequently is the interceptor/grease trap cleaned? _____

U. Date of last cleaning? _____

V. Company or firm who performs grease interceptor maintenance and pumping:

Name: _____

Address: _____

Telephone Number: _____ Email Address: _____

W. Do you have a waste oil container for recycling used cooking oil? () Yes () No

X. If yes, what is the frequency that it is pumped? _____

Y. If yes, name of company or firm that pumps and disposes of your used cooking oil:

Name: _____

Address: _____

Telephone Number: _____ Email Address: _____

Z. Certification

By signing below, I certify that I have examined and am familiar with the information submitted in the attached document and under penalty of law; the submitted information is true, accurate, and complete. I am aware there are penalties for submitting false information, including the possibility of fine.

Name (Please Print)

Title

Signature

Date

City Use Only	
Survey Received Date	Received by

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

23059

April 19, 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

Customer to identify placement of a city standard (R3/R4) double enclosure set for STAB load collections. Customer to provide turning radii for area in front of enclosure to confirm sufficient space to safely turn sold waste vehicle around and exit. Solid Waste services include trash, recycle, and organic collections, per the State of California's mandatory commercial recycling laws (AB341 & AB1826). Enclosure gates must swing 180 degrees and clear all curbing. Cane bolts must be included to secure gates when opened. The customer is encouraged to contact Solid Waste at 559-713-4532 to discuss/review preferred enclosure placement.

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

Nathan Garza, Solid Waste, 559-713-4532



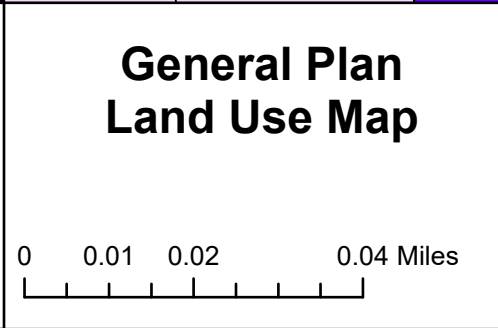
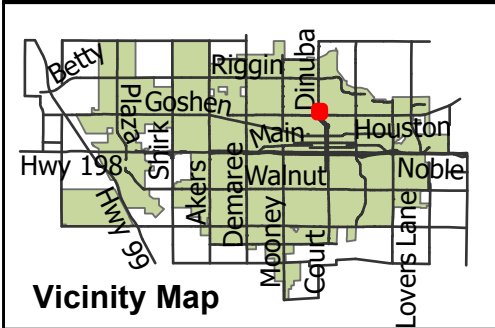
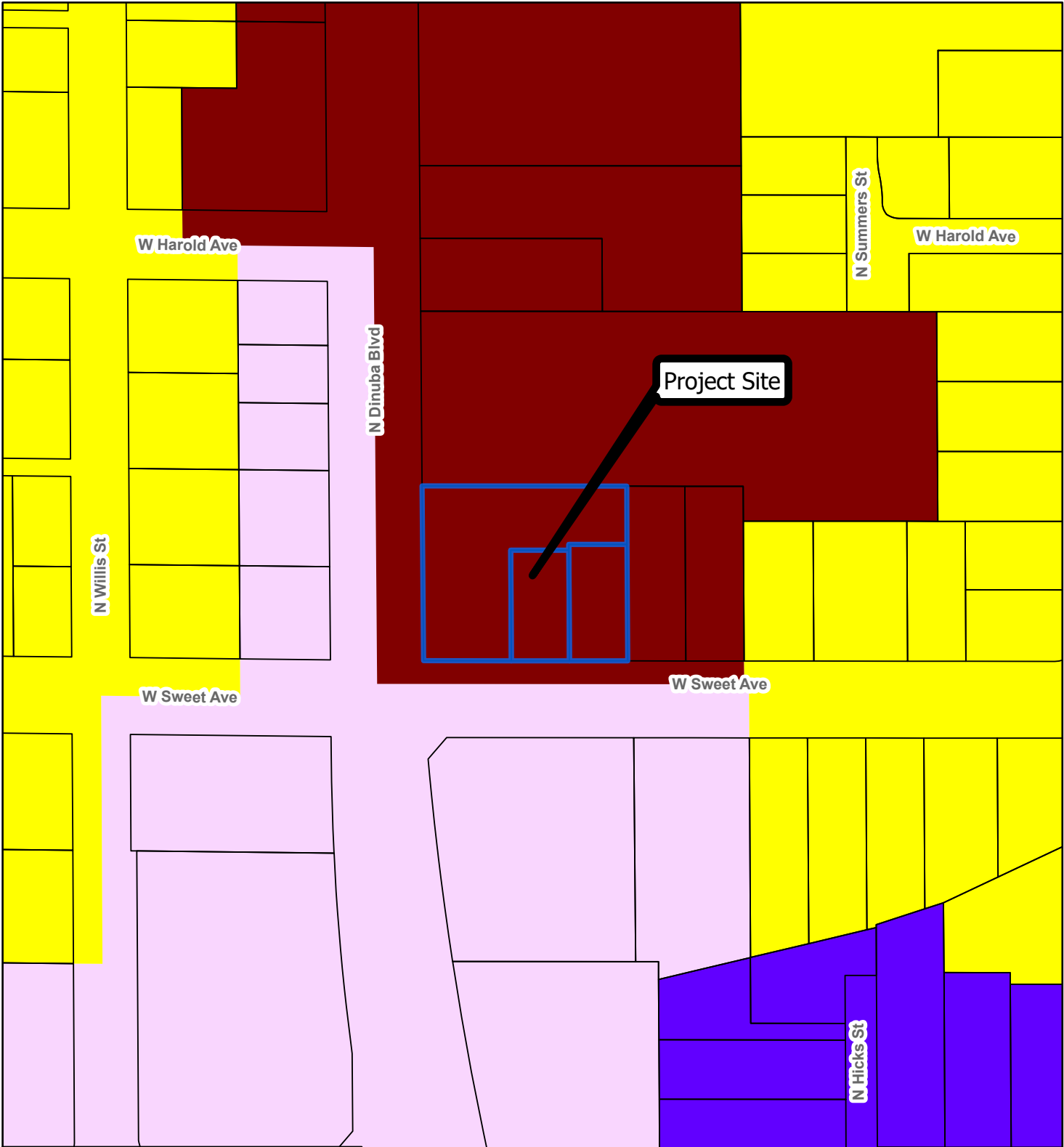


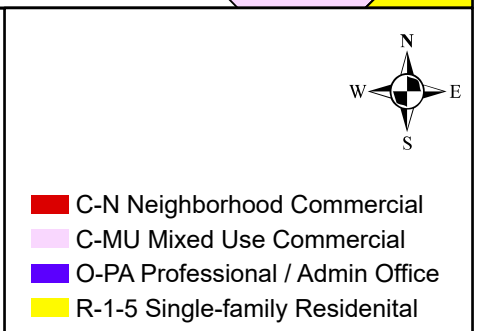
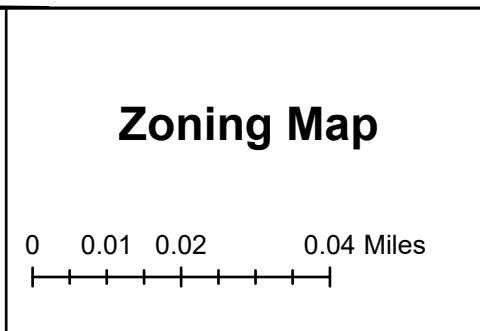
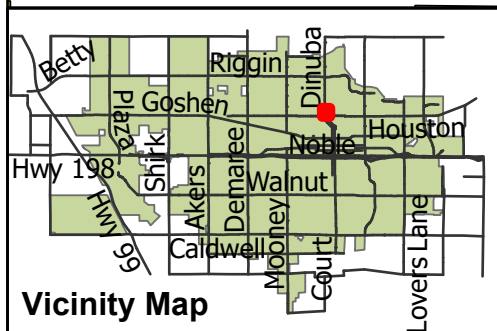
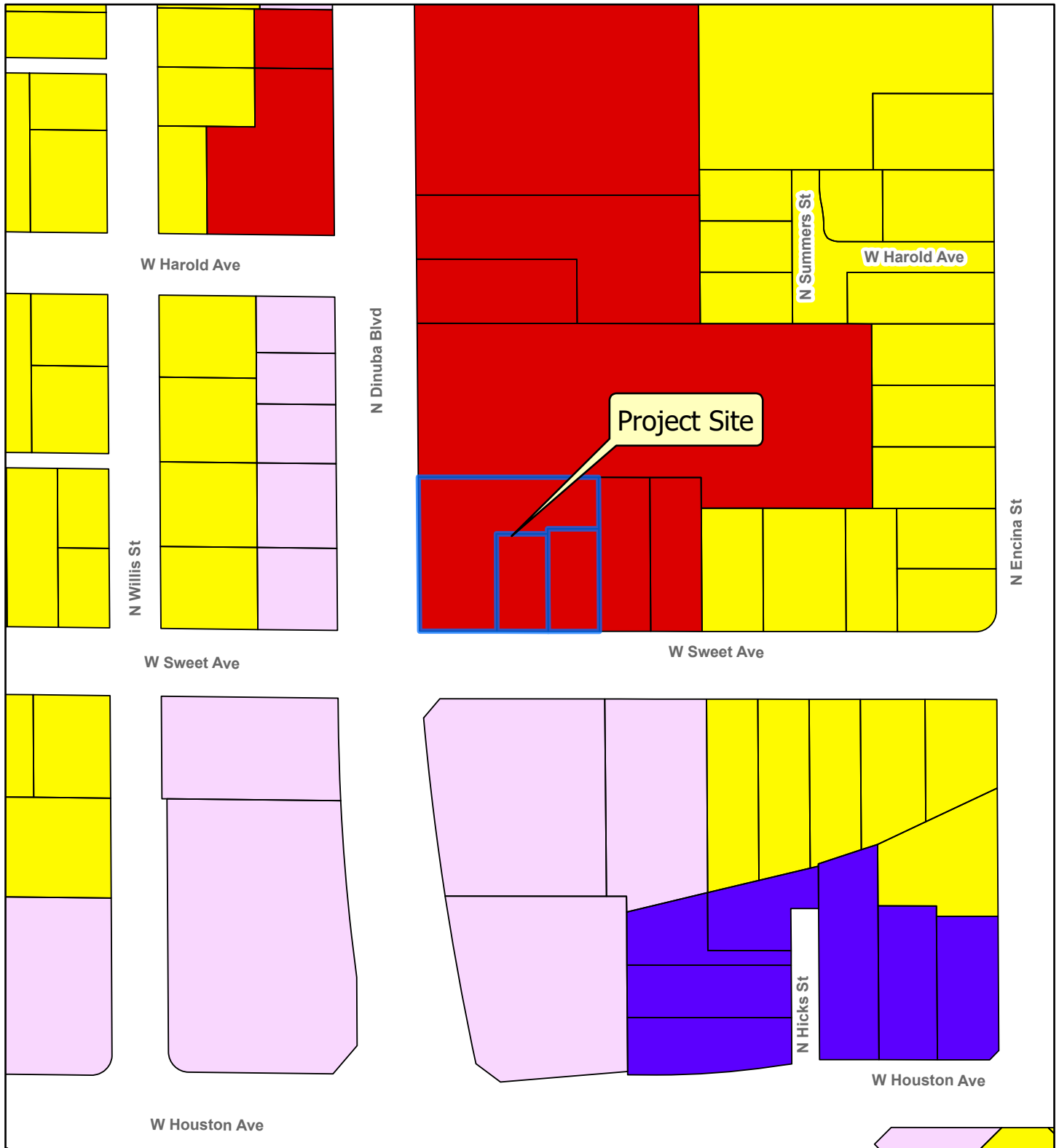
Site Plan Comments
Visalia Fire Department
Corbin Reed, Fire Marshal
420 N. Burke
Visalia CA 93292
559-713-4272 office
prevention.division@visalia.city

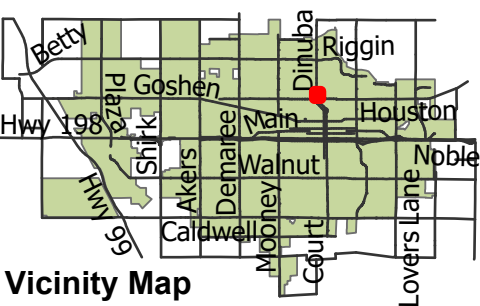
Date April 19, 2023
Item # 3
Site Plan # 23059
APN: 091161009, 047, 052

- 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
- 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

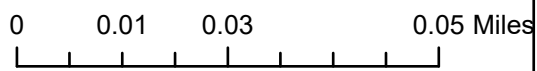
Corbin Reed
Fire Marshal

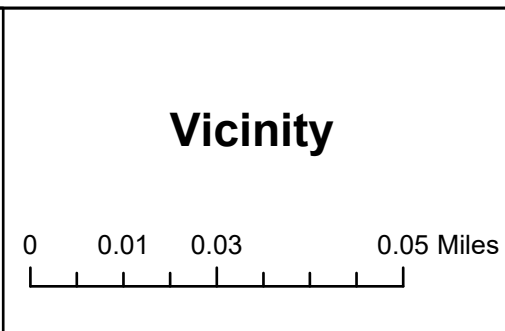
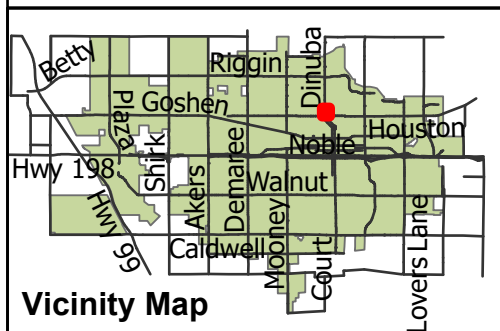






Aerial Map







REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 26, 2024

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

SUBJECT: Conditional Use Permit No. 2023-37: A request by JC LIU Capital to construct a new two-story 21,276 square foot medical clinic in the O-PA (Professional Administrative / Office) zone.

Tentative Parcel Map No. 2024-04: Tentative Parcel Map No. 2024-04: A request by Neil Zerlang Land Surveyor to reconfigure 6.26 acres of partially improved land into two parcels to facilitate new construction in the O-PA (Professional Administrative / Office) zone. The project site is located on the northside of West Sunnyside Avenue west of South Mooney Boulevard.

Location: The project site is located on the northside of West Sunnyside Avenue west of South Mooney Boulevard (APNs: 121-100-079, 121-100-080, 121-100-081, 121-100-085, 121-100-086, 121-090-072, and 121,090-073).

STAFF RECOMMENDATION

Staff recommend approval of Conditional Use Permit No. 2023-37 based on the findings and conditions in Resolution No. 2023-66. Staff's recommendation is based on the project's consistency with the City of Visalia General Plan and Zoning Ordinance.

Staff recommend approval of Tentative Parcel Map No. 2024-04 based on the findings and conditions in Resolution No. 2024-11. Staff's recommendation is based on the project's consistency with the City of Visalia Subdivision Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2023-37 based on the findings and conditions in Resolution No. 2023-66.

I move to approve Tentative Parcel Map No. 2024-04 based on the findings and conditions in Resolution No. 2024-11.

PROJECT DESCRIPTION

Conditional Use Permit No. 2023-37 is a request by JC LIU Capital to construct a new two-story 21,276 square foot medical clinic (see Exhibit "A"). The medical clinic will contain space for 26 exam rooms, doctor's office, nursing station, gym area, and waiting lobby (see Exhibit "B"). The second floor will provide two offices, the computer server area, and restroom (see Exhibit "B"). Please note that the prior medical use identified for this site was a three-story outpatient surgery center with a private residence; however, the owner has elected to forgo the surgery center use and has opted to build a medical clinic.

Per the Operational Statement in Exhibit "E", the medical clinic will provide multiple examination rooms for doctors to see and exam patients. In addition, x-ray services will be provided along with a gym where patients will receive care for physical therapy and occupational therapy after their surgery at local hospital(s). It's anticipated that there will be six doctors, a nurse practitioner, and

15 additional staff including nurses and administrative staff. The hours of operation will be Monday through Friday from 7:00 a.m. to 6:00 p.m.

The building will be located within the interior of an existing office complex. The office complex presently has four free-standing buildings that total 15,400 square feet. The buildings currently contain a mix of medical, professional, and general office uses. The site was developed to facilitate up to 10 individual office buildings. These are depicted by the vacant dirt pads in the aerial photograph attached to the staff report. The entire site is maintained by a Common Area Maintenance entity that owns the monolithic parking lot parcel and maintains the overall site.

The project applicant proposes to construct the new building on the two pads that are highlighted in the attached aerial photo. The remaining vacant pads (which are also under the ownership or control of the applicant) will be re-configured as depicted per Tentative Parcel Map No. 2024-04 which will result in the merger of multiple parcels resulting and creating two parcels with Parcel 1 being 5.81 acers while Parcel 2 will be 0.44 acres (see Exhibit “C”). Once this action is completed, the former buildable pads will no longer have any actual or presumed individual development rights.

The developer intends to connect the new designed site with a new parking lot area to the north which connects with the exiting office development to the south. Access to the new medical clinic will be provided via Monte Vista Avenue to the north and Sunnyside Avenue to the south. This will be accomplished by connecting the drive aisle which lead to a parking area along the new building, and ultimately to driveways onto Monte Vista Avenue (see Exhibit “A”).

The building is proposed to be two-stories. The main entrance to the building will be from the south elevation. The primary finish material is to be stucco. While most of the building will have a flat roof concealed behind the parapet, there are two proposed pitched-roof tower elements with tile finish (as seen in Exhibit “D” – Elevations). This is to carry several of the building design themes of the existing buildings to the new building.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Commercial Mixed Use and Professional Administrative / Office
Zoning:	O-PA & C-MU (Professional Administrative/ Office) & (Mixed Use Commercial)
Surrounding Zoning and Land Use:	North: C-MU – Commercial Mixed Use/ Residences South: R-M-3 – High Density Residential/ 4-Plex residential units East: C-MU – Mixed Use Commercial West: R-M-3 & C-MU – 4-Plex residential units/ Existing residential on C-MU zoned lots
Environmental Document	Categorical Exemption No. 2023-58
Site Plan:	2023-161 and 2023-201

RELATED / SIMILAR PROJECTS

Change of Zone No. 2018-09: Recommend for approval to the City Council, by the Planning Commission, on April 8, 2019. A request to amend the Zoning Ordinance Chapter 17.25 (Zoning Use Matrix) to Conditionally allow outpatient surgery centers in the C-MU (Commercial Mixed use) Zone District, Citywide.

Conditional Use Permit No. 2018-30: Approved by the Planning Commission on April 8, 2019, amending the previously approved CUP No. 2017-17, by adding an additional 0.94-acre parcel, eliminating the multi-family component, to facilitate a 56,000 square-foot mixed use building that includes a 25,000 square-foot outpatient surgery center, general medical offices, and a 6,000 square-foot residence, replacing the previously approved 25,000 square-foot mixed use building.

Conditional Use Permit No. 2017-17: Approved by the Planning Commission on July 24, 2017. A request to construct a 25,000 square foot office building including an outpatient surgery center, with a residence, in the PA (Professional / Administrative Office) zone. The project site is located at 2324 W. Sunnyside Ave. The building was to be located on a vacant lot within the office complex. The new building and use would expand the existing parking and other common areas within the office complex.

Conditional Use Permit No. 2003-46 and Parcel Map No. 2003-11: Approved by the Planning Commission on May 27, 2003. A request to amend Conditional Use Permit No. 2003-17 to modify the design of an approved planned office development and a parcel map to divide 4.6 acres into 13 lots. The site is located on the north side of Sunnyside Avenue, 700 feet west of Mooney Boulevard. The office portion of the previously approved Garden Terrace Villas Subdivision contained 14 parcels, all with easements for cross access, parking, and utilities.

Parcel Map No. 2003-11 excluded two existing office buildings to the east. The proposed physical office building layout of the development did not changed from the approved layout of the original PUD and subdivision map. The proposal only reconfigured parcel lines to include one common lot with individual parcels for building pads. Otherwise, the project retained the original conditions of Conditional Use Permit No. 2003-17.

Conditional Use Permit No. 2003-17 and Garden Terrace Villas Tentative Subdivision Map: Approved by the Planning Commission on November 24, 2003. A request to allow a Planned Unit Development with approximately 66,028 square feet of office and 60 multiple family residential units, and a tentative subdivision map to allow the division of approximately 9.42 acres into 29 lots located on both sides of Sunnyside Avenue, 700 feet west of Mooney Boulevard.

PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2023-37 and Tentative Parcel Map No. 2024-04 based on the project's consistency with the General Plan Land Use, Zoning and Subdivision Ordinances.

Land Use Compatibility

The proposed use can be suitably integrated into the existing office complex. This includes access, parking, circulation and thematic landscaping and architectural elements. The project will further improve the existing medical office complex by providing a vehicular access point from Monte Vista Avenue. Condition No. 6 recommends the existing property maintenance agreement be amended to reflect the new parcel configuration of the project site. In addition, the operational statement indicates that hours of operation will coincide with normal office business hours similar to the office hours surrounding the proposed use.

Building Design

The building incorporates elements of the four existing buildings on the site. This includes the finish material (stucco) and partial tile roof elements. Architectural compatibility among the buildings on the site is required by the conditions of approval for CUP 2003-17. The proposed building is more than four times the size and is two stories in height (as opposed to the existing single-story buildings). Consequently, an approximate match of the existing buildings would not

be possible, nor would it be necessarily desirable. However, besides incorporating finish materials of the existing building, a further degree of compatibility is achieved by “stepping” the building’s two stories back which reduces the building mass and adds angles and shadow lines to the building which help in reducing the overall mass of the building’s appearance.

Parking

Per Exhibit “A”, the applicant has identified based on existing buildings/uses and the proposed medical clinic, a total of 195 parking spaces will be provided (see Exhibit “A”). However, pursuant to Assembly Bill 2097, which went into effect January 1, 2023, prohibits public agencies from imposing minimum parking requirements on sites that are located within a half-mile radius of a major transit stop. *(Please note a major transit stop is defined as major transit stop” to include an existing or planned (1) rail or bus rapid transit station, (2) ferry terminal served by bus or rail transit, or (3) intersection of two or more major bus routes with service every 15 minutes or less during peak commute periods.)*

The City of Visalia Transit operates bus service along Route 1 with several bus stops located on Mooney Boulevard. Route 1 meets the definition of a “major transit stop” and the project site is within approximately 0.25 miles from Route 1 bus stops. Therefore, the site meets parking provisions per AB 2097.

Subdivision Map Act Findings

California Government Code Section 66474 lists seven findings for which a legislative body of a city or county shall deny approval of a tentative map if it is able to make any of these findings. These seven “negative” findings have come to light through a recent California Court of Appeal decision (*Spring Valley Association v. City of Victorville*) that has clarified the scope of findings that a city or county must make when approving a tentative map under the California Subdivision Map Act.

Staff has reviewed the seven findings for a cause of denial and finds that none of the findings can be made for the proposed project. The seven findings and staff’s analysis are below. Recommended findings in response to this Government Code section are included in the recommended findings for the approval of the tentative parcel map.

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed parcel map has been found to be consistent with the City’s General Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map. There are no specific plans applicable to the proposed map.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the parcel map has been found to be consistent with the City’s General Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map. There are no specific plans applicable to the proposed map.

<p>(c) That the site is not physically suitable for the type of development.</p>	<p>The site is physically suitable for the proposed parcel map, which is designated both Office and Commercial Mixed Use. This is included as recommended Finding No. 3 of the Tentative Parcel Map.</p>
<p>(d) That the site is not physically suitable for the proposed density of development.</p>	<p>The site is physically suitable for the proposed parcel map, which is designated as both Office and Commercial Mixed Use Industrial per the City of Visalia's General Plan. This is included as recommended Finding No. 4 of the Tentative Parcel Map.</p>
<p>(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.</p>	<p>The proposed design and improvement of the parcel map has been not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat. This finding is further supported by the project's Categorical Exemption determination under the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 6 of the Tentative Parcel Map.</p>
<p>(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.</p>	<p>The proposed design of the parcel map has been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Parcel Map.</p>
<p>(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.</p>	<p>The proposed design of the parcel map does not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 5 of the Tentative Parcel Map.</p>

California Water Service Letter

As of the preparation of this staff report, the City had not received a "Will Serve" letter from California Water Service. A condition has been included requiring that a valid will serve letter be provided to the City prior to the recordation of this map.

Environmental Review

The requested action is considered Categorical Exempt under Section 15315 (Parcel Map) and Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), which exempts in-fill development on projects found to be consistent with the applicable general plan and zoning designation and policies, are developed on project sites measuring no more than five acres and surrounded by urban uses, and for sites which can be adequately served by all required utilities and public services (Categorical Exemption No. 2023-58).

RECOMMENDED FINDINGS

Conditional Use Permit

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.
 - 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 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2023-58).

Tentative Parcel Map

1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems.
3. That the site is physically suitable for the proposed tentative parcel map and the way that it will be improved and developed.
4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Office and Commercial Mixed Use General Plan Land Use Designations.
5. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
6. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-58).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review Nos. 2023-161 and 2023-201, incorporated herein by reference.
2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A", Floor Plan in Exhibit "B", and Elevations in Exhibit "D".

3. That the applicant complies with their operational statement as stated in Exhibit “E”. Any changes to their operation are subject to review by the City Planner and may subsequently be required to be reviewed by the Planning Commission.
4. All new building signage shall require a separate building permit and shall be designated consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
5. That the project comply with all applicable conditions of Parcel Map No. 2003-11 and Conditional Use Permit No. 2003-46, excepting that prior to issuance of a building permit, the applicant shall revise the common area maintenance agreement to incorporate the new parcels as depicted per Tentative Parcel Map No. 2024-04 into the common area maintenance agreement applicable to the parcels served by MT Pointe Professional Office POA.
6. That a Final Map (i.e., Tentative Parcel Map No. 2024-04) be recorded prior to the issuance of occupancy for the medical clinic building.
7. Prior to the recording of a final map on the site, staff shall receive a valid Will Serve Letter from the California Water Service Company.
8. That all other federal, state and city laws, codes and ordinances be complied with.

APPEAL INFORMATION

According to the City of Visalia Subdivision and Zoning Ordinance Sections 16.28.080 and 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 North Santa Fe Street, Visalia, California. 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. 2023-66
- Resolution No. 2024-11
- Exhibit “A” – Site Plan
- Exhibit “B” – Floor Plan
- Exhibit “C” – Tentative Parcel Map
- Exhibit “D” – Elevations
- Exhibit “E” – Operational Statement
- Site Plan Review Comments
- General Land Use Plan Map
- Zoning Map
- Aerial Map
- Vicinity Map

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. 2023-37 and Tentative Parcel Map No. 2024-04

PROJECT TITLE

2324 and 2306 West Sunnyside Avenue

PROJECT LOCATION

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

A request by JC LIU Capital to construct a new two-story 21,276 square foot medical clinic and to reconfigure the site by creating two parcels.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia

NAME OF PUBLIC AGENCY APPROVING PROJECT

Larry Lewis, 820 W. Center Ave., Visalia, CA 93291, (559) 280-1024

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Same as above

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15268
- Emergency Project - Section 15269
- Categorical Exemption - State type and Section number: **Section 15315 and 15332**
- Statutory Exemptions- State code number:

A request to create two parcels and build a 21,276 square foot medical clinic within an existing office development that is surrounded by urban development including commercial, office and residential uses.

REASON FOR PROJECT EXEMPTION

Josh Dan, Senior Planner

(559) 713-4003

CONTACT PERSON

AREA CODE/PHONE

February 20, 2024

DATE

ENVIRONMENTAL COORDINATOR
Brandon Smith, AICP

Related Plans & Policies
Conditional Use Permits
(Section 17.38)

17.38.010 Purposes and powers

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.020 Application procedures

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
 - 1. Name and address of the applicant;
 - 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
 - 3. Address and legal description of the property;
 - 4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
 - 5. The purposes of the conditional use permit and the general description of the use proposed;
 - 6. Additional information as required by the historic preservation advisory committee.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application. (Prior code § 7526)

17.38.030 Lapse of conditional use permit

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

17.38.040 Revocation

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Prior code § 7528)

17.38.050 New application

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

17.38.060 Conditional use permit to run with the land

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

17.38.065 Abandonment of conditional use permit

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

17.38.070 Temporary uses or structures

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
 - 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
 - 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
 - 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
 - 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
 - 5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
 - 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
 - 7. Signing for temporary uses shall be subject to the approval of the city planner.
 - 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

17.38.080 Public hearing--Notice

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.090 Investigation and report

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

17.38.100 Public hearing--Procedure

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Prior code § 7535)

17.38.110 Action by planning commission

- A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:
 - 1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
 - 2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit. (Prior code § 7536)

17.38.120 Appeal to city council

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

17.38.130 Effective date of conditional use permit

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

RESOLUTION NO. 2023-66

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2023-37, A REQUEST BY JC LIU CAPITAL TO CONSTRUCT A NEW TWO-STORY 21,276 SQUARE FOOT MEDICAL CLINIC IN THE O-PA (PROFESSIONAL ADMINISTRATIVE / OFFICE) ZONE. THE PROJECT SITE IS LOCATED ON THE NORTHSIDE OF WEST SUNNYSIDE AVENUE WEST OF SOUTH MOONEY BOULEVARD (APN: 121-100-085, 121-100-086, 121-100-079, 121-100-080, 121-100-081, 121-090-072)

WHEREAS, Conditional Use Permit No. 2023-37 is A request by JC LIU Capital to construct a new two-story 21,276 square foot medical clinic in the O-PA (Professional Administrative / Office) zone. The project site is located on the northside of West Sunnyside Avenue west of South Mooney Boulevard (APNs: 121-100-085, 121-100-086, 121-100-079, 121-100-080, 121-100-081, 121-090-072); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on February 26, 2024; 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 15332.

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.
 - 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 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), (Categorical Exemption No. 2023-58).

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 Nos. 2023-161 and 2023-201, incorporated herein by reference.
2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A", Floor Plan in Exhibit "B", and Elevations in Exhibit "D".
3. That the applicant complies with their operational statement as stated in Exhibit "E". Any changes to their operation are subject to review by the City Planner and may subsequently be required to be reviewed by the Planning Commission.
4. All new building signage shall require a separate building permit and shall be designated consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
5. That the project comply with all applicable conditions of Parcel Map No. 2003-11 and Conditional Use Permit No. 2003-46, excepting that prior to issuance of a building permit, the applicant shall revise the common area maintenance agreement to incorporate the new parcels as depicted per Tentative Parcel Map No. 2024-04 into the common area maintenance agreement applicable to the parcels served by MT Pointe Professional Office POA.
6. That a Final Map (i.e., Tentative Parcel Map No. 2024-04) be recorded prior to the issuance of occupancy for the medical clinic building.
7. Prior to the recording of a final map on the site, staff shall receive a valid Will Serve Letter from the California Water Service Company.
8. That all other federal, state and city laws, codes and ordinances be complied with.

RESOLUTION NO. 2024-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2024-04 A REQUEST BY NEIL ZERLANG LAND SURVEYOR TO RECONFIGURE THE SITE'S PARCELS BY CREATING TWO PARCELS FOR THE NEW TWO-STORY 21,276 SQUARE FOOT MEDICAL CLINIC IN THE O-PA (PROFESSIONAL ADMINISTRATIVE / OFFICE) AND C-MU (COMMERCIAL MIXED USE) ZONES. THE PROJECT SITE IS LOCATED ON THE NORTHSIDE OF WEST SUNNYSIDE AVENUE WEST OF SOUTH MOONEY BOULEVARD (APNS: 121-100-085, 121-100-086, 121-100-079, 121-100-080, 121-100-081, 121-090-072)

WHEREAS, Tentative Parcel Map No. 2024-04 is request by Neil Zerlang Land Surveyor to reconfigure the site's parcels by creating two parcels for the new two-story 21,276 square foot medical clinic in the O-PA (Professional Administrative / Office) and C-MU (Commercial Mixed Use) zones. The project site is located on the northside of West Sunnyside Avenue west of South Mooney Boulevard (APNs: 121-100-085, 121-100-086, 121-100-079, 121-100-080, 121-100-081, 121-090-072); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 26, 2024; and,

WHEREAS, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2024-04, as conditioned, in accordance with Section 16.28.070 of the Ordinance Code 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 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-58).

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

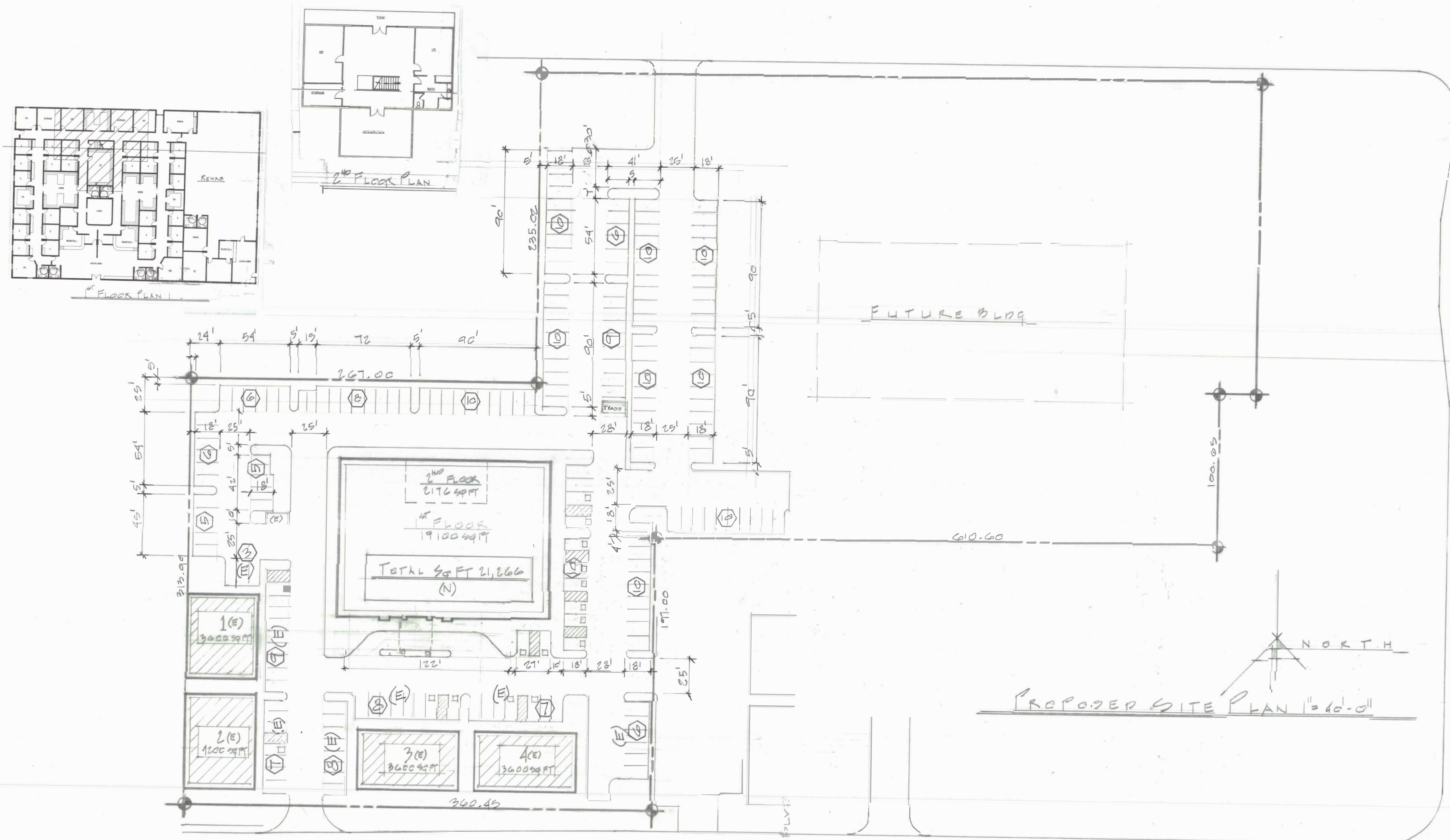
1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems.
3. That the site is physically suitable for the proposed tentative parcel map and the way that it will be improved and developed.

4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Office and Commercial Mixed Use General Plan Land Use Designations.
5. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
6. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-58).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Tentative Parcel Map on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.28.070 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 Nos. 2023-161 and 2023-201, incorporated herein by reference.
2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A", Floor Plan in Exhibit "B", and Elevations in Exhibit "D".
3. That the applicant complies with their operational statement as stated in Exhibit "E". Any changes to their operation are subject to review by the City Planner and may subsequently be required to be reviewed by the Planning Commission.
4. All new building signage shall require a separate building permit and shall be designated consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
5. That the project comply with all applicable conditions of Parcel Map No. 2003-11 and Conditional Use Permit No. 2003-46, excepting that prior to issuance of a building permit, the applicant shall revise the common area maintenance agreement to incorporate the new parcels as depicted per Tentative Parcel Map No. 2024-04 into the common area maintenance agreement applicable to the parcels served by MT Pointe Professional Office POA.
6. That a Final Map (i.e., Tentative Parcel Map No. 2024-04) be recorded prior to the issuance of occupancy for the medical clinic building.
7. Prior to the recording of a final map on the site, staff shall receive a valid Will Serve Letter from the California Water Service Company.
8. That all other federal, state and city laws, codes and ordinances be complied with.

Exhibit A



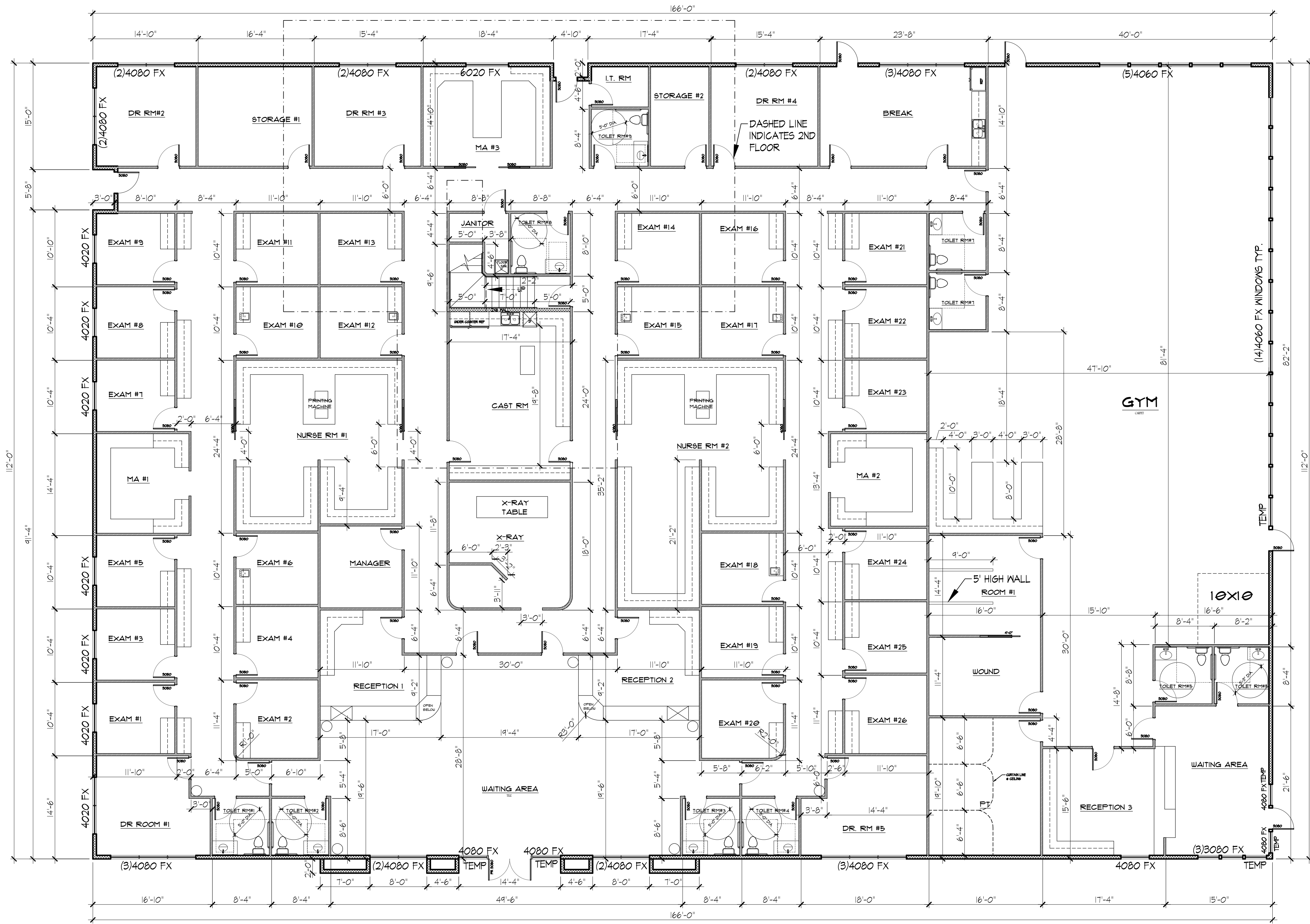
ADDRESS 2318 W SUNNYSIDE AVE
 ZONE O-PA
 BUSINESS MEDICAL CLINIC
 PARKING EXIST'G BUILDING 19,233 SQ FT / 200 = 75 STALLS
 PROPOSED BLDG 21,266 SQ FT / 200 = 107 STALLS
 182 REQUIRED
 95 PROVIDED

L. LEWIS ARCHITECT
 ARCHITECTURE PLANNING INTERIORS
 820 W. CENTER VILAJIA CA 93791
 (559) 739-8399

FILE A NEW MEDICAL FACILITY

DATE	DESCRIPTION





FIRST FLOOR PLAN

1/8" = 1'-0"

Exhibit B

L. LEWIS ARCHITECT
ARCHITECTURE PLANNING INTERIORS

TITLE: NEW BUILDING
MEDICAL FACILITY

DATE: _____

CELL: _____

DATE: _____

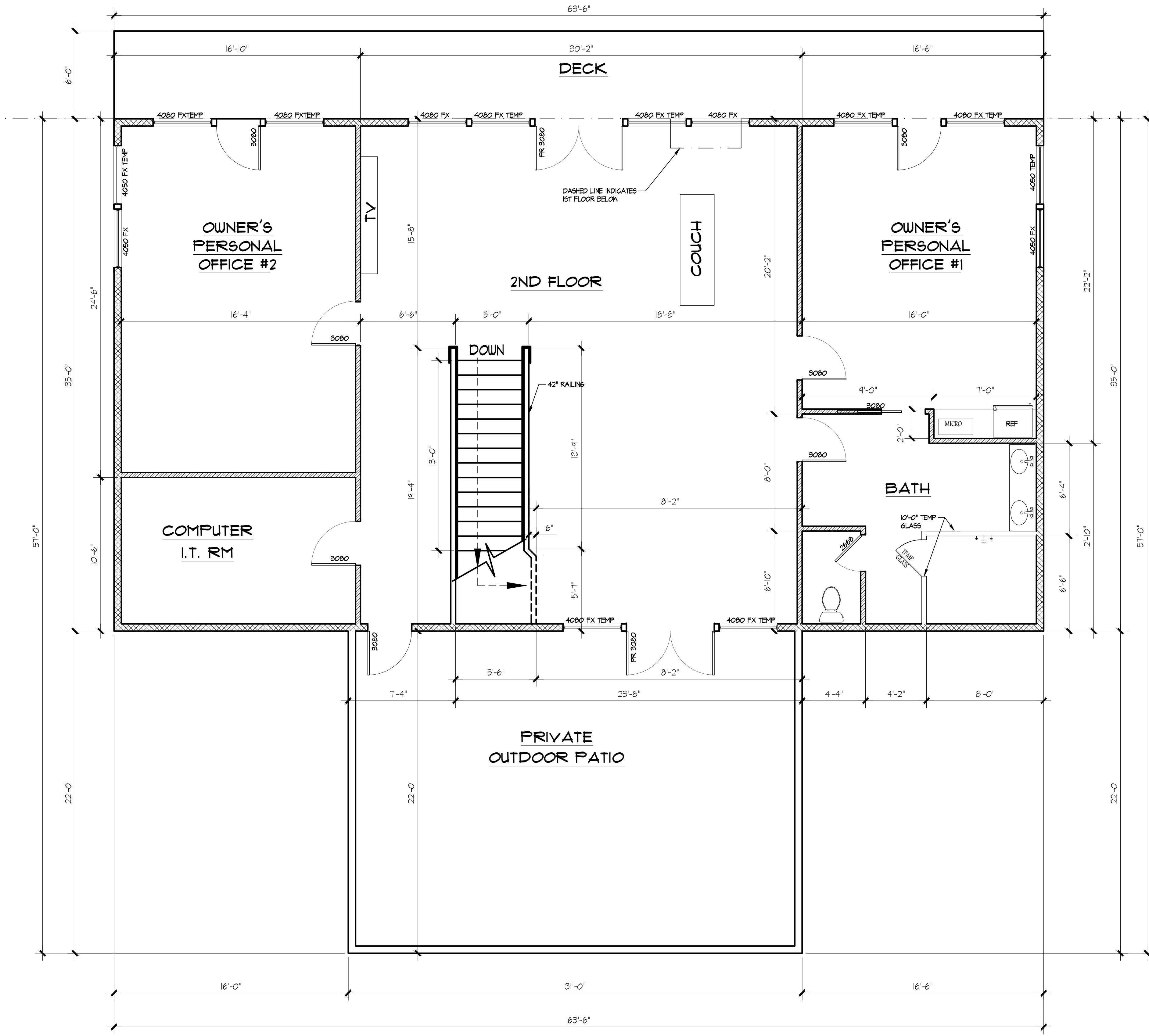
820 W. CENTER
VISALIA CA 93291

JOB NO. C17-01
DATE 01/17/03
DRAWN BY: LL

A-1
SHEET NO

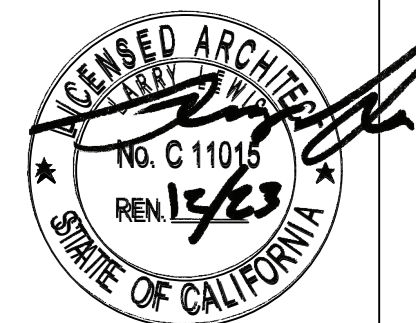


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2ND FLOOR PLAN

1/4" = 1'-0"

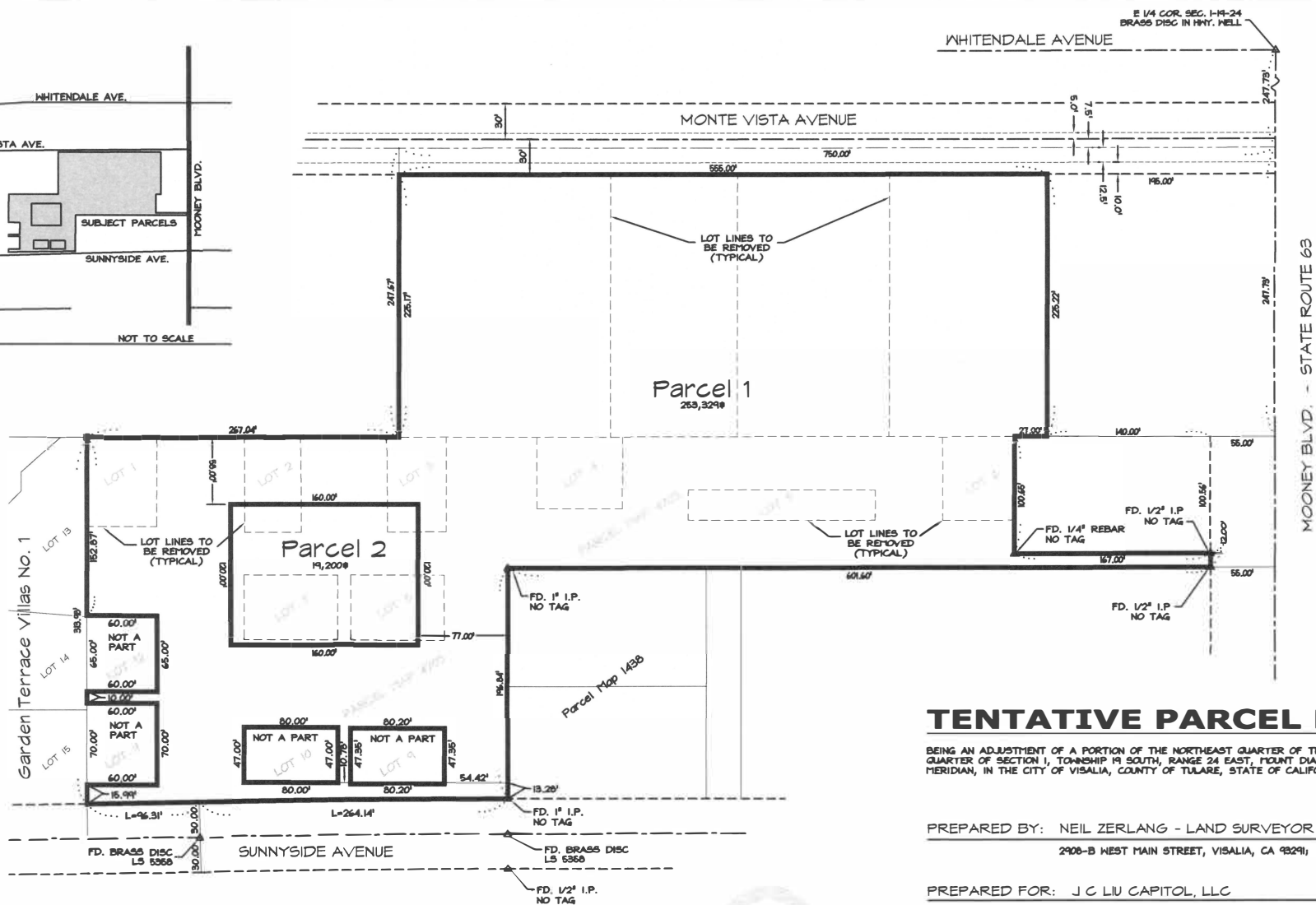
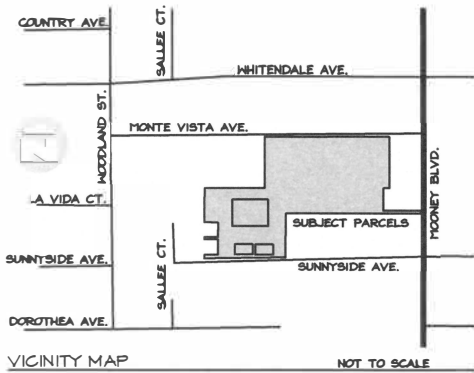


JOB NO. C11-01
 DATE 01/17/23
 DRAWN BY: LL
 A-2
 SHEET NO

L. LEWIS ARCHITECT
 ARCHITECTURE PLANNING INTERIORS

820 W. CENTER
 VISALIA CA 93291
 (559) 732-8399

TITLE: NEW BUILDING
MEDICAL FACILITY
 VISALIA, CA



TENTATIVE PARCEL MAP

BEING AN ADJUSTMENT OF A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 24 EAST, MOUNT Diablo BASE AND MERIDIAN, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.

OCTOBER 2025

PREPARED BY: NEIL ZERLANG - LAND SURVEYOR

2408-B WEST MAIN STREET, VISALIA, CA 93291; (559) 739-1616

PREPARED FOR: J C LIU CAPITOL, LLC

4412 N. FERGUSON AVENUE, VISALIA, CA 93291; (559) 732-9236

ASSESSOR'S PARCEL NO.: 121-100-079, 080, 081, 082, 083,
084, 085, 086 & 091 AND 121-090-015, 017, 024 & 037

ZONE: O-PA & C-MU

FLOOD ZONE: 'X'

Exhibit C

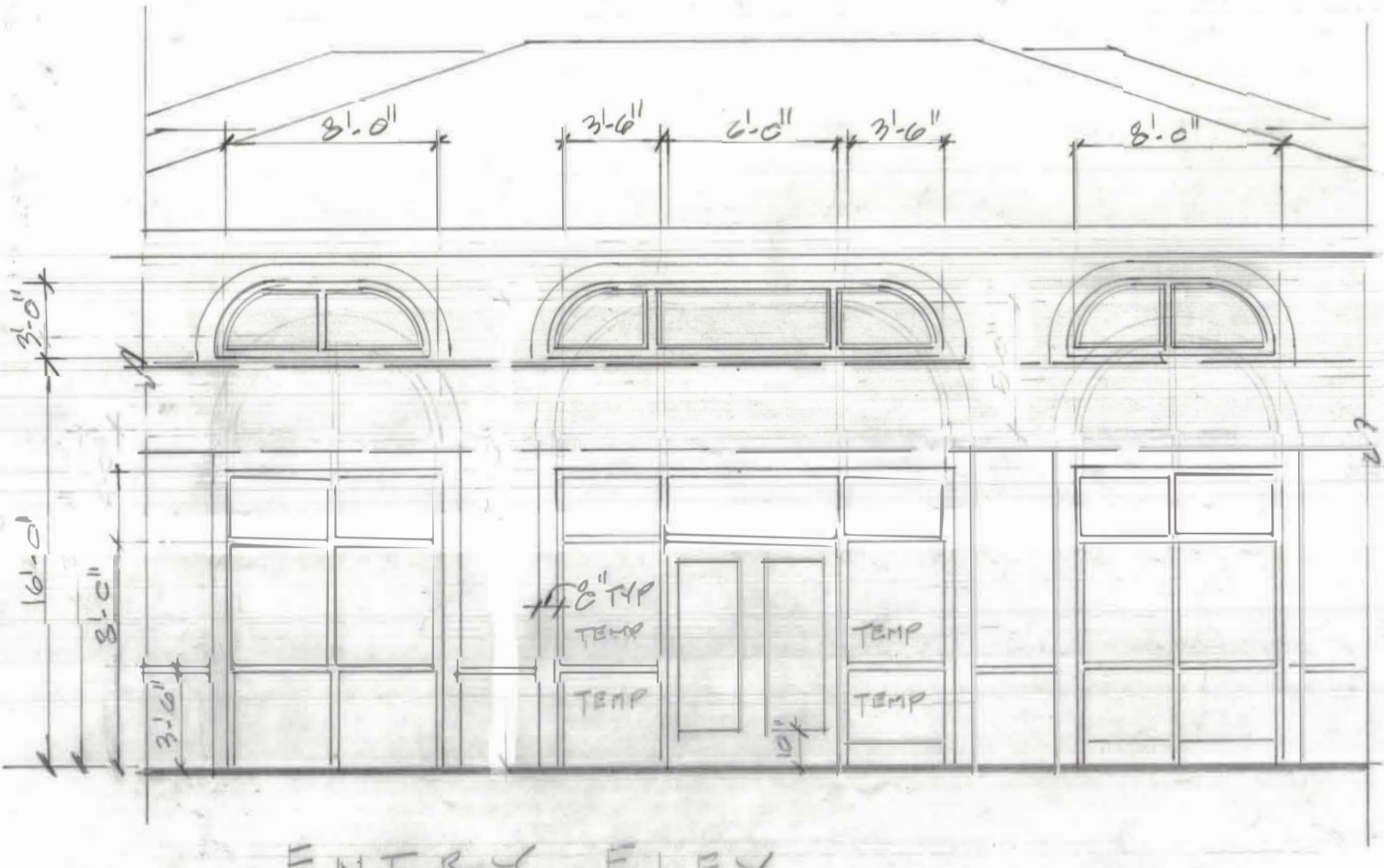


SCALE: 1" = 60'

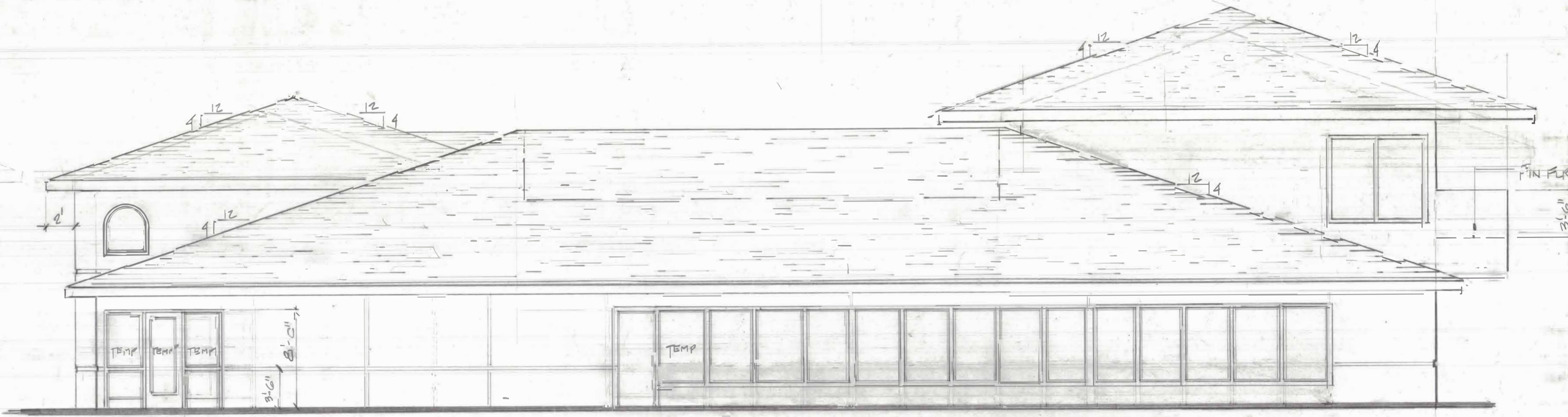
Exhibit D



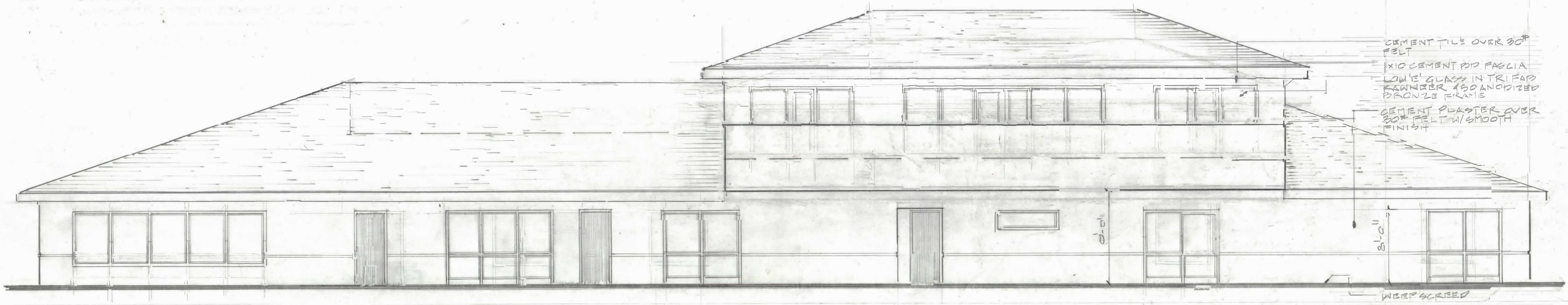
SOUTH



ENTRY ELEV



EAST



NORTH

EXTERIOR ELEVATIONS 3/8" = 1'-0"

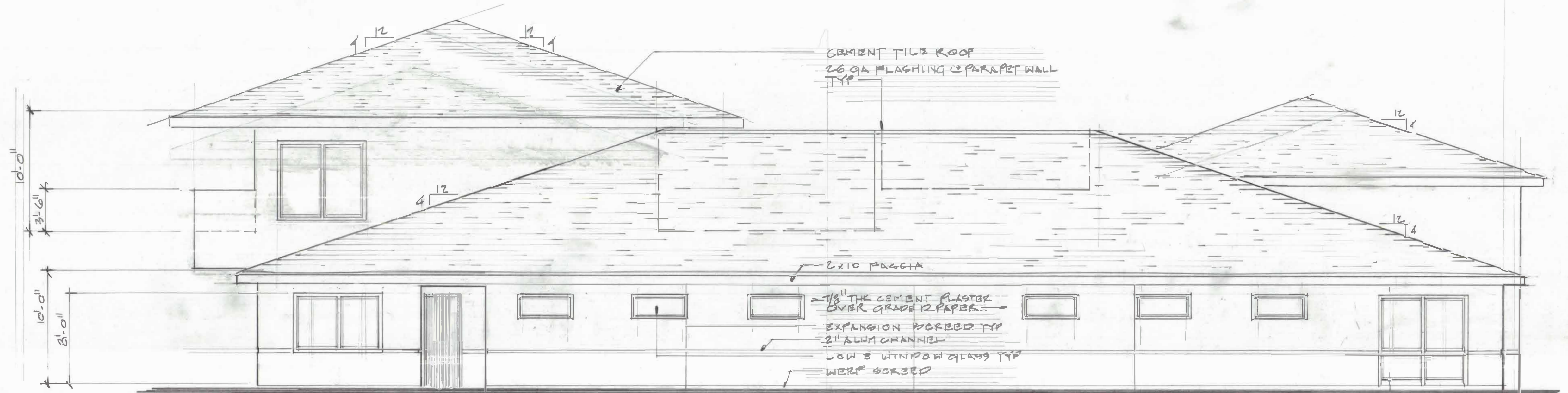
L. LEWIS ARCHITECT

ARCHITECTURE PLANNING INTERIORS

820 W. CENTER VISALIA CA 93291 (559) 733-8393

A NEW MEDICAL FACILITY

A-3



WEST

EXTERIOR ELEVATION 3/8" = 1'-0"

L. LEWIS ARCHITECT

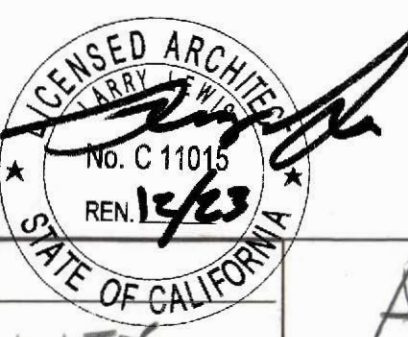
ARCHITECTURE PLANNING INTERIORS

820 W. CENTER VISALIA CA. 93291

(559) 733-8399

DATE	DATE

TITLE: A NEW MEDICAL FACILITY



A-9 SHEET NO

Exhibit E

Clarification of Building Use

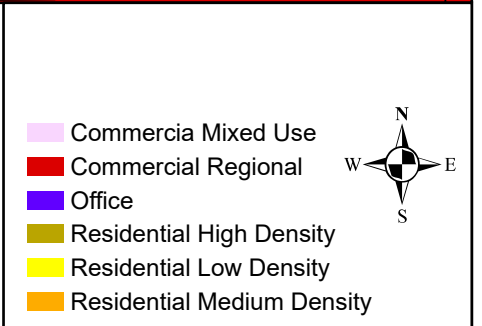
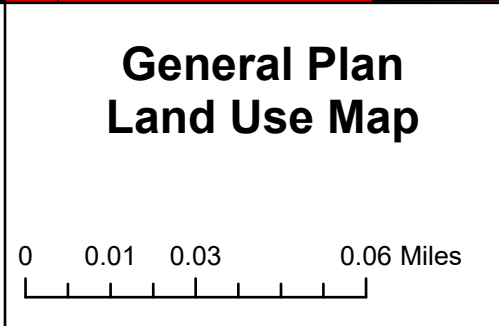
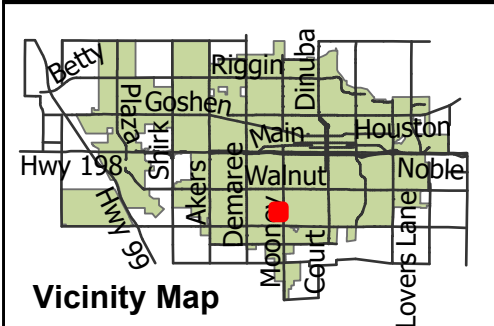
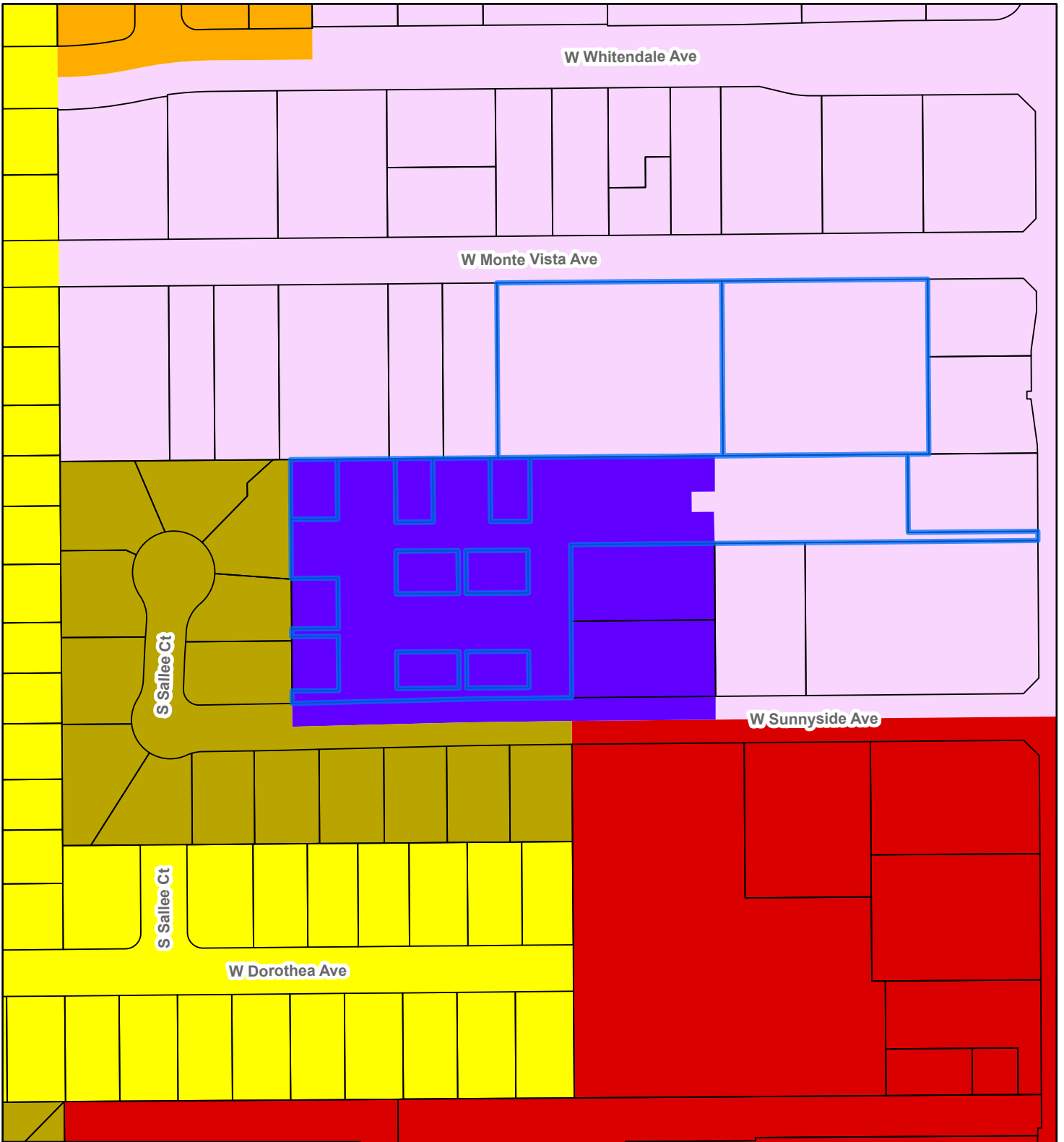
Facility is Use Exclusively for Private Office, Medical Office Clinic Space and Therapies

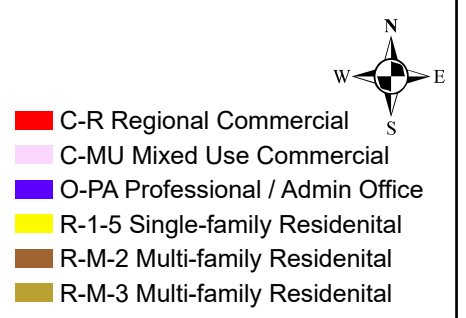
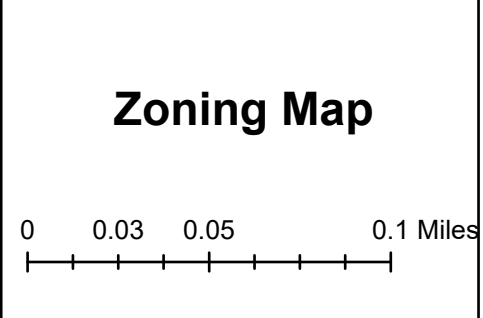
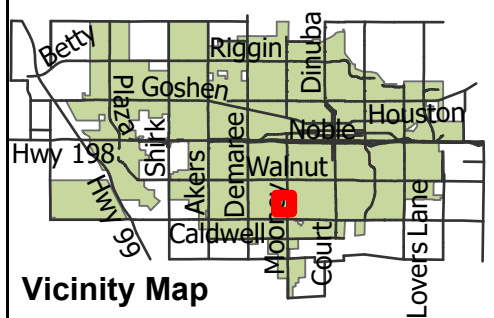
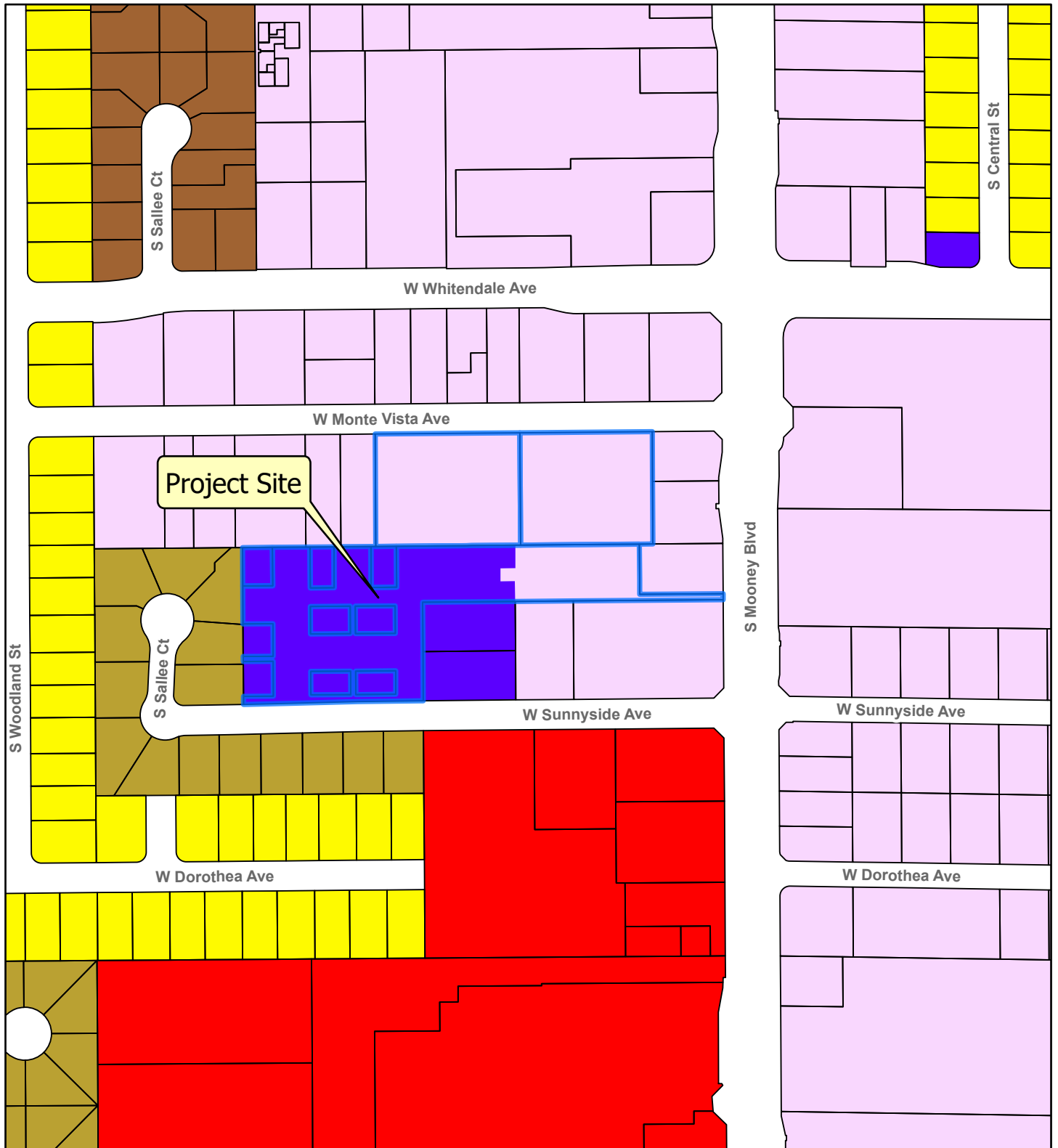
The new office building will be used by Dr. Liu for medical clinic and therapy. It will consist of multiple examination rooms for doctor to see and exam patients. A Xray room for taking x-ray pictures for the orthopedic care. A cast room is used for placement of cast or splints, and removal of cast for non-surgical fracture care. There is a gym where patients will receive care for physical therapy and occupational therapy after their surgery at the local hospitals.

The second-floor office space is to be used exclusively for Dr. Liu's Private office space. There will not be any employee or patient in the second floor.

We hope to have as many as six (6) doctors, a nurse practitioner, and 15 additional staff (nurse, receptionist, one admission, etc.).

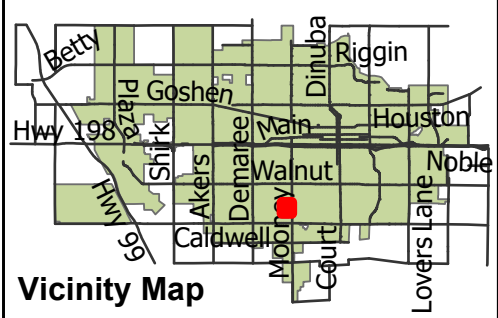
Our operational hours will be from 7 am to 6 pm Monday through Friday, with up to 100 patients every day.



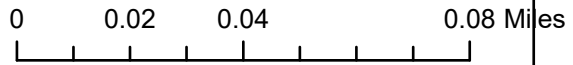


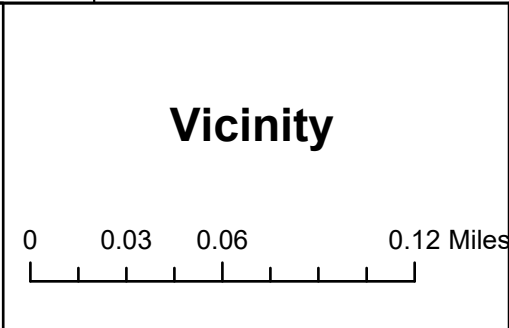
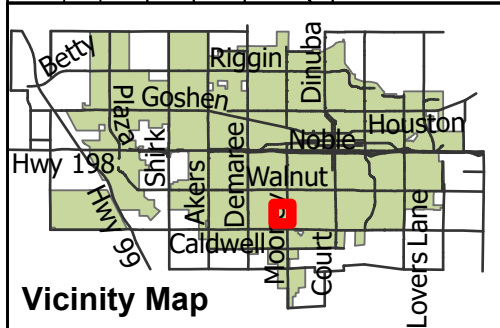
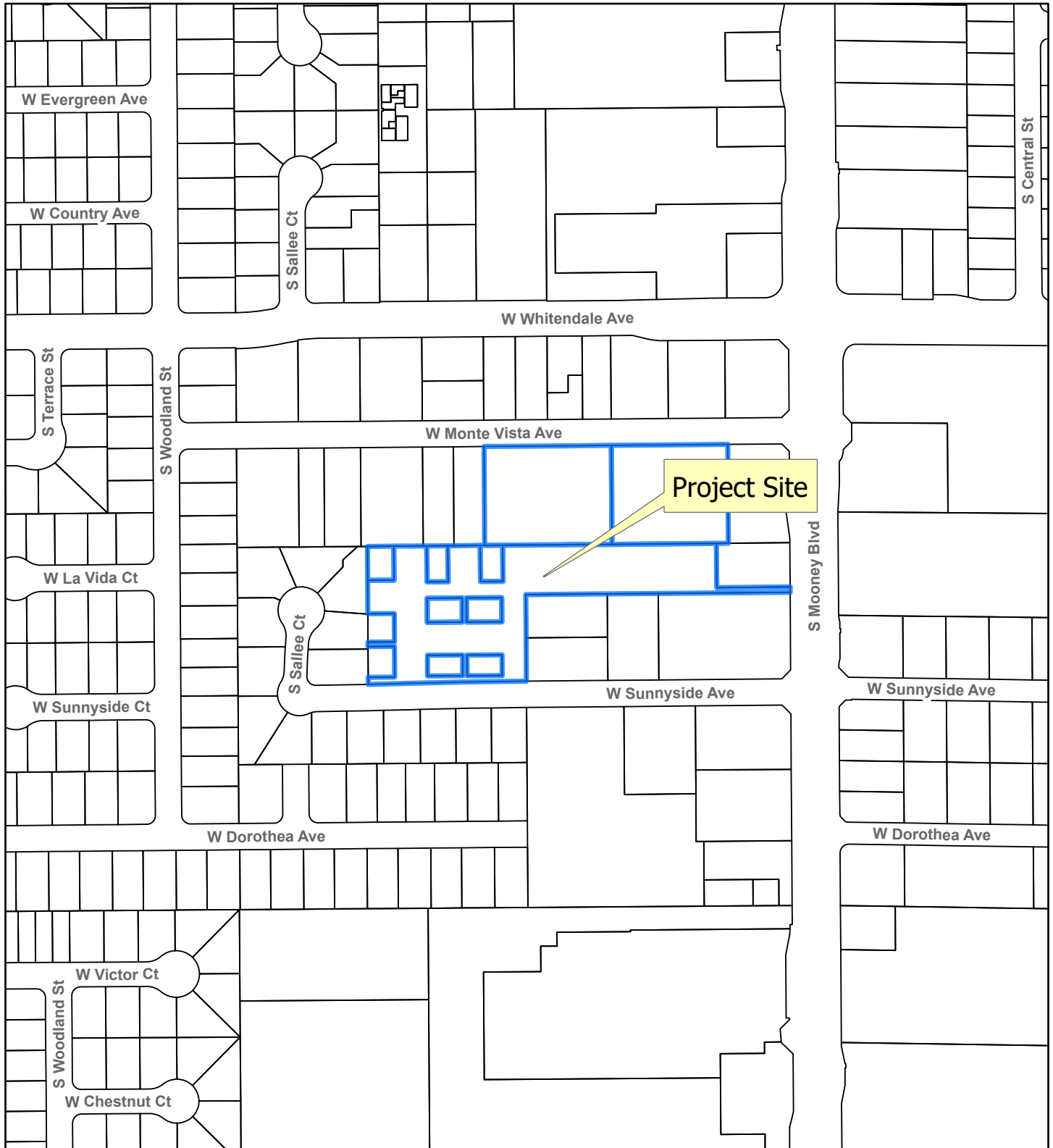


Project Site



Aerial Map







REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 26, 2024

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

SUBJECT: Conditional Use Permit No. 2024-01: A request by Rashad Mosleh to establish a Smoke Shop in a 1,000 square foot tenant space located at 1112 North Ben Maddox Way in the C-MU (Mixed-Use Commercial) Zone (APN: 098-280-007).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2024-01, as conditioned, based upon the findings and conditions in Resolution No. 2024-01. 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. 2024-01, based on the findings and conditions in Resolution No. 2024-01.

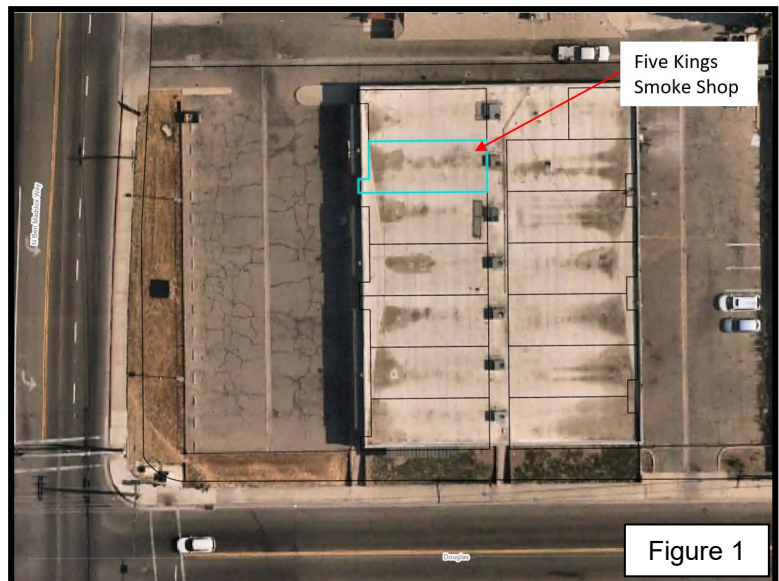
PROJECT DESCRIPTION

Conditional Use Permit No. 2024-01 is a request by Rashad Mosleh to establish a Smoke Shop in a 1,000 square foot tenant space within an existing 13,960 square foot building (see Exhibit "A"). The 13,960 square foot building has multiple tenant spaces, which are occupied by various businesses (Metro PCS by T-Mobile, Nery's Beauty Salon, and The Safe Company). The proposed Five Kings smoke shop tenant space is located on the west side of the building with their primary frontage along North Ben Maddox Way (see Figure 1 below).

The former tenant, identified by the Business Tax Office, was a retail cellular phone store. The applicant is proposing to use the entirety of the 1,000 square foot tenant space as a showroom utilizing display cases and wall area for display and storage of merchandise.

Changes would consist of the installation of showcases around the perimeter of the store, a display at the front of the store and t-shirt merchandise displays at the center (see Floor Plan in Exhibit "B"). There are no exterior modifications proposed to this space.

The store primarily sells tobacco products, smoking devices and accessories, and other various merchandise. The applicant has provided an operational statement (see Exhibit "C"), detailing merchandise being sold and their hours of operation. The Five Kings smoke shop will operate seven days a week from 9:00 a.m. to 9:00 p.m. The operational statement indicates that two employees will be present during business hours.



BACKGROUND INFORMATION

General Plan Land Use Designation	Commercial Mixed Use
Zoning	C-MU – Commercial Mixed Use
Surrounding Zoning and Land Use	North: C-MU – Mixed Use Commercial / Strip Mall South: C-S – Service Commercial / Goldstar Barber Shop East: R-1-5 – Residential / Sierra View Tract West: C-S – Service Commercial / Burger King
Environmental Review	Categorical Exemption No. 2019-66
Site Plan	2023-215

RELATED PLANS & POLICIES

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

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. This recommendation is based on the project’s compatibility with adjacent land uses, in addition to complying with updated zoning ordinance established codified performance standards regulating smoke shops.

Compliance with Zoning Ordinance

On March 21, 2022, the City Council introduced the first reading of Ordinance No. 2022-04 which established codified performance standards regulating smoke shops in the C-MU (Commercial Mixed-Use) and D-MU (Downtown Mixed-Use) Zones. The ordinance took effect on April 20, 2022. In essence, the ordinance established a 1,000-foot radius buffer requirement for proposed smoke shops from other smoke shops, and, a 1,000-foot radius buffer from existing or planned public, private, or parochial schools, elementary schools, middle schools, high schools, licensed day care facilities, preschools, libraries, parks, or other recreational facilities where minors congregate. Since the ordinance’s adoption, Planning staff has worked with the City’s GIS division to produce an interactive map identifying where these 1,000-foot buffers exist (see link below). Please see Exhibit “D” for reference of this proposed site in relation to other smoke shops or sensitive land uses.

Link to Smoke Shop Buffer Map:

<https://visalia.maps.arcgis.com/apps/webappviewer/index.html?id=07d72a54e5594379a9724a0702d6db6a>

There are other retail establishments along the corridor that may sell tobacco products, such as cigarette boxes and cartons, but they do not meet the definition of a “smoke shop” establishment as defined per the ordinance update. Smoke shops / Tobacco stores are establishments that devote more than 30% of either their gross floor space or display area to the retail sale, display, marketing, etc. of tobacco, tobacco products, or exchange of tobacco paraphernalia, including electronic smoking devices.

Staff concludes the project, as conditioned, is consistent with the zoning ordinance requirements.

Parking

The parking requirement for general retail stores is one parking space for each 300 square feet of building area. The larger, multi-tenant building (with a square footage of 13,960 sq. ft.) has a sufficient number of parking spaces established on the west and east sides of the building.

A site visit by staff showed that there are forty-five (45) parking spaces provided on-site. Sixteen (16) of the parking stalls are located on the east side of the property and the remainder along the west fronting North Ben Maddox. Five (5) of the seven (7) tenant spaces on the west side of the building are leased. However, ample parking is provided for the Five Kings Smoke Shop and for future tenants.

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. 2024-01).

Projects determined to meet this classification are consists 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

Conditional Use Permit No. 2024-01

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 proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
 - 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.
3. That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
4. That the project is considered Categorical Exempt under Section 15301, Class 1 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2024-01). Projects determined to meet this classification are consists 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 conversion of a single-family residence to office use.

RECOMMENDED CONDITIONS OF APPROVAL

Conditional Use Permit No. 2024-01

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2023-215, incorporated herein by reference.
2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A", the Floor Plan in Exhibit "B", and the operational statement in Exhibit "C".
3. That the applicant complies with their operational statement as stated in Exhibit "C". Any changes to their operation are subject to review by the City Planner, and may subsequently be required to be reviewed by the Planning Commission.
4. All new building signage shall require a separate building permit and shall be designed consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
5. That all other federal and state laws and city codes and ordinances be complied with.

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. 2019-65
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Applicants Operational Statement
- Exhibit "D" – Smoke Shop Exclusion Map
- Site Plan Review Comments No. 2023-215
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

Chapter 17.38 CONDITIONAL USE PERMITS

Sections:

- 17.38.010 Purposes and powers.
- 17.38.020 Application procedures.
- 17.38.030 Lapse of conditional use permit.
- 17.38.040 Revocation.
- 17.38.050 New application.
- 17.38.060 Conditional use permit to run with the land.
- 17.38.065 Abandonment of conditional use permit.
- 17.38.070 Temporary uses or structures.
- 17.38.080 Public hearing—Notice.
- 17.38.090 Investigation and report.
- 17.38.100 Public hearing—Procedure.
- 17.38.110 Action by planning commission.
- 17.38.120 Appeal to city council.
- 17.38.130 Effective date of conditional use permit.
- 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.

17.38.020 Application procedures.

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
 - 1. Name and address of the applicant;
 - 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
 - 3. Address and legal description of the property;
 - 4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
 - 5. The purposes of the conditional use permit and the general description of the use proposed;
 - 6. Additional information as required by the historic preservation advisory committee.
 - 7. Additional technical studies or reports, as required by the Site Plan Review Committee.
 - 8. A traffic study or analysis prepared by a certified traffic engineer, as required by the Site Plan Review Committee or Traffic Engineer, that identifies traffic service levels of surrounding arterials, collectors, access roads, and regionally significant roadways impacted by the project and any required improvements to be included as a condition or mitigation measure of the project in order to maintain the required services levels identified in the General Plan Circulation Element.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application.

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.

17.38.070 Temporary uses or structures.

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
 - 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
 - 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
 - 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
 - 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.

5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
 7. Signing for temporary uses shall be subject to the approval of the city planner.
 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
 9. Fruit/Vegetable stands shall be subject to site plan review.
- C. The City Planner shall deny a temporary use permit if findings cannot be made, or conditions exist that would be injurious to existing site, improvements, land uses, surrounding development or would be detrimental to the surrounding area.
- D. The applicant or any interested person may appeal a decision of temporary use permit to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing with applicable fees, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The commission shall review the temporary use permit and shall uphold or revise the decision of the temporary use permit, based on the findings set forth in Section 17.38.110. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.
- E. A privately owned parcel may be granted up to six (6) temporary use permits per calendar year.

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 17.19 MIXED USE ZONES

Sections:

- 17.19.010 Purpose and intent.
- 17.19.015 Applicability.
- 17.19.020 Permitted uses.
- 17.19.030 Conditional and temporary uses.
- 17.19.040 Required conditions.
- 17.19.050 Off-street parking and loading facilities.
- 17.19.060 Development standards in the C-MU zones outside the downtown area.
- 17.19.070 Development standards in the D-MU zone and in the C-MU zones inside the downtown area.

17.19.10 Purpose and intent.

- A. The several types of mixed zones included in this chapter are designed to achieve the following:
 - 1. Encourage a wide mix of commercial, service, office, and residential land uses in horizontal or vertical mixed use development projects, or on adjacent lots, at key activity nodes and along corridors.
 - 2. Maintain Visalia's downtown Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as the traditional, medical, professional, retail, government and cultural center;
 - 3. Provide zone districts that encourage and maintain vibrant, walkable environments.
- B. The purposes of the individual mixed use zones are as follows:
 - 1. Mixed Use Commercial Zone—(C-MU). The purpose and intent of the mixed use commercial zone district is to allow for either horizontal or vertical mixed use development, and permit commercial, service, office, and residential uses at both at key activity nodes and along corridors. Any combination of these uses, including a single use, is permitted.
 - 2. Mixed Use Downtown Zone—(D-MU). The purpose and intent of the mixed use downtown zone district is to promote the continued vitality of the core of the community by providing for the continuing commercial development of the downtown and maintaining and enhancing its historic character. The zone is designed to accommodate a wide mix of land uses ranging from commercial and office to residential and public spaces, both active and passive. The zone is intended to be compatible with and support adjacent residential uses, along with meeting the needs of the city and region as the urban center of the city; to provide for neighborhood, local, and regional commercial and office needs; to accommodate the changing needs of transportation and integrate new modes of transportation and related facilities; and to maintain and enhance the historic character of the city through the application of architectural design features that complement the existing historic core of the city. (Ord. 2017-01 (part), 2017)

17.19.015 Applicability.

The requirements in this chapter shall apply to all property within the C-MU and D-MU zone districts. (Ord. 2017-01 (part), 2017)

17.19.020 Permitted uses.

Permitted uses in C-MU and D-MU zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017)

17.19.030 Conditional and temporary uses.

Conditional and temporary uses in the C-MU and D-MU zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017)

17.19.040 Required conditions.

- A. A site plan review permit must be obtained for any development in any C-MU and D-MU zones, subject to the requirements and procedures in Chapter 17.28.
- B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, Christmas tree sales lots, bus depots and transit stations, electric distribution substation, and recycling facilities;
- C. All products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced. (Ord. 2017-01 (part), 2017)

17.19.050 Off-street parking and loading facilities.

Off-street parking and off-street loading facilities shall be provided as prescribed in Chapter 17.34. (Ord. 2017-01 (part), 2017)

17.19.060 Development standards in the C-MU zones outside the downtown area.

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: fifteen (15) feet
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 4. Side: zero (0) feet;
 - 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 - 1. Front: fifteen (15) feet;
 - 2. Rear: five (5) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 - 4. Side: five (5) feet (except where a building is located on side property line);
 - 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 - 6. Street side on corner lot: ten (10) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable. (Ord. 2017-01 (part), 2017)

17.19.070 Development standards in the D-MU zone and in the C-MU zones inside the downtown area.

The following development standards shall apply to property located in the D-MU and C-MU zone and located inside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: No minimum.
- B. Maximum building height: one hundred (100) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: zero (0) feet;

2. Rear: zero (0) feet;
3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
4. Side: zero (0) feet;
5. Side yards abutting an R-1 or R-M zone district: zero (0) feet;
6. Street side yard on corner lot: zero (0) feet.

D. Minimum required landscaped yard (setback) areas:

1. Front: five (5) feet (except where a building is located on property line);
2. Rear: zero (0) feet;
3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
4. Side: five (5) feet (except where a building is located on side property line);
5. Side yards abutting an R-1 or R-M zone district: five (5) feet except where a building is located on side property);
6. Street side on corner lot: five (5) feet.

E. The provisions of Chapter 17.58 shall also be met, if applicable.

(Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017)

RESOLUTION NO. 2024-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2024-01, A REQUEST BY RASHAD MOSLEH TO ESTABLISH A SMOKE SHOP IN A 1,000 SQUARE FOOT TENANT SPACE LOCATED AT 1112 NORTH BEN MADDOX WAY IN THE C-MU (MIXED-USE COMMERCIAL) ZONE (APN: 098-280-007)

WHEREAS, Conditional Use Permit No. 2024-01, is a request by Rashad Mosleh to establish a Smoke Shop in a 1,000 square foot tenant space located at 1112 North Ben Maddox Way in the C-MU (Mixed-Use Commercial) Zone (APN: 098-280-007); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 26, 2024; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2024-01, 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 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 proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
 - 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.
3. That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
4. That the project is considered Categorically Exempt under Section 15301,

Class 1 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2024-01). Projects determined to meet this classification are consists 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 conversion of a single-family residence to office use.

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. 2023-215, incorporated herein by reference.
2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A", the Floor Plan in Exhibit "B", and the operational statement in Exhibit "C".
3. That the applicant complies with their operational statement as stated in Exhibit "C". Any changes to their operation are subject to review by the City Planner, and may subsequently be required to be reviewed by the Planning Commission.
4. All new building signage shall require a separate building permit and shall be designed consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
5. That all other federal and state laws and city codes and ordinances be complied with.



Imagery ©2023 Airbus, Map data ©2023 20 ft

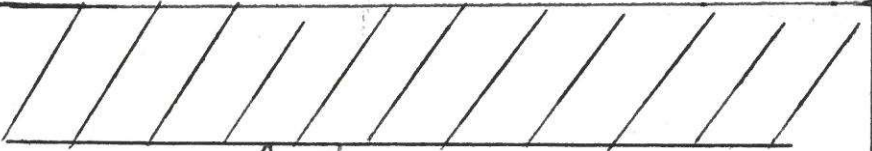
Live traffic	Fast	Slow
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2

Site Plan

N Ben Maddox Way

Pien Go
Gas



Parking

Sushi House & Pho

1114	1112	1108	1100	1106
MASSAGE		Balbers Shop		Thrifty Store

E Douglas Ave

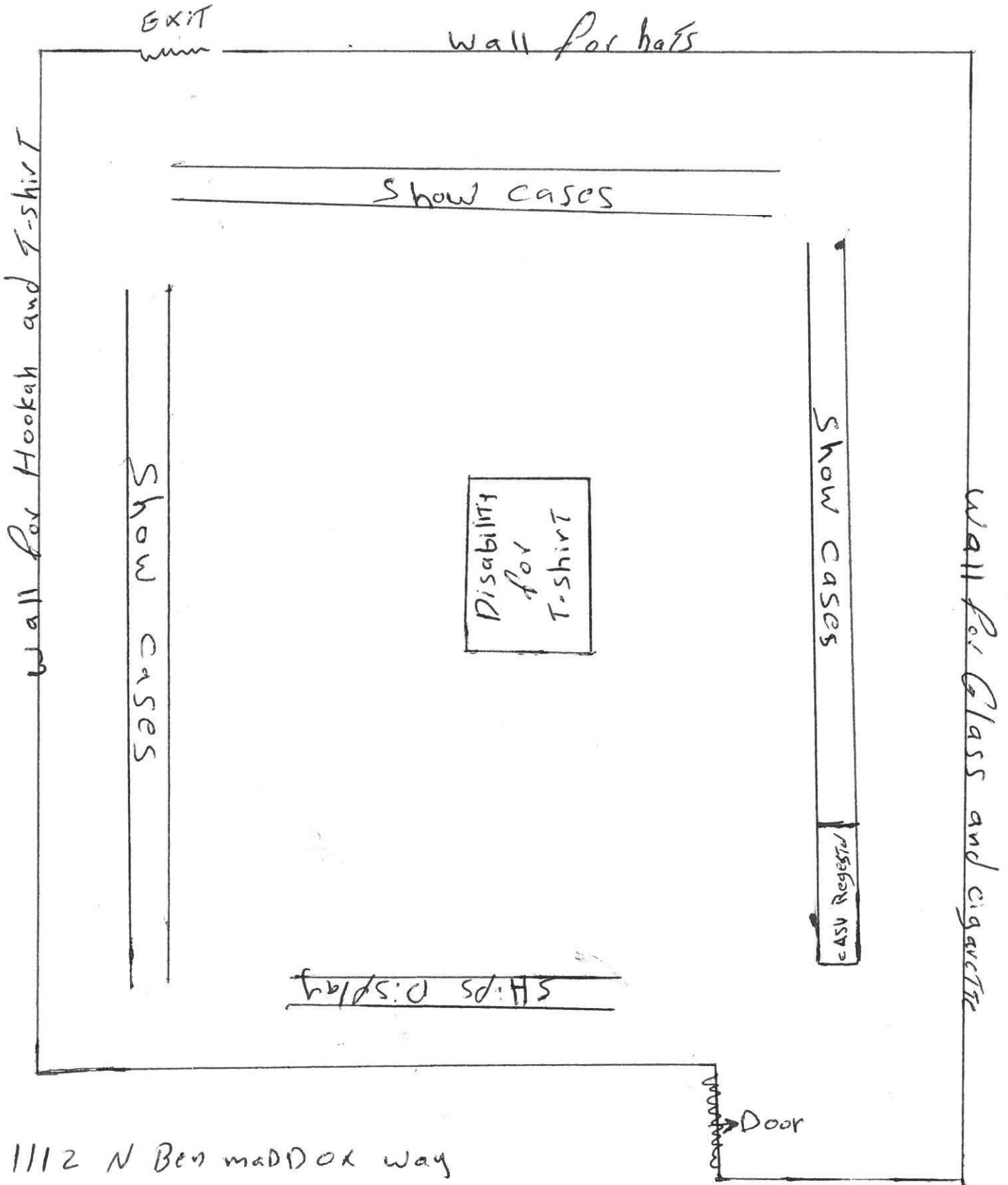
1400	1019	1029	1039	1049
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N 6505 St 115

①

5 KINGSZ Smoke SHOP

Floor Plan



1112 N Ben maddock way

Visalia ca 93292

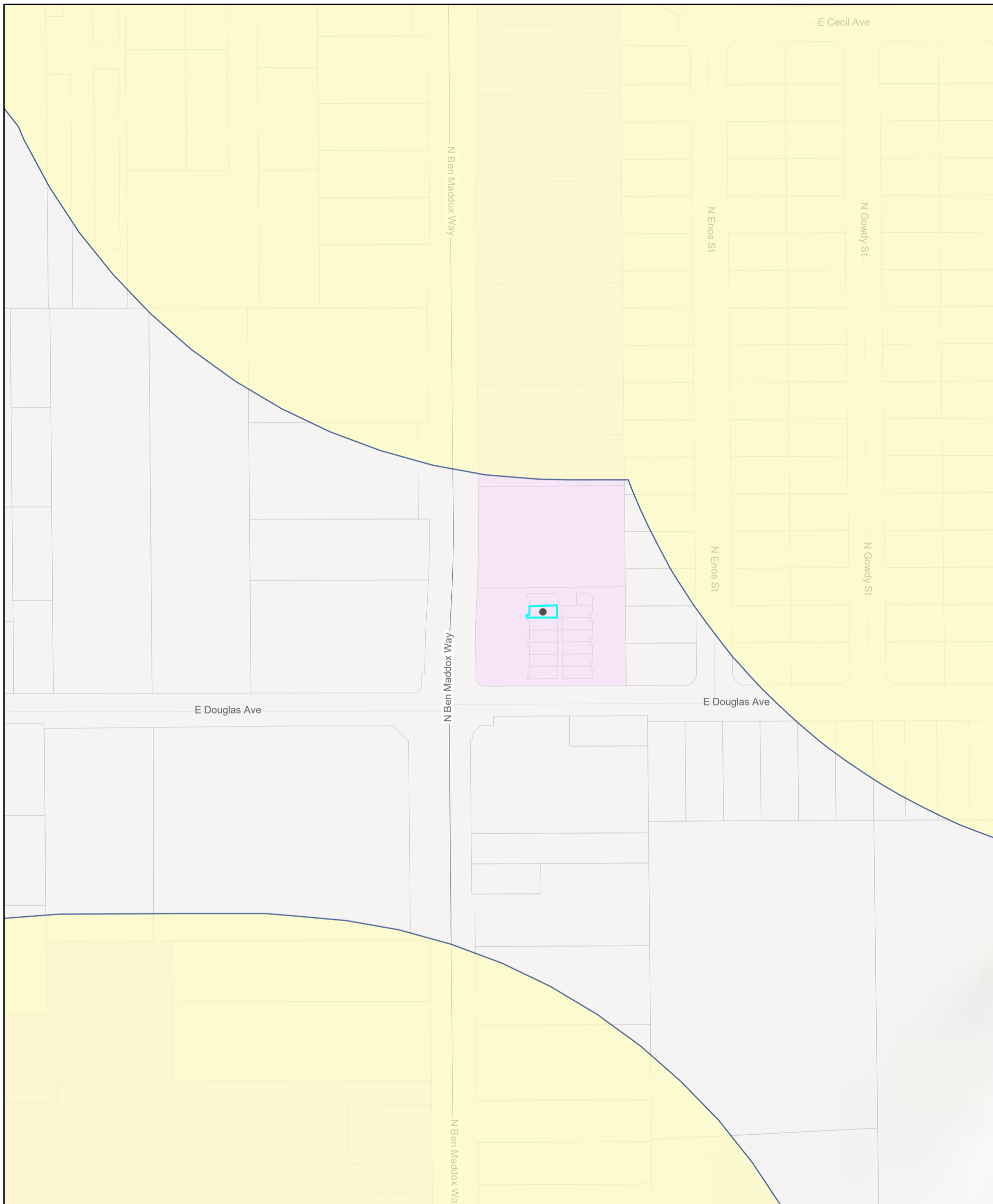
3

Inventory.

- * Bongs
- * Cigarettes.
- * t-shirts.
- * shorts.
- * hats.
- * hookah.
- * Chips.
- * pipes.
- * team cups.
- * speakers.
- * headphones.
- * chargers

- * 9am-9pm - 2 workers

Smoke Shop Exclusion Map



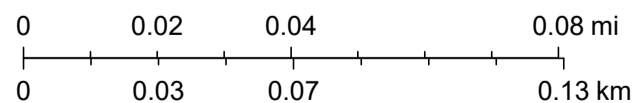
2/21/2024, 4:04:07 PM

 Smoke Shop Exclusion Buffers

Zoning

 C-MU

1:2,257



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



January 18, 2024

Site Plan Review No. 2023-215:

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 **December 13, 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 black ink, appearing to read 'Paul Bernal', is written over a large, light-colored circular mark.

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE December 13, 2023
 SITE PLAN NO. 2023-215
 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 – Lot Line Adjustment

ADDITIONAL COMMNTS:

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

Brandon Smith, Planning Division, (559) 713-4636

Date: December 13, 2023

SITE PLAN NO: 2023-215
PROJECT TITLE: 5 kinsz
DESCRIPTION: Smoke Shop
APPLICANT: RASHAD MOHAMED KAID MOSALEH
LOCATION TITLE: 1112 N BEN MADDOX WAY
APN TITLE: 098-280-007
GENERAL PLAN: CMU
ZONING: C-MU – Commercial Mixed Use

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit

PROJECT SPECIFIC INFORMATION: December 13, 2023

1. The proposed use requires a Conditional Use Permit (CUP) based upon smoke shops being conditionally allowed in the C-MU zone (Ref. Zoning Ordinance Table 17.25.030, Line R80).
2. Staff has confirmed that the location is eligible for a smoke shop, being located over 1,000 feet from other stores, schools, or parks.
3. With the CUP application, provide a detailed operation statement that addresses days and hours of operation, any additional types of retail being sold at the store, and any additional information.
4. With the CUP application, provide a floor plan showing the layout of the lease area, retail space with countertops and locations of specific merchandise, and any additional rooms (i.e. storage, restrooms).
5. All wall signage shall require review and approval from the Building and Planning Division.
6. All signage within the windows shall comply with the requirements of the City of Visalia Sign Ordinance. Signage within the windows must be made of durable material and not cover more than 40% of the total window area.

Applicable sections of the Visalia Municipal Code:

- **8.46 (Definitions Regarding Tobacco Stores)**
- **17.04 (Definitions)**
 - "Smoke Shop/Tobacco Store" means a business with sales of tobacco, either loose or prepared as cigarettes and products for smoking constituting more than thirty (30) percent of gross sales and/or thirty (30) percent of net lease area.
- **17.25 (Zone Use Matrix)**
- **17.32 (Special Provisions)**
 - **17.32.164 Smoke Shop / Tobacco Store performance standards**

Section 17.32.164 Smoke Shop / Tobacco Store performance standards.

- A. Smoke Shops / Tobacco Stores businesses shall be conditionally permitted in the C-MU (Mixed Use Commercial Zone) and D-MU (Mixed Use Downtown Zone) as they are identified on the Zoning map. In addition, no Smoke Shop / Tobacco Store shall be located:
1. Within one thousand (1,000) feet of any other Smoke Shop / Tobacco Store located either inside or outside the city limits.
 2. Within one thousand (1,000) feet of any existing or planned public, private, or parochial schools, elementary schools, middle schools, high schools, licensed day care facilities, preschools, libraries, parks, or other recreational facilities where minors congregate, located either inside or outside of the city limits.
- B. As used in this section, "Existing" means existing at the time the permit application is submitted. "Planned" means property designated on the general plan of the city for such use, or other official planning documents of the city, or property owned or leased by the city for such use.
- C. In addition to the location requirements stated above all Smoke Shops / Tobacco Stores shall meet the following performance standards:
1. Hold a valid California Cigarette and Tobacco Products Retailer's License issued by the State Board of Equalization in accordance with State law, and a copy of this license shall be prominently displayed in a publicly visible location at the establishment.
 2. Meet all requirements stated in Visalia Municipal Code Chapter 8.46 for the sale of tobacco paraphernalia and tobacco products.
 3. No smoking, as defined in Visalia Municipal Code Chapter 8.48, shall be permitted within the Smoke Shop / Tobacco Store.

NOTES:

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

<input type="checkbox"/>	Lupe Garcia	713-4197
<input type="checkbox"/>	Keyshawn Ford	713-4268
<input type="checkbox"/>	Edelma Gonzalez	713-4364
<input type="checkbox"/>	Sarah MacLennan	713-4271
<input checked="" type="checkbox"/>	Luqman Ragabi	713-4362

ITEM NO: 3 DATE: DECEMBER 13TH, 2023	
SITE PLAN NO.:	23-215
PROJECT TITLE:	5 KINGSZ
DESCRIPTION:	SMOKE SHOP
APPLICANT:	RASHAD MOHAMED KAID MOSALEH
PROP OWNER:	CHOPRA FAMILY LIMITED PARTNERSHIP
LOCATION:	1112 N BEN MADDOX WAY
APN:	098-2800-007

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. A building permit is required, standard plan check and inspection fees will apply.**
- 2. Provide a clear site plan with north arrow and showing location of proposed unit within building and existing parking stalls.**
- 3. 20% of project valuation will need to be used in Path of Travel upgrades. project shall comply with CBC section 11b-250: Circulation paths contiguous to vehicular traffic must be physically separated from vehicular traffic.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 23-215
Date: 12/13/2023

**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.)**

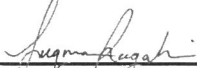
(Fee Schedule Date:08/19/2023)
(Project type for fee rates:)

Existing uses may qualify for credits on Development Impact Fees.

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input type="checkbox"/> Transportation Impact Fee	
<input type="checkbox"/> Trunk Line Capacity Fee	
<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

SPR 23215
 5 KINGSZ
 1112 N BEN MODDOX

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: NO IMPROVEMENTS, NO PERMIT,
NO COMMENTS.

VAL GARCIA 12/12/23
 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 December 12, 2023
Item # 3
Site Plan # 23215
APN: 098280007

- 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

Corbin Reed
Fire Marshal



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

Date: 12/13/23
 Item: 3
 Site Plan: SPR23215
 Name: Robert Avalos

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 lighting around property to help deter crime
- Traffic Concerns:

- Surveillance Issues:
interior/exterior surveillance cameras around property to help deter crime
- Line of Sight Issues:
no stickers, banners, tint or any other items that would prohibit a clear from from the outside looking in
- Other Concerns:
enroll/participate in the Trespass Enforcement Program T.E.P. / hours of operation to be limited from 8am-8pm at most

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

December 13, 2023

ITEM NO: 3 **Added to Agenda** MEETING TIME: 09:30
SITE PLAN NO: SPR23215 ASSIGNED TO: Josh Dan Josh.Dan@visalia.city
PROJECT TITLE: 5 kingsz
DESCRIPTION: smoke shop
APPLICANT: RASHAD MOHAMED KAID MOSALEH - Applicant
APN: 098280007
ADDRESS: 1112 N BEN MADDOX WAY
LOCATION: 1112 n ben moddox

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:

Leslie Blair

129 **Leslie Blair**

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

23215

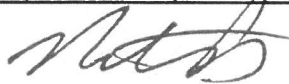
December 13, 2023

- 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.
- Existing solid waste services at this site are assigned to the property owners account and shared between all commercial tenants. The customer confirmed all turning radius will work for solid waste vehicle maneuverability. Enclosure gates are required and must swing 180 degrees, clearing all curbing. Cane bolts must be included to secure gates when opened. The customer is encouraged to contact the property owner/manager if additional services are required.

Comment

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

Nathan Garza, Solid Waste, 559-713-4532



Susan Currier

From: Lau, Scott@DOT <Scott.Lau@dot.ca.gov>
Sent: Tuesday, December 19, 2023 4:31 PM
To: Susan Currier
Cc: lorena.mendibles@dot.ca.gov; Deel, David@DOT
Subject: Caltrans response to Visalia SPR 121323

Hi Susan,

I have reviewed Visalia's SPR Agenda for December 13, 2023, and here are my findings:

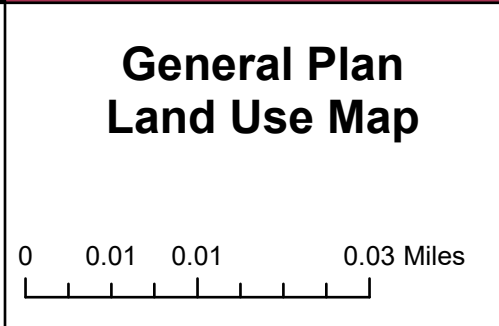
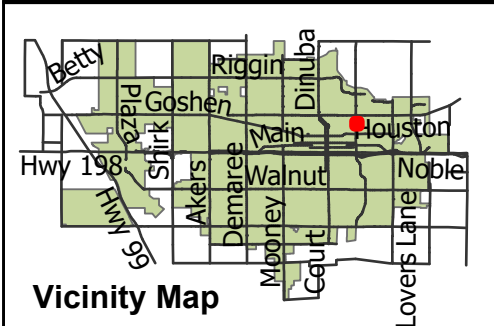
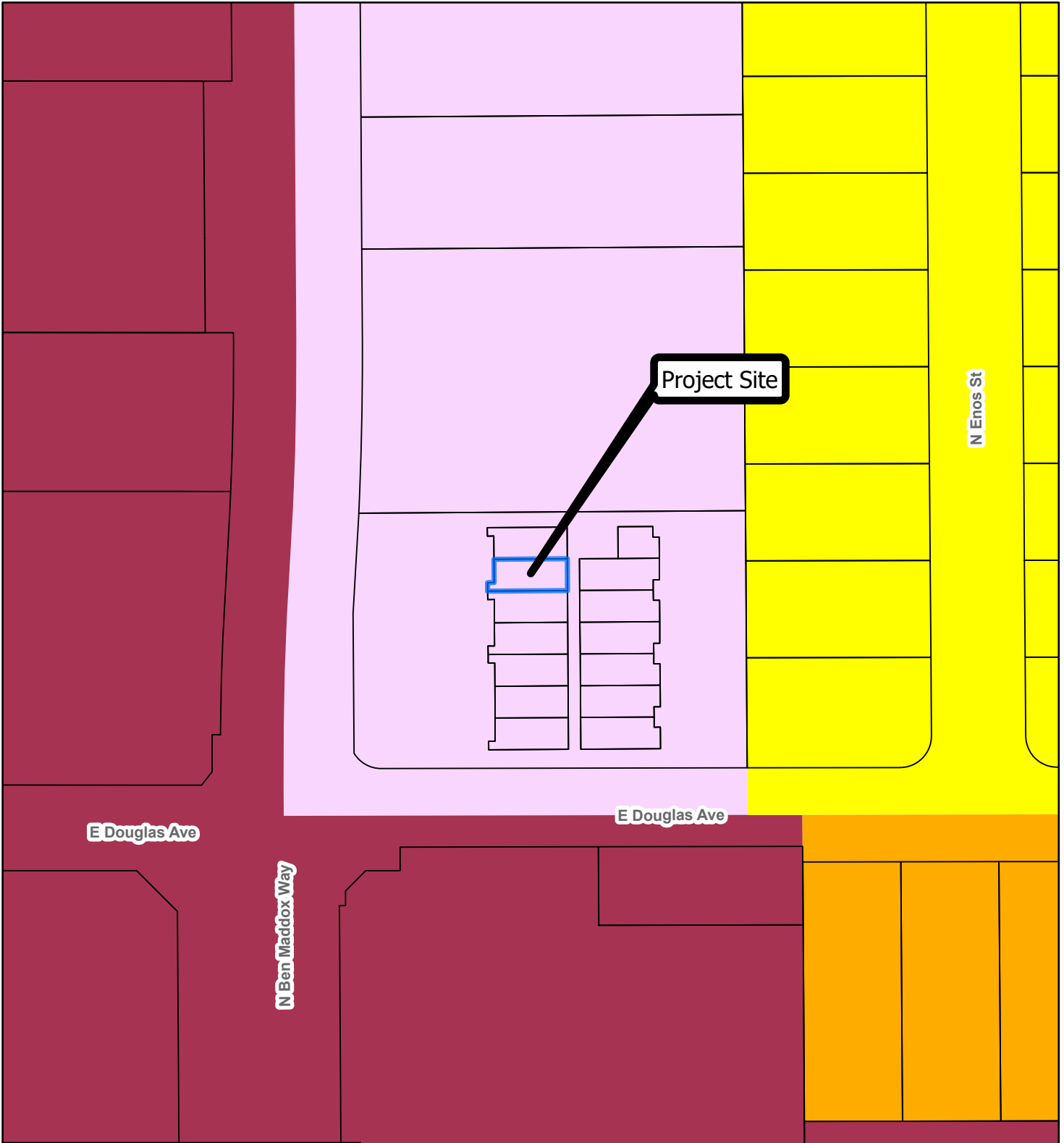
1. SPR 23183-1 – Raising Cane's Restaurant: No comments.
2. SPR 23214 -- Derrells Storage: No comments.
3. SPR 23215 – 5 Kingz Smoke Shop: No comments.
4. SPR 23217 – Jack in the Box Site Plan Review: **Need more information.**
5. SPR 23218 – Visalia Pavilions Lot 6 Parcel Map: No comments.
6. SPR 23219 – Unlimited Church International Ministry: No comments.
7. SPR 23220 – New Middle School Counseling Office: No comments.
8. SPR 23221 – Hassia Equipment Addition: No comments.
9. SPR 23222 – Mooney and Ave 264 Overall Site Plan: **Routed for Review.**

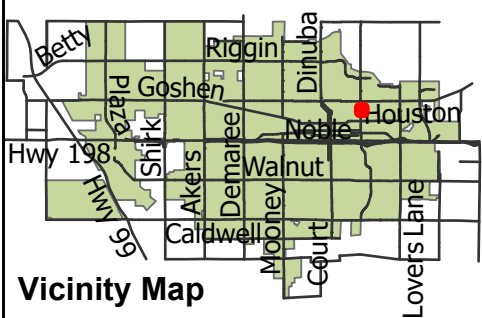
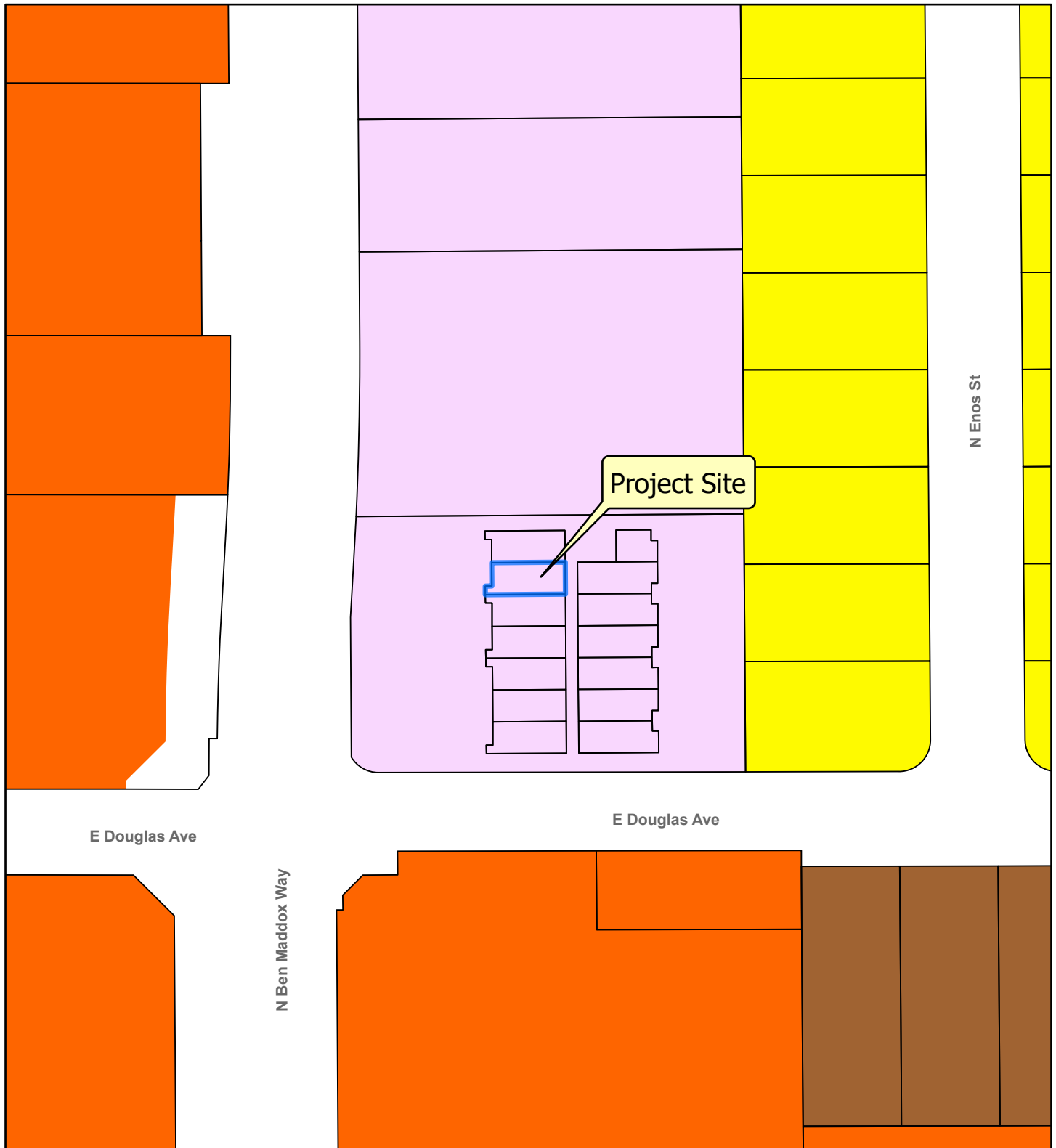
Respectfully,



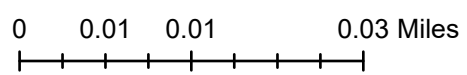
Scott Lau

Associate Transportation Planner
California Department of Transportation
1352 West Olive Avenue
Fresno, CA 93778
Cell: (559) 981-7341





Zoning Map



- C-S Service Commercial
- C-MU Mixed Use Commercial
- R-1-5 Single-family Residential
- R-M-2 Multi-family Residential



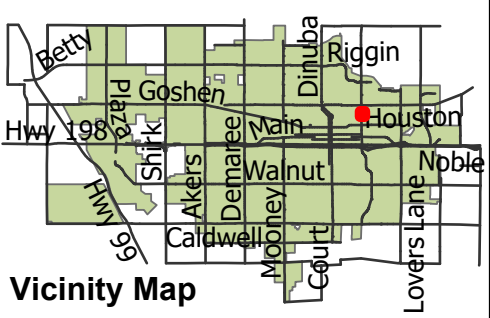
Project Site

E Douglas Ave

E Douglas Ave

N Ben Maddox Way

N Enos St



Vicinity Map

Aerial Map

0 0.01 0.01 0.03 Miles



