

RESOLUTION NO. 2025-71

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2025-32, A REQUEST TO CONSTRUCT A 4,130 SQUARE FOOT BUILDING WITH A DRIVE-THRU WITHIN 250-FEET OF RESIDENTIAL WITHIN SUBAREA "A" OF THE CALDWELL 51 SPECIFIC PLAN. THE SITE IS LOCATED AT THE SOUTHEAST CORNER OF WEST CALDWELL AVENUE AND SOUTH STONEBROOK STREET IN THE C-R (REGIONAL COMMERCIAL) ZONE (APN: 122-390-002).

WHEREAS, Conditional Use Permit No. 2025-32 is a request to construct a 4,130 square foot building with a drive-thru within 250-feet of residential within subarea "A" of the Caldwell 51 Specific Plan. The site is located at the southeast corner of West Caldwell Avenue and South Stonebrook Street in the C-R (Regional Commercial) zone (APN: 122-390-002); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on February 9, 2026; 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, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan, Caldwell 51 Specific Plan, and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110.
3. That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible subject to compliance with the recommended conditions of project approval of this conditional use permit.
4. 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. 2025-58.

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 No. 2025-112, incorporated herein by reference.
2. That the use shall be operated in substantial compliance with the site plan, floor plan, and operational statement, in Exhibits "A", "B", "C", "D", and "E". Any changes or intensification of the use are subject to review by the City Planner and may subsequently be required to be reviewed by the Planning Commission.
3. That the hours of operation for the drive-thru only shall cease at 10:00 P.M. every night of the week. Indoor dining hours may remain open as per the hours listed in the operational statement.
4. That the project comply with all standards contained in the Caldwell 51 Specific Plan, incorporating all subsequently approved amendments, except for the street side yard setback as addressed herein and considered through the approval of an Administrative Adjustment.
5. That no significant direct or indirect light or glare may fall upon adjacent residential uses.
6. That the use would be subject to the City of Visalia Noise Ordinance and that the noise from the drive-thru teller speaker box shall meet all community noise standards as identified in the City's Noise Ordinance Chapter 8.36
7. That all other federal, state and city laws, codes and ordinances be complied with.