

CITY OF VISALIA

CITY COUNCIL

December 3, 2024



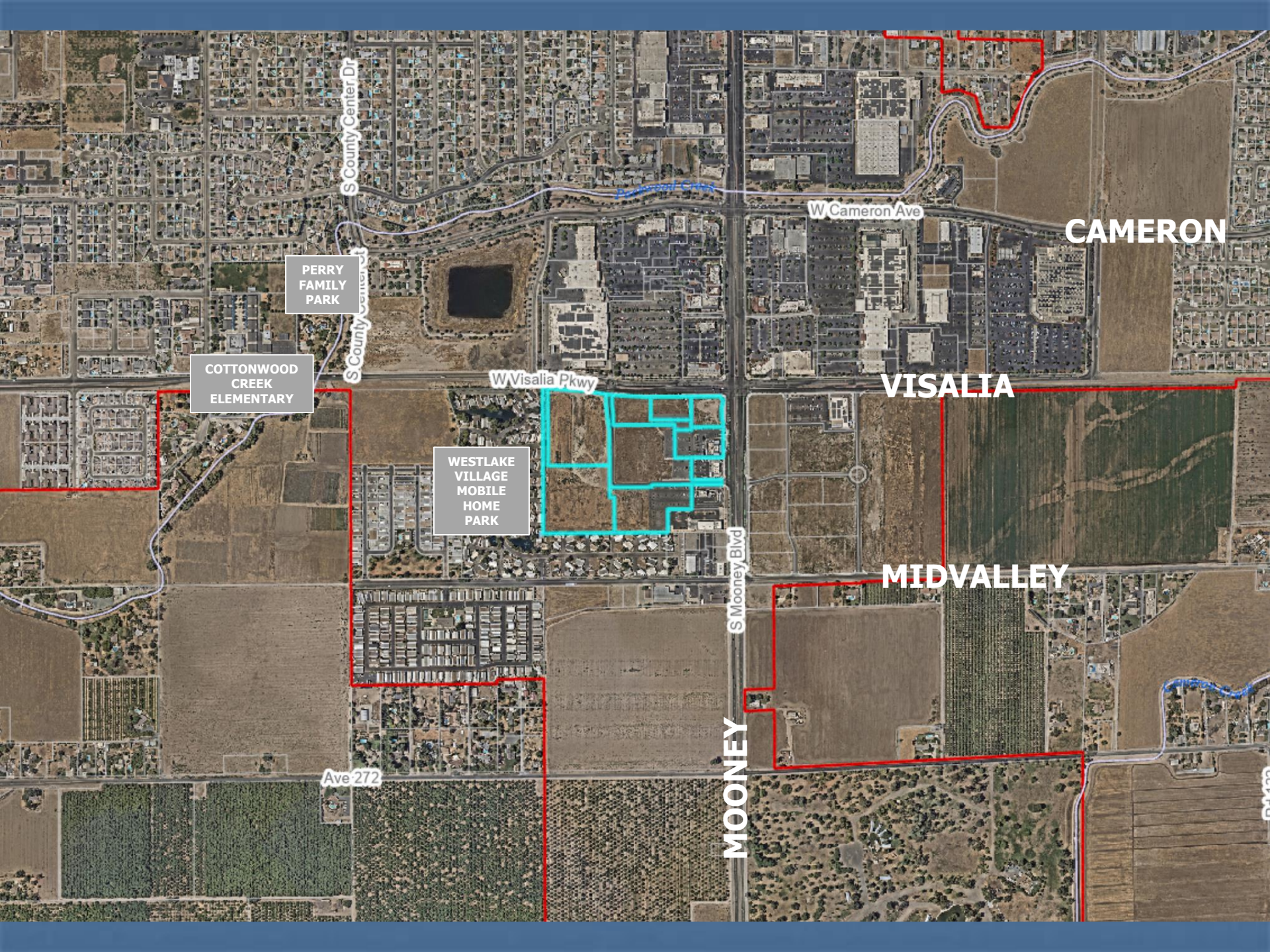
CONDITIONAL USE PERMIT NO. 2024-17

Request:

- City Council consider two appeals of the Planning Commission's approval of CUP No. 2024-17, an amendment to CUP No. 2019-17, for the establishment of a fuel dispensing service station and a car wash, within the Commons at Visalia Parkway Shopping Center, in the C-R Zone.

Recommendation:

- Staff recommends the City Council receive the presentation, hold a public hearing, and adopt Resolution No. 2024-68, denying the appeals and upholding the Planning Commission's approval of CUP No. 2024-17.



PERRY
FAMILY
PARK

COTTONWOOD
CREEK
ELEMENTARY

WESTLAKE
VILLAGE
MOBILE
HOME
PARK

CAMERON

VISALIA

MIDVALLEY

S County Center Dr

S County Center Dr

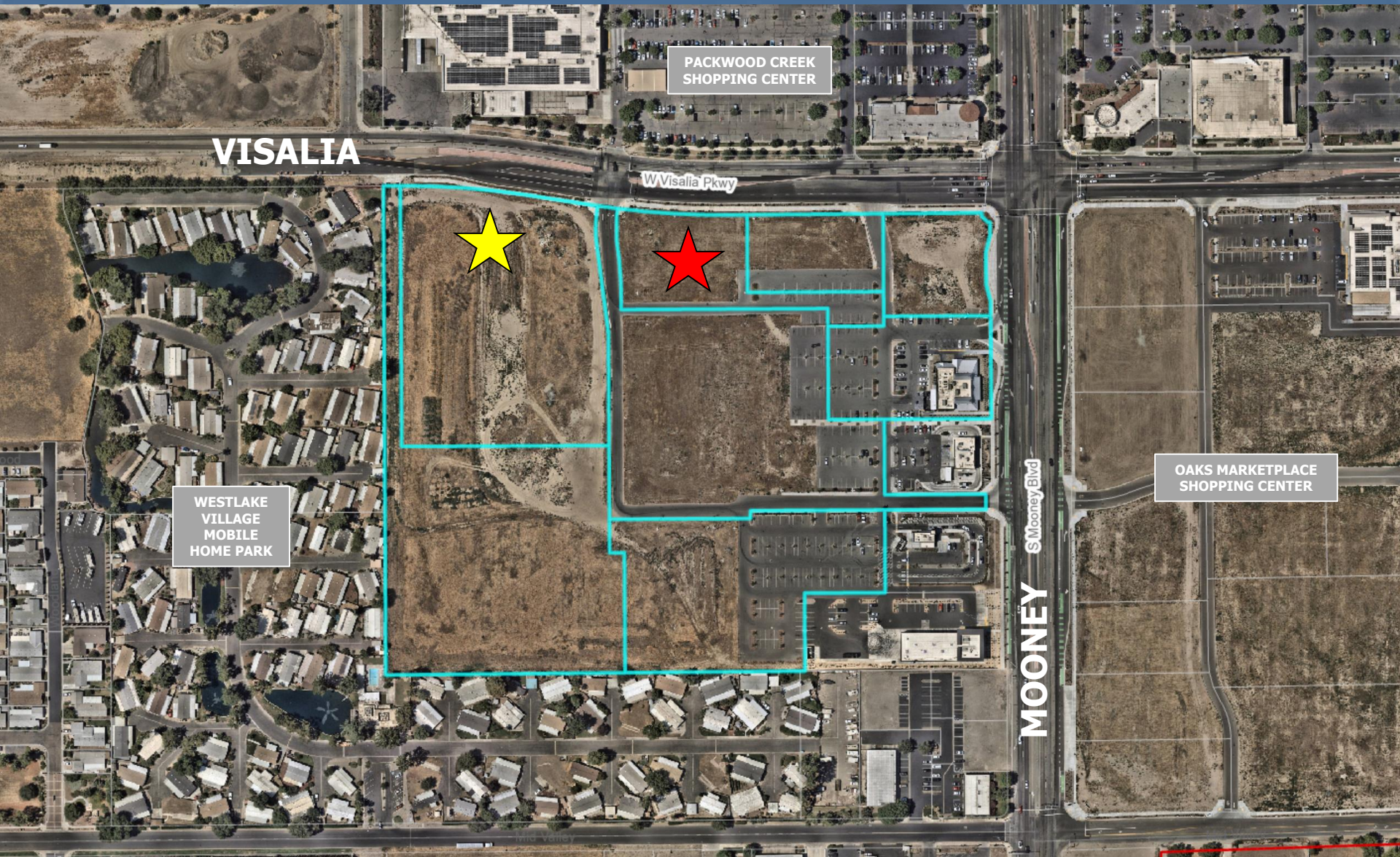
W Visalia Pkwy

W Cameron Ave

Ave 272

S Mooney Blvd

MOONEY



SERVICE STATION



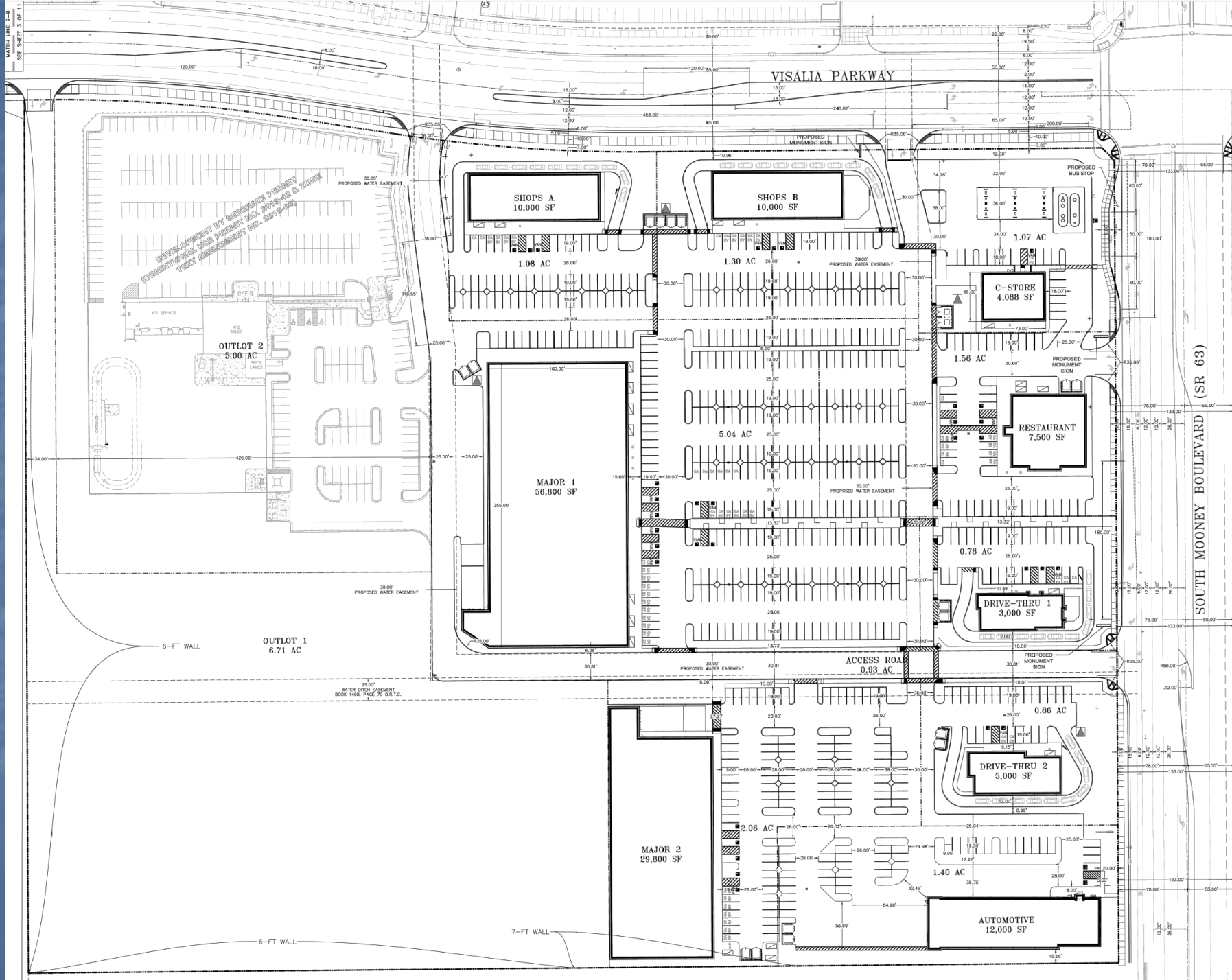
CAR WASH

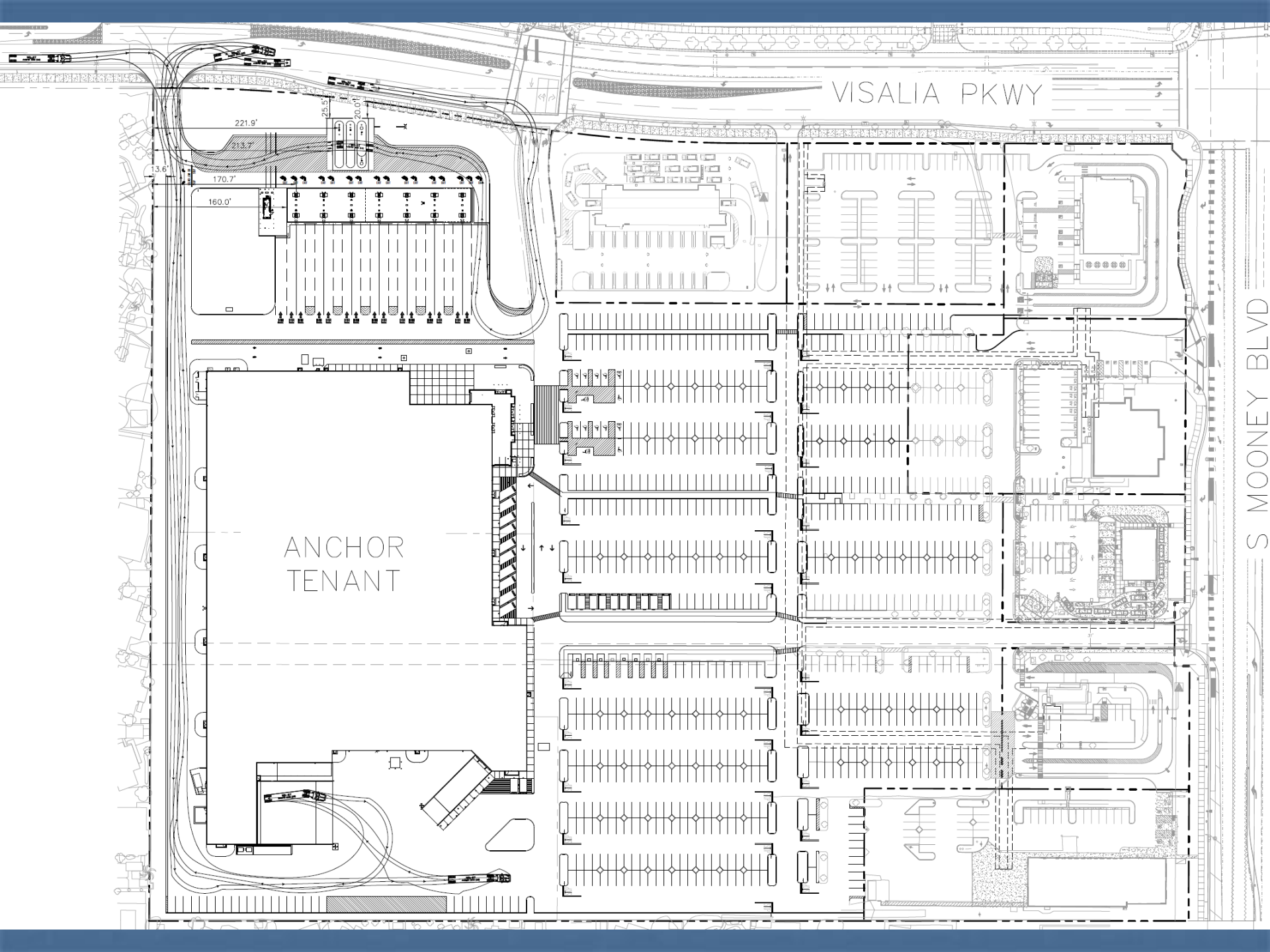
PROJECT DESCRIPTION - CUP

- An expanded service station:
 - 14 fueling stations (28 positions).
 - 9,000 sq. ft. fueling station canopy.
 - 200 sq. ft. fueling station building.
 - Queuing for 70 vehicles.
 - Will operate in conjunction with the retail store.
- A 7,500 sq. ft. “Mister” car wash facility:
 - Automated and manual service, waxing, detailing.
 - 22 drying stations.
 - Vehicle queuing for up to 24 vehicles.

PROJECT DESCRIPTION – BY RIGHT

- A 172,000 sq. ft. big box retail membership club store.
- A 5,588 sq. ft. fast-food restaurant:
 - Dual drive-thru lane for 35 vehicles.
 - Complies with all drive-thru performance standards listed within Visalia Municipal Code Section 17.32.162.
- On/Off-Site Improvements:
 - 1,141 stall parking field with 30 ft. tall light poles.
 - Onsite landscaping.
 - Widening of West Visalia Parkway to South Dans Street.

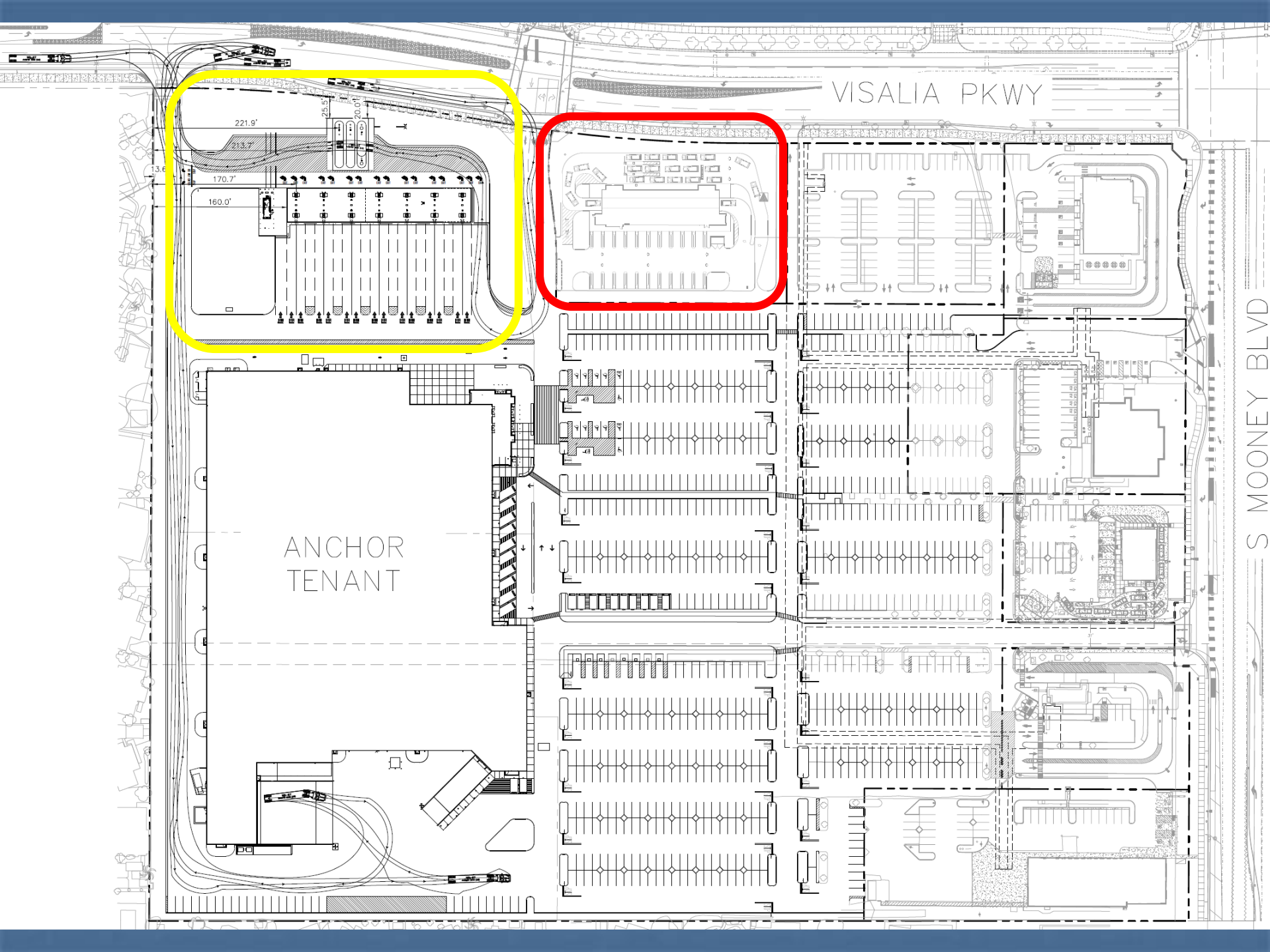




VISALIA PKWY

ANCHOR
TENANT

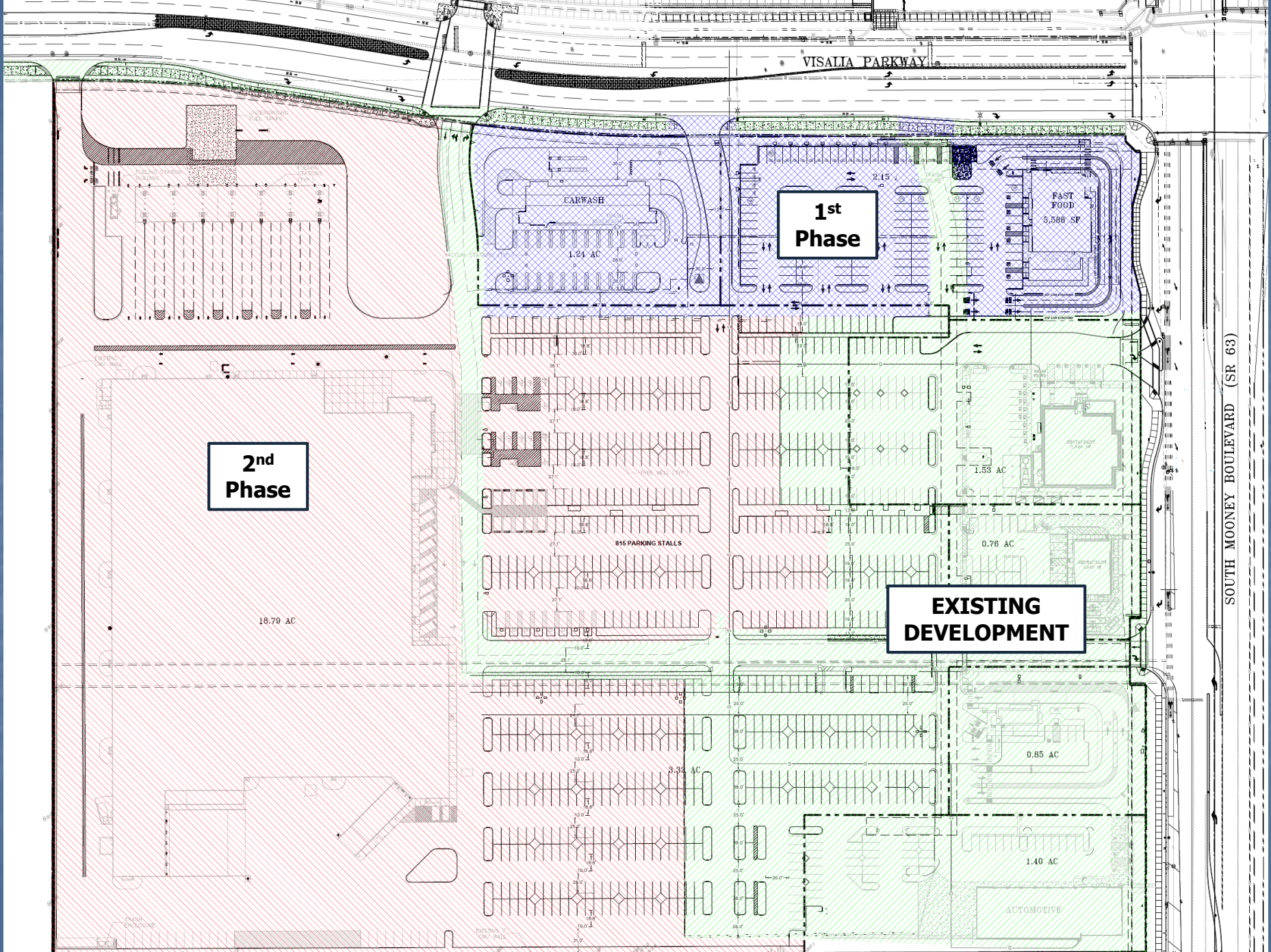
S MOONEY BLVD



VISALIA PKWY

ANCHOR
TENANT

S MOONEY BLVD



VISALIA PARKWAY

1st
Phase

FAST
FOOD
5,588 SF

CARWASH

1.24 AC

EXISTING
DEVELOPMENT

2nd
Phase

815 PARKING STALLS

10.79 AC

3.32 AC

0.76 AC

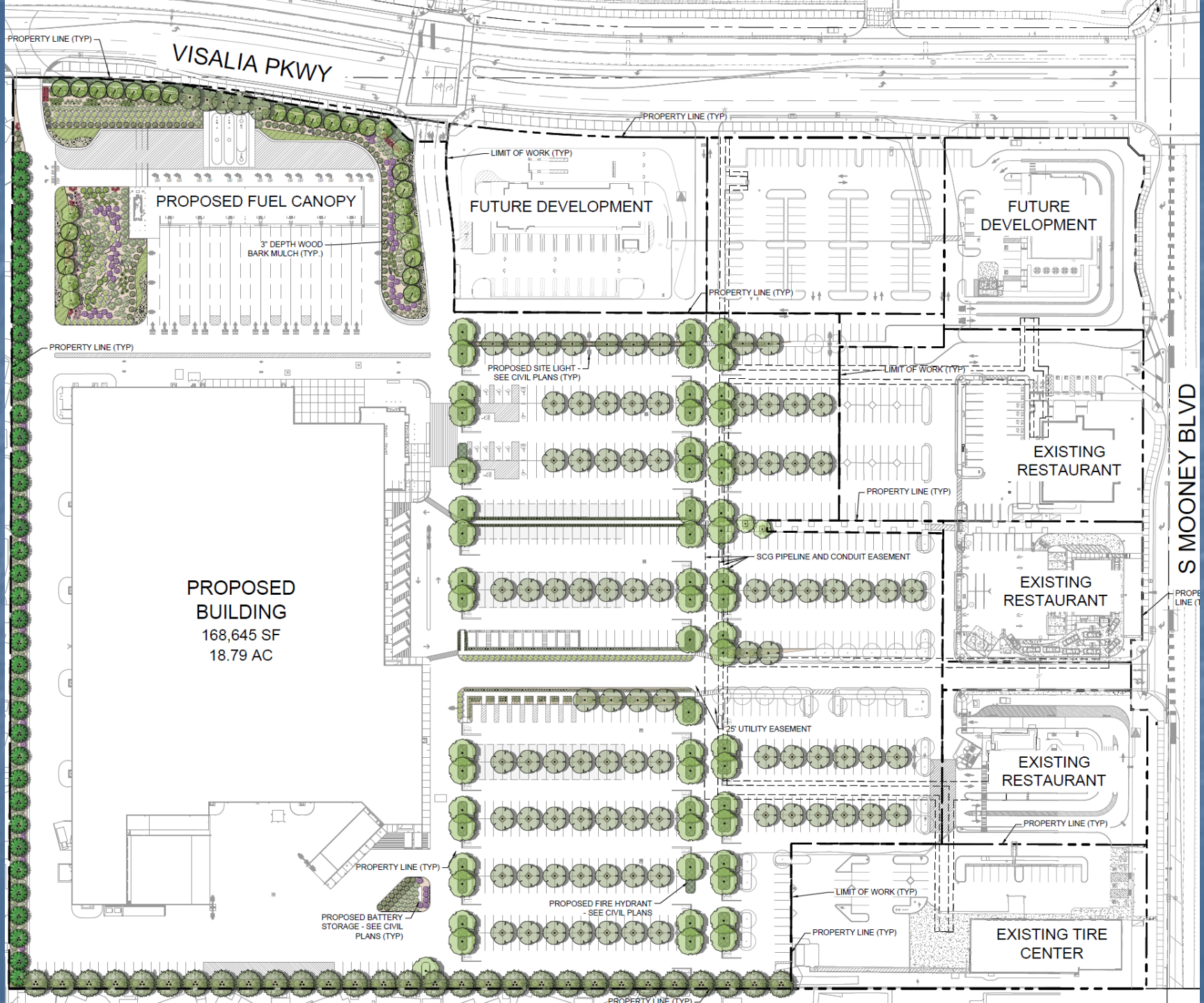
1.53 AC

0.85 AC

1.40 AC

AUTOMOTIVE

SOUTH MOONEY BOULEVARD (SR 63)



VISALIA PKWY

PROPOSED FUEL CANOPY

3" DEPTH WOOD
BARK MULCH (TYP.)

FUTURE DEVELOPMENT

FUTURE
DEVELOPMENT

PROPOSED
BUILDING
168,645 SF
18.79 AC

EXISTING
RESTAURANT

EXISTING
RESTAURANT

EXISTING
RESTAURANT

EXISTING TIRE
CENTER

S MOONEY BLVD

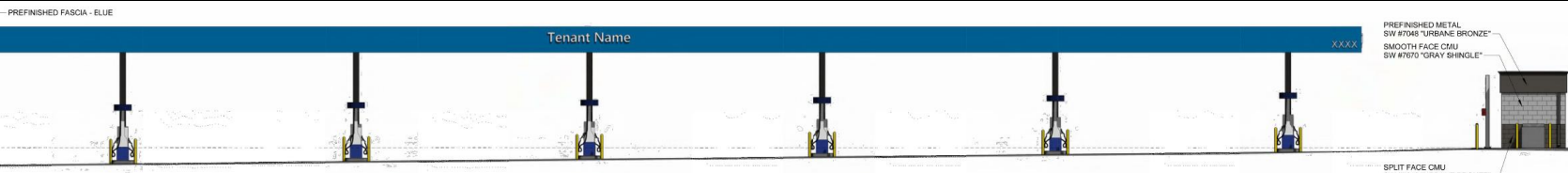
FAST FOOD RESTAURANT



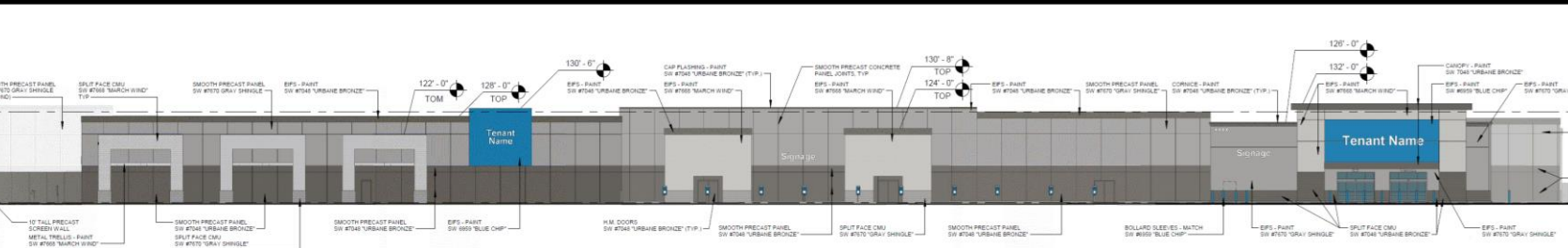
CAR WASH



SERVICE STATION



BIG BOX RETAIL STORE



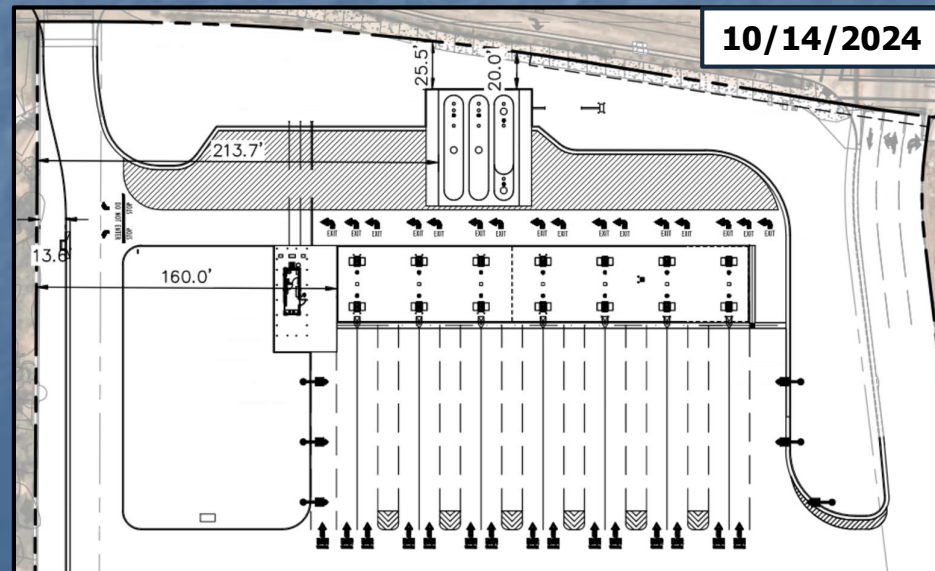
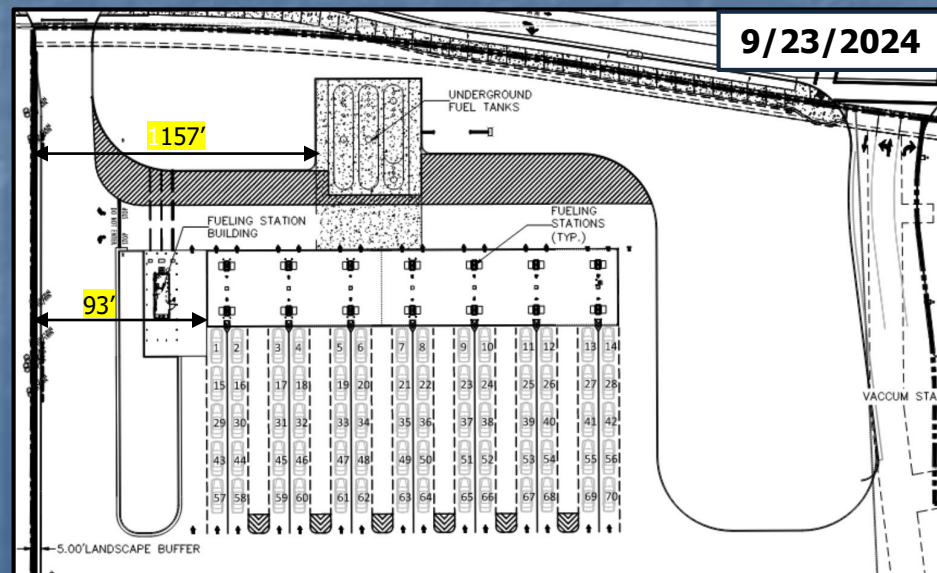
PLANNING COMMISSION MEETING

- September 23, 2024 (Public Hearing).
 - Public comment received citing environmental impacts to elderly residents of Westlake Village:
 - Location and operation of service station;
 - Health Risk Assessment (HRA) analysis;
 - Requested that an advisory 300 ft. setback noted in the HRA be observed for the service station.
 - Applicant stated would relocate service station further eastward.
 - Planning Commission requested revisions to the conditions of approval, and directed the applicant to provide a revised site plan.
 - Item approved 4-0 (Commissioner Tavaréz absent).

PLANNING COMMISSION MEETING

■ October 14, 2024 (Consent Item).

- Revised site plan relocated gas station 160 ft. from shared property boundary.
- Revised HRA confirmed conclusions of original study.
- Public comment cited environmental impacts and requested that the City impose the 300-foot setback.
- Item approved 4-1 (Commissioner Norman opposed).



APPEAL OF CUP APPROVAL

- Two appeals filed October 24, 2024:
 - Appeal No. 1 - Filed by William N. Hannah, attorney representing Westlake Village property owner.
 - Claim the City did not observe proper public notification procedures, and failed to conduct adequate environmental review.
 - Appeal No. 2 - Filed by Anna Maier, representing Westlake Village residents & members of the public.
 - Claim that there was an error and abuse of discretion by the Planning Commission, and that it lacked sufficient evidence to approve CUP No. 2024-17.
- Claims touch on many areas of possible indiscretion (ex. HRA analysis, impacts from noise, traffic, impacts to wildlife, housing, etc.).

APPEAL CLAIMS & CITY RESPONSES

■ Air Quality/HRA

- Claim: That the HRA was flawed, in particular in its lack of deference to California Air Resources Board (CARB) guidance for the siting of service stations 300 ft. from sensitive receptors.
- Response:
 - The applicant followed Valley Air District and CARB guidance in its HRA evaluation.
 - The 300 ft. setback is advisory. When it cannot be met, the guidance allows for a “site specific analysis” to determine actual risk.
 - Analysis determined that project emissions generated during operation would not expose sensitive receptors to substantial pollutant concentrations.
 - Analysis accounted for toxic air contaminants associated with the project, and emissions from onsite vehicle circulation.

APPEAL CLAIMS & CITY RESPONSES

■ Noise

- Claim: That noise impacts were not adequately analyzed or addressed, in particular from onsite vehicle traffic.
- Response:
 - Supplemental noise analysis provided incorporates trip generation, onsite traffic circulation, and mobile home construction information.
 - Analysis determined that input of additional factors would not produce additional impacts.
 - Analysis determines that original mitigation measures are still appropriate:
 - 8 ft. tall block walls along western property boundary.
 - Limitation of hours of operation for loading dock, delivery trucks (7a-10p daily)
 - Adherence to measures to reduce construction operation noise.
 - Conditions applied to limit noise (8 ft. wall to south, verification of noise analysis compliance prior to operation, landscape screening).

APPEAL CLAIMS & CITY RESPONSES

■ Traffic

- Claim: Traffic projections are based on figures from a non-equivalent site, and W. Visalia Pkwy is inadequate to support project traffic.
- Response:
 - The facility used as a basis for projections (Sam's Club, Bakersfield, CA) is within an active shopping center, largely surrounded by commercial and residential development, similar to the project.
 - West Visalia Parkway will be widened to its ultimate four lane width, between the project and South Dans Street to the west, prior to occupancy of any of the proposed uses.

■ Wildlife

- Claim: The environmental review did not account for impacts to wildlife and habitat within Westlake Village.
- Response:
 - No evidence provided confirming that species or habitats of note are present within Westlake Village.
 - The General Plan Draft EIR identifies no such special status species onsite.

LAND USE COMPATIBILITY

- All proposed uses allowed in C-R Zone:
 - Service station, carwash = CUP
 - Big box retail store, drive-thru = Permitted by right.
- Regional Commercial land use designation supports use.
- Compatible with areas to north and east.
- Mitigation/Conditions of Approval:
 - Limitation on delivery/loading dock hours of operation.
 - 8 ft. tall block walls (west and south).
 - Screening of parking lot light poles, wall pack lighting.
 - Verification of compliance with studies (noise, lighting).
 - Screening trees to south and west.

ENVIRONMENTAL STUDIES

- Air Quality/Health Risk Assessment:
 - Emissions under threshold required to warrant additional modeling.
 - Determined use would not expose sensitive receptors to substantial pollutant concentrations.
- Acoustical Analysis: Impacts addressed through mitigation:
 - 8 ft. tall block wall to west. (COA for 8 ft. wall to south added).
 - Limited hours for loading dock/delivery – 7AM - 10PM daily.
 - Adherence to measures to reduce construction noise.
- Trip Generation Memo: Trips within ranges accounted for in original Traffic Impact Analysis.

PUBLIC COMMENT

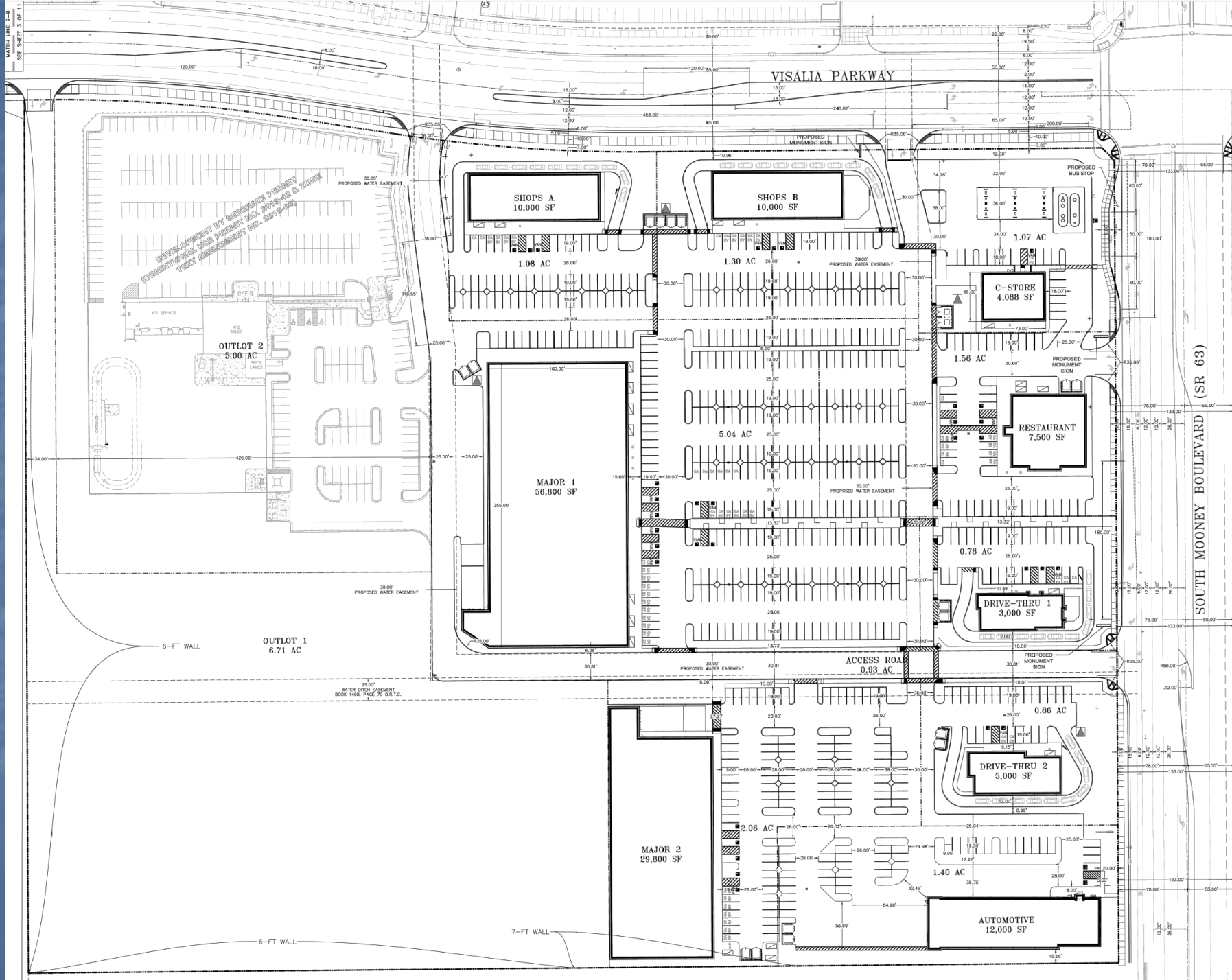
- Public comment received from Sierra Club.
- Requested incorporation of GHG emissions reduction measures, including installation of dedicated electric vehicle (EV) charging facilities and solar carports.
- The inclusion of EV equipment in development projects is already built into City Building Permit reviews, based on the total number of parking stalls proposed.
- Installation shall be verified during Building Permit inspections.

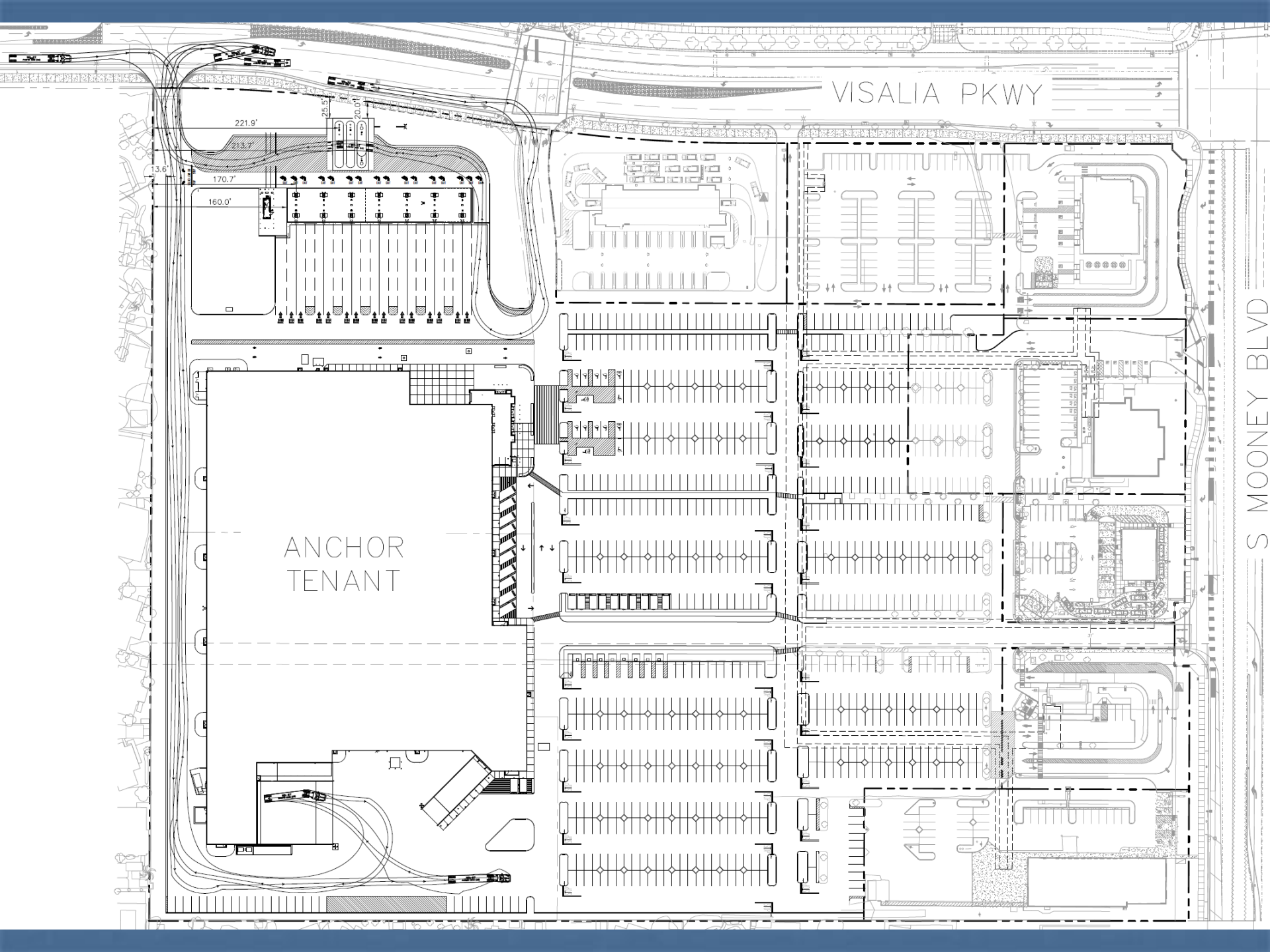
STAFF RECOMMENDATION

That the City Council adopt Resolution No. 2024-68, denying the appeals and upholding the Planning Commission's approval of CUP No. 2024-17.





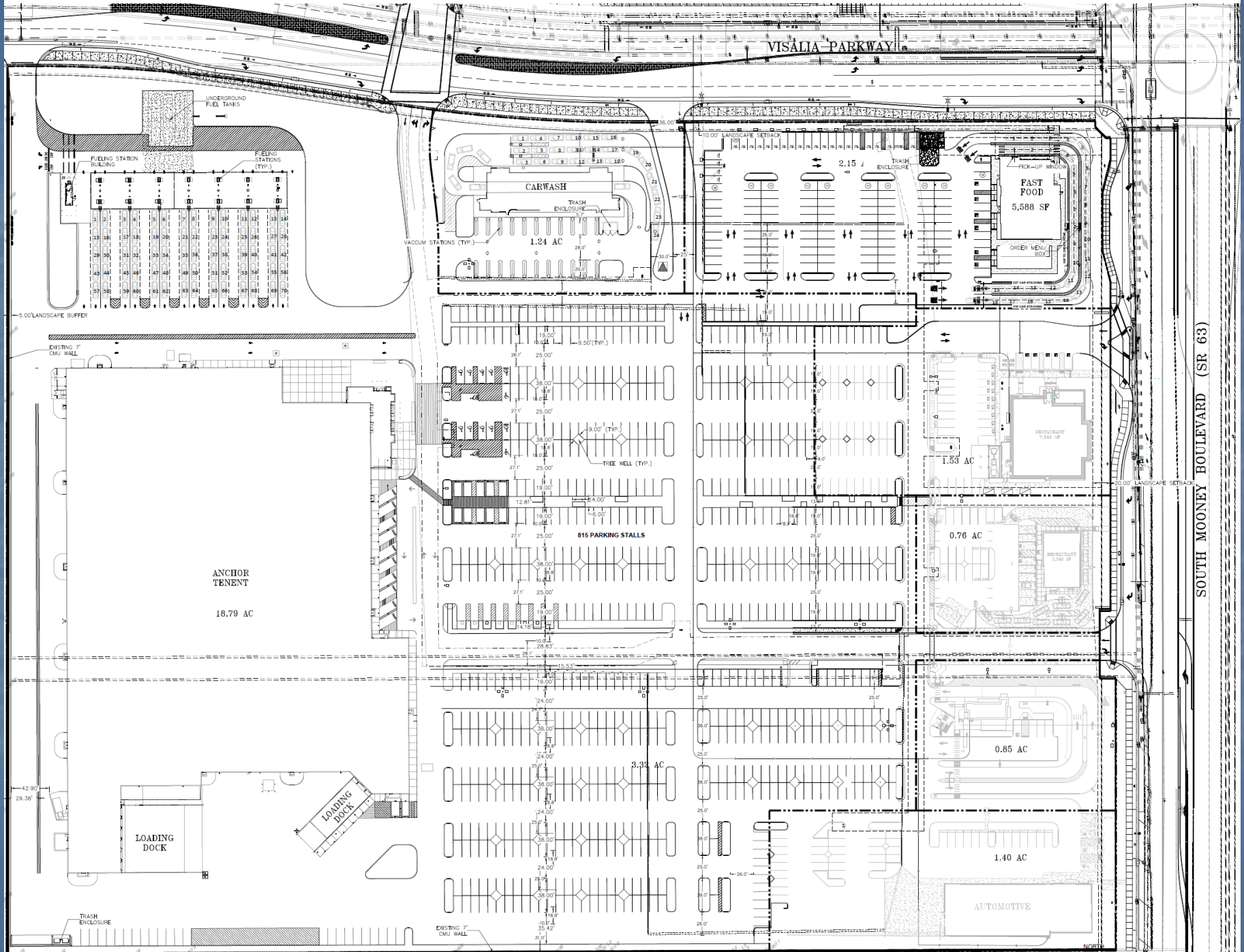




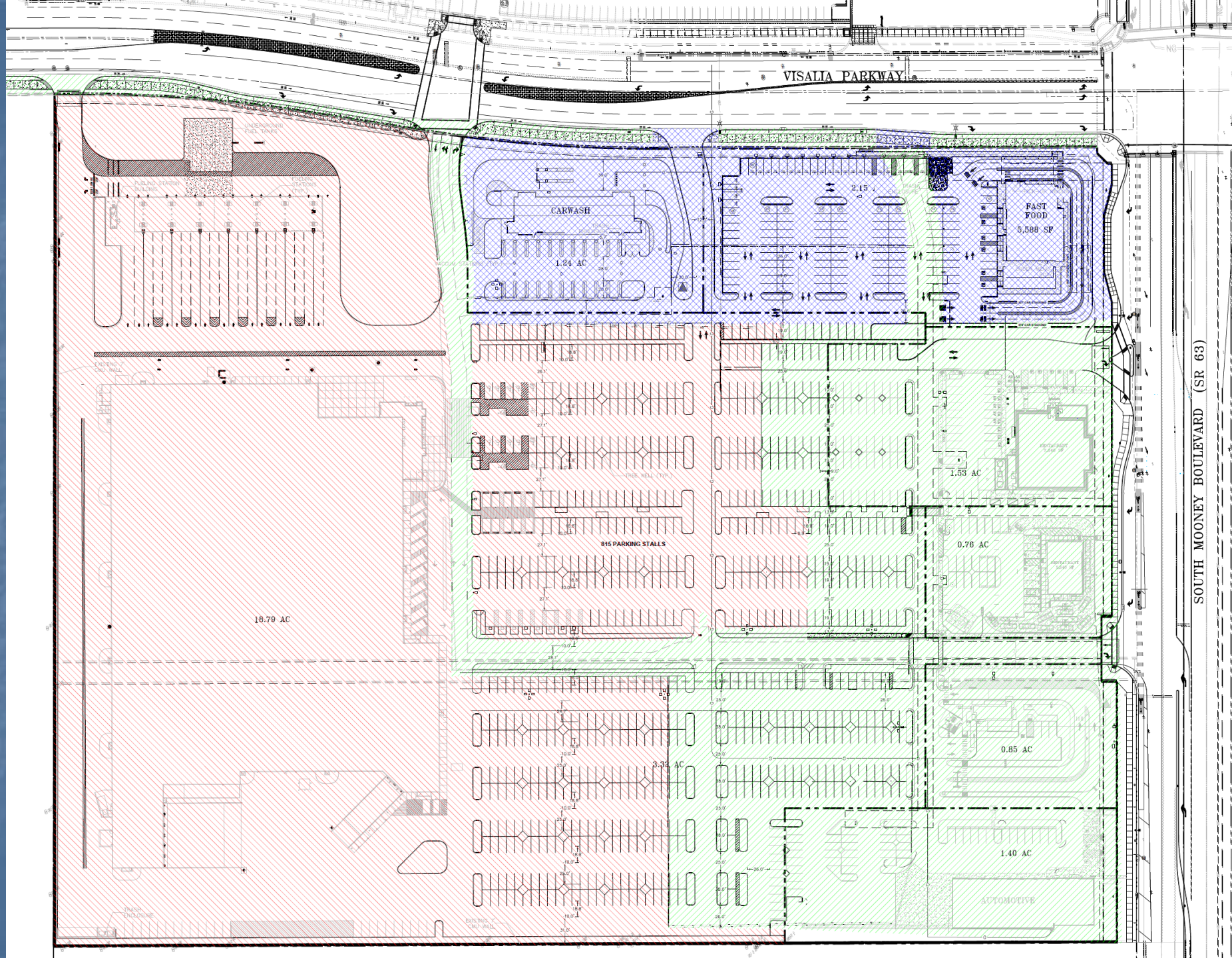
VISALIA PKWY

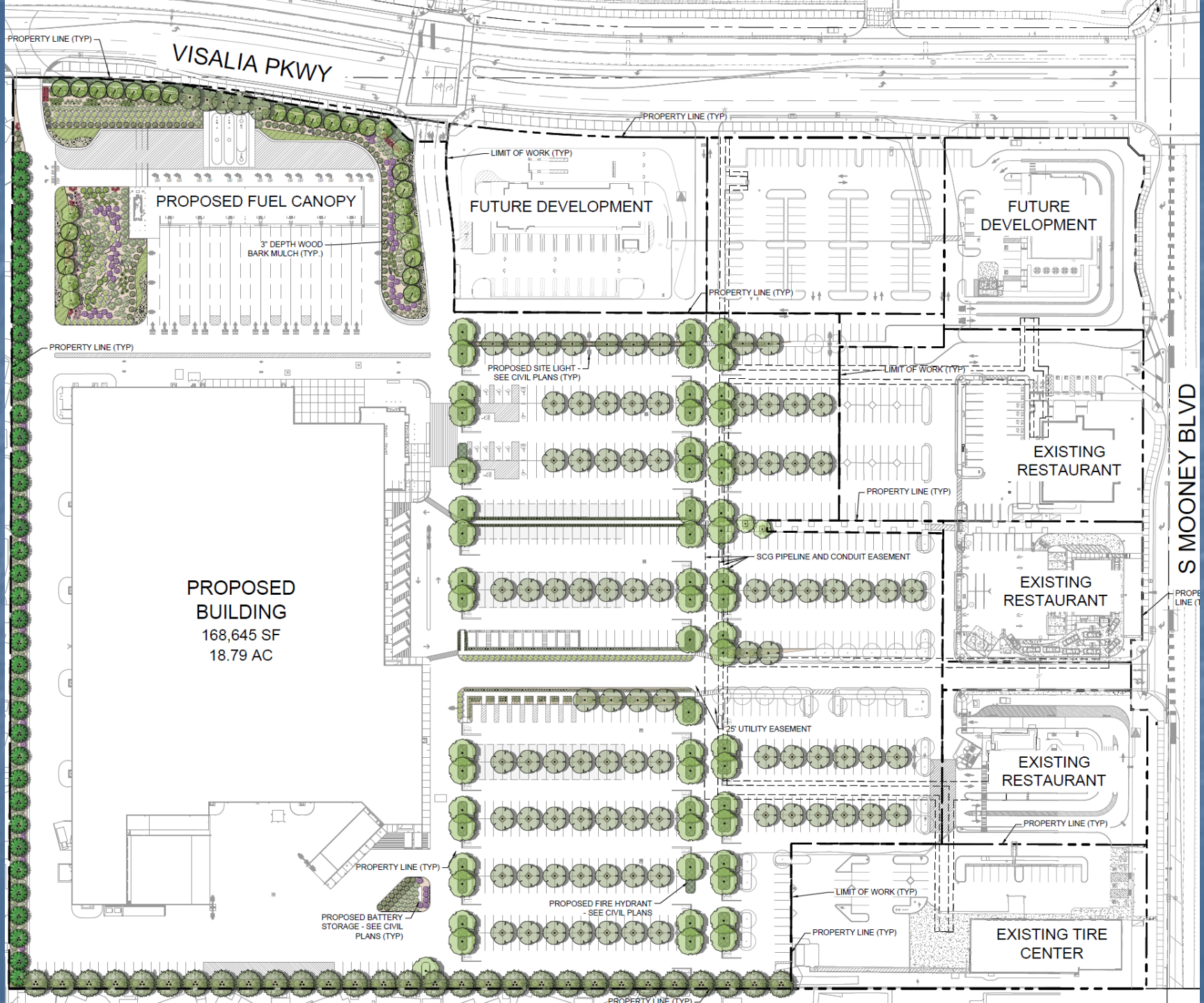
ANCHOR
TENANT

S MOONEY BLVD



SOUTH MOONEY BOULEVARD (SR 63)





VISALIA PKWY

PROPOSED FUEL CANOPY

3" DEPTH WOOD
BARK MULCH (TYP.)

FUTURE DEVELOPMENT

FUTURE
DEVELOPMENT

PROPOSED
BUILDING
168,645 SF
18.79 AC

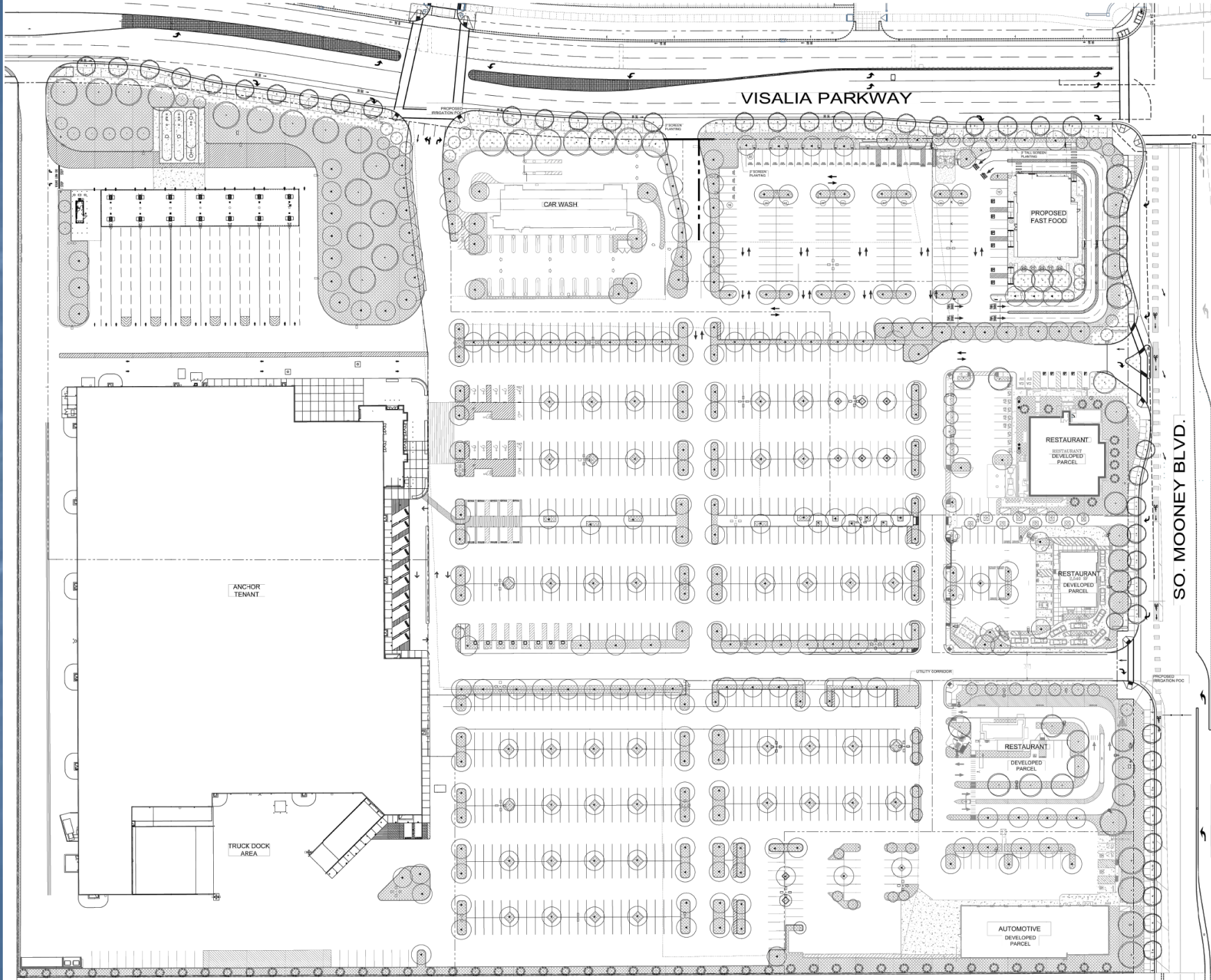
EXISTING
RESTAURANT

EXISTING
RESTAURANT

EXISTING
RESTAURANT

EXISTING TIRE
CENTER

S MOONEY BLVD



SO. MOONEY BLVD.

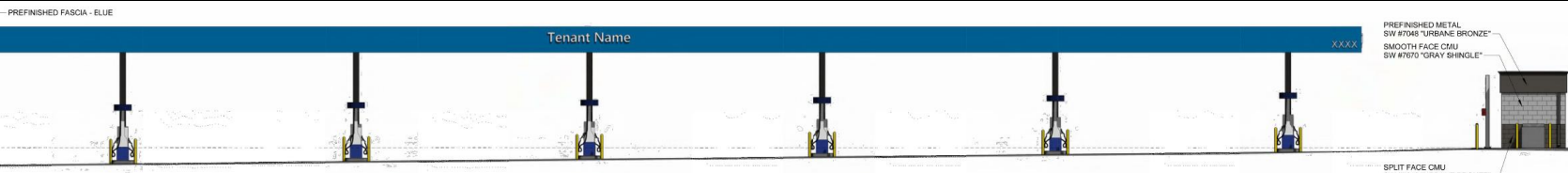
FAST FOOD RESTAURANT



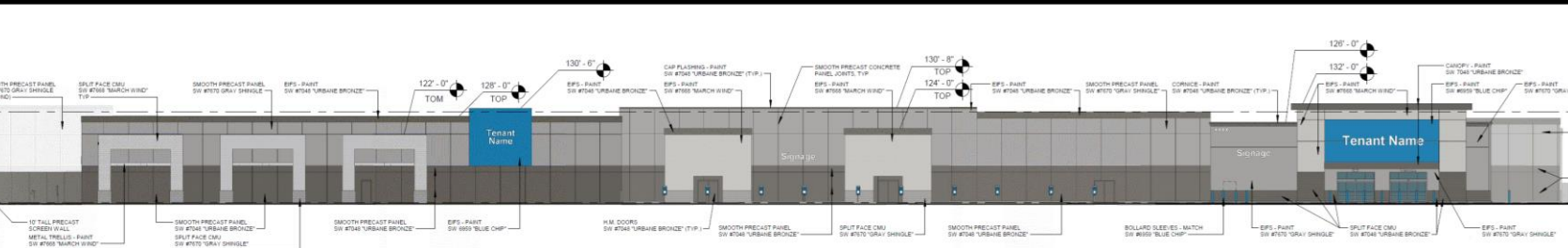
CAR WASH



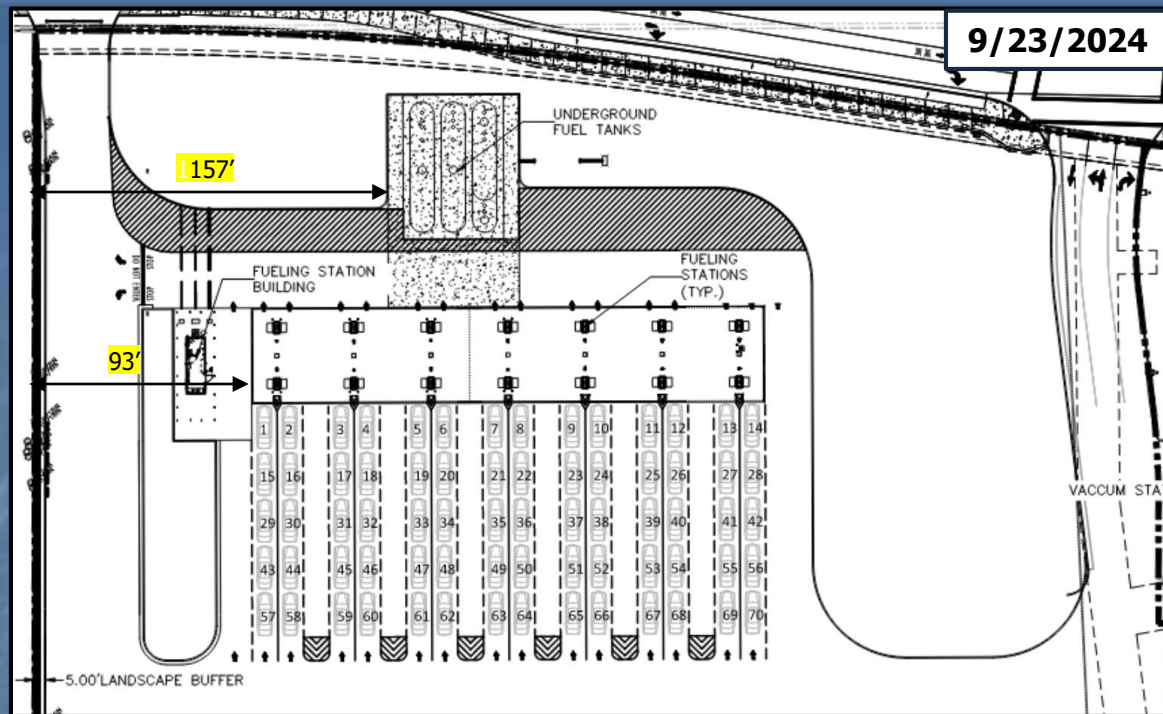
SERVICE STATION



BIG BOX RETAIL STORE



9/23/2024



10/14/2024

