



City of Visalia

City Council Hearing

March 16, 2026

**Appeal of Planning Commission COA No. 3 of:
Conditional Use Permit No. 2025-32
Javi's Drive Thru**



Department Recommendation

- Receive staff presentation
- Hold public hearing, and,
- Adopt Resolution No. 2026-08 denying the appeal and upholding the Planning Commission's Condition of Approval (COA) No. 3



Alternative Motions

The City Council may, in lieu of the recommended motion, consider any of the following alternatives:

1. Overturn the decision of the Planning Commission and approve Conditional Use Permit No. 2025-32 with conditions and/or modifications as specified by the City Council; or
2. Deny the Appeal and send back to Planning Commission for additional consideration; or
3. Continue the matter to a future City Council Hearing.

Summary

The applicant is appealing Planning Commission's COA No. 3:

- Requires the drive thru hours of operation to cease at 10:00 P.M. every day
- Inside dining/ordering allowed as requested by the applicant

CUP 2025-32 approved with added condition, by PC at the February 9, 2026 Planning Commission hearing

Applicant's request

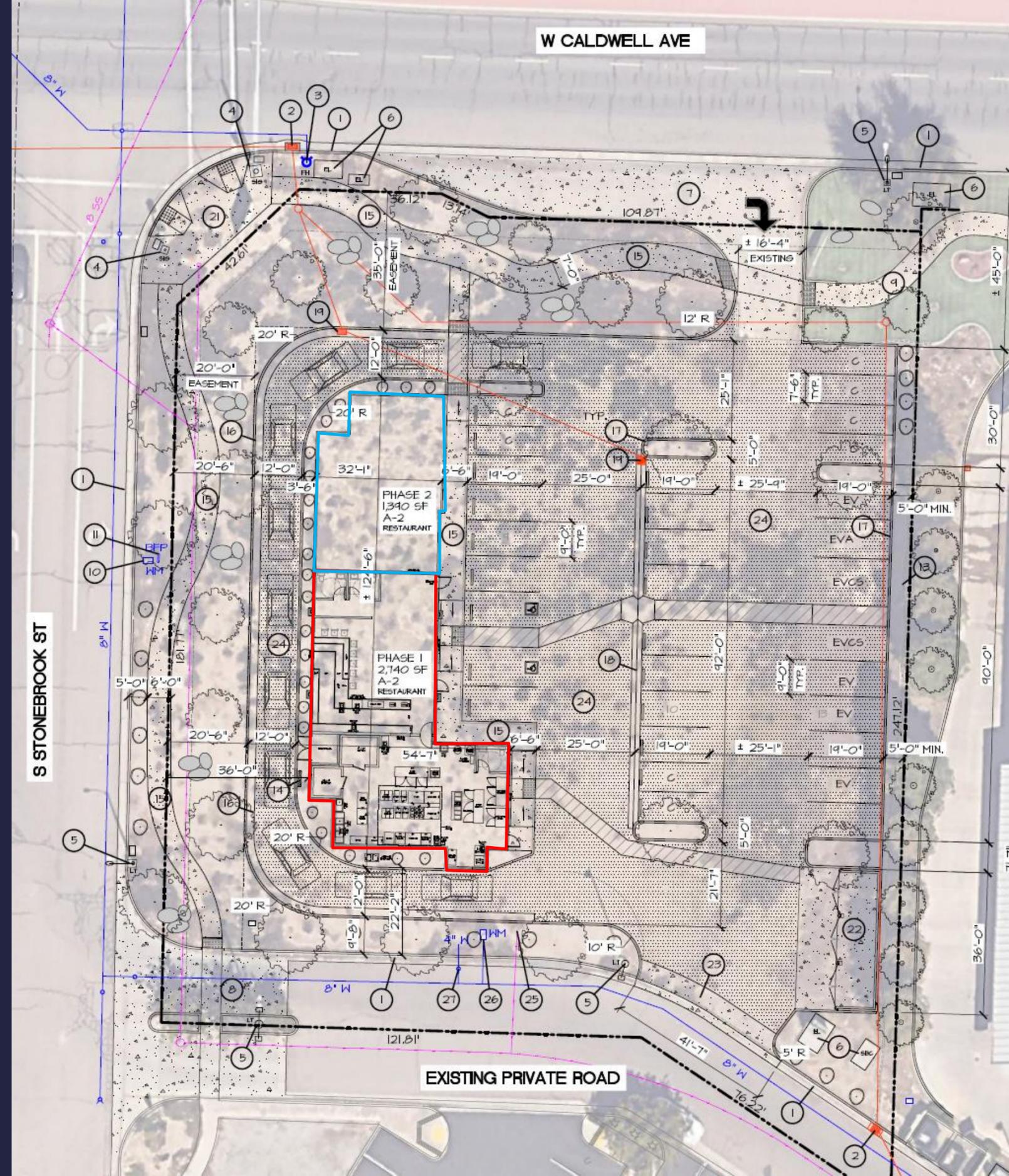
Applicant seeking to operate both the interior and the drive-thru with the same hours of operation:

- 6:00 A.M. to 12:00 A.M., Monday – Friday
- 6:00 A.M. to 2:00 A.M., Friday and Saturday

Project Description

CUP No. 2025-32

- A request to construct two tenant spaces within a 4,130 square foot building
 - 2 Phases
 - Phase 1: 2,740 sq ft tenant space, drive-thru & improvements
 - Phase 2: 1,390 sq ft tenant space
- Site Location: SE corner of E Caldwell Ave & S Stonebrook St
- Within the Caldwell 51 Specific Plan
- CUP required due to drive-thru proximity to residences



Project Site Zoning

- Zone: C-R

Surrounding Land Use

- C-MU (Mixed Use Commercial)
- QP (Quasi-Public)
- R-1-5 (Single-Family Residential)
- C-R (Regional Commercial)



Background Discussion

Planning Commission Hearing – February 9, 2026

Planning Commission deliberated the requested hours of operation as proposed by the applicant for the drive-thru and the proximity to residential uses and compatibility with surrounding commercial uses.

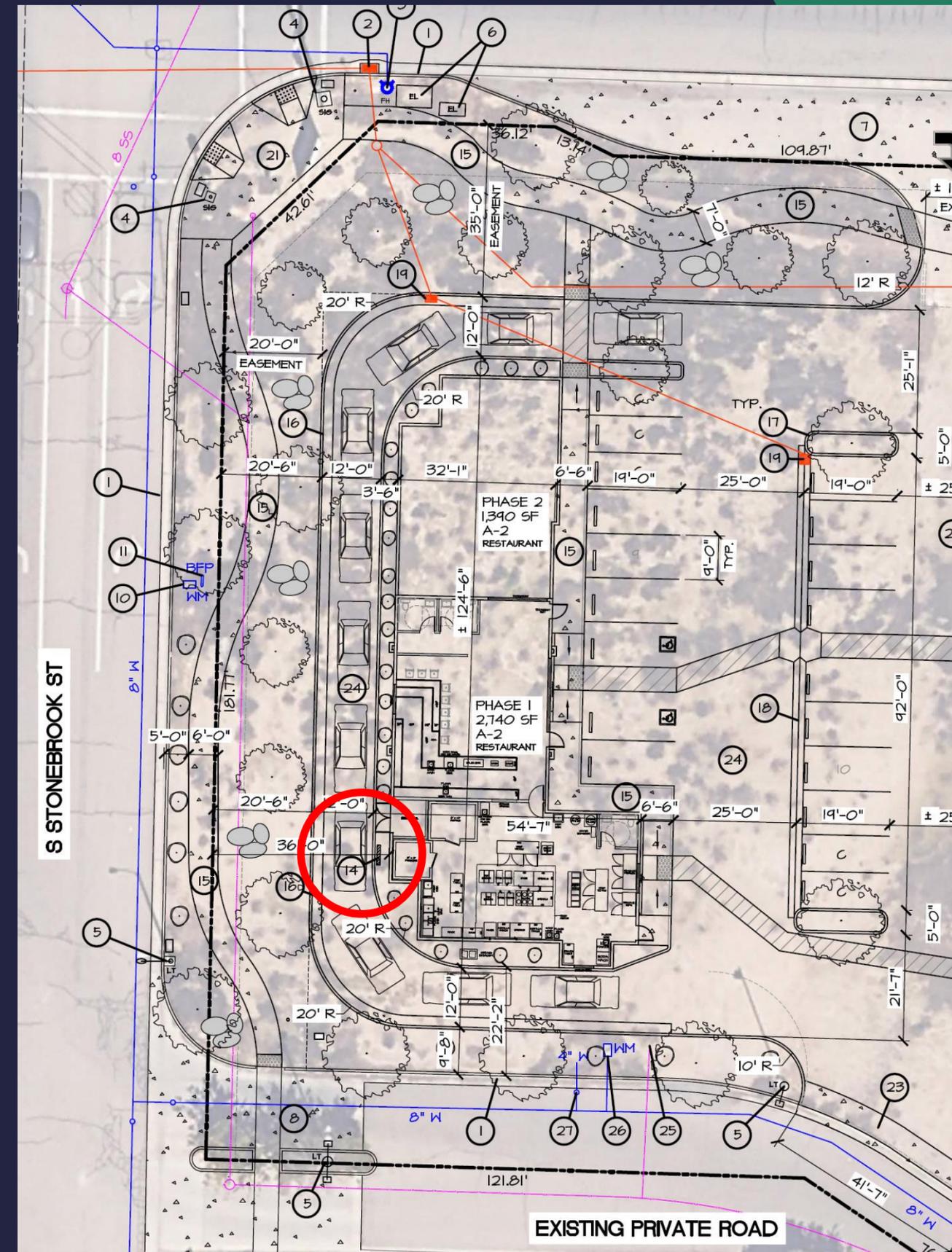
The Planning Commission approved Conditional Use Permit No. 2025-32, with the modification of COA No. 3, limiting the hours of operation of the drive-thru to 10:00 P.M. every day of the week, because the Planning Commission determined that the proposed hours were not consistent with the policies and intent of the General Plan and Zoning Ordinance.

It was determined by the Planning Commission that the proposed hours by the applicant, is not compatible with adjacent residential land uses, and the proposed operating hours of the drive-thru will have a direct impact to the neighboring residential uses by interfering with the quality of life of the properties in the existing neighborhoods that are adjacent or nearby the project site

Project Analysis

Proximity to Single-Family Residential

- Proposed drive-thru ~160-ft from single-family residential subdivision to the north of project site (measured parcel to parcel)
- Speaker box for drive-thru located along the west side of the parcel (S. Stonebrook St) - **correction**
- Block wall located along south property boundary of the subdivision (W. Caldwell Ave)



Project Analysis

Surrounding Commercial Uses

Drive-Thrus:

- Champs Car Wash
 - 8:00 A.M. to 7:00 P.M., seven days a week
- Former El Patron (Drive-thru kiosk)
 - 11:00 A.M. to 7:00 P.M., Monday – Friday, closed weekends
- Human Bean Coffee Shop
 - 5:00 A.M. to 7:00 P.M., seven days a week

Sit-down Restaurant:

- Gozen Japanese Restaurant
 - Monday through Thursday, 11:00 A.M. to 8:30 P.M.
 - Friday, 11:00 A.M. to 9:00 P.M.
 - Saturday, 11:30 A.M. to 9:00 P.M.
 - Sunday, 11:30 A.M. to 8:30 P.M.



Project Analysis

Noise

- The project-related noise levels would not be expected to exceed existing ambient noise levels at any sensitive receptors (residential) locations near the project
- Fast-food facilities are not limited to specific operating hours in the Municipal Code and through the acoustical analysis it was determined that the proposed drive-thru would not negatively impact the neighborhood
- Project required to comply with the City's Noise Ordinance

ACOUSTICAL ANALYSIS

JAVI'S TACO DRIVE-THRU, STONEBROOK PLAZA
S. STONEBROOK STREET & W. CALDWELL AVENUE
VISALIA, CALIFORNIA

WJVA Project No. 25-43

PREPARED FOR

BJ PERCH CONSTRUCTION, INC.
70.4 W. PERSHING COURT, SUITE A
VISALIA, CALIFORNIA 93291

PREPARED BY

WJV ACOUSTICS, INC.
VISALIA, CALIFORNIA



wjv acoustics

SEPTEMBER 12, 2025

Recommendation

Staff Recommends

Deny the appeal and uphold the Planning Commission's COA No. 3 of Conditional Use Permit No. 2025-32

Alternative Motion

1. Overturn the decision of the Planning Commission and approve Conditional Use Permit No. 2025-32 with conditions and/or modifications as specified by the City Council; or
2. Deny the Appeal and send back to Planning Commission for additional consideration; or
3. Continue the matter to a future City Council Hearing.





Questions

