

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Lawrence Segrue



VICE CHAIRPERSON:

Adam Peck

COMMISSIONERS: Lawrence Segrue, Adam Peck, Roland Soltesz, Vincent Salinas, Brett Taylor

MONDAY FEBRUARY 11, 2013; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S REQUESTS - The Commission requests that a 5-minute time limit be observed for requests. Please note that issues raised under Citizen's Requests are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. 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.
 - Request for Finding of Consistency for Conditional Use Permit No. 2012-01
5. PUBLIC HEARING –Andy Chamberlain/Alyssa Netto
Text and Map Amendment No. 2012-10: A request by the Historic Preservation Advisory Committee to amend the Local Register of Historic Structures to remove 14 sites which no longer contain historic structures. The properties are at various locations across the City of Visalia: 217 N. Santa Fe. St. (APN: 094-285-017); 428 E. Center Ave. (APN: 094-285-008); 222 N. Garden St. (APN: 094-285-014); East of 222 N. Garden St. (APN: 094-285-015); 400 E. Main St. (APN: 094-294-009/015); 406 E. Main St. (APN: 094-294-010/015); 205 N. Encina St. (APN: 094-337-008); 201 NW 3rd St. (094-041-006); 1036 W. Goshen Ave. (APN: 093-091-024); 307 E. Main St. (APN: 094-295-010); 1308 W. Center (APN: 093-264-264-008); 312 E. School St. (APN: 094-0273-005); 314 E. School St. (APN: 094-0273-004); 301/305 NW 2nd St. (APN: 094-021-019)
6. PUBLIC HEARING – Alyssa Netto
Conditional Use Permit No. 2013-03: a request by Paul and Dalila Alcoser to allow a sports practice/batting cage facility to occupy 3,000 square feet of an existing building in the Service Commercial (CS) zone. The site is located at 1005 E. Main St., (APN: 094-203-002).
7. PUBLIC HEARING –Paul Bernal
Conditional Use Permit No. 2013-04: a request by Nexcycle to operate a small collection CRV recycling facility at the Visalia Market Place Shopping Center in the C-SO (Shopping / Office Commercial) zone. The site is located at 3615 West Noble Avenue (APN: 095-010-058).

8. PUBLIC HEARING –Paul Bernal

Conditional Use Permit No. 2013-05: a request Shuaib Alfareh to establish a 1,200 square foot convenience store in the C-C (Convenience Commercial) zone. The site is located at 501 East Kaweah Avenue (APN: 097-111-001).

9. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

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 the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired, please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting. 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 FEBRUARY 21, 2013 BEFORE 5 PM.

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 425 E. Oak Avenue, Suite 301, 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.ci.visalia.ca.us or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, MARCH 11, 2013

City of Visalia



To: Planning Commission

From: Josh McDonnell, City Planner (713-4364)
Alyssa Netto, Assistant Planner (713-4256)

Date: February 11, 2013

Re: Request for Finding of Consistency for Conditional Use Permit No. 2012-01 to increase the number of beds from nine to ten for Glory Days Assisted Living Facility

RECOMMENDATION

Staff recommends that the Planning Commission make a Finding of Consistency for an additional bed in the Glory Days Assisted Living Facility site, through Conditional Use Permit No. 2012-01, located at 1303 South Pinkham Street.

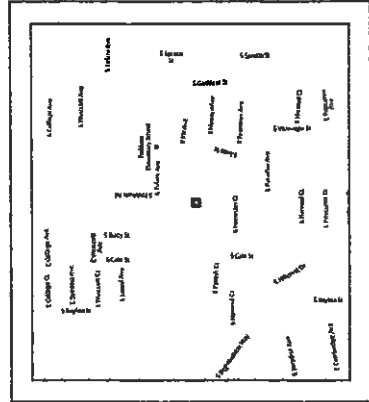
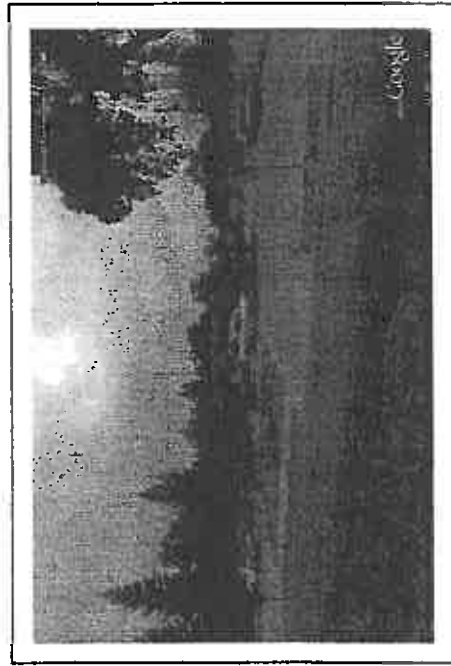
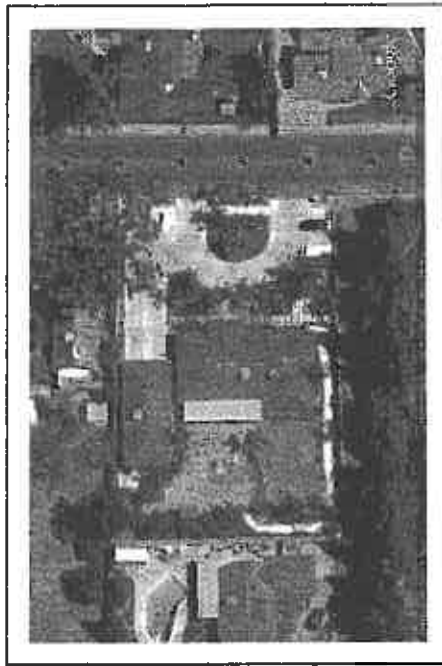
DISCUSSION

The property owner of Glory Days Assisted Living has requested a Finding of Consistency to allow one additional bed in the facility for a total of ten beds. The owner contends that facility has five bedrooms and is suited to house ten clients. Staff supports the increase in beds because the facility will not undergo any structural or site changes, nor will there be an increase in square footage.

Staff's recommendation is based on the conclusion that there will be no increase in building square footage. The change will allow the facility to utilize the full potential of the existing site without altering the nature of the site. The addition of the tenth bed would not be allowed until all conditional use permit requirements are met and the building permit has been finalized for the nine bed facility.

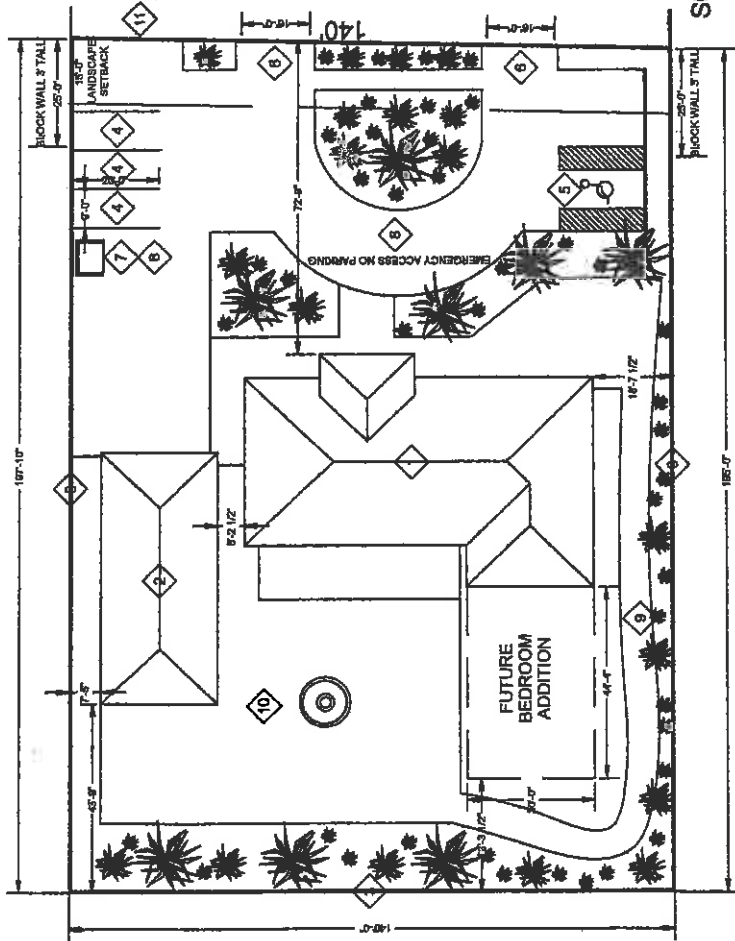
ATTACHMENTS

- Letter from Applicant dated January 15, 2013
- Exhibit "A" Site Plan
- Exhibit "B" Floor Plan
- Resolution No. 2012-07



1303 S PINKHAM

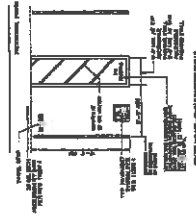
SCALE 1"=20'



GLORY DAYS ASSISTED LIVING
OWNER GLORIA VILLAREAL
LOCATED AT
1303 S PINKHAM, VISALIA
A.P.N. 100-140-38
SEWER AND WATER PROVIDED
BY CITY OF VISALIA AND CAL WATER

SITE PLAN REVIEW REQUEST FOR
6 BED ASSISTED LIVING FACILITY
INCREASE TO 9 BED

3 PARKING SPACES TO BE PROVIDED
PER CITY ORDINANCE 17.32.020
1 SPACE FOR EVERY 3 BEDS
1 ADA SPACE TO BE PROVIDED PER
CBC SECTION 11298 AND TABLE 11B-6



- 1 EXISTING ASSISTED LIVING FACILITY
- 2 EXISTING GARAGE
- 3 EXISTING 6' TALL BLOCK WALL
- 4 PROPOSED 9X20 PARKING STALL
- 5 EXISTING HANDICAP PARKING
- 6 9X20 W/ 5' LOADING AREA
- 7 EXISTING 16' WIDE DRIVE APPROACH
- 8 GARBAGE ENCLOSURE
- 9 EXISTING DRIVE WAY AND FIRE ACCESS. CURB TO BE PAINTED RED AND NOTED. "NO PARKING EMERGENCY ACCESS"
- 10 EXISTING CONCRETE WALK WAY
- 11 EXISTING PATIO
- 12 EXISTING DRIVE APPROACH TO BE REPLACED WITH CURB AND GUTTER PER CITY STANDARDS

ALL LANDSCAPING IS EXISTING LOW WATER DROUGHT RESISTANT PLANT AND TREES

1108
5/30/2011
11/16/20/2011

Kevik Sullivan
559-300-2537

① SMOKE DETECTOR

② SMOKE/CARBON MONOXIDE ALARM

③ BATTERY BACKUP EMERGENCY EXIT LIGHTING

EXISTING FIRE ALARM SYSTEM

ALL DOORS ARE 36" WIDE UNLESS OTHERWISE NOTED

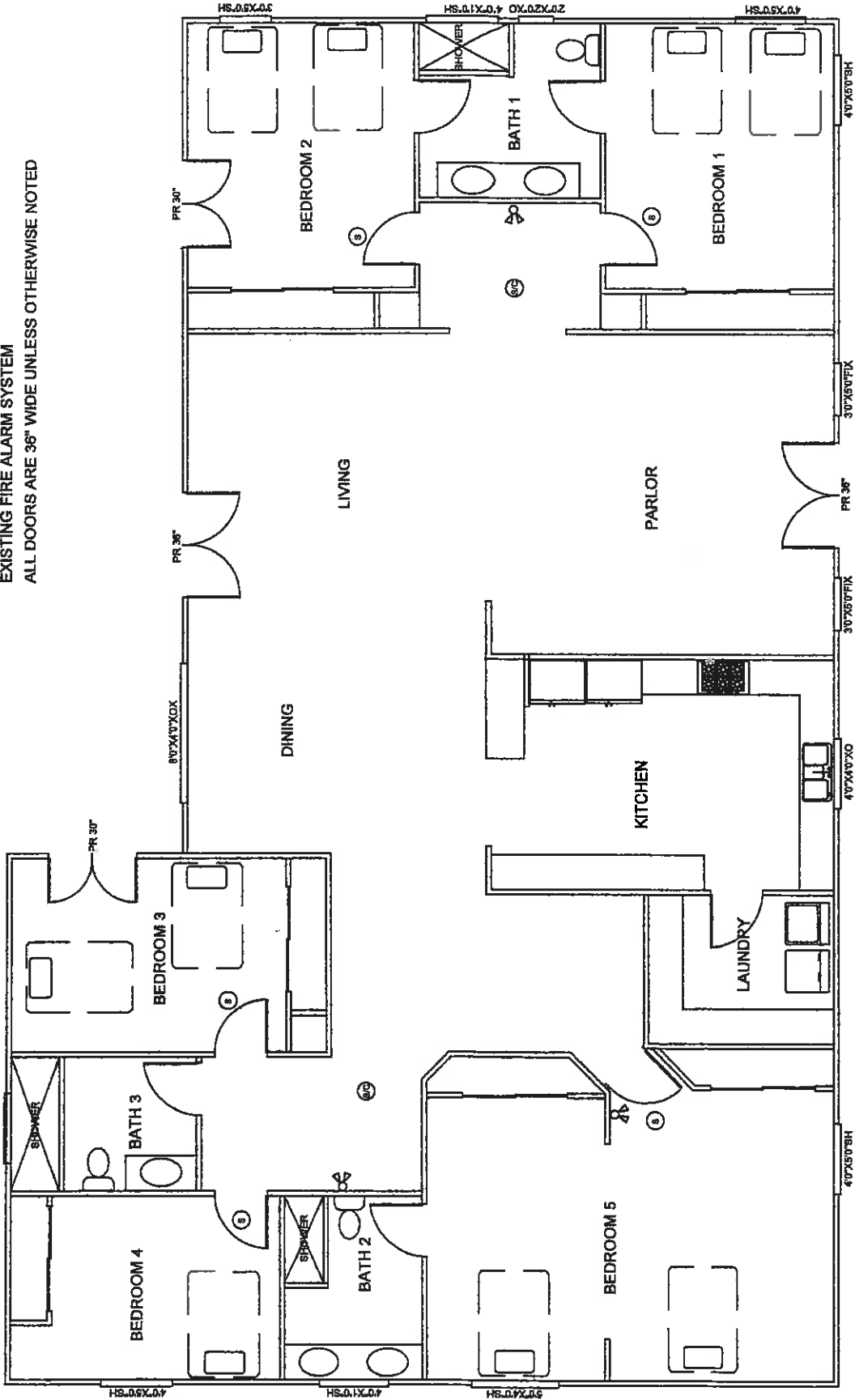


EXHIBIT "B"



A Good Life For Me

1303 S. Pinkham St. Visalia, CA 93292 Phone: 559 625-1452 Fax 559 625-1406

January 15, 2013

Sent Via Facsimile 1/15/2013
713-4814Planning Commission
C/O City Planner
Visalia, CA 93291

Re: Plan Check # B1207679

Dear Planning Commission,

We are writing to acknowledge an oversight on our behalf. We are requesting an approval from nine beds to ten beds.

Kindly note, no additional square footage is required for the approval of 10 beds. The home is a five bedroom home and can sleep two persons per bedroom.

Please note:

No structural changes in the home will occur

No changes in bedrooms

No additional square footage is required for an additional person

If approval is granted for the 10 beds, Plan Check requirements remain unaffected.

Thank you in advance for your assistance, should you have any questions please do not hesitate to call.

Sincerely,

Gloria Villarreal
559 625-1452
1303 S. Pinkham
Visalia, CA 93292

RESOLUTION NO. 2012-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2012-01, A REQUEST BY GLORIA VILLARREAL TO EXPAND THE EXISTING GLORY DAYS ASSISTED LIVING CARE FACILITY FROM SIX TO NINE INDIVIDUALS IN THE SINGLE FAMILY RESIDENTIAL (R-1-6) ZONE, LOCATED AT 1303 S. PINKHAM STREET (APN 100-140-038)

WHEREAS, Conditional Use Permit No. 2012-01 is a request by Gloria Villarreal to expand the existing Glory Days Assisted Living care facility from six to nine individuals in the Single Family Residential (R-1-6) zone. The site is located at 1303 S. Pinkham Street (APN 100-140-038); and

WHEREAS, after published notice, a public hearing was held before the Planning Commission on February 13, 2012; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit, as conditioned, to be in accordance with Chapter 17.38.110 and Chapter 17.40 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 15305.

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:
 - 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 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 requested development meets the purpose and intent of Zoning Ordinance Section 17.12.040-P, which conditionally allows 24-hour residential care facilities in the R-1-6 zone.
4. That the requested action is Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), (Categorical Exemption No. 2012-06).

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 site be developed consistent with the comments and conditions of the Site Plan Review No. 2011-075.
2. That the site be developed in substantial compliance with the site plan in Exhibit "A" and as revised by these conditions of approval.
3. That the northern access drive be removed and landscaping installed along with the curb, gutter and sidewalk, and that the five-foot side yard landscaping along the northern property line be installed.
4. That the trash enclosure be relocated adjacent to the southern property line, no closer than five feet to the south property line, and a minimum of 32 feet behind the front property line to retain the proposed parking. The enclosure shall be color and/or architecturally consistent with the primary residence.
5. That all light fixtures shall be oriented or shielded to avoid light shining onto adjacent properties.
6. That all of the conditions for physical site improvements be carried out through the building permit process prior to increasing the number of beds from six to nine.
7. That a one or two sided monument sign be allowed as follows; maximum two feet high, comprised of a one foot high monument base and a one foot high sign with a maximum length of four feet, and may only be externally illuminated with shielding for light and glare.
8. That all other federal, state and city codes, ordinances and laws be met.
9. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2012-01, prior to the issuance of any building permits for this project.

Commissioner Salinas offered the motion to this resolution. Commissioner Peck seconded the motion and it carried by the following vote:

AYES: Commissioners Soltesz, Peck, Salinas, Segrue

NOES:

ABSTAINED:

ABSENT: Commissioner Lane

STATE OF CALIFORNIA)

COUNTY OF TULARE) ss

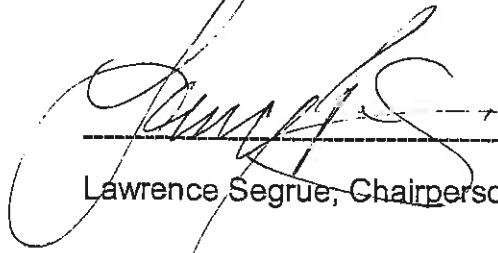
CITY OF VISALIA)

ATTEST: Josh McDonnell, AICP Assistant Director / City Planner

I, Josh McDonnell, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2012-07, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on February 13, 2012.



Josh McDonnell, Assistant Director / City Planner



Lawrence Segrue, Chairperson



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 11, 2013

PROJECT PLANNER: Alyssa Netto, Assistant Planner
Phone No: 713-4256

SUBJECT: Text and Map Amendment No. 2012-10 A request by the Historic Preservation Advisory Committee to amend the Local Register of Historic Structures to remove 14 sites which no longer contain historic structures.

Location: The properties are at various locations across the City of Visalia:

- 1) 217 N. Santa Fe. St. (APN: 094-285-017);
- 2) 428 E. Center Ave. (APN: 094-285-008);
- 3) 222 N. Garden St. (APN: 094-285-014);
- 4) East of 222 N. Garden St. (APN: 094-285-015);
- 5) 400 E. Main St. (APN: 094-294-009/015);
- 6) 406 E. Main St. (APN: 094-294-010/015);
- 7) 205 N. Encina St. (APN: 094-337-008);
- 8) 201 NW 3rd St. (094-041-006);
- 9) 1036 W. Goshen Ave. (APN: 093-091-024);
- 10) 307 E. Main St. (APN: 094-295-010);
- 11) 1308 W. Center (APN: 093-264-264-008);
- 12) 312 E. School St. (APN: 094-0273-005);
- 13) 314 E. School St. (APN: 094-0273-004);
- 14) 301/305 NW 2nd St. (APN: 094-021-019)

Affected Properties: 14 properties for removal from the Local Register of Historic Structures

STAFF RECOMMENDATION

Staff recommends approval of Text and Map Amendment No. 2012-10 based upon the findings and conditions in Resolution No. 2013-07.

RECOMMENDED MOTION

I move to approve Text and Map Amendment No. 2012-10 based on the findings and conditions in Resolution No. 2013-07.

PROJECT DESCRIPTION

The Historic Preservation Advisory Committee (HPAC) requests the deletion of 14 properties from the Local Register of Historic Structures. Exhibit "A" provides a map, aerial photograph, and description of each site. While these properties all included historical structures at the time of registry, the structures have since been removed for a variety of reasons, including fire and related structural deficiencies. This action is being requested to maintain the integrity and accuracy of the Local Register.

Local Register of Historic Structures

The Local Register of Historical Structures was established as part of the adoption of the Historic Element and Historic Preservation Ordinance. The Local Register is a listing of historic structures, sites, and features adopted by the City Council. The Local Register contains structures which have been determined to be of architectural significance or may

have been associated with persons or events of historic significance. Local Register sites may be inside or outside of the Historic District.

Site Data

All 14 of the sites have undergone drastic changes to a point that the structures have been destroyed by fire or other means. Examples include sites that now contain new structures, vacant lots, demolished sites, and properties destroyed by fire. Exhibit "A" provides information on each individual site.

As shown in the plot map in Exhibit "B", none of the sites are located within the City's Historic District boundaries. Therefore, removal of those sites from the Local Register of Historic Structures will exclude them from any further review by the Historic Preservation Advisory Committee. Should any of these sites be identified in the future as being associated with significant historic events or people, they may be considered for inclusion on the Local Register of Historic Structures or for addition into the Historic District.

Role of the Historic Preservation Advisory Committee

The Historic Preservation Advisory Committee has reviewed and approved this report's recommendations. The Committee is responsible for compiling and updating the Local Register of Historic Structures for additions and deletions. The Committee also reviews requests for construction and discretionary actions within the District and Register in accordance with their charge. Zoning Ordinance Section 17.56, the Historic Preservation District Ordinance, provided in the Related Plans and Policies section of this report, describes the duties and responsibilities of the Historic Preservation Advisory Committee.

Property Owner Contact

The property owners of the sites proposed for deletion were sent the letter in Exhibit "C". The letter was intended to open a dialogue between the property owners and City Staff regarding the status of their property on the Local Register of Historic Structures. The letter was sent on November 5, 2012 and staff has received no requests to remain on the Local Register of Historic Structures from property owners.

Local Register Removal Process

In order to be removed from the Local Register of Historic Structures, each site had to first be reviewed by the Historic Preservation Advisory Committee for potential removal. City Staff deemed each of the 14 proposed sites as no longer containing historic structures and presented them to the Historic Preservation Advisory Committee, who recommended by a vote of 5-0 that the sites be deleted from the Local Register of Historic Structures. The Planning Commission would next consider the HPAC's recommendation and determine whether to adopt a resolution that recommends deletion to the City Council. The City Council must complete the process with the adoption of a resolution that amends the zoning text and map to exclude the 14 sites from the Local Register of Historic Structures.

Related Projects

Text and Map Amendment No. 2012-02: On March 26, 2012, the Planning Commission approved (4-1, Soltész) and recommended approval to the City Council of the addition of 107 properties with the Visalia Home Builders Addition to the Historic District and 35 structures to the Local Register of Historic Structures. On May 21, 2012, the City Council approved the addition of 107 homes to the Historic District structures through Resolution No. 2012-25 (3-2,

Nelson & Link) and also approved the addition of 35 structures to the Local Register of Historic Structures through Resolution No. 2012-26 (5-0).

PROJECT EVALUATION

Staff recommends that the Planning Commission recommend to the City Council that the 14 properties shown in Exhibit "A" be removed from the Local Register of Historic Structures. This recommendation is based upon the recommendation of the Historic Preservation Advisory Committee and the project's consistency with the General Plan and Zoning Ordinance for the recognition and preservation of sites and structures related to the unique history of the City of Visalia. Because these 14 properties no longer represent historic structures, they compromise the accuracy and authenticity of the Local Register of Historic Structures.

RECOMMENDED FINDINGS

Zoning Text and Map Amendment No. 2012-10

Staff recommends that the Planning Commission recommend approval to the City Council of Zoning Text and Map Amendment No. 2012-10 based upon the following findings:

1. That the 14 listed properties do not fit the criteria for being listed as historic structures or sites associated with identified persons or events of historic significance and therefore should be removed from the Local Register of Historic Structures.
2. That removing the structures from the Local Register of Historic Structures would help to preserve the authenticity and accuracy of the Local Register.
3. That the Planning Commission considered Zoning Text and Map Amendment 2012-10 in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff reports and testimony presented at the public hearing.
4. That the proposed Zoning Text and Map Amendment is consistent with the goals, objectives and policies of the Historic Preservation Element of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity.
5. That the proposed amendment is consistent with the objectives, purpose and intent of Zoning Ordinance Section 17.56 which directs the Historic Preservation Advisory Committee to update the Local Register of Historic Structures.
6. That the requested action is Categorical Exempt under Section 15331 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2012-83.

APPEAL INFORMATION

Note: These actions automatically go on to the City Council for final action.

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 425 East Oak Avenue, Suite 301, 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.ci.visalia.ca.us or from the City Clerk.

Attachments:

Related Plans and Policies

Resolution No. 2013-07

Exhibit "A" – Aerial & Exterior photos with site explanation

Exhibit "B" – Plot Map with Historic District

Exhibit "C" – Property Owner Outreach Letter

Exhibit "D" – Local Register of Historic Structures

Historic District Map

Zoning Map

General Plan Land Use Map

Location Photo

Related Plans and Policies

Chapter 17.56

HISTORIC PRESERVATION DISTRICT

Sections:

- 17.56.010 Purposes and intent.
- 17.56.020 Components of the chapter.
- 17.56.030 Definitions.
- 17.56.040 Regulation of structures.
- 17.56.050 Creation of historic preservation advisory committee.
- 17.56.060 Appeal.
- 17.56.070 Demolition or moving of historic structures.
- 17.56.080 Ordinance maintenance and repair.
- 17.56.090 Exceptions to Visalia Municipal Code requirements.
- 17.56.100 Building design compatibility criteria.
- 17.56.110 Local register structures.
- 17.56.120 Role of building official.
- 17.56.130 Separability.

17.56.010 Purposes and intent.

A. There is created a historic district, the boundaries of which are shown on the two maps entitled, "Historic District Overlay," which accompany the ordinance codified in this chapter and which are on file in the office of the city clerk, on the 19th day of November, 1979 and dated 19th day of November, 1979. Said maps are adopted and made a part of this chapter.

B. This chapter is enacted to preserve and promote the public health, safety and welfare of the residents of the city, and to express the commitment of the city to assure that the city's cultural heritage, as reflected in its historic structures, sites, and features is not destroyed, through:

1. The protection and preservation of historic structures;
 2. The preservation and maintenance of historic residential areas as cohesive neighborhood units;
 3. The enhancement of property values in the older areas of the city;
 4. The assurance that the community's cultural heritage, as reflected in the environment, is not lost;
 5. The encouragement of the development of vacant and incompatibly developed properties in accordance with the character of the historic district;
 6. The involvement of residents of the older areas in planning their own neighborhoods.
- (Ord. 2001-13 § 4 (part), 2001: prior code § 7700)

17.56.020 Components of the chapter.

This chapter shall include:

1. The ordinance, which specifies the historic district overlay designation, design evaluation criteria, and the formation, powers and duties of a historic preservation advisory committee;
2. Creation of a local register of historic structures, sites and features which may be modified from time to time by resolution of the city council.
3. Two maps which designate the historic district overlay. (Ord. 2001-13 § 4 (part), 2001: prior code § 7701)

17.56.030 Definitions.

A. All definitions, general and specific, set forth in Section 17.04.030 shall be applicable to this chapter.

B. Definitions.

“Construction” means any building activity requiring the issuance of a building permit, except for any activity which does not affect the exterior appearance of the structure.

“Enlargement” means construction which results in the expansion of the gross floor area of a structure.

“Historic structure” means a structure listed on the Local Register.

“Local register” means the listing of local historic structures, sites and features adopted by the city council and maintained by the historic preservation advisory committee, and incorporated herein by reference. (Ord. 2001-13 § 4 (part), 2001: prior code § 7702)

17.56.040 Regulation of structures.

No structure shall be constructed, altered or enlarged which is located in the historic district or which is listed as an “exceptional” or “focus” structure on the local register and is located outside the historic district, unless such a permit is issued pursuant to the terms of this chapter. No structure listed on the local register shall be moved or demolished unless a permit is issued pursuant to the terms of this chapter. (Ord. 2001-13 § 4 (part), 2001: prior code § 7703)

17.56.050 Creation of historic preservation advisory committee.

In order to execute the purposes declared in this chapter, there is created a historic preservation advisory committee.

A. Committee Membership.

1. The historic preservation advisory committee shall consist of seven members appointed by the city council to serve without compensation. All committee members shall be residents of the city at the time of their appointment and will lose their position if they move outside the city limits during their term of office. Members shall be appointed on the basis of:

- a. Relevant professional or business qualifications;
- b. Ownership of property within the historic district;
- c. Practical experience in restoration or preservation;
- d. Exceptional civic interest.
- e. Terms of office shall be for three years.

2. Vacancies which may occur on the committee shall be filled by appointment of a new member of the city council for the duration of the unexpired term of office. The council shall also have the power to remove any member from the committee by an affirmative vote of three council members.

3. Four members of the committee shall constitute a quorum for the transaction of business.

B. Procedures for the Review of Applications. The operating procedures of the historic preservation advisory committee shall be prescribed from time to time by resolution of the city council, for the purpose of carrying into effect the standards and specifications of this chapter. The committee may adopt, amend, and repeal rules and regulations governing the conduct of its meetings, as long as said rules do not violate the procedures established by the city council or the terms of this chapter.

C. Duties and Responsibilities. The historic preservation advisory committee shall review applications only as specified in this chapter, consistent with the rules and regulations adopted from time to time by resolution of the city council (as referred to in Section 17.56.050(B)). Applications shall be approved or disapproved based solely on the considerations set forth in this chapter. It is the intent of this chapter that the historic preservation advisory committee shall encourage applicants to make alterations and repairs to structures in the spirit of the architectural style of the structure. The duties and responsibilities of the historic preservation advisory committee shall include the following:

1. It shall be the duty of the historic preservation advisory committee to review all proposed zoning actions (zone changes, conditional use permits, special zoning exceptions, planned unit developments and variances) within the historic district. The committee may recommend approval, conditional approval, modification or disapproval of an application based upon the expected impact of the proposed zoning action on the historic or architectural significance of the affected structure(s), neighborhood, or the entire historic district. The committee's recommendation shall be forwarded to the planning commission for its consideration.

2. It shall be the duty of the historic preservation advisory committee to review all applications for planned development permits within the historic district for compliance with the provisions of this chapter. Items which shall be subject to review by the committee include but are not limited to vehicular access, location and screening of parking, setbacks, location of service use areas, walls and landscaping. The committee may recommend approval, conditional approval, disapproval or resubmittal of the planned development permit application. The committee's recommendation shall be forwarded to the site plan review committee for its consideration.

3. It shall be the duty of the historic preservation advisory committee to review all applications for the construction or exterior alteration or enlargement of structures within the historic district or for structures located outside the historic district and listed as "exceptional" or "focus" structures on the local register. The committee shall have the power to approve, modify or disapprove such applications before a building permit can be issued, subject to the provisions of Sections 17.56.100 and 17.56.110.

4. It shall be the duty of the historic preservation advisory committee to review all applications for sign permits within the historic district or for properties located outside the historic district and listed as "exceptional" or "focus" on the local register. The committee may recommend approval, conditional approval or denial of the sign permit application based upon the proposed design and/or materials, but not upon the proposed size or location. The application shall then be presented to the proper issuing authority for sign permits, pursuant to Chapter 17.48. Sign permits shall be issued only in compliance with the recommendation of the committee. Approval by the committee in no way implies approval by the issuing authority for sign permits, whose approval must also be secured pursuant to Chapter 17.48.

5. It shall be the duty of the historic preservation advisory committee to review all applications for the moving or demolition of structures listed on the local register. The committee shall have the power to approve, conditionally approve, or disapprove such applications, subject to the provisions of Section 17.56.130.

6. It shall be the duty of the historic preservation advisory committee to compile and update the historic survey and inventory, and to nominate properties to the local register and the National Register of Historic Places. In selecting properties for nomination to the local register, the board shall consider:

- a. Architectural significance and style;

b. Historic significance, including age of structure, original owners, and events related to the structure, site or original owners.

The committee shall review the local register annually, make recommendations for the addition or deletion of structures or sites, and submit said recommendations to the planning commission and city council for certification.

7. Permits may be issued for air conditioners, electrical work and plumbing work which is visible from a public right-of-way when the chief building official determines that the work insignificantly affects the exterior of a structure, or that reasonable alternatives as to location or screening have been employed. The building official may forward to the historic preservation advisory committee applications for permits for this type of work when it appears that the appearance of a structure may be significantly altered.

This subsection shall not apply to the following types of permit applications:

1. Reroofing with like materials;
2. Residing with like materials;
3. Swimming pools;
4. Masonry repairs with like materials;
5. Chimney repair with like materials. (Ord. 2001-13 § 4 (part), 2001: prior code § 7704)

17.56.060 Appeal.

Any person or persons jointly or severally aggrieved by a decision of the historic preservation advisory committee may make an appeal in writing therefrom to the city council within ten days of said action. The city council, after proceeding in the manner as provided therein and with the same power and authority there invested in passing upon appeals before it under the provisions of law and this chapter and in the exercise thereof, may reverse, affirm or modify or affirm as modified the action of the historic preservation advisory committee. Appeals of a decision of the site plan review committee shall be filed with the planning commission in the manner prescribed in Section 17.28.050. (Ord. 2001-13 § 4 (part), 2001: prior code § 7705)

17.56.070 Demolition or moving of historic structures.

A. The demolition of structures listed on the local register, and the moving of local register structures from their sites, shall be discouraged. The historic preservation advisory committee shall review all applications for demolition or moving permits for structures on the local register and for any structures within the historic district boundaries.

B. After due consideration, the committee shall exercise one of the options listed below:

1. The committee may approve the demolition permit if it finds that the structure is a hazard to public health or safety, as determined by the building official or his designee, in consultation with the historic preservation advisory committee.

2. The committee may decide that up to a six month moratorium be placed upon the processing of the demolition or moving permit, in order to allow time for the applicant and the committee to find alternative uses for the structure and to seek alternative solutions to the demolition or moving of the structure. If no alternatives are found, after the six month moratorium has expired, the committee must approve the application.

3. In the case of local register structures which have been classified as "exceptional," the committee may deny an application for demolition, after the six month moratorium has expired. Denial of a demolition permit by the committee is subject to appeal to the city council pursuant to Section 17.56.060.

4. The committee may approve the application.

C. When an application is acted upon, the committee shall notify the building official of the approval, conditional approval or denial. Upon receipt of said notification, the building official shall process the application accordingly. If, after six months from the date of filing of the application, the building official has not received such notification, a permit may be issued. Approval of a permit application by the committee in no way implies approval by the building official, whose approval must also be secured. (Ord. 2001-13 § 4 (part), 2001: prior code § 7706)

17.56.080 Ordinance maintenance and repair.

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any structure within the historic district; provided such work involves no change which requires issuance of a building permit. Nothing in this chapter shall be construed to prevent the construction, reconstruction, alteration or demolition of any feature which in the view of the proper authority acting lawfully is required for the public safety because of an unsafe or dangerous condition. (Ord. 2001-13 § 4 (part), 2001: prior code § 7708)

17.56.090 Exceptions to Visalia Municipal Code requirements.

Due to the peculiar conditions of design and construction in historic neighborhoods where structures were sometimes built close to lot lines, and where ownership patterns have changed over the years, it is sometimes in the public interest to retain the historic appearance of a neighborhood by making an exception to normal setback, parking, landscaping, fencing and screening requirements of the Visalia Municipal Code, where such an exception does not interfere with the public health or safety. Within the historic district, where it is deemed that such an exception is warranted and will not adversely affect neighboring properties, the historic preservation advisory committee may initiate and/or recommend to the planning commission that such exception to Visalia Municipal Code requirements be made. (Ord. 2001-13 § 4 (part), 2001: prior code § 7709)

17.56.100 Building design compatibility criteria.

This section contains criteria for reviewing all applications for new construction and sign permits within the historic district, and for any rehabilitation, renovation, alteration, reconstruction, or enlargement affecting the exterior appearance of any structure within the historic district which is not listed on the local register, which requires the issuance of a building permit. Each application shall be considered in terms of its compatibility or complementariness with a majority of structures in the immediately surrounding area. In reviewing an application, the historic preservation advisory committee shall consider the following general design standards and principles:

- A. **Height and Scale.** New buildings should be constructed to a height within a reasonable average height of existing adjacent buildings.
- B. **Spacing of Buildings on Street.** A rhythm of recurrent building masses to separations should be retained.
- C. **Relationship of Materials and Textures.** Choice of building materials and texture (smooth and rough) should enhance the desired neighborhood qualities such as compatibility, similarity and continuity.
- D. **Relationship of Architectural Details and Roof Shapes.** Choice of architectural details and roof shape should insure compatible appearance with surrounding structures.
- E. **Walls of Continuity.** Physical ingredients such as brick walls, wrought iron fences, evergreen landscape masses should be used to form continuous cohesive walls of enclosure along the street.
- F. **Landscaping.** Landscaping should reflect the predominant quality and quantity of landscaping within the surrounding area. The concern here is more with mass and continuity.
- G. **Directional Expression of Front Elevations.** Structural shape, placement of openings, and architectural details should be used to give a compatible appearance with adjacent structures

which may be horizontal, vertical or nondirectional in nature. (Ord. 2001-13 § 4 (part), 2001: prior code § 7710)

17.56.110 Local register structures.

This section contains criteria for reviewing all applications for building permits for exterior rehabilitation, renovation, alteration, reconstruction, or enlargement of any local register structure within the historic district, or any "exceptional" or "focus" local register structure outside the historic district, and for any interior modification which requires the issuance of a building permit for a publicly owned and publicly accessible local register structure. In reviewing an application, the historic preservation advisory committee shall consider the following general standards and principles:

A. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure, or site and its environment, or to use a property for its originally intended purpose.

B. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

C. All buildings, structures and sites shall be recognized as products of their own time. Alterations which have no historic basis and which seek to create an earlier appearance shall be discouraged.

D. Changes, which may have taken place in the course of time, are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

E. Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building, structure or site, shall be treated with sensitivity.

F. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

G. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken, without prior approval of the historic preservation advisory committee.

H. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project. (Ord. 2001-13 § 4 (part), 2001: prior code § 7711)

17.56.120 Role of building official.

A. The building official shall refuse to issue all building or sign permits based upon an application disapproved by the historic preservation advisory committee, unless such application is later approved by the city council. The building official may approve any application approved or conditionally approved by the committee at such time as any conditions specified in such conditional approval are clearly indicated by the applicant on the plans presented to the building official for approval. The building official shall, within ten days from the date of committee approval, issue the permit applied for; provided, that all requirements of the building code are met. The building official shall likewise issue the permit as applied for in the case of any building permit application referred to the committee which the committee has failed to approve or disapprove within thirty (30) days of the date of submittal of the application. If an appeal to the city council is filed within ten days from the date of committee approval of an application, no permit shall be issued until the outcome of said appeal is finally determined by the city council.

B. After a building permit has been issued, the building official or his/her designee shall from time to time inspect the construction, alteration or enlargement approved by the committee and shall take such action as is necessary to assure compliance with the approved plans. (Ord. 2001-13 § 4 (part), 2001: prior code § 7712)

17.56.130 Separability.

The provisions of this chapter shall be deemed to be severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of the court shall not impair any of the remaining provisions. (Ord. 2001-13 § 4 (part), 2001: prior code § 7707)

RESOLUTION NO. 2013-07
Local Register Deletions

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA, RECOMMENDING APPROVAL OF ZONING TEXT AND MAP AMENDMENT 2012-10: A REQUEST BY THE CITY OF VISALIA HISTORIC PRESERVATION ADVISORY COMMITTEE TO REMOVE 14 PROPERTIES FROM THE LOCAL REGISTER OF HISTORIC STRUCTURES; 217 N. Santa Fe. St. (APN: 094-285-017); 428 E. Center Ave. (APN: 094-285-008); 222 N. Garden St. (APN: 094-285-014); East of 222 N. Garden St. (APN: 094-285-015); 400 E. Main St. (APN: 094-294-009); 406 E. Main St. (APN: 094-294-010); 205 N. Encina St. (APN: 094-337-008); 201 NW 3rd St. (094-041-006); 1036 W. Goshen Ave. (APN: 093-091-024); 307 E. Main St. (APN: 094-295-010); 1308 W. Center (APN: 093-264-264-008); 312 E. School St. (APN: 094-0273-005); 314 E. School St. (APN: 094-0273-004); 301 NW 2nd St. (APN: 094-021-019)

WHEREAS, the City of Visalia Historic Preservation Advisory Committee has forwarded a recommendation to the Planning Commission to remove 14 properties from the Local Register of Historic Structures (217 N. Santa Fe. St. (APN: 094-285-017); 428 E. Center Ave. (APN: 094-285-008); 222 N. Garden St. (APN: 094-285-014); East of 222 N. Garden St. (APN: 094-285-015); 400 E. Main St. (APN: 094-294-009); 406 E. Main St. (APN: 094-294-010); 205 N. Encina St. (APN: 094-337-008); 201 NW 3rd St. (094-041-006); 1036 W. Goshen Ave. (APN: 093-091-024); 307 E. Main St. (APN: 094-295-010); 1308 W. Center (APN: 093-264-264-008); 312 E. School St. (APN: 094-0273-005); 314 E. School St. (APN: 094-0273-004); 301 NW 2nd St. (APN: 094-021-019)); and

WHEREAS, the Planning Commission of the City of Visalia, after a noticed public hearing did hold a public hearing before said Commission on February 11, 2013, and;

WHEREAS, the Planning Commission of the City of Visalia finds Zone Text and Map Amendment 2012-10 to be in accordance with Section 17.44.070 and Section 17.56.050 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 15331.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Visalia recommends approval of Zoning Text and Map Amendment No. 2012-10 for the removal of the listed properties from the Local Register of Historic Structures and the Map identifying Local Register sites, based on the following specific findings and evidence presented:

1. That the 14 listed properties do not fit the criteria for being listed as historic structures and therefore no longer contain structures of historic value.
2. That removing the structures from the Local Register of Historic Structures would help to preserve the authenticity and accuracy of the Local Register.

3. That the Planning Commission considered Zoning Text Amendment 2012-10 in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff reports and testimony presented at the public hearing.
4. That the proposed Zoning Text Amendment is consistent with the goals, objectives and policies of the Historic Preservation Element of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity.
5. That the proposed amendment is consistent with the objectives, purpose and intent of Zoning Ordinance Section 17.56 which directs the Historic Preservation Advisory Committee to update the Local Register of Historic Structures.
6. That the requested action is Categorical Exempt under Section 15331 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), Categorical Exemption No. 2012-83.

- 217 N. Santa Fe. St. (APN: 094-285-017)**
Local Register Identification: Unspecified
Current Existing Structure: the property is now a new transit center.
General Plan Land Use Designation: Central Business District
Zoning: Central Business District Retail



- 428 E. Center Ave. (APN: 094-285-008)**
Local Register Identification: Unspecified
Current Existing Structure: the property is now a new transit bus lot
General Plan Land Use Designation: Central Business District
Zoning: Central Business District Retail



3. **222 N. Garden St. (APN: 094-285-014)**

Local Register Identification: 325 Oak Street, Depot Style Commercial Building—Background

Current Existing Structure: the property is now a new office building.

General Plan Land Use Designation: Central Business District

Zoning: Central Business District Retail



4. **East of 222 N. Garden St. (APN: 094-285-015)**

Local Register Identification: 325 Oak Street, Depot Style Commercial Building—Background

Current Existing Structure: the property is now a city parking lot.

General Plan Land Use Designation: Central Business District

Zoning: Central Business District Retail



5. **400 E. Main St. (APN: 094-294-009)**
Local Register Identification: Utilitarian Commercial—Background
Current Existing Structure: the property is now a new commercial and office designated area.
General Plan Land Use Designation: Central Business District
Zoning: Central Business District Retail



6. **406 E. Main St. (APN: 094-294-010)**
Local Register Identification: Utilitarian Commercial—Background
Current Existing Structure: the property is now a new commercial and office designated area.
General Plan Land Use Designation: Central Business District Retail
Zoning: Central Business District Retail



7. **205 N. Encina St. (APN: 094-337-008)**
Local Register Identification: Commercial—Focus
Current Existing Structure: the property is now a parking lot.
General Plan Land Use Designation: Central Business District
Zoning: Central Business District Retail



8. **201 NW 3rd St. (094-041-006)**
Local Register Identification: Eastlake styling—Background
Current Existing Structure: the structure was demolished and the property is now vacant.
General Plan Land Use Designation: Low Density Residential
Zoning: Single-Family Residential



9. **1036 W. Goshen Ave. (APN: 093-091-024)**
Local Register Identification: Vernacular—Focus
Current Existing Structure: the property is now a new shop for the Visalia Cemetery District
General Plan Land Use Designation: Public Institutional
Zoning: Quasi-Public



10. **307 E. Main St. (APN: 094-295-010)**
Local Register Identification: Unspecified
Current Existing Structure: The property is now a theatre and the address had been re-designated to 120 Bridge St.
General Plan Land Use Designation: Central Business District
Zoning: Central Business District Retail



11. **1308 W. Center (APN: 093-264-264-008)**

Local Register Identification: Bungalow—Background

Current Existing Structure: The structure was demolished and the property is now a new office.

General Plan Land Use Designation: Professional/Admin Office

Zoning: Office Commercial



12. **312 E. School St. (APN: 094-0273-005)**

Local Register Identification: Eastlake—Focus

Current Existing Structure: The property has been demolished and is now vacant.

General Plan Land Use Designation: Central Business District

Zoning: Professional Admin/Office



13. **314 E. School St. (APN: 094-273-004)**

Local Register Identification: Vernacular—Background

Current Existing Structure: The property has been demolished and is now vacant.

General Plan Land Use Designation: Central Business District

Zoning: Professional Admin/Office



14. **301 NW 2nd St. (APN: 094-021-019)**

Local Register Identification: Vernacular—Background

Current Existing Structure: The property was destroyed by a fire and has been replaced with a new structure.

General Plan Land Use Designation: Low Density Residential

Zoning: Single-Family Residential

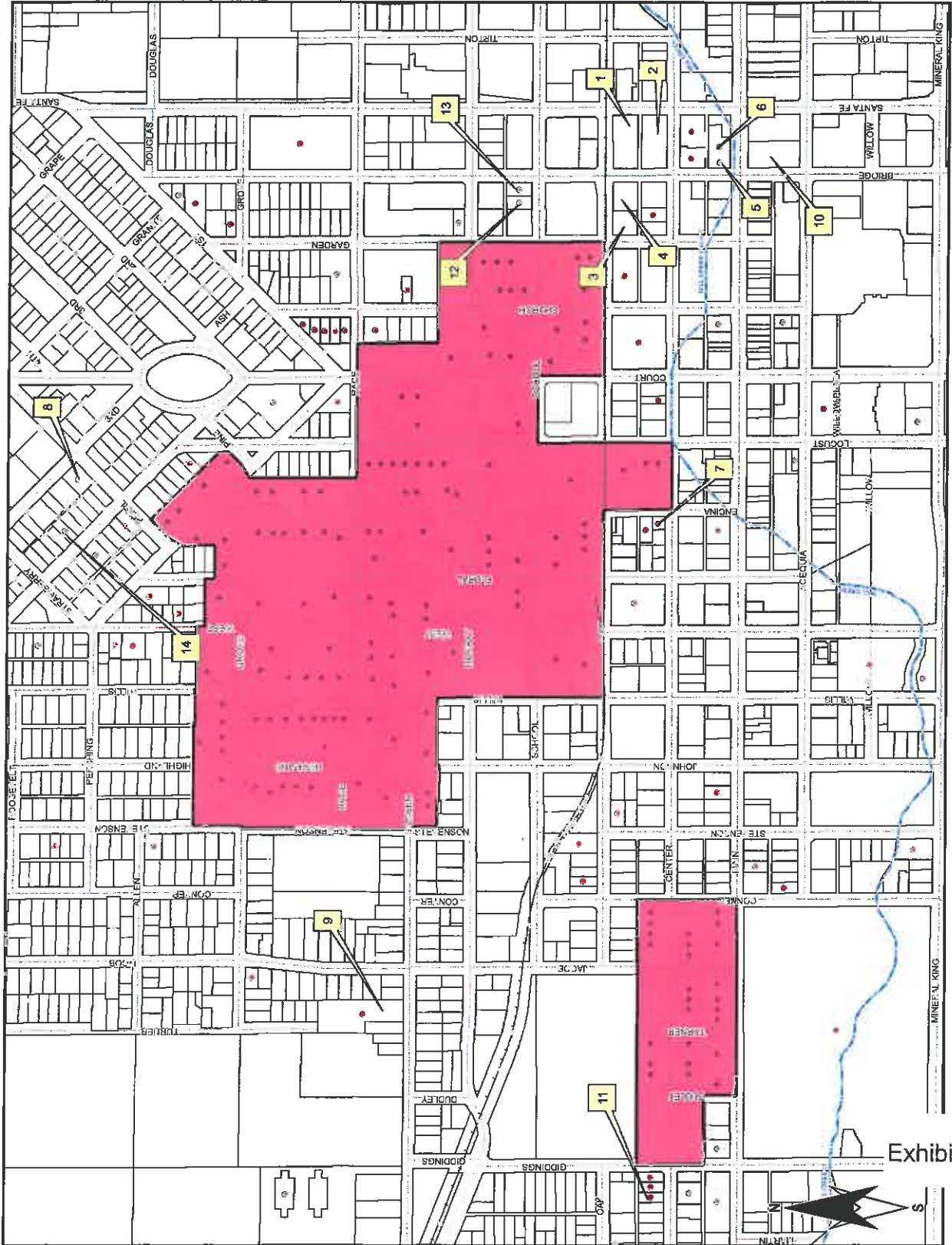




Zoning Text & Map Amendment No. 2012-10

Exhibit "B"

Historic District



- LOCAL REGISTRY
- CITY LIMITS
- STREETS
- RAILROAD
- WATERWAYS
- HISTORICAL DISTRICT
- PARCELS

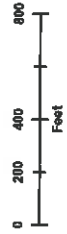


Exhibit "B"

City of Visalia

Community Development Department, Planning Division

315 East Acequia Ave., Visalia, CA 93291

Tel: (559) 713-4359 Fax: (559) 738-4814

November 5, 2012

City of Visalia
707 W. Acequia Ave
Visalia, CA 93291

Re: Local Register of Historic Structures Site Removal

Dear City of Visalia:

The City of Visalia is considering removing the property at 428 E. Center Ave. (APN: 094-285-008) from the Local Register of Historic Structures. The removal is being considered because the listed site has been found to no longer contain a historic structure.

The Historic Preservation Advisory Committee has reviewed this site and is recommending this action to the City. This action is planned for the next several months, and will begin with a public hearing before the Planning Commission who will recommend an action to the City Council. The City Council will then take final action at a subsequent public hearing. Any interested party will be welcome to speak at each hearing.

We are contacting you at this time to inform you of this upcoming activity, and provide additional opportunity for you to tell the City if you desire to keep your site on the Local Register of Historic Structures. If you have any questions or concerns, please do not hesitate to contact project planners Alyssa Netto at (559) 713-4256 or Andrew Chamberlain at (559) 713-4003.

Sincerely,

Alyssa Netto
Planning Intern

cc: Josh McDonnell, AICP, City Planner
Andrew Chamberlain, AICP, Senior Planner

Exhibit "C"

City of Visalia
Local Register of Historic Structures

Last update: September 26, 2007

<u>ADDRESS</u>	<u>DIR</u>	<u>STREET</u>	<u>STYLE</u>	<u>CLASSIFICATION</u>
407	NE	1st Ave	Colonial Revival	Focus
411	NE	1st Ave	Vernacular	Background
200	NW	1st Ave	Vernacular	Background
220	NW	1st Ave	Queen Anne	Focus
309	NW	1st Ave	Vernacular	Background
316	NW	1st Ave	Vernacular	Background
318	NW	1st Ave	Vernacular	Background
211	NW	2nd	Bungalow	Background
301	NW	2nd	Vernacular	Background
312	NW	2nd	Vernacular	Background
315	NW	2nd	Vernacular	Background
201	NW	3rd	Eastlake	Background
111	W	Acequia Ave	Art Deco	Exceptional
820	W	Acequia Ave	Airplane Bungalow	Focus
106	S	Bridge St	Commercial	Background
430	S	Bridge St	Vernacular	Background
431	S	Bridge St	Colonial Revival	Background
433	S	Bridge St	Vernacular	Background
436	S	Bridge St	Vernacular	Background
446	S	Bridge St	Vernacular	Background
448	S	Bridge St	Bungalow	Background
500	S	Bridge St	Bungalow	Background
308	E	Center Ave	Commercial	Background
401	E	Center Ave	Victorian Utilitarian	Exceptional
417	E	Center Ave	Victorian Utilitarian	Exceptional
104	W	Center Ave	Utilitarian Commercial	Background
210	W	Center Ave	Commercial	Background
902	W	Center Ave	Bungalow	Background
904	W	Center Ave	Bungalow	Background
910	W	Center Ave	Vernacular	Background
911	W	Center Ave	Bungalow	Background
913	W	Center Ave	Bungalow	Background
914	W	Center Ave	Vernacular	Background
915	W	Center Ave	Craftsman Bungalow	Background
1007	W	Center Ave	Bungalow	Background
1011	W	Center Ave	Bungalow	Background
1013	W	Center Ave	Airplane Bungalow	Background
1100	W	Center Ave	Vernacular	Background
1101	W	Center Ave	Vernacular	Background

1105	W	Center Ave	Bungalow	Background
1110	W	Center Ave	Period Revival	Background
1115	W	Center Ave	Bungalow	Background
1116	W	Center Ave	Bungalow	Background
1300	W	Center Ave	Period Revival	Background
1304	W	Center Ave	Bungalow	Background
1307	W	Center Ave	Colonial Revival	Focus
1308	W	Center Ave	Bungalow	Background
309	N	Church St	Vernacular	Background
319	N	Church St	Colonial Revival	Focus
400	N	Church St	Bungalow	Focus
406	N	Church St	Colonial Revival	Background
414	N	Church St	Vernacular	Background
421	N	Church St	Craftsman Bungalow	Background
520	N	Church St	Spanish Eclectic	Focus
535	N	Church St	Prairie Style	Focus
601	N	Church St	Vernacular	Focus
605	N	Church St	Vernacular	Focus
608	N	Church St	Mission	Focus
609	N	Church St	Vernacular	Focus
615	N	Church St	Vernacular	Focus
617	N	Church St	Vernacular	Focus
121	S	Church St	Victorian Utilitarian	Exceptional
431	S	Church St	Bungalow	Background
436	S	Church St	Dutch Colonial Revival	Focus
437	S	Church St	Craftsman Bungalow	Focus
444	S	Church St	Vernacular	Focus
449	S	Church St	Queen Anne	Exceptional
507	S	Church St	Stick	Background
508	S	Church St	Vernacular	Background
511	S	Church St	Eastlake	Focus
512	S	Church St	Vernacular	Background
515	S	Church St	Craftsman Bungalow	Background
600	S	Church St	Vernacular	Background
601	S	Church St	Bungalow	Background
609	S	Church St	Colonial Revival	Background
611	S	Church St	Vernacular	Background
616	S	Church St	Vernacular	Background
621	S	Church St	Vernacular	Focus
622	S	Church St	Vernacular	Background
626	S	Church St	Vernacular	Background
628	S	Church St	Vernacular	Background
707	S	Church St	Vernacular	Background
708	S	Church St	Vernacular	Background
710	S	Church St	Vernacular	Focus
711	S	Church St	Bungalow	Background
715	S	Church St	Vernacular	Background
721	S	Church St	Bungalow	Background
726	S	Church St	Vernacular	Background

728	S	Church St	Vernacular	Background
810	S	Church St	Bungalow	Background
821	S	Church St	Bungalow	Background
825	S	Church St	Bungalow	Background
210	N	Court St	Art Deco	Exceptional
320	N	Court St	Mission Revival	Focus
410	N	Court St	Bungalhigh	Background
420	N	Court St	Colonial Revival	Exceptional
506	N	Court St	Bungalhigh	Background
521	N	Court St	Vernacular	Background
524	N	Court St	Colonial Revival / Vernacular	Background
525	N	Court St	Queen Anne	Exceptional
603	N	Court St	Craftsman Bungalow	Exceptional
711	N	Court St	Commercial	Background
500	S	Court St	Queen Anne	Exceptional
501	S	Court St	Bungalow	Focus
506	S	Court St	Eastlake	Focus
507	S	Court St	Vernacular	Focus
512	S	Court St	Cluster Cottage	Focus
608	S	Court St	English Tudor	Background
612	S	Court St	Bungalow	Background
614	S	Court St	Eastlake	Exceptional
615	S	Court St	Bungalow	Background
618	S	Court St	Eastlake	Background
620	S	Court St	Bungalow	Background
700	S	Court St	Queen Anne	Focus
702	S	Court St	Colonial Revival	Focus
705	S	Court St	Colonial Revival	Exceptional
717	S	Court St	Colonial Revival	Focus
719	S	Court St	Airplane Bungalow	Focus
720	S	Court St	Airplane Bungalow	Focus
726	S	Court St	Victorian Gothic	Focus
727	S	Court St	Period Revival	Focus
802	S	Court St	Bungalow	Background
805	S	Court St	Bungalow	Background
807	S	Court St	Italianate	Focus
812	S	Court St	Bungalow	Background
813	S	Court St	Mission Revival	Background
815	S	Court St	Bungalow	Background
816	S	Court St	Bungalow	Background
817	S	Court St	Mission Revival	Focus
820	S	Court St	Bungalow	Background
822	S	Court St	Bungalow	Background
905	S	Court St	Bungalow	Background
910	S	Court St	Italianate	Focus
915	S	Court St	Bungalow	Background
919	S	Court St	Bungalow	Background
921	S	Court St	Airplane Bungalow	Background
944	S	Court St	Colonial Revival	Focus

205	N	Encina St	Commercial	Focus
209	N	Encina St	Bungalow	Background
307	N	Encina St	Craftsman Bungalow	Focus
500	N	Encina St	Prairie Craftsman Bungalow	Focus
508	N	Encina St	Vernacular	Background
513	N	Encina St	Eastlake	Exceptional
520	N	Encina St	Eastlake	Background
524	N	Encina St	Vernacular	Background
529	N	Encina St	Vernacular	Background
537	N	Encina St	Vernacular	Focus
601	N	Encina St	Vernacular	Exceptional
609	N	Encina St	Italianate	Exceptional
610	N	Encina St	Bungalow	Focus
616	N	Encina St	Vernacular	Background
617	N	Encina St	Queen Anne	Focus
623	N	Encina St	Eastlake	Focus
627	N	Encina St	Colonial Revival	Focus
630	N	Encina St	Period Revival	Background
631	N	Encina St	Colonial Revival	Exceptional
632	N	Encina St	Period Revival	Background
707	S	Encina St	Cluster Cottage	Background
709	S	Encina St	Cluster Cottage	Background
301	N	Fairway St	Spanish Eclectic	Focus
403	N	Floral St	Colonial Revival	Focus
613	N	Floral St	Eastlake	Focus
703	N	Floral St	Vernacular	Background
723	N	Floral St	Vernacular	Background
733	N	Floral St	Craftsman Bungalow	Focus
829	N	Floral St	Craftsman Bungalow	Focus
225	N	Garden St	Spanish Eclectic Commercial	Background
309	N	Garden St	Vernacular	Background
407	N	Garden St	Eastlake	Focus
411	N	Garden St	Vernacular	Background
415	N	Garden St	Craftsman Bungalow	Background
500	N	Garden St	Moderne	Focus
700	N	Garden St	Queen Anne	Background
426	S	Garden St	Craftsman Bungalow	Focus
427	S	Garden St	Bungalow	Background
429	S	Garden St	Vernacular	Background
431	S	Garden St	Bungalow	Focus
432	S	Garden St	Vernacular	Background
435	S	Garden St	Vernacular	Background
449	S	Garden St	Vernacular	Background
513	S	Garden St	Colonial Revival	Focus
515	S	Garden St	Vernacular	Background
533	S	Garden St	Vernacular	Background

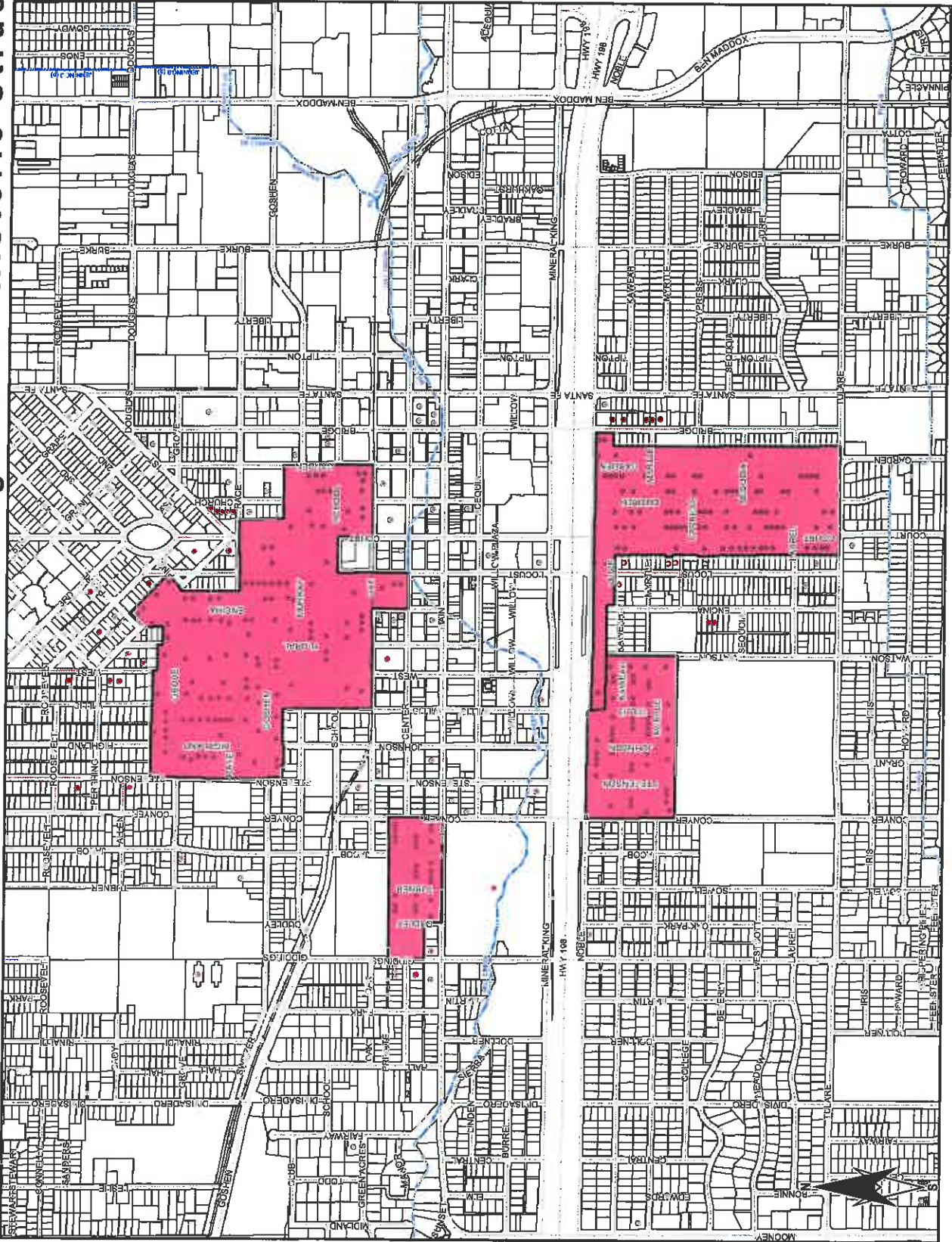
603	S	Garden St	Vernacular	Background
702	S	Garden St	Colonial Revival	Background
709	S	Garden St	Period Revival	Background
801	S	Garden St	Bungalow	Background
803	S	Garden St	Bungalow	Background
805	S	Garden St	Bungalow	Background
807	S	Garden St	Bungalow	Background
408	W	Goshen Ave	Colonial Revival	Background
410	W	Goshen Ave	Vernacular	Background
411	W	Goshen Ave	Bungalow	Background
415	W	Goshen Ave	Colonial Revival	Focus
506	W	Goshen Ave	Colonial Revival	Focus
511	W	Goshen Ave	Eastlake	Focus
601	W	Goshen Ave	Vernacular	Focus
612	W	Goshen Ave	Vernacular	Background
619	W	Goshen Ave	Vernacular	Background
721	W	Goshen Ave	Vernacular	Background
722	W	Goshen Ave	Vernacular	Focus
731	W	Goshen Ave	Vernacular	Focus
1036	W	Goshen Ave	Vernacular	Focus
1300	W	Goshen Ave	Victorian Gothic	Focus
208	W	Grove Ave	Colonial Revival	Focus
218	W	Grove Ave	Vernacular	Focus
300	W	Grove Ave	Colonial Revival	Focus
401	W	Grove Ave	Colonial Revival	Focus
411	W	Grove Ave	Shingle Style / Bungalow	Focus
500	W	Grove Ave	Craftsman Bungalow	Focus
504	W	Grove Ave	Dutch Colonial / Period Revival	Background
508	W	Grove Ave	Craftsman Bungalow	Focus
701	N	Highland St	Bungalow	Background
714	N	Highland St	Bungalhigh	Focus
719	N	Highland St	Craftsman Bungalow	Focus
727	N	Highland St	Craftsman Bungalow	Focus
733	N	Highland St	Period Revival	Focus
739	N	Highland St	Period Revival	Focus
745	N	Highland St	Period Revival	Background
807	N	Highland St	Bungalow	Focus
810	N	Highland St	Mission Revival / Regency	Background
826	N	Highland St	Mission Revival	Background
721	N	Jacob St	Vernacular	Background
505	W	Kaweah Ave	Eastlake	Focus
614	W	Kaweah Ave	Airplane Bungalow	Focus
809	W	Kaweah Ave	Bungalow	Focus
815	W	Kaweah Ave	Mission Revival	Background

209	N	Locust St	Eastlake	Focus
301	N	Locust St	Mission Revival	Focus
417	N	Locust St	Period Revival	Exceptional
509	N	Locust St	Queen Anne	Focus
515	N	Locust St	Queen Anne	Focus
518	N	Locust St	Stick	Focus
519	N	Locust St	Vernacular	Focus
523	N	Locust St	Stick	Focus
533	N	Locust St	Vernacular	Focus
535	N	Locust St	Vernacular	Focus
539	N	Locust St	Queen Anne	Focus
119	S	Locust St	Greek Revival	Focus
438	S	Locust St	Bungalow	Focus
504	S	Locust St	Period Revival	Focus
515	S	Locust St	Craftsman Bungalow	Focus
618	S	Locust St	Period Revival	Background
624	S	Locust St	Vernacular	Focus
714	S	Locust St	Period Revival	Focus
905	S	Locust St	Mission Revival	Background
912	S	Locust St	Mission Revival	Background
128	E	Main St	Greek Revival	Exceptional
400	E	Main St	Utilitarian Commercial	Background
410	E	Main St	Utilitarian Commercial	Background
306	W	Main St	Spanish Colonial Revival	Exceptional
708	W	Main St	Cluster Cottage	Focus
809	W	Main St	Bungalow	Focus
900	W	Main St	Craftsman Bungalow	Focus
904	W	Main St	Craftsman Bungalow	Background
918	W	Main St	Bungalow	Background
1000	W	Main St	Craftsman Bungalow	Focus
1001	W	Main St	Spanish Eclectic	Focus
1002	W	Main St	Craftsman Bungalow	Focus
1004	W	Main St	Airplane Bungalow	Focus
1006	W	Main St	Craftsman Bungalow	Background
1010	W	Main St	Craftsman Bungalow	Background
1011	W	Main St	Beaux Arts / Mission & Art	Exceptional
1102	W	Main St	Bungalow	Background
1120	W	Main St	Mission Revival	Focus
1220	W	Main St	Mission Revival	Focus
1300	W	Main St	Mission Revival	Exceptional
128	W	Mineral King	Art Deco	Exceptional
520	W	Mineral King	Mission Revival	Focus
800	W	Mineral King	Cluster Cottage	Focus
604	S	Mooney	Art Moderne	Exceptional
307	W	Murray Ave	Eastlake	Focus
310	W	Murray Ave	Queen Anne	Background

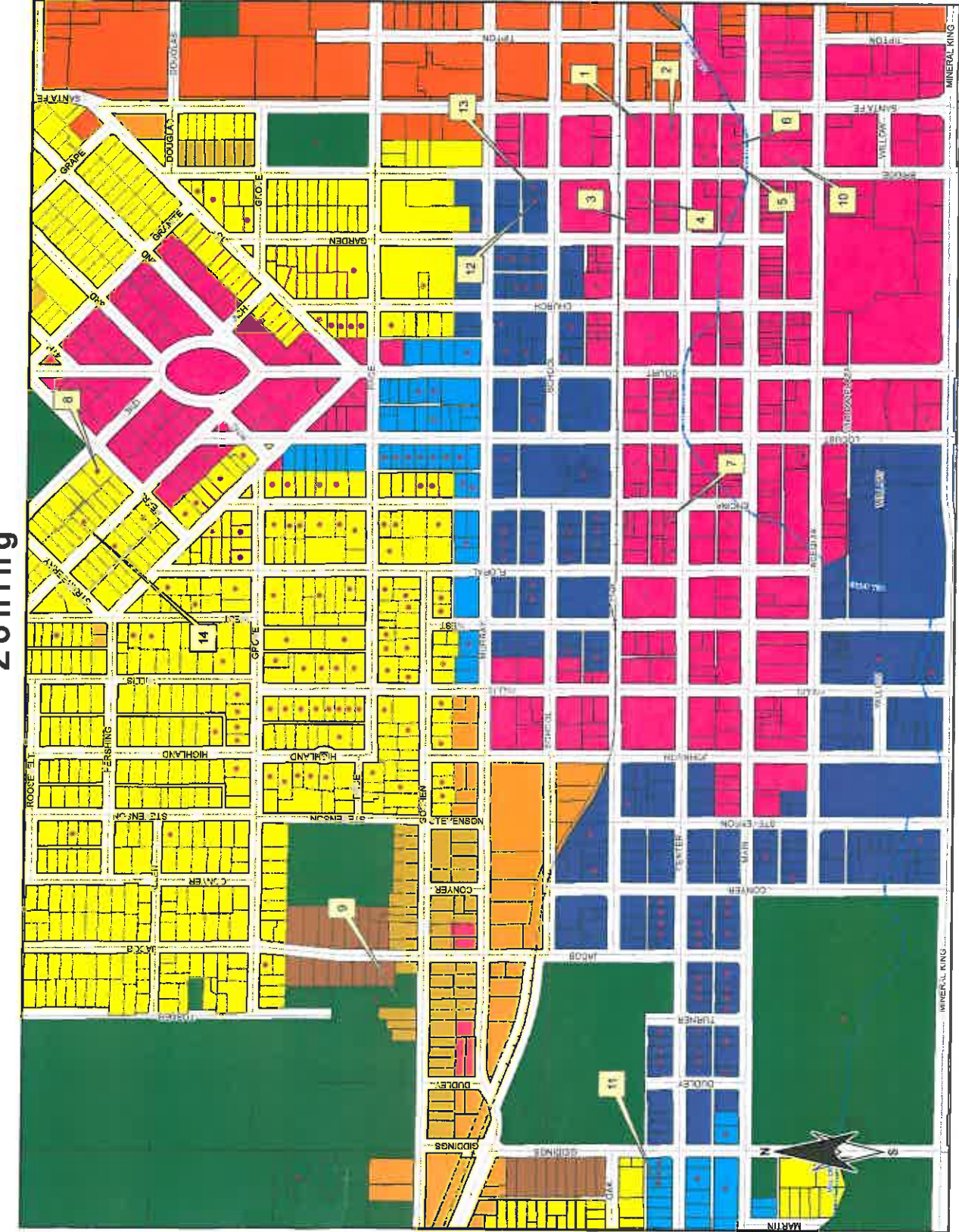
311	W	Murray Ave	Queen Anne	Focus
319	W	Murray Ave	Vernacular	Background
534	W	Myrtle Ave	Period Revival	Focus
707	W	Myrtle Ave	Bungalow	Background
801	W	Myrtle Ave	Period Revival	Focus
805	W	Myrtle Ave	Period Revival	Background
523	W	Noble Ave	Bungalow	Background
701	W	Noble Ave	Bungalow	Background
705	W	Noble Ave	Mission Revival	Background
709	W	Noble Ave	Airplane Bungalow	Background
715	W	Noble Ave	Vernacular	Background
112	E	Oak Ave	Pueblo Revival	Background
120	E	Oak Ave	Italianate	Focus
204	E	Oak Ave	Greek Revival	Exceptional
207	E	Oak Ave	Mission Revival	Exceptional
214	E	Oak Ave	Vernacular	Exceptional
242	E	Oak Ave	Vernacular	Focus
215	W	Oak Ave	Georgia Colonial Revival	Focus
308	W	Oak Ave	Vernacular	Focus
312	W	Oak Ave	Colonial Revival	Focus
510	W	Oak Ave	Craftsman Bungalow	Focus
735	W	Oak Ave	Airplane Bungalow	Background
814	W	Oak Ave	Airplane Bungalow	Background
501	S	Oak Park St	Mission Revival	Background
218	W	Olive	Vernacular	Background
410	E	Race Ave	Vernacular / Utilitarian	Focus
420	E	Race Ave	Vernacular / Utilitarian	Focus
315	W	Race Ave	Craftsman Bungalow	Focus
415	W	Race Ave	Period Revival	Focus
417	W	Race Ave	Bungalow	Background
425	W	Race Ave	Bungalow	Background
432	W	Race Ave	Cluster Cottage	Background
501	S	Santa Fe St	Queen Anne	Background
312	E	School Ave	Eastlake	Focus
314	E	School Ave	Vernacular	Background
120	W	School Ave	Colonial Revival	Background
307	W	School Ave	Cluster Cottage	Focus
318	W	School Ave	Eastlake	Focus
319	W	School Ave	Colonial Revival	Focus
406	W	School Ave	Bungalow	Background
507	W	School Ave	Vernacular	Background

301	N	Stevenson St	Vernacular	Focus
825	N	Stevenson St	Period Revival	Background
1015	N	Stevenson St	Gothic	Focus
101	W	Tulare Ave	Classic Revival	Exceptional
208	N	West St	Vernacular	Background
218	N	West St	Bungalow	Background
505	N	West St	Craftsman Bungalow	Focus
820	N	West St	Vernacular	Background
933	N	West St	Bungalow	Background
937	N	West St	Vernacular	Background
1019	N	West St	Eastlake	Focus
600	N	Willis St	Mission Revival	Background
615	N	Willis St	Bungalow	Focus
700	N	Willis St	Bungalow	Focus
701	N	Willis St	Bungalow	Background
705	N	Willis St	Bungalow	Focus
711	N	Willis St	Craftsman Bungalow	Focus
714	N	Willis St	Period Revival	Background
715	N	Willis St	Craftsman Bungalow	Focus
719	N	Willis St	Bungalow	Focus
720	N	Willis St	Period Revival	Background
722	N	Willis St	Period Revival	Focus
725	N	Willis St	Bungalow	Focus
731	N	Willis St	Bungalow	Focus
737	N	Willis St	Bungalow	Focus
810	N	Willis St	Vernacular	Background
501	W	Willow Ave	Airplane Bungalow	Background
503	W	Willow Ave	Mission Revival	Focus
509	W	Willow Ave	Bungalow	Background

Historic District and Local Register of Historic Structures



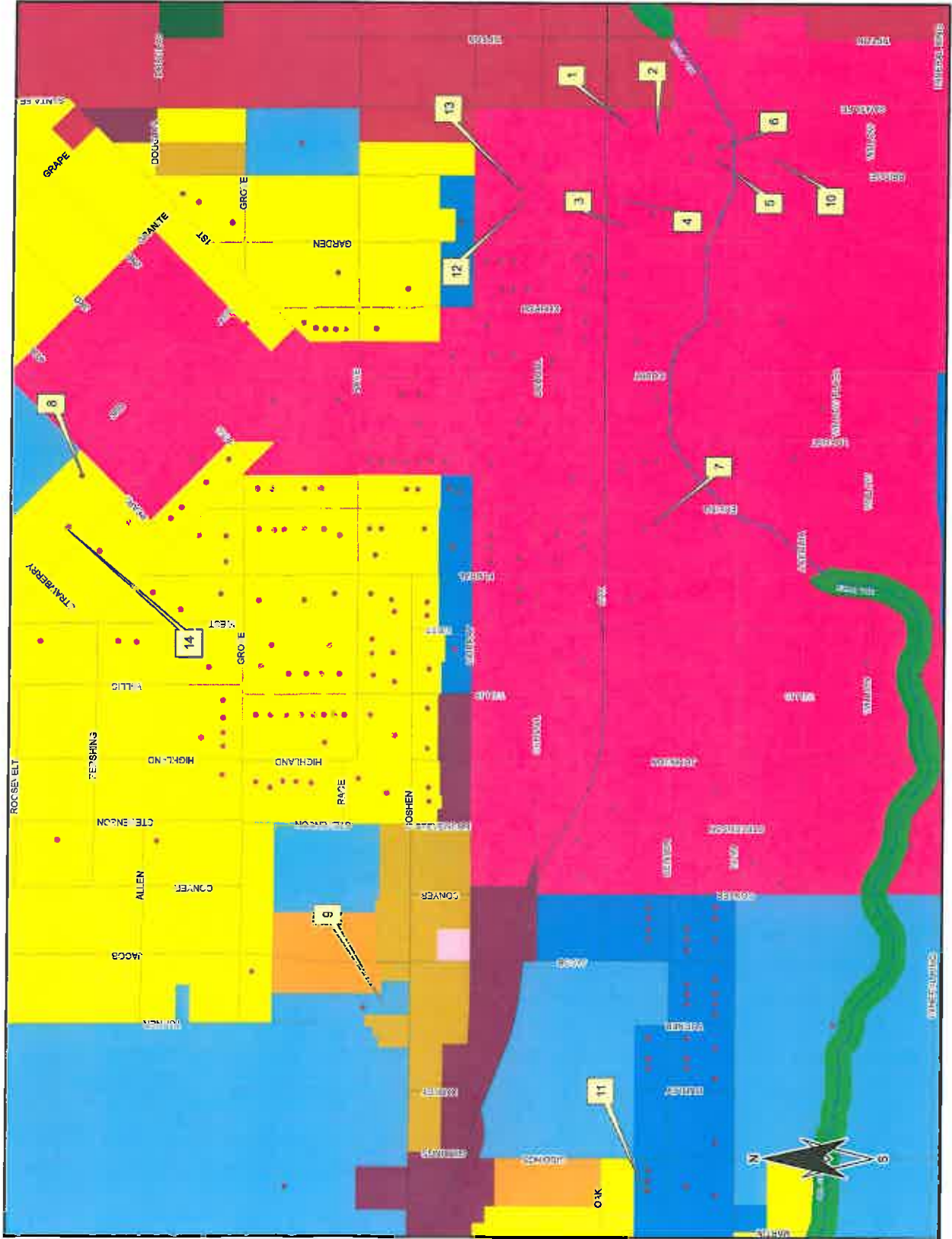
Zoning



- LOCAL REGISTRY
- CITY LIMITS
- STREETS
- RAILROAD
- WATERWAYS
- PARCELS
- ZONING
- Agriculture
- Airport
- Business Research Park
- Convenience Commercial
- Community Commercial
- Central Business District
- Highway Commercial
- Neighborhood Commercial
- Regional Retail Commercial
- Service Commercial
- Shopping / Office Commercial
- East Downtown Visalia Zone 1
- East Downtown Visalia Zone 2
- Heavy Industry
- Light Industry
- Office Conversion
- Office Garden
- Professional / Admin. Office
- Quasi-Public
- 12500 SF Min. Site Area
- 20000 SF Min Site Area
- 4500 SF Min Site Area
- 8000 SF Min Site Area
- Rural Residential
- 3000 SF Min Site Area
- 1500 SF Min Site Area
- County Areas



General Plan Land Use



- LOCAL REGISTRY
- CITY LIMITS
- STREETS
- RAILROAD
- WATERWAYS
- GENERAL PLAN
 - Agriculture
 - Business Research Park
 - Conservation
 - Convenience Commercial
 - Community Commercial
 - Central Business District
 - Highway Commercial
 - Neighborhood Commercial
 - Regional Retail Commercial
 - Regional Retail Reserve
 - Service Commercial
 - Shopping / Office Commercial
 - Heavy Industry
 - Heavy Industry Reserve
 - Light Industry
 - Professional / Admin Office
 - Park
 - Public Institutional
 - Rural Residential
 - Residential High Density
 - Residential Low Density
 - Residential Medium Density
 - Urban Reserve
 - PARCELS



Location Photo



Zoning Text & Map Amendment No. 2012-10



- LOCAL REGISTRY
 - CITY LIMITS
 - STREETS
 - RAILROAD
 - WATERWAYS
 - PARCELS
- 0 200 400 800
Feet



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 11, 2013

PROJECT PLANNER: Alyssa Netto, Assistant Planner
Phone No.: (559) 713-4256

SUBJECT: Conditional Use Permit No. 2013-03: A request by Paul and Dalila Alcoser to allow a sports practice/batting cage facility to occupy 3,000 square feet of an existing building in the Service Commercial (CS) zone. The site is located at 1005 East Main Street (APN: 094-203-002).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2013-03 based on the findings and conditions in Resolution No. 2013-06. 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. 2013-03 based on the findings and conditions in Resolution No. 2013-06.

PROJECT DESCRIPTION

Conditional Use Permit 2013-03 seeks to establish a sports practice/batting cage facility in the Service Commercial zone. The project would occupy 3,000 square feet of an existing building, as shown in Exhibit "A". There are seven parking stalls on-site, one of which is ADA accessible. The site has access points from East Main Street as well as an alley to the South. Chain link gates enclose the backside of the building and three of the parking stalls, which may be closed outside of business hours.

The floor plan, shown in Exhibit "A", depicts two batting cages surrounded by freestanding nylon mesh enclosures, an open pitcher's bullpen area, an ADA accessible restroom, and a small office.

As outlined in the Operational Statement in Exhibit "B", the project plans to operate between 2 pm and 10 pm Monday through Saturday. The business will operate by appointment-only and be limited to two staff members on-site. The applicant contends that peak hours for the facility will be between six and ten in the evening, outside of standard business operating hours.

BACKGROUND INFORMATION

General Plan Land Use Designation: Service Commercial
Zoning: CS (Service Commercial)
Surrounding Land Use and Zoning: North: CS (Service Commercial) / Enterprise Rent-a-Car
South: CS (Service Commercial) / California Smog
East: CS (Service Commercial) / Pump House Bar
West: CS (Service Commercial) / Hercules Tire Shop

Environmental Review:

Categorical Exemption No. 2013-09

Special Districts:

Design District "E"

Site Plan:

2013-004

RELATED PLANS & POLICIES

Conditional Use Permit No. 2008-08, approved March 28, 2008 was a request by Mark Chamberlin to allow a 10,000 sq. ft. indoor baseball training facility within an existing 59,000 sq. ft. warehouse building in the IL (Light Industrial) zone. The site is located at 6707 W. Goshen Ave. (APN: 085-340-077).

The City Planner determined that baseball training facilities are designated as "Other Recreational Facilities" in the Zoning Ordinance Matrix. "Other Recreational Facilities" are listed as conditional uses in the CS zone. See attached summary of related plans and policies for CUP requirements.

PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2013-03, as conditioned, based on the project's consistency with the Visalia General Plan and the Zoning Ordinance.

Land use Compatibility

The Service Commercial zone is intended for uses that can be compatible with heavy truck traffic and noise that do not restrict the operation of generally permitted heavy commercial business. Because the batting cages will generate noise associated baseball (metal-bat-on-baseball, baseball-on-glove, etc.) the batting cage should be located in or near an area that is not sensitive to moderate noise levels. The Service Commercial zone is a compatible area for batting cages as it allows for moderate noise levels associated with the use.

The baseball practice facility also operates largely outside of standard business hours of service commercial businesses. The applicant contends that the facility does not open until 2:00 pm and does not expect peak business until 6:00 pm, and therefore the project should not interfere with surrounding business operations.

Parking

The facility will be parked similar to a gymnasium at a ratio of one stall for every 500 square feet of building area. Therefore the project requires six parking stalls and as depicted in Exhibit "A" the parking demand is met by a total of seven parking stalls located on site.

Environmental Review

The requested action is Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-09).

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:

- 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 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 Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-09).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-004.
2. That the use be operated in substantial compliance with the site plan shown in Exhibit A.
3. That the facility be operated consistent with the Operational Statement in Exhibit B. Changes to the operational statement shall be submitted to the City Planner for approval.
4. Walk-in customers shall not be allowed use of the facility.
5. That any retail sales associated with this use be incidental to the primary use and not be intended to draw retail customers to the site.
6. Building signage shall be applied for and issued under a separate building permit.
7. That all federal, state and city codes and ordinances be met.
8. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-03.

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 425 East Oak Avenue, Suite 301, 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.ci.visalia.ca.us or from the City Clerk.

Attachments:

- Related Plans & Policies
- Resolution No. 2013-06
- Exhibit "A" – Site Plan
- Exhibit "B" – Operational Statement
- Site Plan Review Comments
- Zoning Map

- General Plan Land Use Map
- Aerial Map

Related Plans & Policies Conditional Use Permits

17.38.010 Purposes and powers.

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (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. 2013-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-03 A REQUEST BY PAUL AND DALILA ALCOSER TO ALLOW A SPORTS PRACTICE/BATTING CAGE FACILITY TO OCCUPY 3,000 SQUARE FEET OF AN EXISTING BUILDING IN THE SERVICE COMMERCIAL (CS) ZONE. THE SITE IS LOCATED AT 1005 EAST MAIN STREET (APN: 094-203-002).

WHEREAS, Conditional Use Permit No. 2013-03, is a request by Paul and Dalila Alcoser to allow a sports practice/batting cage facility to occupy 3,000 square feet of an existing building in the Service Commercial (CS) zone. The site is located at 1005 East Main Street (APN: 094-203-002).

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 11, 2013; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2013-03, 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, 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 finding of the Zoning Ordinance Section 17.38.110:
 - 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 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 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-09).

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 site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-004.
2. That the use be operated in substantial compliance with the site plan shown in Exhibit A.
3. That the facility be operated consistent with the Operational Statement in Exhibit B. Changes to the operational statement shall be submitted to the City Planner for approval.
4. Walk-in customers shall not be allowed use of the facility.
5. That any retail sales associated with this use be incidental to the primary use and not be intended to draw retail customers to the site.
6. Building signage shall be applied for and issued under a separate building permit.
7. That all federal, state and city codes and ordinances be met.
8. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-03.

APPLICANT: PAUL ALCOSER

SITE ADDRESS: 1005 E. MAIN ST. VISALIA, CA. 93292

A.P.N.: 094-209-002 (SITE AREA: 6448 ± S.F.)
BUILDING AREA: 3000 S.F.

FLOOD ZONES: AE & X-2

CURRENT OCCUPANCY: VACANT
PROPOSED OCCUPANCY: A-3

CONSTRUCTION TYPE: EXISTING
ZONING: P-C-S (SERVICE COMMERCIAL)

DESIGN DISTRICT: E

UTILITIES:
WATER: CALIFORNIA WATER
SEWER: CITY OF VISALIA
ELECTRICAL: CITY OF VISALIA
GAS: SOUTHERN CALIFORNIA EDISON
THE GAS COMPANY

REQUIRED PARKING: 6 - 1,900 S.F.
MAX. COMPACT: 7 ± 30'S = 2 SPACES

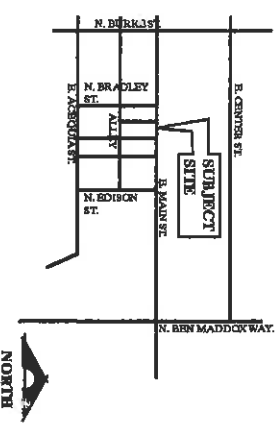
PROPOSED PARKING:
7 TOTAL -
1 HANDICAP
2 COMPACT
4 STANDARD

PROJECT INFO

PL	PROPERTY LINE	WM	WATER HEATER
L	CENTERLINE	WHB	WATER HEATER HOSE
(E)	EXISTING	BR	BREAKER
(N)	NEW	VTR	VENT THRU ROOF
(R)	REMODELLED	M.T.	METAL THRESHOLD
BM	BENCH MARK	N.L.C.	NOT IN CONTRACT
SAP	SHELF & POLE	W	WALL
XD	WINDOW/DOOR	WTH	WITH
SP	SPRINKLER	IMW	INSTANT WATER HEATER
SH	SINGLE HUNG	M.S.	MACHINE SOLE
		OS	OSBUILT GLASS

ABBREVIATIONS

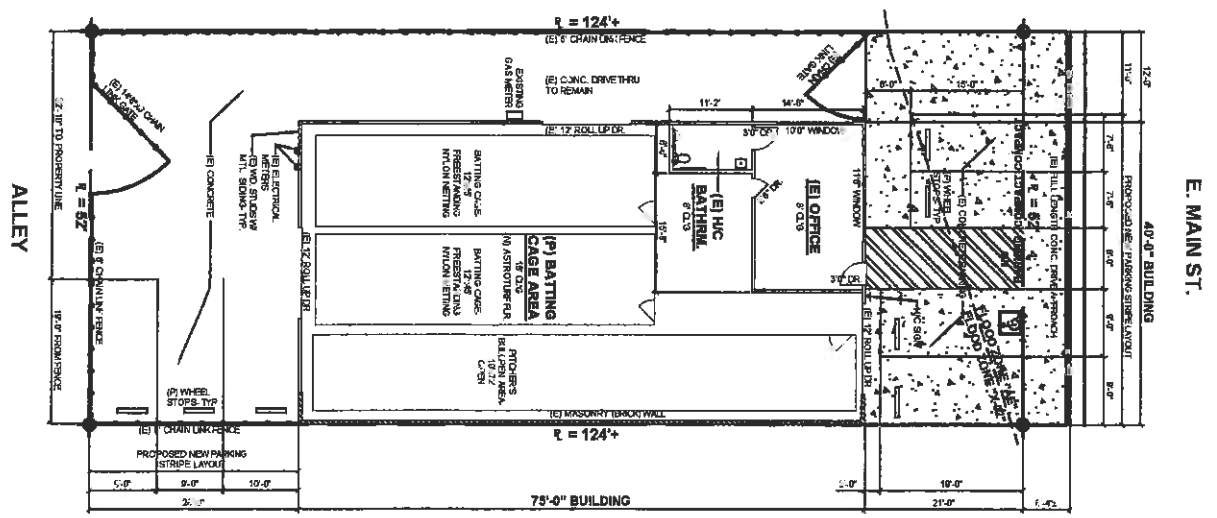
VICINITY MAP



NOTES:
1. NO MODIFICATIONS TO EXISTING HEATING & COOLING SYSTEM EQUIPMENT.
2.

OPERATIONAL STATEMENT:
TYPE OF BUSINESS: SPORTS (BASEBALL CAGES W/ FISHERS BUILDING AREA).
OPERATORS: 2 PROP. & OWNER + 1 EMPLOYEE.
HOURS OF OPERATION: 2 PM - 10 PM MONDAY - SATURDAY BY APPOINTMENT.
PEAK HOURS FROM 6 PM TO 10 PM

40 SITE PLAN



SCALE: 1/8" = 1'-0"

DATE: 12-18-2012
DRAWN BY: PKM
CHECKED BY: JLO
SCALE: AS NOTED
SHEET: 1 OF 3

PROPOSED REMODEL (BAITING CAGES) FOR:
PAUL ALCOSER
1005 E. MAIN ST VISALIA CA. 93292

REVISIONS

THIS IS AN UNRECORDED COPY OF THE ORIGINAL SET OF PLANS. ANY CHANGES TO THE ORIGINAL SET OF PLANS SHALL BE MADE TO THE ORIGINAL SET OF PLANS. THIS COPY IS NOT TO BE USED FOR CONSTRUCTION.

1005 W. Main St. Suite A
Visalia, Ca. 93291
Tel: (559) 832-5151
Fax: (559) 832-5153
skylad1004@skylad.com

James R. Oshorn, President
SKYLAD
RESIDENTIAL BARGAIN

Operational Statement

The proposed facility at 1005 East Main Street is a sports practice/batting cage facility that includes two baseball batting cages and a pitcher's bullpen area.

There will be no more than two staff members on site at any given time, usually one owner and one employee.

The hours of operation are 2:00 pm through 10:00 pm (through appointment-only sessions), Monday through Saturday with expected "peak business hours" from 6 pm until 10 pm.

MEETING DATE Nov. 9, 2013
SITE PLAN NO. 13-004
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 8:30 a.m. and 4:30 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 <u>CUP</u> | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER _____ |
-

ADDITIONAL COMMENTS _____

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Committee

SITE PLAN REVIEW COMMENTS

Alyssa Netto, Planning Division (559) 713-4256

Date: January 9, 2013

SITE PLAN NO: 13-004
PROJECT TITLE: COMMERCIAL REMODEL
DESCRIPTION: PROPOSED REMODEL FOR BATTING CAGES IN 3,000 SF BUILDING ON 6,445 SF AREA (CS ZONED)
APPLICANT TITLE: ALCOSER PAUL
PROP. OWNER: JACKSON EMORY D & JARAH J (TRS)
LOCATION TITLE: 1005 E MAIN ST
APN TITLE: 094-203-002

General Plan: CS – Service Commercial

Existing Zoning: CS – Service Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit
- Building Permits
- Additional Information As Needed

PROJECT SPECIFIC INFORMATION: 01/09/2013

1. Conditionally permitted use as "other recreational facility" in the CS zone.
2. Provide a detail operational plan and provide the number of employees on-site during business hours.

CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

Design District: "E" (See Chapter 17.24 For BRP Zoned Sites) [17.30.200]

Maximum Building Height: 60 Feet

Minimum Setbacks:

	Building	Landscaping
➤ Front	10 Feet(a)	10 Feet
➤ Side	0 Feet	5 Feet(b)
➤ Street side on corner lot	10 Feet(c)	10 Feet
➤ Side abutting residential zone	15 Feet	5 Feet
➤ Rear	0 Feet	5 Feet(b)
➤ Rear abutting residential zone	15 Feet	5 Feet

(a) Except sites in the C-DT zone, in which case the structure may be built to property line.

(b) Except where building is on property line.

(c) Except for corner properties fronting Main Street in the C-DT zone.

Minimum Site Area: 6,000 square feet

Parking: As prescribed in Chapter 17.34

Downtown Parking District: [Zoning Ordinance Section 17.30.019A Article 2]

1. Existing parking provided based on one stall per 500 sq. ft. of building area.

Parking:

1. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).

Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

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  for Alysia Netto

BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION

- Jason Huckleberry 713-4259
- Ken McSheehy 713-4447
- Adrian Rubalcaba 713-4271

ITEM NO: 4 DATE: JANUARY 9, 2013

SITE PLAN NO.: 13-004
PROJECT TITLE: COMMERCIAL REMODEL
DESCRIPTION: PROPOSED REMODEL FOR BATTING CAGES IN
3,000 SF BUILDING ON 6,445 SF AREA (CDT
ZONED)
APPLICANT: ALCOSER PAUL
PROP OWNER: JACKSON EMORY D & SARAH J (TRS)
LOCATION: 1005 E MAIN ST
APN: 094-203-002

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: 6' 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.

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.

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. Contact Doug Damko, 713-4268, 315 E. Acequia Ave.

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 = .020%, 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 Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements.
- A permit is required to remove oak trees. Contact David Pendergraft at 713-4295 for an 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. Parking lot area to City Standard dimensions.**
- 2. Site to comply with current ADA standards. A 2% maximum cross sloped sidewalk for pedestrian path of travel is required.**
- 3. Parking lot review and inspection fees apply; due at time of building permit.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 13-004

Date: 1/9/2013

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:8/17/2012)

(Project type for fee rates:COMM.)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<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.



For Jason Huckleberry

City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 4 DATE: January 09, 2013
SITE PLAN NO: SPR13004
PROJECT TITLE: COMMERCIAL REMODEL
DESCRIPTION: PROPOSED REMODEL FOR BATTING CAGES IN
 3,000 SF BUILDING ON 6,445 SF AREA (CDT ZONED)
APPLICANT: ALCOSER PAUL
PROP OWNER: JACKSON EMORY D & SARAH J (TRS)
LOCATION: 1005 E MAIN ST
APN(S): 094-203-002

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.

- Business Tax certification is required. *For information call (559)713-4326*
- A building permit will be required *For information call (559)713-4444*
 - Submit 3 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
 - Submit 5 sets of plans signed by an architect or engineer. Must comply with 2010 California Building Code Sec. 2308 for conventional light-frame construction or submit 2 sets 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 (559)230-6000*
- Location of cashier must provide clear view of gas pump island
- Treatment connection charge to be assessed based on use. Credits _____
- 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. *For information call (559)713-4444* (Fee for inspection \$146.40)
- School Development fees. Commercial \$0.47 per square foot. Residential \$2.97 per square foot.
- Park Development fee \$ _____, per unit collected with building permits.
- Existing address must be changed to be consistent with city address p *For information call (559)713-4320*
- Acceptable as submitted

Special comments: _____

G. Ferrero Date: 1-9-13
Signature

Site Plan Review Comments For:


Visalia Fire Department
Kurtis Brown, Assistant Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4261 office
559-713-4808 fax

ITEM NO: <u>4</u>	DATE: <u>January 09, 2013</u>
SITE PLAN NO:	SPR13004
PROJECT TITLE:	COMMERCIAL REMODEL
DESCRIPTION:	PROPOSED REMODEL FOR BATTING CAGES IN 3,000 SF BUILDING ON 6,445 SF AREA (CDT ZONED)
APPLICANT:	ALCOSER PAUL
PROP OWNER:	JACKSON EMORY D & SARAH J (TRS)
LOCATION:	1005 E MAIN ST
APN(S):	094-203-002

The following comments are applicable when checked:

- Refer to previous comments dated
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
- The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are _____ fire hydrants required for this project. (See marked plans for fire hydrant locations.)
- The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.
- Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- 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.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting though-out building.
- All Fire and Life Safety systems located within the building shall be maintained.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1601.01 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments:


 Kurtis Brown, Assistant Fire Marshal

ITEM NO: 4

DATE: January 09, 2013

SITE PLAN NO:

SPR13004

PROJECT TITLE:

COMMERCIAL REMODEL

DESCRIPTION:

PROPOSED REMODEL FOR BATTING CAGES IN 3,000 SF BUILDING ON 6,445 SF AREA (CDT ZONED)

APPLICANT:

ALCOSER PAUL

PROP OWNER:

JACKSON EMORY D & SARAH J (TRS)

LOCATION:

1005 E MAIN ST

APN(S):

094-203-002

City of Visalia Police Department

303 S. Johnson St.
Visalia, Ca. 93292
(559) 713-4573

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:

Landscaping Concerns:

Traffic Concerns:

Surveillance Issues:

Line of Sight Issues:

Other Concerns:

 195
Visalia Police Department

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

January 9, 2013

ITEM NO: 4
SITE PLAN NO: SPR13004
PROJECT TITLE: COMMERCIAL REMODEL
DESCRIPTION: PROPOSED REMODEL FOR BATTING CAGES IN 3,000 SF BUILDING ON 0.445 SF AREA (CDT ZONED)
APPLICANT: ALCOSER PAUL
PROP. OWNER: JACKSON EMORY D & SARAH J (TRS)
LOCATION: 1005 E MAIN ST
APN(S): 094-203-002

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.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4. Verify the right of way limits to determine if there is adequate room for parking vehicles. Pedestrian access along the sidewalk shall remain unobstructed.
- Construct drive approach per City Standards.
- Traffic Impact Study required.

Additional Comments:


Eric Bons

**SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4500**

SITE PLAN NO: SPR13004
PROJECT TITLE: COMMERCIAL REMODEL
DESCRIPTION: PROPOSED REMODEL FOR BATTING CAGES IN
3,000 SF BUILDING ON 6,445 SF AREA (CDT ZONED)
APPLICANT: ALCOSER PAUL
PROP OWNER: JACKSON EMORY D & SARAH J (TRS)
LOCATION: 1005 E MAIN ST
APN(S): 094-203-002

COMMERCIAL BIN SERVICE

No comments.

Same comments as as

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
be fore 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 (X) 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)

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.



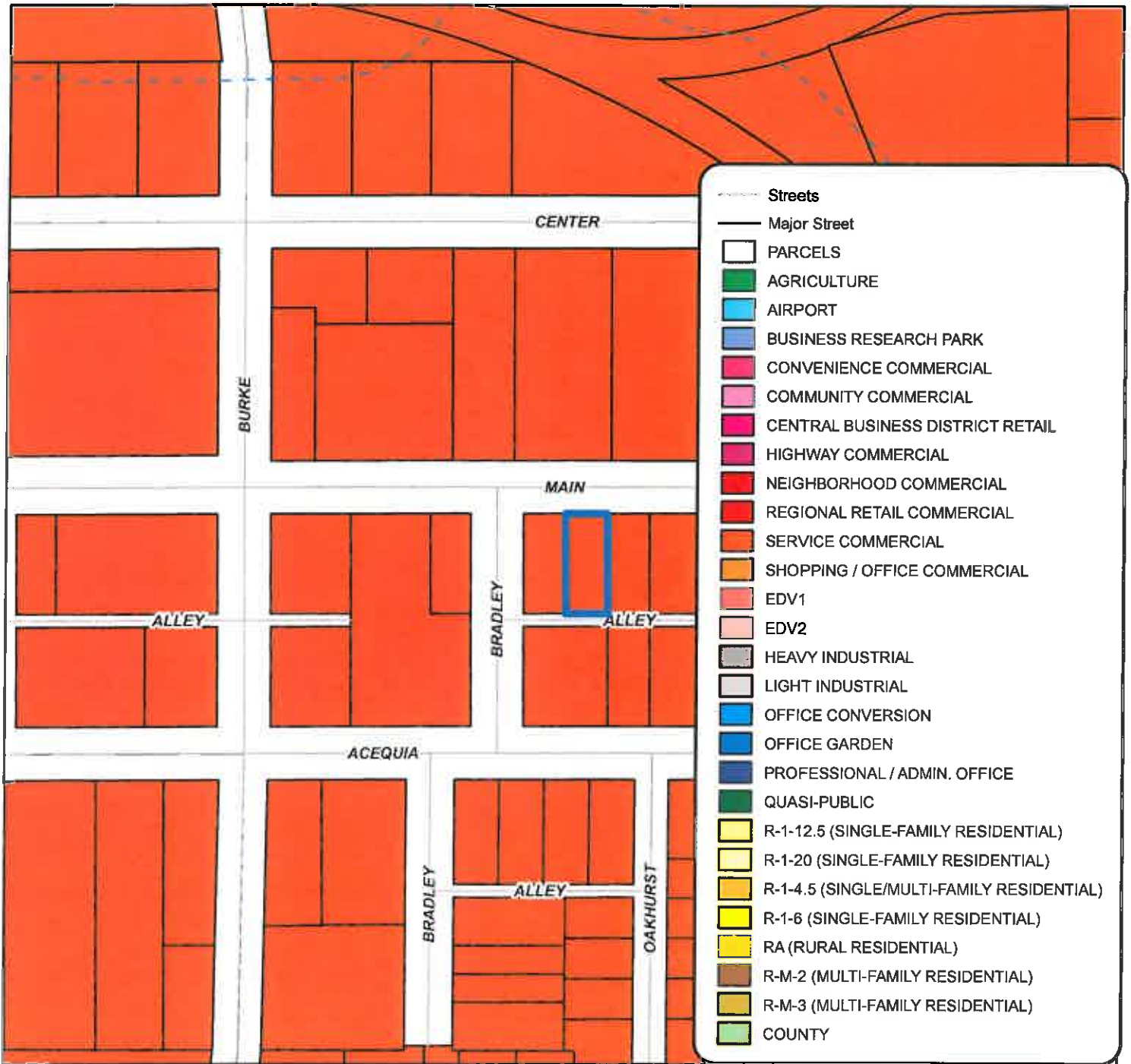
Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post see page 2 for instructions

EXISTING REFUSE ALLEY SERVICE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338



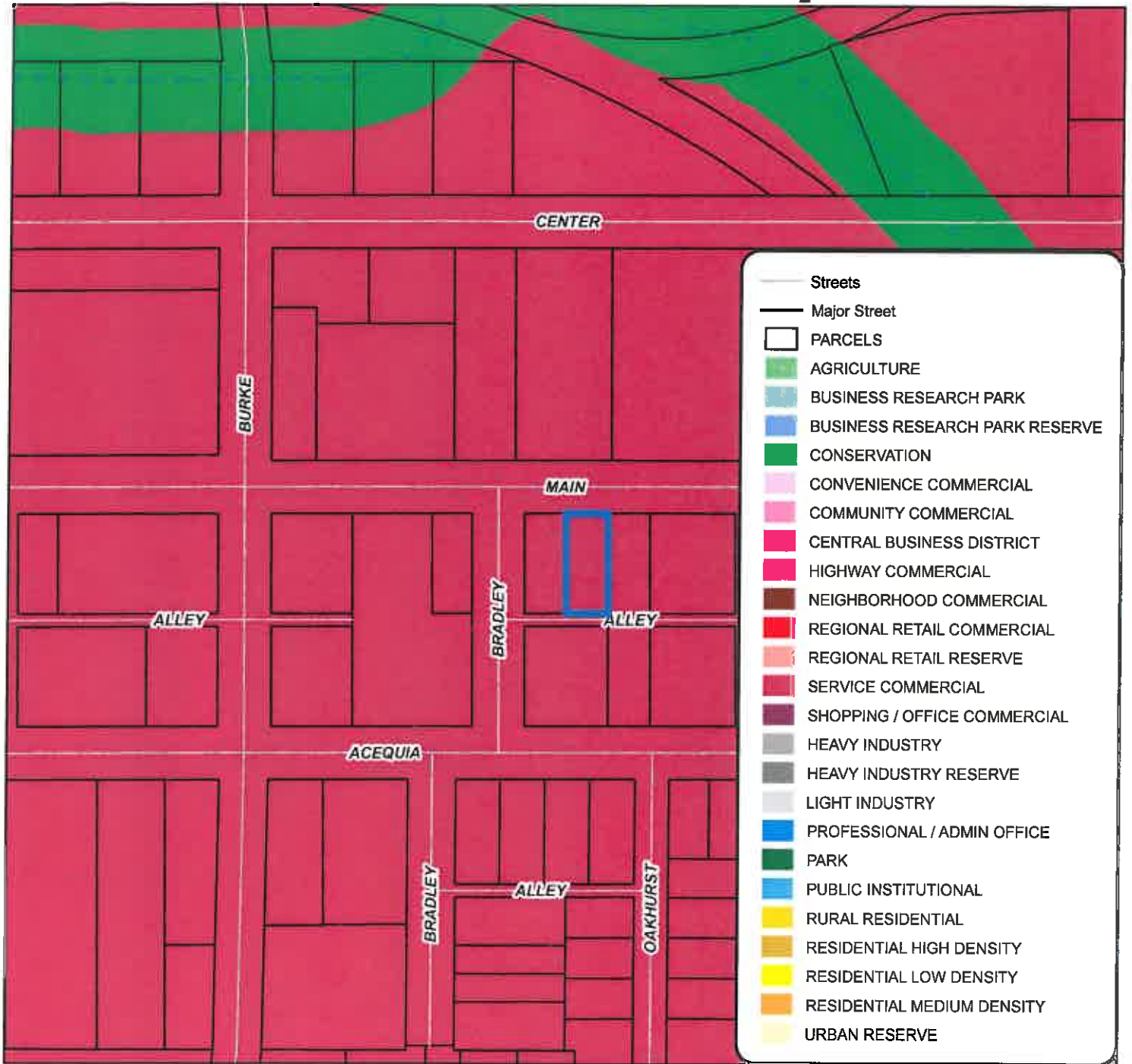
Zoning Map



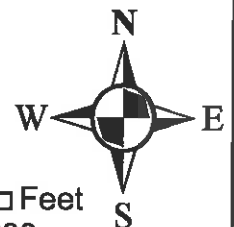
Conditional Use Permit No. 2013-03



General Plan Land Use Map



Conditional Use Permit No. 2013-03



Aerial Photo



Conditional Use Permit No. 2013-03





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 11, 2013

PROJECT PLANNER: Paul Bernal, Senior Planner
Phone No.: (559) 713-4025

SUBJECT: **Conditional Use Permit No. 2013-04:** A request by Nexcycle to operate a small collection CRV recycling facility at the Visalia Market Place Shopping Center in the C-SO (Shopping /Office Commercial) zone. The site is located at 3615 West Noble Avenue (APN: 095-010-058).

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 2013-08 for Conditional Use Permit No. 2013-04 based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2013-04, as conditioned, based on the findings and conditions in Resolution No. 2013-08.

PROJECT DESCRIPTION

The Conditional Use Permit is a request by Nexcycle to operate a small CRV (California Redemption Value) recycling center located at the Visalia Market Place Shopping Center (see Exhibit "A"). The 192 square foot CRV trailer is located behind the Save Mart grocery store. The Nexcycle operator assists Save Mart's requirement to provide recycling centers for all CRV label stamped containers, which include aluminum cans, plastic and glass bottles. Nexcycle does not accept hazardous materials or ferrous metals other than beverage containers.

The applicant's operational statement, see Exhibit "B", states that there will be one full time employee on-site during the hours of operation. The operation is open five days a week from 10:00 a.m. to 5:00 p.m. and is closed Thursday and Sunday. Nexcycle has identified that the on-site operator is responsible for keeping the area around the trailer clean, free of debris and shopping carts. The on-site attendant also discourages people from loitering.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Shopping / Office Commercial
Zoning:	C-SO (Shopping / Office Commercial)
Surrounding Zoning and Land Use:	North: C-SO (Shopping / Office Commercial) – Save Mart Grocery Store
	South: C-SO (Shopping / Office Commercial) – Shell Gas Station and Visalia Meat Market
	East: Service Loading Area for Save Mart Grocery Store
	West: Parking Lot and Demaree Street
Environmental Document	Categorical Exemption No. 2013-12
Site Plan:	Site Plan Review No. 2013-004

Related Projects

Zone Text Amendment No. 2012-02 is a request by the City of Visalia to amend sections of Chapter 17 (Zoning) of the Visalia Municipal Code pertaining to recycling facilities. The ZTA was approved by the City Council on July 16, 2012.

PROJECT EVALUATION

Staff supports the requested conditional use permit based on project consistency with the General Plan and the Zoning Ordinance. Staff believes that the proposed use is consistent in nature and character with the existing uses surrounding the project site.

Land Use Compatibility

Staff recommends that the Planning Commission find that the proposed CUP consistent with the recently adopted Zone Text Amendment, approved by the City Council, relating to Zoning District locational and siting criteria pertaining to Small Collection Facilities (i.e., CRV facilities). Nexcycle filed the CUP when they were informed by staff that they were operating without the approval of a CUP entitlement.

Some CRV recycling businesses in the City have become associated with unintended adverse effects, including blight in their immediate areas due to trash, discards, and abandoned shopping carts, loitering, vagrancy and public intoxication, and accepting of non-CRV materials such as copper pipe and wire, and stolen car batteries. A review of City records regarding issues from this operation indicated that no complaints have been filed against the proprietor or the site, with no resulting declaration of a public nuisance due to issues with trash, noise or accepting of non-CRV materials.

The operation and location of this small CRV facility meet the requirements of Section 17.32.160 of the Zoning Ordinance (Recycling Facilities). The CRV facility is located within a large shopping center site, associated with a grocery store tenant (Save Mart), on a fully improved area, and is visible from the public right-of-way. This CRV recycling site is located in an area for the convenience and benefit of the public. The measures put in place by the operator, as stated in their operational statement (see Exhibit "B") and conditions recommend by staff are designed to achieve and maintain a reasonable balance between providing desirable convenience to the general public while discouraging any adverse impacts that might arise from a small CRV collection facility.

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. 2013-12).

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - 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 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 15301(a) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2013-12).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2013-005.
2. If the proposed small CRV recycling business and/or site become a public nuisance due to an increase in calls for service, than staff will proceed with the following: Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval, as recommended by staff, will result in a Notice of Conditional Use Permit Suspension Order to Cease and Desist. The City of Visalia has the authority to automatically suspend a Conditional Use Permit (CUP) for failure to comply with the condition(s) of the permit. Upon suspending a CUP the planning commission shall hold a public hearing within 60 days, in accordance with the Public Hearing Notice procedure, and if not satisfied that the regulation, general provision, or conditions are being complied with, may revoke the permit, or take action as may be necessary to insure compliance with the regulation, general provision, or condition(s).
3. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - a. Conditions adopted for Conditional Use Permit No. 2013-04.
 - b. All applicable federal, state and city laws, codes and ordinances.
4. If the site is declared a Public Nuisance for excessive calls for service due to people loitering, public intoxication, disturbance from patron's on-site, transient activity, the City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040.
5. The proposed facility shall be generally consistent with the attached site plan (Exhibit "A"). Any expansion to the site, any change in types of materials to be recycled, or any significant change in operation of the facility must be reviewed by the Planning Division and will be subject to approval by the City Planner, and Site Plan Review Committee if directed.
6. Comply with the attached operational statement for the small CRV recycling facility (Exhibit "B").
7. Only CRV redemption materials are allowed for collection. No other materials may be handled at this site, including recycling of car batteries, ferrous metals, cardboard, etc.
8. Storage of any/all shopping carts on-site this property is prohibited. All shopping carts shall be removed from the site on a daily basis.
9. The area shall be kept free and clear of all litter.
10. Any change to the CRV container will require Site Plan Review and an amendment to this CUP.

11. A copy of this CUP with the attached exhibits shall be maintained upon the premises at all times and be made available to City staff and/or law enforcement officials when requested.
12. Outdoor storage of CRV materials on the entire premises is prohibited.
13. That all other federal and state laws and city codes and ordinances be complied with.
14. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-04, prior to the issuance of any building permits for this project.

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 425 East Oak Avenue, Suite 301, 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.ci.visalia.ca.us or from the city clerk

Attachments:

- Related Plans and Policies
- Resolution No. 2013-08
- Exhibit "A" – Site Plan
- Exhibit "B" – Operational Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Sketch

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)

17.32.160 Recycling facilities.

A. **Permits Required.** No person shall permit the placement, construction, or operation of any recycling facility without first obtaining a permit pursuant to the provisions set forth in this section. Recycling facilities may be permitted as set forth in the following table:

Type of Facility	Zones Permitted	Permit Required
Reverse vending machine(s)	All commercial All industrial	
Small collection	P-C-N, P-C-SO, P-C-CM, P-C-R, P-C-S I-L, I-H	Conditional use permit Planned development permit (SPR Review)
Large collection	P-C-S P-I-H, P-I-L	Conditional use permit Planned development permit
Light processing	P-C-S P-I-H, P-I-L	Conditional use permit Planned development permit
Heavy processing	P-I-L P-I-H	Conditional use permit Planned development permit

B. **Review Criteria.** The city council is empowered to adopt by resolution specific criteria and guidelines for review of applications for recycling facilities. The council may amend these standards from time to time, by resolution.

1. Small collection facilities shall be located on a developed commercial or industrial center of no less than two acres in site area; and

2. No portion of a small collection facility shall encroach closer than 25 feet or the minimum landscape setback required by the underlying design district, whichever is greater, to a front, side, or rear landscape setback area, including ultimate rights of way; and,

3. Small collection facilities shall be located entirely on a fully paved surface.

(Ord. 2012-10, 2012: Ord. 9605 § 30 (part), 1996: prior code § 7492)

17.32.161 Fast food with and without drive-through for the light industrial zone.**A. Location Criteria.**

1. Parcel must be a corner property at arterial/arterial intersections or directly adjacent to a corner parcel with an existing fast food or sit down restaurant.

2. Up to two fast food or sit down restaurants may be located at an intersection and not be subject to the one mile distance requirement.

3. Cannot be located within one mile of an existing or approved fast food location with or without drive-

RESOLUTION NO. 2013-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-04, A REQUEST BY NEXCYCLE TO OPERATE A SMALL COLLECTION CRV RECYCLING FACILITY AT THE VISALIA MARKET PLACE SHOPPING CENTER IN THE C-SO (SHOPPING /OFFICE COMMERCIAL) ZONE. THE SITE IS LOCATED AT 3615 WEST NOBLE AVENUE (APN: 095-010-058)

WHEREAS, Conditional Use Permit No. 2013-04, is a request by Nexcycle to operate a small collection CRV recycling facility at the Visalia Market Place Shopping Center in the C-SO (Shopping /Office Commercial) zone. The site is located at 3615 West Noble Avenue (APN: 095-010-058); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 11, 2013; 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 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:

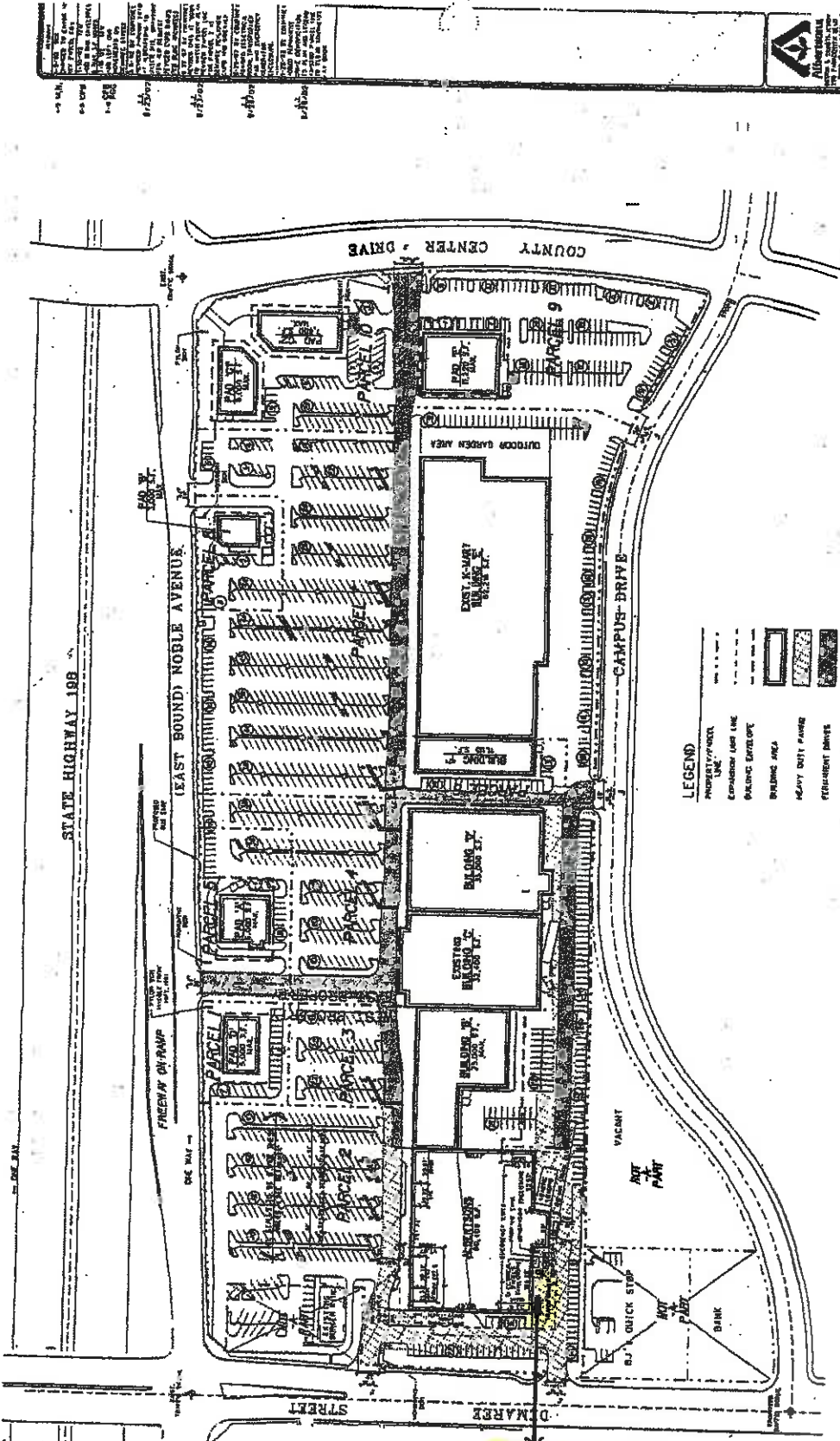
1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - 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 because the proposed CRV facility complies with the locational and siting criteria.
 - 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 Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-12).

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

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2013-005.
2. If the proposed small CRV recycling business and/or site become a public nuisance due to an increase in calls for service, than staff will proceed with the following: Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval, as recommended by staff, will result in a Notice of Conditional Use Permit Suspension Order to Cease and Desist. The City of Visalia has the authority to automatically suspend a Conditional Use Permit (CUP) for failure to comply with the condition(s) of the permit. Upon suspending a CUP the planning commission shall hold a public hearing within 60 days, in accordance with the Public Hearing Notice procedure, and if not satisfied that the regulation, general provision, or conditions are being complied with, may revoke the permit, or take action as may be necessary to insure compliance with the regulation, general provision, or condition(s).
3. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - a. Conditions adopted for Conditional Use Permit No. 2013-04.
 - b. All applicable federal, state and city laws, codes and ordinances.
4. If the site is declared a Public Nuisance for excessive calls for service due to people loitering, public intoxication, disturbance from patron's on-site, transient activity, the City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040.
5. The proposed facility shall be generally consistent with the attached site plan (Exhibit "A"). Any expansion to the site, any change in types of materials to be recycled, or any significant change in operation of the facility must be reviewed by the Planning Division and will be subject to approval by the City Planner, and Site Plan Review Committee if directed.
6. Comply with the attached operational statement for the small CRV recycling facility (Exhibit "B").
7. Only CRV redemption materials are allowed for collection. No other materials may be handled at this site, including recycling of car batteries, ferrous metals, cardboard, etc.
8. Storage of any/all shopping carts on-site this property is prohibited. All shopping carts shall be removed from the site on a daily basis.
9. The area shall be kept free and clear of all litter.

10. Any change to the CRV container will require Site Plan Review and an amendment to this CUP.
11. A copy of this CUP with the attached exhibits shall be maintained upon the premises at all times and be made available to City staff and/or law enforcement officials when requested.
12. Outdoor storage of CRV materials on the entire premises is prohibited.
13. That all other federal and state laws and city codes and ordinances be complied with.
14. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-04, prior to the issuance of any building permits for this project.



STATE HIGHWAY 198

COUNTY CENTER DRIVE

CAMPUS DRIVE

LEGEND
 PROPOSED/EXIST LINE
 EXISTING/PROPOSED LINE
 PARKING ENVELOPE
 BUILDING AREA
 UTILITY DUTY POWER
 EQUIPMENT SHADE

ALBERTSON'S
 1000 S. STATE ST. SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1234
 FAX: 303.733.1235

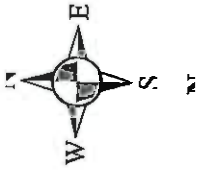
7252
 PROJECT NO.
 SHEET NO.
 DATE: 11/19/92

EXHIBIT 'A' SITE PLAN
 TOTAL GROSS BUILDING AREA 774,000 SF.
 TOTAL COMPANIES REQUIRED 1373 (12,000)
 TOTAL COMPANIES PROVIDED 1327 (9,910)
 TOTAL NET AREA 1,077,000 SF. (21.16 AC.)

COMPANIES TO BE PROVIDED	LAST	WEST	WEST	WEST
COOKS	14,000 SF.	14,000 SF.	14,000 SF.	14,000 SF.
BARBERS	100 (100)	100 (100)	100 (100)	100 (100)
HAIR SALONS	100 (100)	100 (100)	100 (100)	100 (100)
NET AREA	1,077,000 SF.	1,077,000 SF.	1,077,000 SF.	1,077,000 SF.

A PARKING DETAIL
B CURB CUT DETAIL

GENERAL NOTES
 NO TRUCK WELLS, MATERIAL STOCK ONLY
 PARKING REQUIREMENTS:
 ALL TRUCKS MUST BE 10' FROM ST. OF C.B.A.
 ALL TRUCKS MUST BE 10' FROM OTHER TRUCKS
 ALL TRUCKS MUST BE 10' FROM CURB



LS9 #



MICROCENTER RECYCLE CENTER

Product Specifications:

Bin Size:	24' x 8' x 8"
Bin Unit Construction:	Primed and painted steel with stainless steel hinges
Total Footprint:	192 square feet
Bin Graphics:	Digital Print and computer cut vinyl with Tedlar lamination
Battery:	Fully enclosed self-contained unit. Approved and in Compliance with UL standard #1023 for miscellaneous Power units. Plugs into a 110 – volt outlet for charging. Automatically stops drawing power when charging is complete even if still plugged in.

The NexCycle Microcenter Recycle Center (Microcenter) represents the next generation of beverage container collection centers. It features a significantly smaller footprint and greatly enhanced aesthetic appeal. The unit is totally portable, is not anchored to the asphalt and requires no electrical lines dug into the parking lot. Because it is totally portable, relocating the center for parking lot maintenance, paving, sealing etc. is not a problem. A 48-hour notice to schedule the temporary site move is all that is required.

The reduction in footprint of the Microcenter is made possible as a result of on-site compaction of the containers collected. The compaction of containers allows for a quieter operation and reduces the number of bin exchanges experienced at conventional recycling centers.

Consumers wishing to recycle simply bring their containers to the recycling center. We man the recycling center with an attendant the minimum hours required by the State Division of Recycling, only 30 hours per week. The containers are weighed on a Department of Weights and Measures certified scale and the customer is issued a voucher for the dollar amount due. The customer then takes the voucher into the supermarket where it is redeemed for cash. We only redeem California Redemption Value (CRV) containers.



Description of Operations

The Cooperation between Save Mart and Nexcycle:

California site Recycling law AB-20/20 requires that certain geographically defined supermarkets offer the general public a convenient way to recycle their carbonated beverage containers. These containers consist of aluminum cans, plastic, and glass bottles identified by the "CA Redemption Value" label stamped on the container. Nexcycle contracts with the supermarket industry to provide these legally required services.

Consumers wishing to recycle simply bring their CRV containers to the recycle center. The containers are weighed on a Department of Weights and Measures State certified scale and the recycler issues a receipt for the dollar amount due. The recycler then takes the receipt into the supermarket where the receipt is redeemed for cash. The center accepts CA Redemption Value aluminum, glass and plastic beverage containers only. No hazardous materials will be accepted or stored at the recycle center.

The Microcenter at the Save Mart location:

The Nexcycle Microcenter represents the next generation of beverage container collection centers. The recycle center consists of one container measuring 22 feet in length, 8 feet in width and 9 feet 3 inches in height at its tallest point. The total footprint of the recycle center is 192 square feet and can fit within one standard size parking space. The recycle center is a metal bin constructed of **water** and **rustproof** materials and is secured when not in operation.

The Mode and Hours of Operation at 3615 W. Noble Ave in Visalia:

We utilize staffed operations so our employee can keep the area clean around the recycling center; free of debris and dispersed shopping carts. The site attendant also helps prevent loitering. Our policy is to discourage loitering by asking them to leave but if they linger to notify the authorities. We assign Area Managers at each of our sites that visit our sites weekly to maintain an orderly operation regarding Customers Service, a clean parking lot, and loitering.

We anticipate that a large percentage of customers will recycle in conjunction with their visit to the Save Mart Market and as such will not add significant vehicle traffic. Additionally the recycle center is located in the **back** of the store, which will serve as another mitigating factor on traffic flow.

The recycle center is open five (5) days per week from **10:00 am to 5:00 pm**. This site is closed on Sunday and Thursday. We also close for lunch each day from **1:00 pm to 2:00 pm**. We pick up our recycling bin on an on-call basis when it is full. The average microcenter at this location is picked up once a month.

Contact and address information is as follows:

Contact Agent—Jesse Velasquez: Director of Real Estate & Business Development
Corporate Office—25837 Business Center Drive, Suite F Redlands, CA 92374
Contact Number—909-204-9717

MEETING DATE Jan. 9, 2013
SITE PLAN NO. 13-005
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 8:30 a.m. and 4:30 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 <u>CUP</u> | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER _____ |

ADDITIONAL COMMENTS _____

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Comments For:

Visalia Fire Department
Kurtis Brown, Assistant Fire Marshal
707 W Acequia
Visalia, CA 93291
559-713-4261 office
559-713-4808 fax

ITEM NO: 5 DATE: January 09, 2013
SITE PLAN NO: SPR13005
PROJECT TITLE: NEXCYCLE (RECYCLE CONTAINER)
DESCRIPTION: EXISTING 192 SF RECYCLE CONTAINER ON SMALL
 PORTION OF 4.6 ACRE AREA (CSO ZONED)
 NEXCYCLE
APPLICANT: TNP SRT VISALIA MARKETPLACE LLC
PROP OWNER: 3615 W NOBLE AVE
LOCATION: 095-010-058
APN(S):

The following comments are applicable when checked:

- Refer to previous comments dated
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
- The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are _____ fire hydrants required for this project. (See marked plans for fire hydrant locations.)
- The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.
- Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- 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.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting though-out building.
- All Fire and Life Safety systems located within the building shall be maintained.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1601.01 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments:


Kurtis Brown, Assistant Fire Marshal

ITEM NO: 5	DATE: January 09, 2013
SITE PLAN NO: SPR13005	
PROJECT TITLE: NEXCYCLE (RECYCLE CONTAINER)	
DESCRIPTION: EXISTING 192 SF RECYCLE CONTAINER ON SMALL PORTION OF 4.6 ACRE AREA (CSO ZONED)	
APPLICANT: NEXCYCLE	
PROP OWNER: TNP SRT VISALIA MARKETPLACE LLC	
LOCATION: 3615 W NOBLE AVE	
APN(S): 095-010-058	

City of Visalia
Police Department

303 S. Johnson St.
Visalia, Ca. 93292
(559) 713-4573

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 or 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:

Landscaping Concerns:

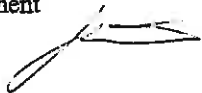
Traffic Concerns:

Surveillance Issues:

Line of Sight Issues:

Other Concerns:
TOO CLOSE TO B.J.'S MKT, TRANSIENT ISSUES

Visalia Police Department



SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

January 9, 2013

ITEM NO: 5
SITE PLAN NO: SPR13005
PROJECT TITLE: NEXCYCLE (RECYCLE CONTAINER)
DESCRIPTION: EXISTING 192 SF RECYCLE CONTAINER ON SMALL PORTION OF 4.6 ACRE AREA (CSO ZONED)
APPLICANT: NEXCYCLE
PROP. OWNER: TNP SRT VISALIA MARKETPLACE LLC
LOCATION: 3515 W NOBLE AVE
APN(S): 095-010-053

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.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Study required.

Additional Comments:



Eric Bons

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: January 9, 2013

SITE PLAN NO: 13-005
PROJECT TITLE: NEXCYCLE (RECYCLE CONTAINER)
DESCRIPTION: EXISTING 192 SF RECYCLE CONTAINER ON SMALL PORTION OF 4.6
ACRE AREA (CSO ZONED)
APPLICANT TITLE: NEXCYCLE
PROP. OWNER: TNP SRT VISALIA MARKETPLACE LLC
LOCATION TITLE: 3615 W NOBLE AVE
APN TITLE: 095-100-058

General Plan: CSO – Shopping Office / Commercial

Existing Zoning: CSO – Shopping Office / Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Building Permits
- Additional Information As Needed
- Conditional Use Permit

PROJECT SPECIFIC INFORMATION: 01/09/2013

1. If the proposed recycling center and/or site become a public nuisance due to an increase in calls for service, than staff will proceed with the following: Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval, as recommended by staff and the Visalia Police Department, will result in a Notice of Conditional Use Permit Suspension Order to Cease and Desist. The City of Visalia has the authority to automatically suspend a Conditional Use Permit (CUP) for failure to comply with the condition(s) of the permit. Upon suspending a CUP the planning commission shall hold a public hearing within 60 days, in accordance with the Public Hearing Notice producers, and if not satisfied that the regulation, general provision, or conditions are being complied with, may revoke the permit, or take action as may be necessary to insure compliance with the regulation, general provision, or condition(s).
2. Storage of shopping carts on-site is prohibited. All shopping carts shall be removed from the site on a daily basis.
3. Failure to comply with the conditions of the CUP shall result in the process to revoke the CUP.
4. Provide a site plan the clearly depicts the area layout.
5. Provide operational statement that clearly defines the number of employees, hours of operation and that the recycling center is for CRV material.
6. Recycling area shall be kept free and clear of debris and garbage.

CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

Design District: "F" [17.30.210]

Maximum Building Height: 50 Feet

Minimum Setbacks:

	Building	Landscaping
➤ Front	30 Feet	30 Feet
➤ Side	0 Feet	5 Feet*
➤ Street side on corner lot	25 Feet	25 Feet
➤ Side abutting residential zone	15 Feet	5 Feet
➤ Rear	0 Feet	5 Feet*
➤ Rear abutting residential zone	20 Feet	5 Feet


*(Except where building is on property line)

Minimum Site Area: 3 acres

Parking: As prescribed in Chapter 17.34

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 

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4500

SITE PLAN NO: SPR13005
PROJECT TITLE: NEXCYCLE (RECYCLE CONTAINER)
DESCRIPTION: EXISTING 192 SF RECYCLE CONTAINER ON SMALL PORTION OF 4.6 ACRE AREA (CSO ZONED)
APPLICANT: NEXCYCLE
PROP OWNER: TNP SRT VISALIA MARKETPLACE LLC
LOCATION: 3615 W NOBLE AVE
APN(S): 095-010-058

COMMERCIAL BIN SERVICE

- No comments.
- Same comments as as
- 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 be fore 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 (X) 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)
- 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.

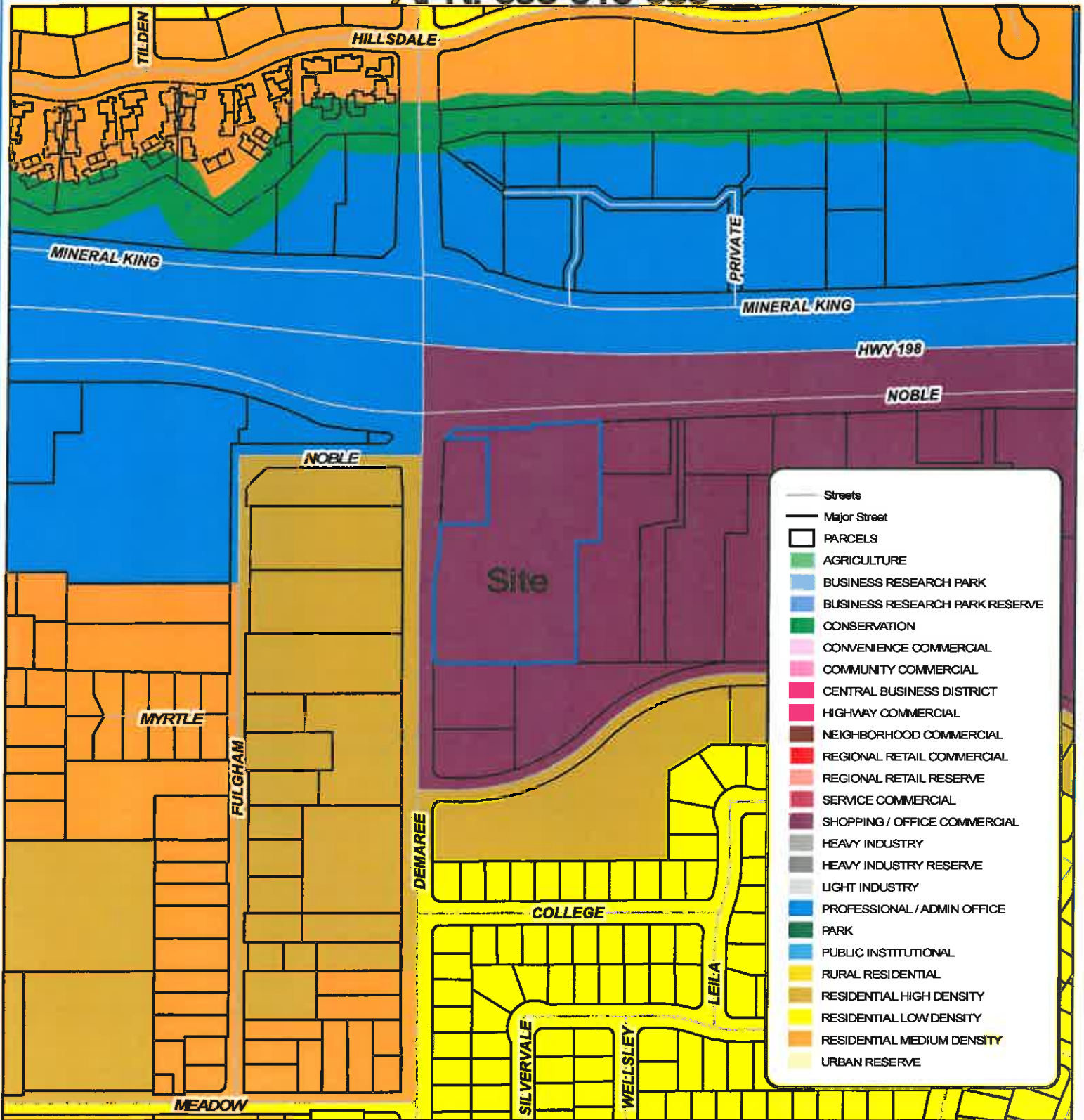
Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post
see page 2 for instructions

EXISTING REFUSE SERVICE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

Conditional Use Permit No. 2013-04

APN: 095-010-058



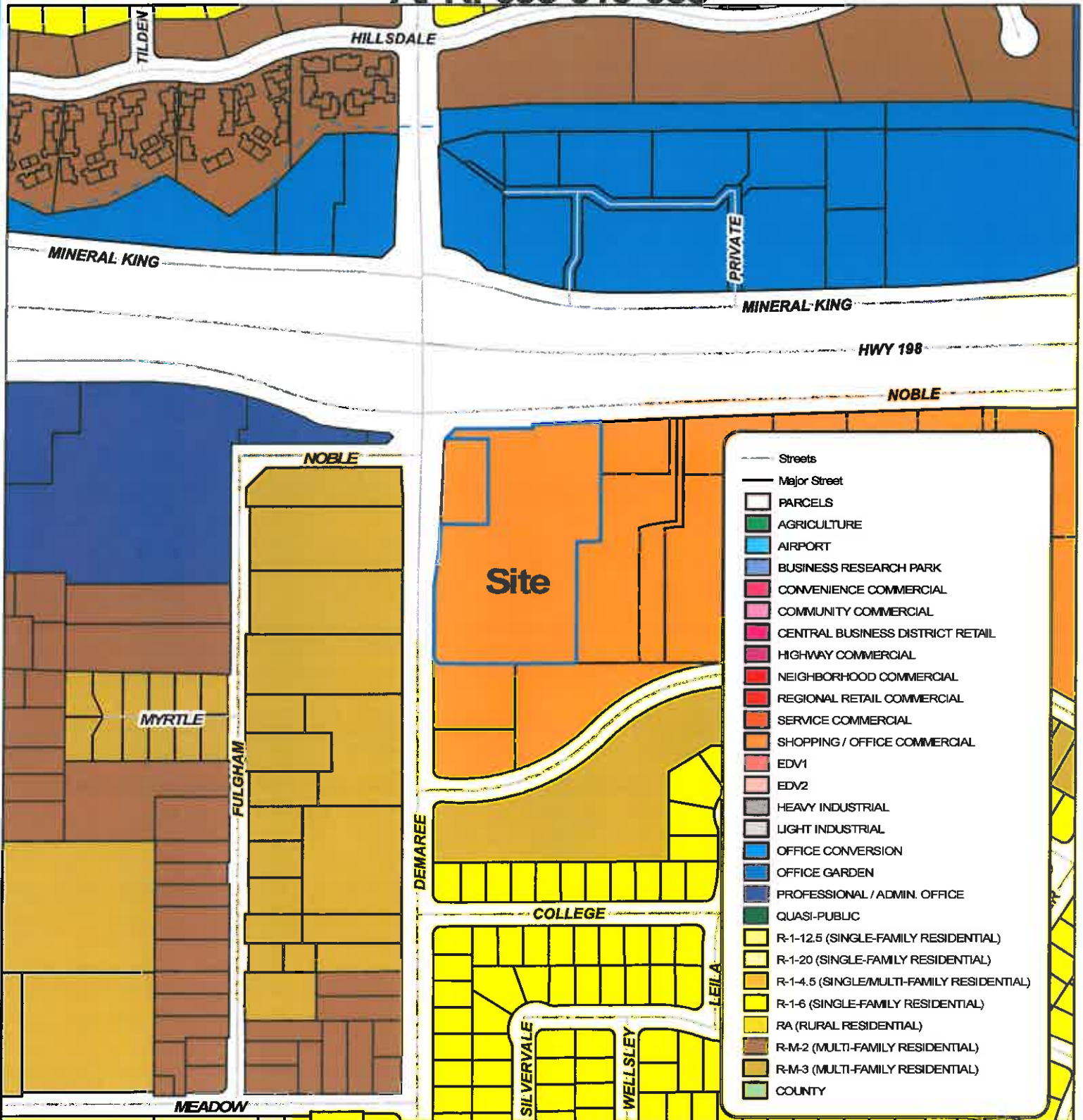
General Plan Land Use Map

300 150 0 300 600 Feet



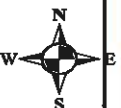
Conditional Use Permit No. 2013-04

APN: 095-010-058



Zoning Map

300 150 0 300 600 Feet



Conditional Use Permit No. 2013-04

APN: 095-010-058



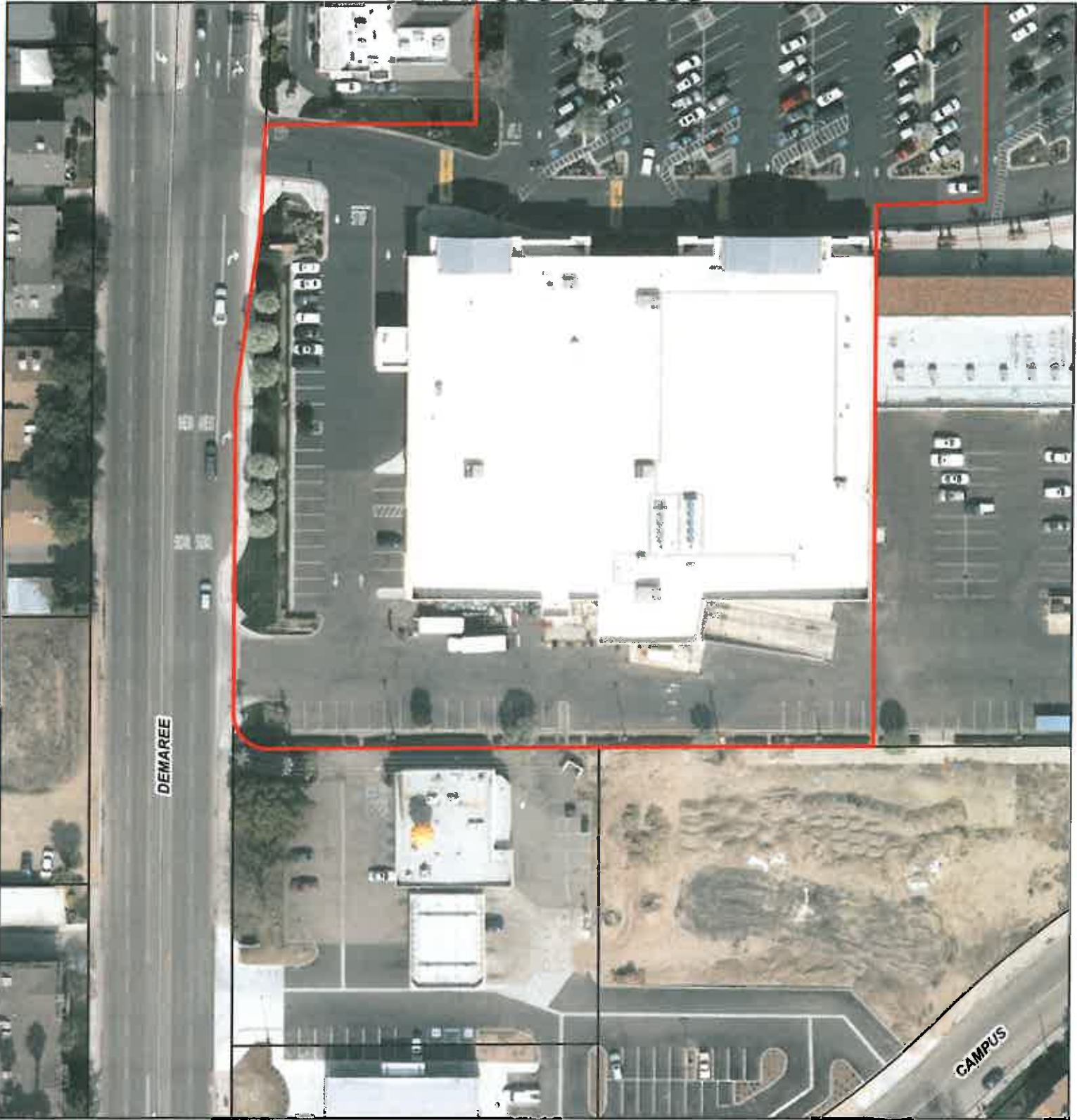
Aerial Photo

100 50 0 100 200 Feet



Conditional Use Permit No. 2013-04

APN: 095-010-058

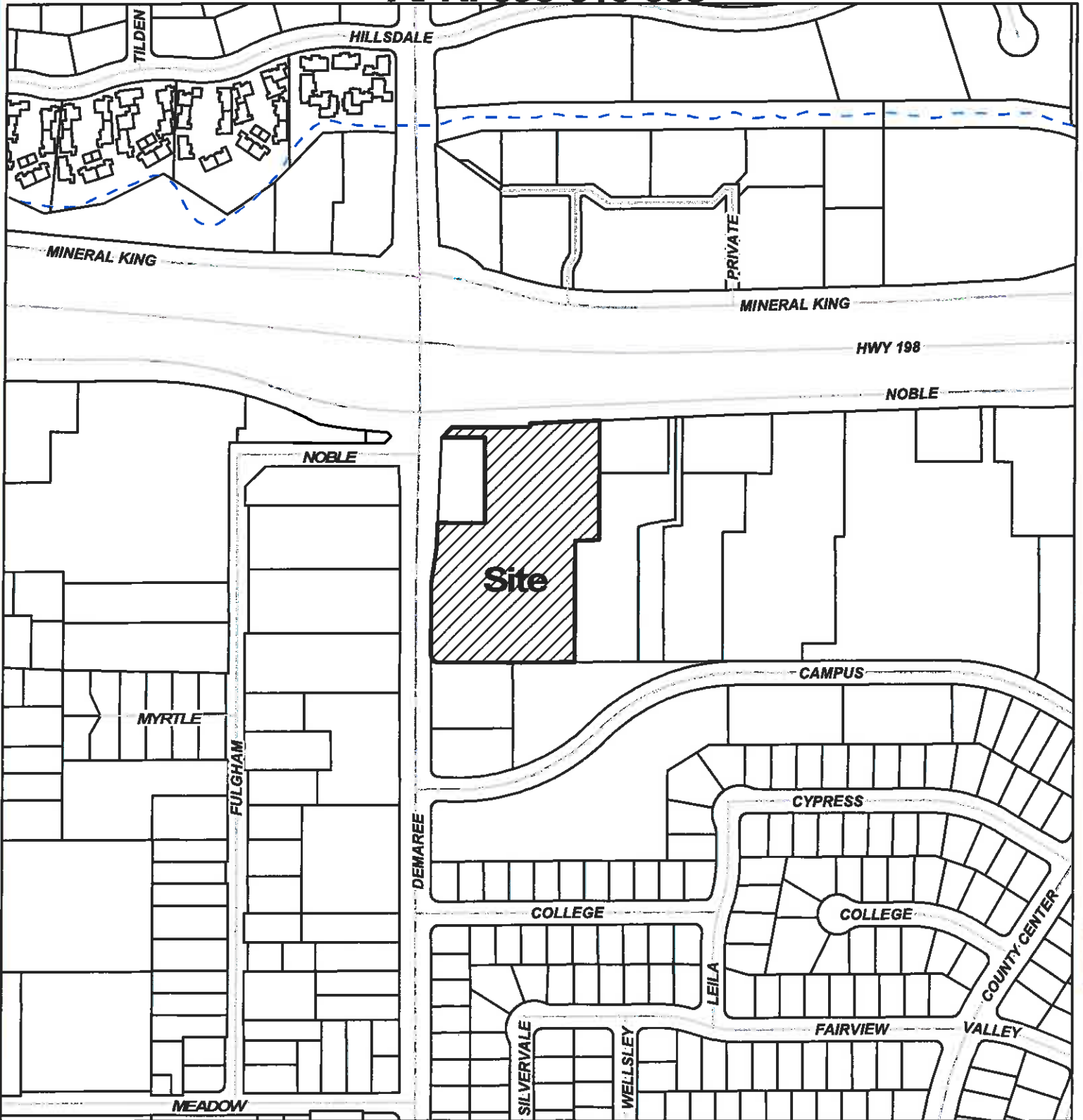


Aerial Photo



Conditional Use Permit No. 2013-04

APN: 095-010-058



Vicinity Map





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 11, 2013

PROJECT PLANNER: Paul Bernal, Senior Planner
Phone No.: (559) 713-4025

SUBJECT: Conditional Use Permit No. 2013-05: A request by Shuaib Alfareh to establish a 1,245 square foot convenience store in the C-C (Convenience Commercial) zone. The site is located at 501 East Kaweah Avenue (APN: 097-111-001).

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 2013-09 for Conditional Use Permit No. 2013-05, as conditioned, based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2013-05, as conditioned, based on the findings and conditions in Resolution No. 2013-09.

PROJECT DESCRIPTION

Conditional Use Permit No. 2013-05 is a request to establish a 1,245 square foot convenience store in a 4,700 square foot building (see Exhibit "A"). The convenience store will sell perishable and non-perishable items. The applicant, as depicted on Exhibit "A", will install new landscaping along the Santa Fe Street frontage and refurbish the exterior façade of the building along the north and west building façade. In addition, a new refuse enclosure will be constructed with the convenience store improvements.

The applicant has provided an operational statement; see Exhibit "B", detailing the hours of operation. The hours of operation for the store will be from 8:00 a.m. to 9:00 p.m., seven days per week. The operational statement (Exhibit "B"), indicates that two employees will be present during business hours.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Convenience Commercial
Zoning:	C-C (Convenience Commercial)
Surrounding Zoning and Land Use:	North: R-M-2 (Multi-Family Residential 3,000 sq. ft. min. site area per dwelling) – Multi-Family Development
	South: R-M-2 (Multi-Family Residential 3,000 sq. ft. min. site area per dwelling) – Multi-Family Development
	East: R-M-2 (Multi-Family Residential 3,000 sq. ft. min. site area per dwelling) – Multi-Family Development
	West: South Santa Fe Street & R-M-2 (Multi-Family Residential 3,000 sq. ft. min. site area per dwelling) – Multi-Family Development

RELATED PROJECTS

The Planning Commission approved CUP No. 2009-31 on July 27, 2019 (per Resolution No. 2009-43). The CUP was a request to construct a convenience store in the C-C zone on the southwest corner of Murray Street and Jacob Street. The 2,702 square foot two-story convenience store also had a small deli and soup counter and a small amount of indoor and outdoor seating area. The hours of operation for the store are from 7 A.M. to 10 P.M., seven days per week.

Related Plans and Policies

Please see attached summary of related plans and policies.

PROJECT EVALUATION

Staff supports the requested conditional use permit, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

This area currently contains a mix of single and multi-family housing. There are two mini-mart / gas stations within ¼ mile south of this site. The site is also less than ¼ mile from the downtown core area. The proposed use would provide the surrounding neighborhood with a commercial convenience store within close proximity to existing residential housing.

During the Site Plan Review process, the applicant was informed staff would not support the sale of alcohol from this location. Staff's recommendation to prohibit the sale of alcohol products is due to the site's close proximity to residential development and the site being within one block of Washington Elementary School. There is already a saturation of alcohol sales in the neighborhood as two convenience stores within ¼ mile of the site already sell beer and wine. These two businesses are the Chevron mini-mart at the northeast corner of Mineral King Avenue and Bridge Street, and the E-Z Pic-N-Go mini-mart at the northeast corner of Tulare Avenue and Bridge Street. Staff has included Condition No. 4 prohibiting the sale of alcohol at this location.

The site was previously used by various businesses including a Laundromat, contractor's office and a property management office. Convenience stores are considered compatible uses in commercial areas where potential impacts can be addressed through the conditional use permit process. The proposed convenience store will provide the neighborhood with a place to shop for goods and services while also re-investing into a building that has become dilapidated.

Parking

Section 17.34.020.F.3 of the Visalia Zoning Ordinance requires one parking space for every 300 square feet of floor area for retail stores. Based on the proposed 1,245 square foot convenience store, five parking spaces are required. The applicant is proposing to stripe the five parking spaces along the north side of the building as depicted on Exhibit "A".

To meet the parking requirements for proposed uses, the applicant will not lease or use the remaining portion of the building. There will be no internal access from the convenience store to the remaining south portion of the building as detailed on the floor plan (see Exhibit "A"). The applicant has identified with previous Site Plan Review submittals their future intent to rehabilitate the remaining building space; however, at this time the applicant is only proposing to open the convenience store and install landscaping as depicted on Exhibit "A".

Code Enforcement History at the Project Site

The previous owner of the site had received code compliance letters due to the building being unsecured and the presence of graffiti. Both issues are known to cause visual blight and reduce the aesthetic appearance of the neighborhood. The code violations were resolved and a new owner acquired the property in 2012 and is in the process of improving the site.

Landscaping

New landscaping planters and landscaping will be installed and planted in accordance with City standards, including new street trees along the Santa Fe Street frontage, as depicted on Exhibit "A". On January 1, 2010, the State Model Water Efficient Landscape Ordinance became effective by adoption of a City urgency ordinance on December 21, 2009. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by the applicant's landscape architect and/or contractor.

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. 2013-11).

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - 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.
 - 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 project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for minor alterations in land use limitations (Categorical Exemption No. 2013-11).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2011-053.
2. That the site and floor plan shall maintain compliance with the site plan provided on Exhibit "A".
3. That the applicant complies with their operational statement as stated in Exhibit "B". 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. That alcohol sales (beer, wine and spirits) from this site are expressly prohibited.
5. That all signs require a separate building permit.
6. That all applicable federal, state and city codes and ordinances be met.
7. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-05.

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 425 East Oak Avenue, Suite 301, 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.ci.visalia.ca.us or from the city clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2013-09
- Exhibit "A" – Site Plan / Floor Plan
- Exhibit "B" – Operational Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

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. 2013-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-05, A REQUEST BY SHUAIB ALFAREH TO ESTABLISH A 1,245 SQUARE FOOT CONVENIENCE STORE IN THE C-C (CONVENIENCE COMMERCIAL) ZONE. THE SITE IS LOCATED AT 501 EAST KAWEAH AVENUE (APN: 097-111-001).

WHEREAS, Conditional Use Permit No. 2013-05, is a request by Shuaib Alfareh to establish a 1,245 square foot convenience store in the C-C (Convenience Commercial) zone. The site is located at 501 East Kaweah Avenue (APN: 097-111-001); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 11, 2013; 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 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 the Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - 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 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 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-11).

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

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2011-053.
2. That the site and floor plan shall maintain compliance with the site plan provided on Exhibit "A".
3. That the applicant complies with their operational statement as stated in Exhibit "B". 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. That alcohol sales (beer, wine and spirits) from this site are expressly prohibited.
5. That all signs require a separate building permit.
6. That all applicable federal, state and city codes and ordinances be met.
7. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-05.

OPERATIONAL STATEMENT

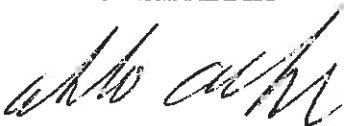
THE PROPOSED USE IS TO BE A SMALL LOCAL GROCERY STORE. THE HOURS OF OPERATION WILL BE 8:00 AM TO 9:00 PM. SEVEN DAYS A WEEK. THERE WILL BE (1) FULL-TIME AND (1) PART-TIME WORKER. THE STORE WILL NOT OBTAIN A LICENSE FOR ALCOHOL.

IT IS OUR REQUEST THAT WE BE ALLOWED TO DEVELOP THIS PROJECT IN (2) PHASES. THE FIRST PHASE WOULD BE TO REFURBISH BOTH THE KAWEAH & SANTE FE ELEVATIONS FULLY, SEEKING TO BRING BACK THE BEAUTY OF THE BRICK WORK, TO INSTALL SOME UP TO DATE WINDOWS WITH CANOPIES AND TO RE-SIDE THE TWO STREETSIDE ELEVATIONS WITH VERTICAL SIDING. IT WOULD BE OUR HOPE TO OBTAIN A MONTEREY BAY WAREHOUSE LOOK. ALONG WITH THIS PHASE WE WOULD ELIMINATE THE PARKING ALONG SANTE FE AND REPLACE IT WITH LANDSCAPING. THE ONLY SPACE WHICH WOULD BE UTILIZED PRIOR TO PHASE (2) WOULD BE THE 1200 SQ. OF NEW GROCERY.

THE REFURBISHING OF THE NORTH END OF THE BUILDING WOULD BE TO ESTABLISH A NEW GROCERY STORE AS PART OF PHASE ONE.

IT IS OUR INTENT AND REQUEST THAT WE BE ALLOWED TO REMOVE THE SOUTH PORTION OF THE BUILDING AND INSTALL THE NEW PARKING LOT AND CITY APPROACHES AS PHASE 2. AT THIS TIME WE WOULD REMOVE A MAJOR PORTION OF THE DEAD SPACE AND REFURBISH THE REMAINING INTO OFFICES.

ABDO ALFARAH

A handwritten signature in black ink, appearing to read 'Abdo Alfarah', written in a cursive style.



MEETING DATE 7/18/2012
SITE PLAN NO. 11-053
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 8:30 a.m. and 4:30 p.m., Monday through Friday.
- Your plans must be reviewed by:
- CITY COUNCIL REDEVELOPMENT
 PLANNING COMMISSION PARK/RECREATION
 HISTORIC PRESERVATION OTHER _____
-

- ADDITIONAL COMMENTS** This project requires a Conditional Use Permit

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Committee



MEETING DATE 7-18-12
SITE PLAN NO. 11-053
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 8:30 a.m. and 4:30 p.m., Monday through Friday.

Your plans must be reviewed by:

- CITY COUNCIL REDEVELOPMENT
- PLANNING COMMISSION *CUP* PARK/RECREATION
- HISTORIC PRESERVATION OTHER _____
-

ADDITIONAL COMMENTS _____

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

Site Plan Review Committee

City of Visalia
Building Site Plan
Review Comments


ITEM NO: 3 DATE: July 18, 2012
SITE PLAN NO: SPR11053
PROJECT TITLE: MINI MART / OFFICES
DESCRIPTION: 2-PHASE BUILDING CONVERSION IN EXISTING 4,293 SF BUILDING ON 0,538 SF AREA (CC ZONED)
APPLICANT: SPARSHOTT STEVE
PROP OWNER: ALFAREH SHUAIB
LOCATION: 501 E KAWEAH AVE
APN(S): 097-111-001

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.

- Business Tax certification is required. *For information call (559)713-4326*
- A building permit will be required *For information call (559)713-4444*
- Submit 5 sets of engineered plans and 2 sets of calculations.
- Submit 5 sets of plans signed by an architect or engineer. Must comply with 2010 California Building Code Sec. 2308 for conventional light-frame construction or submit 2 sets 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 (559)230-6000*
- Location of cashier must provide clear view of gas pump island
- Treatment connection charge to be assessed based on use. Credits _____
- 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. *For information call (559)713-4444* (Fee for inspection \$132)
- School Development fees. Commercial \$0.47 per square foot. Residential \$2.97 per square foot.
- Park Development fee \$ _____, per unit collected with building permits.
- Existing address must be changed to be consistent with city address policy. *For information call (559)713-4320*
- Acceptable as submitted

Special comments: _____


Signature

Date: 7/18/12

Greg Adams
(559)713-4496
www.ci.visalia.ca.us

ITEM NO: 3

DATE: July 18, 2012

SITE PLAN NO:

SPR11053

PROJECT TITLE:

MINI MART / OFFICES

DESCRIPTION:

2-PHASE BUILDING CONVERSION IN EXISTING 4,293 SF BUILDING ON 9,538 SF AREA (CC ZONED)

APPLICANT:

SPARSHOTT STEVE

PROP OWNER:

ALFAREH SHUAIB

LOCATION:

501 E KAWEAH AVE

APN(S):

097-111-001

City of Visalia Police Department

303 S. Johnson St.
Visalia, Ca. 93292
(559) 713-4573

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:

Landscaping Concerns:

Traffic Concerns:

Surveillance Issues:

Line of Sight Issues:

Other Concerns:

NO ALCOHOL SALES

Visalia Police Department

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: July 18, 2012

SITE PLAN NO: 11-053 RESUBMITTAL
PROJECT: CONVENIENCE STORE
PROPOSED USE AS CONVENIENCE STORE IN EXISTING 4,704 SF
BUILDING ON 9,538 SF AREA (CC ZONED)
APPLICANT TITLE: SALEH ALI, MAGDY MAKSY (PROP. OWNER)
LOCATION TITLE: 501 KAWEAH, E.
APN TITLE: 097-111-001

General Plan: CC – Convenience Commercial
Existing Zoning: CC – Convenience Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements:

Building Permits
Conditional Use Permit for convenience store

PROJECT SPECIFIC INFORMATION: 07/18/2012

1. The Phasing Plan as proposed will not be supported by staff. Staff's recommendation to the Planning Commission will require that all improvements as required by staff and as depicted per previous site plan review submittals shall be constructed and installed prior to the operation and use of the building for any retail and/or office use.
2. Comply with previous comments for Site Plan Review No. 2011-053.
3. Conditions prohibiting the sale of any alcoholic beverages will be included into the CUP conditions for the proposed convenience store.

PREVIOUS COMMENTS

PROJECT SPECIFIC INFORMATION: 08/31/2011

1. Comply with previous comments.
2. **Staff will not support the sale of alcoholic beverages from this site as previously stated.**
3. It appears that the proposed use is a convenience store. No documentation has been provided stating otherwise. A CUP is required for a convenience store.
4. Clearly depict the five foot Irrevocable Offer of Dedication along Santa Fe.
5. Provide landscaping along Santa Fe as depicted on the site plan. Please note landscaping requirements per the State Model Water Efficient Landscape Ordinance. This is found in the "Landscaping" section found on page 2 of these comments.
6. Other uses not identified with this site plan may result in refiling proposed uses back through the Site Plan Review Committee.
7. Design parking stalls to current City standards. Staff recommends designing the compact stalls to full size stalls and shifting those parking stalls to the east. This will enable vehicles to maneuver out of the parking stall and preventing vehicles from backing into the trash enclosure.
8. Comply with all other City Requirements.

PREVIOUS COMMENTS

PROJECT SPECIFIC INFORMATION: 05/11/2009

1. **Staff will not support the sale of alcoholic beverages from this site.**
2. Provide a site plan that clearly depicts all public improvements, parking spaces, building setbacks, etc. The site plan shall provide property line dimensions and include building dimensions and square footages.
3. The site plan has identified the use of the building as a "Convenience Store". Provide an operational statement that details the proposed "Convenience Store".
4. Provide trash enclosure on the site plan. Trash enclosure shall not be permitted along the east and south property lines due to those sites being planned and zoned residential.
5. Depict proposed landscape areas.
6. Depict pedestrian path of travel from parking lot area to the main entrance(s) into the building.
7. It appears, based on the proposed uses, parking can not be met. A variance to parking is required parking demands cannot be met. Staff may not support a variance to parking.
8. Clearly depict the streets.
9. **Staff will not support vehicles backing out onto Santa Fe Street.**

CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan **IS NOT CONSISTENT** with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

Design District: "K" [17.30.270]

The following development standards shall apply to property located in district K.

New development of property within this district shall comply with the conditions of approval of the applicable planned unit development permit. New development of property not situated within a planned unit development shall conform with development standards as determined by the site plan review committee as provided in Section 17.18.020.

Parking:

1. Parking shall be provided based on the following uses:
 - One parking space per 300 square feet of floor area for the convenience store (see Ordinance Section 17.34.020).
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. It is highly recommended that bicycle rack(s) be provided on site plan.
6. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
7. Parking lot to be screened from view by a 3-foot tall when located adjacent to a public street.

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
3. Outdoor retail sales prohibited.
4. Provide minimum of 7-foot high concrete block wall or masonry wall along/around the following: East and South property lines if block wall does not exist.

5. If there is an anticipated grade difference of more than 12-inches between this site and the adjacent sites, a cross section of the difference and the walls must be provided as a part of the Subdivision and/or CUP application package.
6. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

Landscaping:

1. On September 30, 2009, the State Model Water Efficient Landscape Ordinance (MWELo) was finalized by the State Department of Water Resources to comply with AB 1881. AB 1881 along with the MWELo became effective on January 1, 2010. As of January 1, 2010, the State Model Water Efficient Landscape Ordinance became effective by adoption of a City urgency ordinance on December 21, 2009. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance.
2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.130.C).
3. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
4. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
5. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).
6. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
7. Provide a detailed landscape and irrigation plan for review prior to issuance of building permits. Please review Zoning Ordinance section 17.30.130-C for current landscaping and irrigation requirements.

Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.

5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

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

A handwritten signature in black ink, appearing to read "Paul Brown", written over a horizontal line.

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4500

COMMERCIAL BIN SERVICE

ITEM NO: 3

DATE: July 18, 2012

SITE PLAN NO: SPR11053
PROJECT TITLE: MINI MART / OFFICES
DESCRIPTION: 2-PHASE BUILDING CONVERSION IN EXISTING 4,293 SF BUILDING ON 9,538 SF AREA (CC ZONED)
APPLICANT: SPARSHOTT STEVE
PROP OWNER: ALFAREH SHUAIB
LOCATION: 501 E KAWEAH AVE
APN(S): 097-111-001

- No comments.
- Same comments as as
- 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 (X) 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)
- 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.

Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post see page 2 for instructions

EXISTING REFUSE ENCLOSURE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

ITEM NO: 3	RESUBMTL
SITE PLAN NO:	SPR11053
PROJECT TITLE:	MINI MART / OFFICES
DESCRIPTION:	2-PHASE BUILDING CONVERSION IN EXISTING 4,293 SF BUILDING ON 9,538 SF AREA (CC ZONED)
APPLICANT:	SPARSHOTT STEVE
PROP. OWNER:	ALFAREH SHUAIB
LOCATION:	501 E KAWEAH AVE
APN(S):	097-111-001

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.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Study required.
-
-

Additional Comments:


Eric Bons

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Doug Damko 713-4268
- Ken McSheehy 713-4447
- Adrian Rubalcaba 713-4271
- Jason Huckieberry 713-4259

ITEM NO: 3 DATE: JULY 18, 2012

SITE PLAN NO.: 11-053 4th RESUBMITTAL
PROJECT: PROPOSED USE AS CONVENIENCE STORE IN EXISTING 4,704 SF BLDG ON 9,538 SF AREA (CC ZONED)
APPLICANT: SALEH ALI, MAGDY MAKSY (PROP OWNER)
LOCATION: 501 E KAWEAH
APN: 097-111-001

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with _____ radius;
- Install curb; gutter
- Drive approach size: **36' Min** Use radius return; *City Standard C-18 or C-19 with C-18 drive City will need an easement for sidewalk behind approach on Santa Fe.*
- Sidewalk: **6'** width; parkway width at **Santa Fe & Kaweah**
- 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. **5' IOD on Santa Fe**
- Deed required prior to issuing building permit;
- City Encroachment Permit Required.
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.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: Al Dias (planning) 488-7306;
- 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. Contact Doug Damko, 713-4268, 315 E. Acequia Ave.
- 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 = .020%, 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, Gakes, 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 Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements.
- A permit is required to remove oak trees. Contact David Pendergraft at 713-4295 for an 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:
- Dust control is required on site during construction and for all material excavated, graded, and/or transported.
- Based on estimated land disturbance area, a State Storm Water General Permit is required.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

Prior Site Plans 07-009 & 09-112

- 1.) A 5' irrevocable offer of dedication will be required along Santa fe Street.***
- 2.) Sidewalk is existing along Santa Fe and Kaweah. A recent field inspection has determined there are several sections of sidewalk that will need replacing.***
- 3.) The existing curb return will need to be upgraded to comply with current City standards and ADA requirements.***
- 4.) Site Plan shows phasing for future development. All requirements for parking, landscaping, and concrete improvements shall be completed as part of Phase 1.***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 11-053 4th Resubmittal

Date: 7/18/2012

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: 7/1/2012)

(Project type for fee rates: **Proposed use as Retail**)

Existing uses may qualify for credits on Development Impact Fees. Provide square footage and prior use of existing building to receive credit.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	
<input checked="" 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:

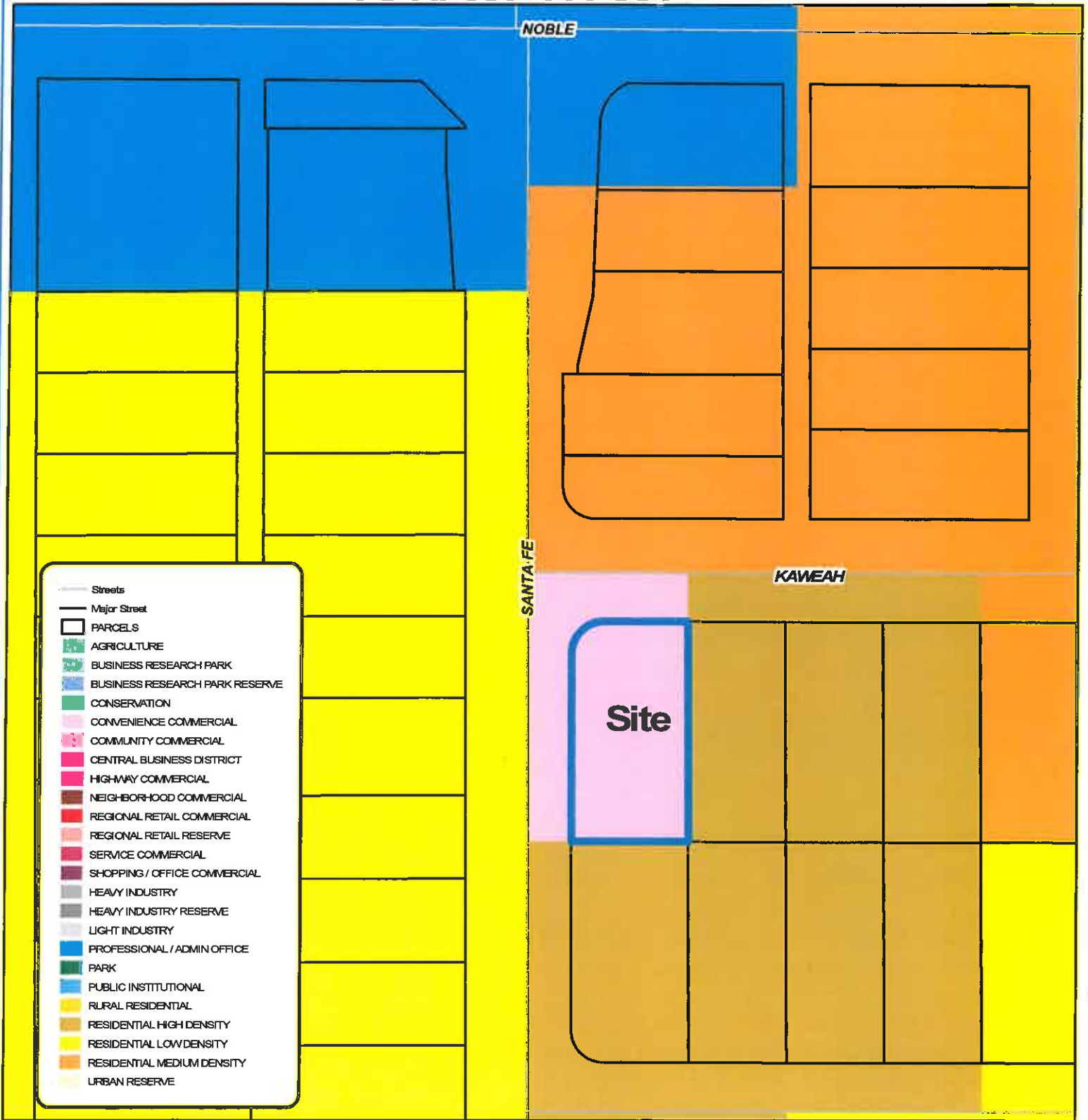
- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in 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.



Adrian Rubalcaba

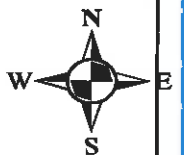
Conditional Use Permit No. 2013-05

APN: 097-111-001



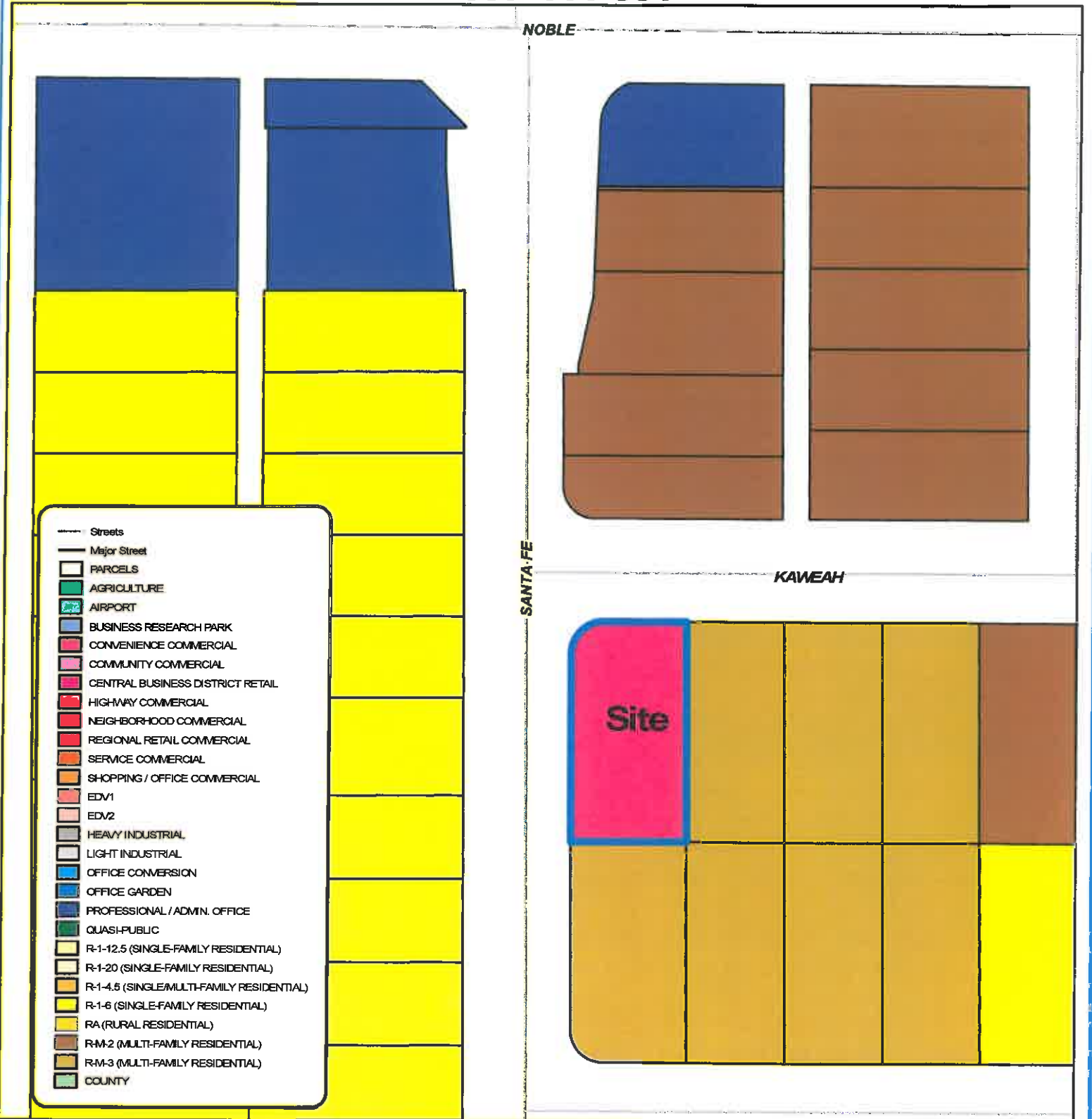
General Plan Land Use Map

60 30 0 60 120 Feet

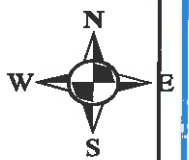


Conditional Use Permit No. 2013-05

APN: 097-111-001



Zoning Map

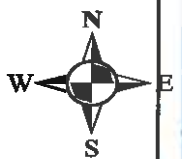


Conditional Use Permit No. 2013-05

APN: 097-111-001



Aerial Photo



Conditional Use Permit No. 2013-05

APN: 097-111-001

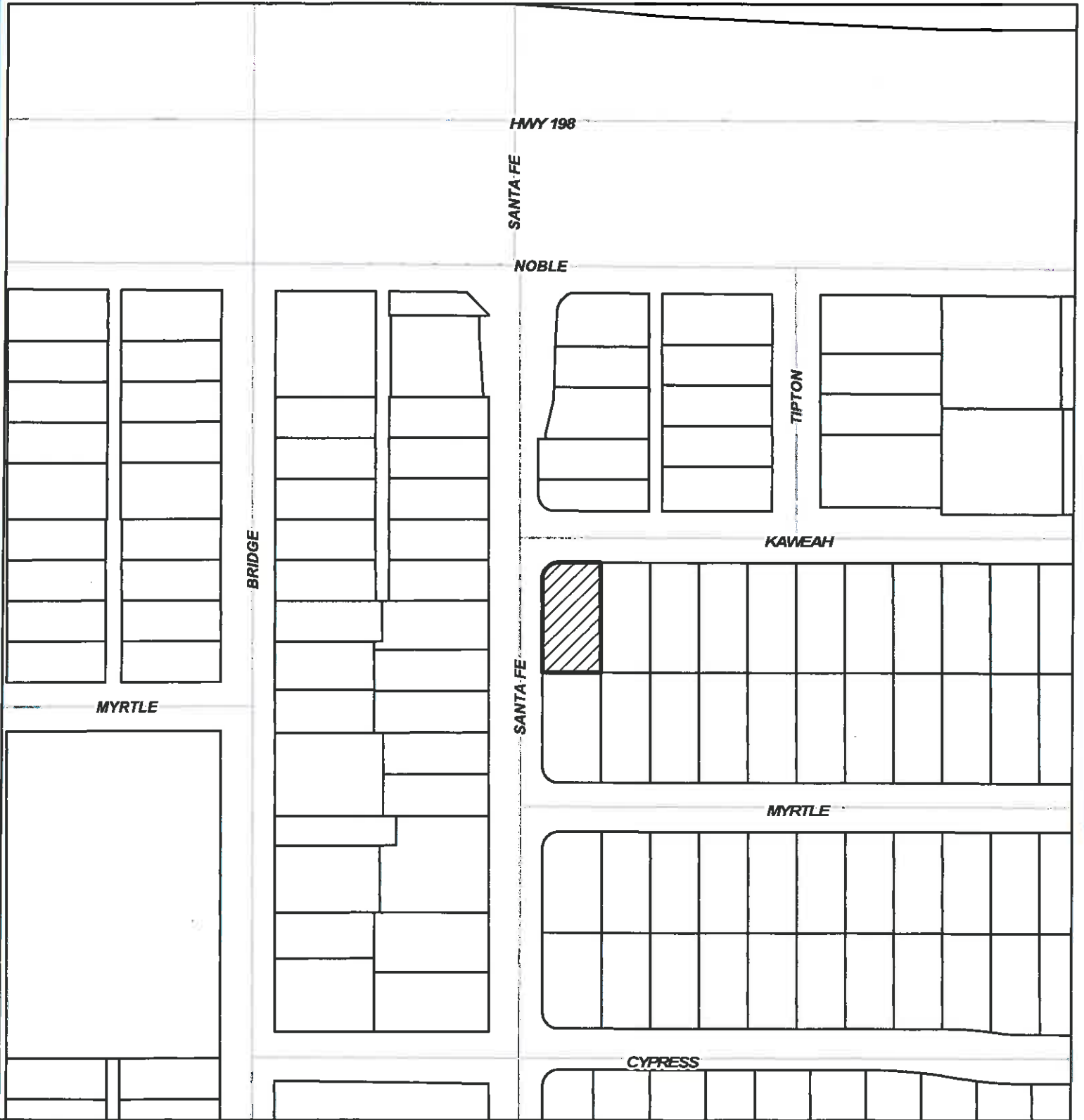


Aerial Photo



Conditional Use Permit No. 2013-05

APN: 097-111-001



Vicinity Map

